

“True, reliable and valid?” Data and Community Experience in the Case of the Janitorial Service Social Audit

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A minor dissertation submitted in partial fulfilment of the requirements for the award of the degree of
Master of Philosophy in Development Studies

Faculty of the Humanities

University of Cape Town

2015



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Date: 7 September 2015

Abstract

Across South Africa, poor and working class people are rising up in violent protest because of poor delivery of basic services. The frustration and rage is palpable and points to the high expectations that South Africans have in the post-apartheid state. At the same time municipalities are struggling to facilitate meaningful participation. As a result, citizens are using creative new ways to engage government in invented participatory spaces.

Social audits aim to empower communities to gathering evidence and verify the delivery of basic services and present their findings at a public hearing and have the potential to valorise and legitimise community experience, making it legible to government officials, ensuring participation, accountability and the realisation of human rights.

I present a case study of a social audit conducted by the Social Justice Coalition in the City of Cape Town on a janitorial service for full flush toilets in informal settlements. Given the City's previous vociferous attacks on the process, I focus on attempts to improve the legitimacy of the social audit through improvements to the data collection method.

I describe, the messy reality of data collection and how despite these efforts, the City officials followed a clear agenda to deny the findings, attack the data and blame the residents for poor service delivery.

Although there is some evidence that the social audit had some impact in terms of advocacy, I argue that our reliance on data resulted in lost opportunities for capturing and articulating community knowledge and experience. It is hard to know whether this was inevitable given the City's track record on meaningful participation, leaving us with unanswered questions as to how social auditing can result in accountability and justice. Despite this foundations have been laid for the growth of social audits nationally, presenting further opportunities for comparative scholarship and case studies.

Acknowledgements

Thanks to:

Sophie Oldfield, who waited a whole year before seeing a first draft and provided invaluable guidance.

Reagan Lewis, who was patient and kind and bought me chocolate peanuts

Carohn Cornell, who rescued me more than once, gave me unlimited encouragement, support and proof reading services

Zackie Achmat, who saw my degree as valuable, encouraged and pushed me to finish, and let me take the time out of work.

Axolile Notywala, Dustin Kramer and Nkosikhona Swartbooi, who gave of their time and are committed and inspiring activists

Dene Rossouw, who encouraged all my brothers and I to study and phoned me weekly for updates and support

Carol Dawes, who is unconditionally proud of whatever work I do

Chad and Henk Rossouw, who are my greatest supporters and friends

The Spalding Set, who are light years ahead

Acronyms

ANC: African National Congress
CBO: Community based organisation
CoCT: City of Cape Town (Metro)
DA: Democratic Alliance
DPME: Department of Performance, Monitoring and Evaluation
eNCA: News Channel Africa
GPS: Global Positioning System
ICESR: International Covenant on Economic, Social and Cultural Rights
IBP: International Budget Partnership
IDP: Integrated Development Plan
ISU: Informal Settlement Unit
KFC: Kentucky Fried Chicken
Mayco: The Mayoral Committee (in the City of Cape Town)
MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act
MKSS: Mazdoor Kishan Shaki Sangathan (peasants and workers movement, based in Rajasthan, India)
MSA: Municipal Structures Act, No 1 of 2003 (South Africa)
MUHURI: Muslims for Human Rights (NGO based in Mombasa, Kenya)
NGO: Non governmental organisation
NU: Ndifuna Ukwazi (“Dare to Know”)
NT: National Treasury
PAIA: Promotion of Access to Information Act, No 2 of 2000 (South Africa)
PFT: Portable flush toilet
PHC: Public healthcare centre (In India)
PPE: Personal protective equipment
RTA: Right to Information Act, 2005 (India)
SAHRC: South African Human Rights Commission
SANCO: South African National Civics Organisation
SATHI: Support for Advocacy and Training of Health Initiatives (India)
SDA: Survey Delivery Agreements (municipal contrasts with external mechanisms providing basic services.
SJC: Social Justice Coalition
SSAAT: Society for Social Audits, Accountability and Transparency (India)

List of people

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Dustin Kramer	Deputy General Secretary of the SJC
Axolile Notywala	Head of the Local Government Programme at the SJC
Nkosikhona Swartboo	A team leader and now Coordinator of the Social Audit Network and the Chairperson of the SJC
Nosiphelele Msesiwe	A janitor and now a community advocate at the SJC
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Khanyiswa Gxotani	A community advocate at the SJC
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Mayor Dan Plato	Former Mayor of the CoCT, now Provincial MEC for the Department of Safety & Security
Paul Boughey	The then Mayor's Chief of Staff in the CoCT, now CEO of the Democratic Alliance
Councillor Ernest Sonnenberg	Current Mayco member for Utility Services in the CoCT
Dr Gisela Kaiser	Executive Director for Utility Services in the CoCT
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Councillor Shehaam Sims	A former Mayco Member for Utility Services

Sowmya Kidambi and **Vivek Kumar** are Indian activists who worked at MKSS in Rajasthan and introduced the SJC to social audits.

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Chapter One. Introduction

Across the road, two women were sitting on small stools in front of oil drum fires. Their prime position sitting opposite the container throughout the year meant that they were able to offer an extraordinary insight into the workings of the private contractors.

In October 2013, I spent a day with a team in Khayelitsha, Cape Town, who were inspecting refuse removal and area cleaning services as part of a social audit conducted by the Social Justice Coalition (SJC). Unlike in formal areas of the City where the Council collects rubbish and cleans the streets, in informal settlements this has been outsourced to private contractors.

According to the tender, the companies are meant to provide two plastic bags for free to each household per month, collect the rubbish at the door and place it in a shipping containers on the side of the road. The social audit gave residents who were living in informal settlements an opportunity to study the tender and gather evidence on the outsourced service providers' compliance with the specifications, then present their findings at a public hearing a week later. My experience that day is described in this anecdote:



Figure 1: Women cooking in front of the refuse collection container.
Photo: Jared Rossouw

One of our tasks was to inspect the containers to see if they had been emptied, and whether they were well maintained and sanitary. One particular container under a bridge was unimaginably filthy. It was rammed with plastic bags that were spilling out of the front doors and around the back more rubble and rubbish had been left.

Across the road, two women were sitting on small stools in front of oil drum fires, surrounded by piles of tangled wood that looked as if it had been collected from local bushes and building sites. The women were cooking goat hooves on greasy black grills, putting a steel flat skewer into the flames to heat before singeing off the hair.

Their prime position sitting opposite the container throughout the year meant that they were able to offer an extraordinary insight into the workings of the private contractors. They knew the people in the community who were employed to distribute and collect the bags and could explain how difficult and unsafe it was to do door to door collections. They saw which company serviced the container, recognised the driver and knew how often they came. From here, they could see how the dogs ripped open the bags and spread the rubbish down the pavement.

In some ways, this anecdote is indicative of the intractable problems and injustices of poor service delivery and the resulting violation of people's rights to health, dignity and equality. It seemed to me entirely reasonable that a city as wealthy as Cape Town would have the resources and capacity to provide a basic service such as refuse removal in informal settlements that was efficient, well managed and kept the streets safe and clean.

The lack of access to basic services such as water, sanitation and refuse cleaning is a pervasive problem affecting poor and working class people in South Africa, most of whom are Black African and living in informal settlements in towns and cities. Cape Town is in fact commonly presented as one of the better performing metros (Boughey, 2014), which gives an indication of the scale of the problem.

Across the country, poor and working class people are rising up in violent protest at poor service delivery. The frustration and rage is palpable, and points to the high expectations that South Africans have in the post-apartheid state (Bénit-Gbaffou & Oldfield, 2011) 445) as well as frustration with corruption and maladministration amongst other concerns.

At the same time municipalities in particular are struggling to facilitate the kind of meaningful participation that the Constitution requires and the representative structures are unable to compensate. The Executive Mayco system adopted in metros in particular renders Councillors accountable to the people but unable to represent their interests and inform policy in what are often bipartisan and formalistic Council forums (Bénit-Gbaffou, 2008). As a result, we see residents going to extraordinary lengths to be heard, from burning tyres and government buildings, to marches and meetings.

Across the world, in fact, there is a creative explosion of forums and spaces to participate in Governance, that citizens have created in opposition to the structurally oppressive institutions of democratic (and not so democratic) states: from the Arab spring and occupy movements of Wall Street and St. Paul's to the yellow umbrella protests in Hong Kong, citizens are creating "invented spaces" for themselves to engage the state and participate in the fulfilment of their rights (Cornwall & Coelho, 2007) 1).

The social audits pioneered by the SJC are perhaps one such example, inspired by the traditions, methods and principles of the Mazdoor Kishan Shaki Sangathan (MKSS) peasants and workers movement in India. There is, however, little scholarship on social audits in general, and in South Africa in particular, apart from reports and guides produced by civil society organisations and social movements.

Having been employed at Ndifuna Ukwazi¹ (NU) in 2013 I found myself in a position to not only support the SJC to conduct social audits, but also in a position to observe the process itself for my own research.

Looking back, my experience on the day at the refuse and area cleaning social audit, had a profound effect on my thinking. On the one hand, it was clear that it is residents like the two women here, who are the beneficiaries of a service, who are best placed to say what is and what is not working in the community. Often this would be a common sense assessment born out of experience and observation, what Storey (2014) would call “situated knowledge”. It was clear that residents had experience, observations and practical solutions that could help resolve the situation.

On the other hand, it was clear that the questionnaire wasn’t fit for purpose. The young people who were interviewing them were energised, they asked questions and wrote down the answers – but the simple questionnaire form couldn’t capture the totality and richness of the women’s experience. They were invited to the public hearing to provide testimony, but they never came, perhaps because they couldn’t afford to abandon work for a day.

At the ensuing public hearing, Councillor Ernest Sonnenberg, Mayco member for Utility Services in Cape Town, was antagonistic, defensive and unwilling to admit that there were any problems at all in the monitoring of outsourced services in Khayelitsha. This planted a seed in my mind which I took with me when we began planning the janitorial service social audit the following year: that perhaps the legitimacy of the social audit findings could be improved if we were able to collect more reliable data. My observations and reflections of the ensuing audit are documented in this dissertation as a case study.

I note that there is a tension between the gathering and presentation of data and the capturing and voicing of “situated knowledge” and experience (Storey, 2014) throughout the process, which has in

¹ Ndifuna Ukwazi (NU) is a group of activists and lawyers providing strategic legal services, research capacity and training opportunities to social movements and community based organisations in joint campaigns for social justice and equality.

previous social audits been articulated powerfully in a way that made the community experience legible to City officials and valorised it, even though it did not result in immediate redress and accountability.

I discuss how in this case, our attempts to improve the legitimacy of the social audit through improvements to the data collection method resulted in some impact in terms of advocacy and certainly raised the profile of the social audit. I describe how messy the data collection process became, despite our best intentions – meaning we neither came up with very good data, nor a good articulation of community experience – opportunities for capturing and voicing community experience were lost along the way, with tragic consequences.

It is impossible to tell whether the City's antagonistic response was inevitable, given the highly politicised nature of sanitation in Cape Town its relationship with the SJC. The net result was a sense of injustice for those who had taken part, and although it left us somewhat defeated and despondent for a while, the experience spurred us to reform the social audit method to address some of these issues. The foundations have been laid for the growth of social audits nationally, presenting further opportunities for comparative scholarship and case studies. The dissertation is laid out in the following way:

Chapter Two discusses the relevant literature on service delivery protests, local government and participation and the methods and principles of social audits in the MKSS tradition. I engage with Storey (2014) who observed the Mshengu social audit on "situated knowledge", legibility, legitimacy and power.

Chapter Three discusses my methodology in writing this dissertation and acknowledges the productive tension arising out of my position as both a scholar and an activist.

Chapter Four introduces the state of sanitation in Cape Town and the SJC's campaign for clean and safe sanitation, then moves to tell the case of the janitorial service social audit.

Chapter Five explores in more detail some of the moments in the social audit, focussing on where the data collection became messy and on the lost opportunities for capturing community experience. It ends with a discussion of the City's response at the public hearing and in the media.

Chapter Six discusses the consequences of some of the choices that we had made in pursuing the data driven audit and whether the City's response was inevitable. It explores what was won and what was lost. Chapter Seven concludes with a brief discussion of the way forward for practising social audits in South Africa and the possible implications for further study.

Chapter Two. Literature Review

The social audit not only developed or produced alternative knowledge, more importantly, the experience of interacting with documents and collecting evidence valorised it, as participants recognised their own expertise and authority based on their “everyday experiences of life within marginalised communities” (Storey, 2014, 413).

Introduction

While social audits have been practised in India since the early 1990s, there is surprisingly little academic literature available. This is particularly true in South Africa, where the SJC has conducted four to date.

- The Mshengu² social audit on outsourced chemical toilets in Khayelitsha in June 2013;
- a refuse removal and area cleaning social audit in Khayelitsha in October 2013;
- a janitorial service social audit in Khayelitsha in June 2014 which this dissertation describes;
- and more recently, a holistic audit of a range of sanitation technologies and housing problems in Green Point, Khayelitsha, in August 2015.

As can be seen, the SJC’s social audits have by and large focussed on the provision of basic services provided by local government. In the absence of literature then, how can we locate this work within in broader debates and bodies of knowledge?

It is essential to acknowledge the failure of local governments across South Africa to deliver basic services to poor and working class people. Poor service delivery, corruption and maladministration are the root causes of extraordinary levels of frustration and violent service delivery protests.

In this chapter I argue that any interaction with the state must be viewed with regard to the high hopes and expectations that people have for justice, equality and redress after apartheid. At the metro level, I move to explore the structural constraints that have undermined the system of representative democracy and the limited opportunities and practices for meaningful participation in local government.

² Mshengu Services Ltd is a company providing outsourced sanitation services in informal settlements across Cape Town. The word “Mshengu” is commonly used to refer to the blue chemical toilets.

I describe the emergence of “new democratic” or “invented” participatory spaces (Cornwall et al, 2011) and locate the SJC’s social audits here and then describe some of the methods and principles of social audits as established by the MKSS peasants and workers movement in India whose traditions the SJC draw their own practice from, using “grey literature”.

Finally, I discuss Storey (2014), who presents observations on “situated knowledge”, legitimacy and power in the SJC’s Mshengu audit in 2013.

Poor Service Delivery: toilets and the symbolic potency of shit

Across South Africa, local government is struggling to deliver on its mandate to provide basic services to poor and working class people and as a result service delivery protests have become near daily occurrences.

There is a growing body of literature that discusses the historical roots of service delivery protests in apartheid, identifying the complex and interrelated structural injustices that cause people to protest, and exploring the accompanying beliefs, assumptions and symbolism.

Netswera and Kgalane (2014) trace violent service delivery protests as historical and popular forms of resistance to the various incarnations of public administration that successive colonial and apartheid governments instituted to control Black African townships, most often taking the form of rent and rates boycotts (Netswera & Kgalane, 2014).

During the latter years of apartheid, violent protests and uprisings were utilised by Black Africans to express their “frustration and anger against the apartheid government since they had no legitimised representation in such a government” (Netswera & Kgalane, 2014). Indeed, as Carrim (2014) states, then and now “it is the rage of sections of the protestors and the extent of violence and destruction they wreak that is striking.”

Benit-Gbaffou and Oldfield point to the high expectations that South Africans have in the post-apartheid state (Béni-Gbaffou & Oldfield, 2011). It is clear that most service delivery protests today are at the heart about the poor delivery of basic services, given the expectations that Black African people have of the democratic era and the disappointment and frustration at the slow pace of change. People living in poor and working class communities, especially those in informal settlements are demanding access to clean water, sanitation, housing and jobs.

Most writers agree that this is also too simplistic an explanation. In fact, “many of the protests have been taking place in better-performing wards and municipalities where there has, in fact, been significant service delivery” (Carrim, 2010). Protestors are also angry about perceptions of maladministration, nepotism, fraud and corruption in local government (Carrim, 2010).

However, as Carrim (2010) argues, there is a deeper psychology at play:

“It reflects a fundamental alienation of people from our democracy. It suggests an acute sense of marginalisation and social exclusion. Many of the protestors come across as outsiders, those who feel they have not got what is owed to them, and will never ever do so, while others not so long ago, not that different from them, got something, and have become ‘insiders’” (Carrim, 2010).

This perception is particularly acute with regard to sanitation, where the inequality in provision is so stark. As Robins points out: “Sanitation and politics have always been intertwined despite being framed by bureaucrats as purely apolitical and technical matters of urban infrastructure, planning, and public health” (2014). While the link between colonisation and the availability of central sewerage systems is clear (Njoh, 2013) 207), we must remember that in apartheid South Africa and in District 6 in Cape Town, “the state used sanitary and hygiene laws to displace the poor from the middle class city centres and suburbs, to the urban margins” (Robins, 2014).

In the evolution of sanitation politics, the lack of toilets is increasingly, “...associated with everything about the apartheid past that the new democratic constitution claims to have overcome,” and where, “...the disposal of human waste becomes the problem of state infrastructural systems,” and the “...porcelain flush toilet is a sign of modern citizenship in a democracy” (Robins, 2014, 3).

Accordingly, in the much publicised “poo protests” across Cape Town in 2013, a number of protesters emptied faeces from portable toilets across the city - on cars on the N2 highway, in the departure lounge of the International Airport and on the steps of the Provincial Legislature. Referencing the long history of the “politics of shit”, Robins (2014) states that, “these faeces flingers from the urban periphery literally dragged the stench from the shantytowns to Cape Town’s centres of political and economic power” (Robins, 2014, 1) and “the smell from the urban margins was intolerable for the ruling political classes” (2014, 2).

Thus, the potency of shit as a symbol is no longer limited to service delivery protests and has come to represent (in)dignity, injustice, inequality and lack of transformation in diverse settings. For example, the #rhodesmustfall protests in March 2015 at UCT and throughout South African universities, highlighting the experience of black students at former White universities and calling for the removal of the symbols

of colonialism and apartheid and the racial transformation of higher education, started with a student throwing shit on a statue.

Shit and party politics

In Cape Town in particular, sanitation and service delivery are issues that have become party political battlegrounds. Much has been written, for instance, on the 2011 local government “toilet elections”, that began with publicity about an unenclosed cluster of toilets in Makhaza, Khayelitsha, and rapidly developed into a vitriolic public spat between the Democratic Alliance (DA) and the African National Congress (ANC), with allegations of racism and human rights abuse, ending with a similar discovery of unenclosed toilets in Rammulotsi in the Free State (Robins, 2014) (Tempelhoff, 2012).

For Tempelhoff (2012), the toilet saga, “conveyed a sombre message – the callous disregard, in some quarters of South African society, for the plight of less privileged people on the fringes of the country’s urban conurbations,” (Tempelhoff, 2012, 83).

The 2011 toilet saga was significant and memorable because, for the first time, issues around sanitation became the terrain of political point scoring and posturing at the national level between the DA and the ANC (Tempelhoff, 2012). Secondly, it raised the centrality and importance of local government in fulfilling human rights and human dignity and, equally, the poor performance of the country’s municipalities across the board (Tempelhoff, 2014).

In the minds of politicians and through countless media articles and social media posts, toilets became code for “service delivery” and the parties fought bitterly over their records. Thirdly, for the DA, this was felt acutely in Cape Town because it is the only Metro that they govern and to a large extent has been deployed as proof of their record in their ambitions nationally. While the ANC could afford to paint Rammulotsi as a “bad egg” (Tempelhoff, 2014), the DA responded aggressively, and defensively, to criticism of the Cape Town Metro.

To a large extent, local struggles for sanitation in Cape Town have quickly become the arenas for national political contestation; and equally, national political rhetoric has become the lens in which to frame local struggles (Tempelhoff, 2014) as a question of the DA in Cape Town not respecting the dignity of black people (Tempelhoff, 2014).

DA leaders in the City and Province have attempted to paint the actions as part of an ANC plot to render the City “ungovernable” (Robins, 2014). While this is not entirely untrue, the reality is that the poo

protests and other ongoing actions such as land occupations and mass marches around sanitation and housing are being led by local leaders who are ANC aligned yet fiercely independent.

Leaders and their followers are members of the ANC provincial and City political structures, the ANC Youth League (dominant in the Makhaza toilet scandal), and a rapidly growing social movement called Ses'Khona which has recently been responsible for mass marches in the City that have ended in looting and vandalism. The complexity and malaise is symptomatic of an ongoing power struggle for influence within the local and provincial ANC structures. Local leaders have denied this and continue to foreground the indignity, inequality and experience of black people in the City (Robins, 2014).

Inevitably, then, any question of sanitation provision in the City tends to be reframed within national party-political contestation and discourse. This tendency resonates with SJC-City engagements on sanitation, examined in this thesis. When the SJC has challenged a very specific service delivery record, for instance, the response is often that this is unjustified because Cape Town is performing better than other metros.

For example, Paul Boughey, the Mayor's then Chief of Staff, claimed that, "Cape Town leads on every single available indices [sic]. Numbers can be misleading that is why we care about people." (eNCA, 2014). Councillor Ernest Sonnenberg has stated that, "Whilst Johannesburg and other cities are facing chronic and debilitating water shortages as well as major sanitation backlogs, the SJC is openly hostile to the City of Cape Town (Sonnenberg, 2014).

Local Government: Barriers to meaningful participation and new "invented" spaces

Another contributing factor in many cases may be that residents in poor and working class communities living in informal settlements feel excluded from the decision-making processes in local government that affect them: "Clearly, the channels of communication between municipalities and affected communities must be distorted if residents feel they need to resort to protest action in order to be heard" (Christmas, 2007). This might often be the case of unresponsive and unaccountable Councillors, but there appears to be more structural problems at play in the institutions of local government.

The South African Human Rights Commission (SAHRC) found nationally that, "there is a lack of a human rights-based approach to the delivery of water and sanitation services. This relates to the principles of transparency and public participation, in the delivery of basic services and access to information" (SAHRC, 2014). A number of writers have reflected how it is the highly centralised political and administrative structures of representative democracy in municipalities that excludes avenues for meaningful participation.

One of the intentions of the Municipal Structures Act (MSA, 2003) is to ensure that local government is responsive to communities, principally through the election of local ward councillors who represent geographical constituencies, are seen as accountable to residents, and are mandated to consult with ward committees.

Benit-Gbaffou (2008) has thoroughly critiqued the effectiveness of ward committees, while reaffirming that the local scale has the greatest potential for enhancing participatory democracy, as it can “open a more direct link between residents and their representatives, thereby enhancing non-electoral forms of accountability” (Béni-Gbaffou, 2008, 3).

The mayoral executive system adopted in large metros like Cape Town, is highly centralised (Winker, 2011) and while more efficient “in providing a strong direction to municipal strategies and policies, personified by the mayor”, it equally “deprive[s] the Council of its function of debate and deliberation over urban strategies and policies” (Béni-Gbaffou, 2008).

Ward councillors outside of the Mayco are not delegated any decision making powers and have few avenues themselves to represent the concerns of their constituencies on matters of policy or planning (Béni-Gbaffou, 2008). For example, ward councillors who wish to remedy sanitation concerns would need to be represented by colleagues in Portfolio Committees or be in a position of power to influence the administration.

The Mayco, cognisant of the fact that apart from grants from the national government, the majority of revenue is generated through by rates, is easily captured by the interests of formal constituencies. Council effectively rubber stamps the Mayor’s decisions – and Council meetings are opportunities to show allegiance on party lines.

The administrative Directorates, such as Utility Services in Cape Town, are managed through the Mayco and their related thematic Portfolio Committees of Council “have little decision-making power and little influence on urban policies” (Béni-Gbaffou, 2008) 12). At the same time each these Directorates often have their own historical spatial subdivisions that do not overlay ward boundaries (Buire, 2011) 468).

There is a rich literature critiquing “invited” participatory spaces of the state; where lack of confidence and motivation prevent access; and where the politics of power, representation and marginalisation means some speak while others don’t speak “right” (Cornwall et al, 2011) (Smith, 2011) (Storey, 2014).

Mechanisms such as the Integrated Development Plan (IDP) and the budget legally require participation from residents but metros tend to follow a compliance driven agenda here, framed around advertisements in local newspapers and opportunities for written submissions that are deliberated on behind closed doors. These forms of submission based mechanisms prove particularly difficult for poor and working class people and “..it appears that the degree to which the average resident is even aware of IDP participatory processes remains minimal, despite public meetings on IDPs forming a mandated part of Councillors’ public liaison function” (Thompson, 2014) 50).

The City of Cape Town holds that, “Community participation forms an essential part of the installation...” (CoCT, 2008) and “...consultation is necessary but not sufficient to address sanitation challenges”, motivating for, “a paradigm shift to community involvement and participation” (CoCT, 2010). While sanitation projects almost always include a measure of consultation or participation, a culture of grassroots planning is not evident – for the most part, consultation is outsourced to consultants and occurs on projects that have already been decided and budgeted for and in most cases where tenders have already been awarded (Beauclair, 2010).

City officials and contractors find themselves caught unprepared for the complexity of local community politics given the mix of stakeholders, parallel leadership structures and local power dynamics (Cam 1 - Day 2 - 18.mov, 2014). The departments often lack experienced social mediators and facilitators, relying on staff who show a profound preference for engineering or technical knowledge and expertise over local experience and preference and as a result are often unable to render sanitation solutions that can resolve what are essentially social or institutional problems (Taing et al., 2014) (Beauclair, 2010) (Pan, 2011).

As a result, what we have witnessed is what Benit-Gbaffou calls “ruling by exception”:

“...the inclusion of people’s concerns or demands into policy-making at the municipal level happens as an exception and as a response to (media or judiciary driven) urgency, much more than through the current management of daily affairs. People’s voices are taken into account only when they resort to exceptional means of expression, outside more regular, institutionalised and routine participatory structures. In other words, participation is not part of the actual city governance structure, in spite of all the local government units and departments which actually (and not necessarily insincerely) use the term” (Bénit-Gbaffou, 2008) 5).

In contrast, there is a growing body of work on new “spaces of citizenship”, “new democratic spaces” (Cornwall et al, 2011), and “invented spaces” that are intermediate (between civil society and the state) and intermediary (conduits for negotiation, information and exchange) (Cornwall & Coelho, 2007) 1).

These tend to be situated outside of formal political representative spaces, bureaucratic spaces, or “invited” participatory spaces (Cornwall & Coelho, 2007) 2), often where citizens are “waging mutually impinging battles in the courts and in the streets simultaneously” (Cornwall, 2004) 7).

Though very little has been written on the topic, I would argue that one of the best examples of these “invented” participatory spaces internationally are social audits. Storey (2014) highlights how the social audit “draws on a highly politicised understanding of participation to mobilise local residents” (Storey, 2014, 407) and suggests that it seeks to counter “depoliticised participation” in mainstream government programmes and processes.

In the next section I will examine the methods and principles of the social audit method in India and its development and expression in the work of the SJC in Cape Town using a variety of “grey literature”.

Social Audits: methods and principles in the MKSS tradition

The methods and principles of social auditing that the SJC has adopted in South Africa were developed in Rajasthan, India, through the campaigns of the MKSS peasants and workers movement (IBP, 2012) 4).

Set up in 1990 to strengthen participatory democratic practices, “so that ordinary citizens could live their lives with dignity and justice” (MKSS, 2015), the MKSS methodology was born out of a right to information campaign for financial records of the Rajasthani state public works programme.

Sowmya Kidambi, who was an activist in MKSS remembers how they proposed one question: when government spends public money, why can’t those records be made public? (Kidambi, 2014). MKSS focused on the labourers’ right to information under the slogan, “the right to know is the right to live”. The records they eventually secured “were closely examined by the people of the concerned Panchayats³ [and] public hearings were organised where residents came together to verify and audit the work of their Panchayat through individual and collective testimonies” (MKSS, 2015).

Thus, “the demand for transparency, accountability, and redress through social audit (physical audit by the people), began to take shape” (MKSS, 2015). MKSS went on to secure national legislation to guarantee access to state records under the Right to Information Act (RTA), and also the passing of the Mahatma

³ The Panchayat Raj is a system of local democratic governance that includes elected non party representatives at village, block and district level below the state. The Panchayat is the smallest body politic and normally covers a village or a collection of villages where at least 2000 people live.

Gandhi National Rural Employment Guarantee Act (MGNREGA), both in 2005. Through, MGNREGA schemes, rural households now have the right to demand at least 100 days of work a year at the minimum wage, and by law, each scheme must be accompanied by two social audits annually in each Panchayat (Gov of India, Min of Rural Dev, 2008).

The MKSS example has led to a number of adapted methods of social auditing around the world. Some, such as those conducted by Muslims for Human Rights (MUHURI) in Kenya on Member of Parliament development funds, are firmly rooted in civil society led campaigns, while others such as those conducted by the Society for Social Audits, Accountability and Transparency (SSAAT) have evolved into state supported social audits at unprecedented scale conducted by independent but funded institutions.

Social audits in the MKSS tradition follow at least seven basic steps:

- accessing budgets, plans and policies;
- developing a list of questions to guide citizen monitoring;
- training participants and partner organisations in the method;
- analysing budgets, plans and policies and testing questions with residents;
- collecting information;
- capturing information and analysing the results;
- and presenting findings together with testimony to government representatives and residents at a public hearing (SJC & NU, 2014).

In the MKSS tradition, residents audit or verify state records such as budgets and expenditure, service delivery agreements (SDAs), invoices and contracts, and therefore rely on and promote the right to access information. Social audits can be powerful tools for monitoring expenditure, exposing corruption and improving service delivery, while promoting active citizenship and helping to securing socioeconomic rights (SJC, 2013).

In the case of the SSAAT, social audits have been mandated and institutionalised within MGNREGA, and the Departments of Rural Development in both Andhra Pradesh and Telangana have real time developed electronic record keeping systems and mandated compulsory disclosure on their websites⁴. SSAAT easily downloads all muster rolls, work specifications, invoices and receipts. This is certainly not the case across Indian states but in Andhra Pradesh and Telangana it is in partly due to the favourable support from the

⁴ Full MIS records for MHNREGS in Andhra Pradesh are available online here: <http://goo.gl/NXCsqp>

Chief Ministers and the Commissioners for Rural Development (Kidambi, 2014) (Kidambi & Aakella, 2007).

Social audits involve a process of verification of these programmes or expenditure socially, either because it is done publicly in front of the community who are the beneficiaries or have experience of a government service or programme, or because it is done by the community directly (IBP, 2013).

In the case of SATHI (Support for Advocacy and Training of Health Initiatives), the social auditing is done by monitoring committees that consist of NGOs, public representatives, healthcare providers and village members. Here, verification consists of regular meetings at a public health centre (PHC) where inspections are made on anything from medicine stock to petty cash expenditure (Field notes).

In the case of SSAAT, the society uses highly trained auditors who are all volunteers from local villages. These auditors verify scheme records by walking door to door. For example, pensioners are asked how much pension they received and when and this is verified against disbursement records and they are asked to verify if other people on the list are still alive and actually live in the village (Field notes).

In many of the Indian examples, as in South Africa, a public hearing is held fairly soon after the audit and serves to present findings, evidence and testimony of experiences and provide officials with an opportunity to respond (Vivier & Sanchez Betancourt, 2014), but in other examples the public hearings happen more regularly and form part of the evidence gathering process.

In addition, the public hearing provides a platform for accountability. The International Budget Partnership (IBP) adds that, “Social audits help enforce accountability where traditional financial audits fail” and that, “...The social audit process goes beyond accounting for the money that has been spent to examine whether the money was spent properly and has made a difference to people’s lives. It is a powerful tool for those who are directly affected by government spending on infrastructure and public services to hold public officials accountable” (IBP, 2013).⁵

⁵ In South Africa, this is provided for in Chapter 7 of the Constitution, which states that, “The objects of local government are (a) to provide democratic and accountable government for local communities” (RSA Constitution, 1996).

Thus, social audits have the potential to “raise the yardsticks of transparency, accountability and community participation to a whole new level” and they have the potential to be a “significant vehicle for strengthening decentralisation and deepening democratic processes” (Vij, 2011)

Given the widespread problems in delivery basic services across South Africa and related violent protests, and the deep structural impediments to participation in the invited spaces of the Council, social audits would seem to offer an exciting alternative for residents in informal settlements to participate, raise their voices, ensure accountability and claim their rights, while opening up new spaces for democratic deliberation.

Indeed there is quite a high level of expectation in South Africa, no doubt fuelled by interest from civil society organisations, funders, the National Treasury (NT) and the National Department for Performance, Monitoring and Evaluation (DPME), all of whom are interested in innovative examples of citizen based monitoring.

Vivier and Sanchez Betancourt (2014) write on the potential for social audits in South Africa, highlighting how, “participants and residents in the areas being audited become more informed about their rights and responsibilities, facilitating the realisation of local agency” (Vivier & Sanchez Betancourt, 2014). From these perspectives, social audits could be seen as one tool amongst many that can be leveraged to engage government where, “the poor and marginalised become active role-players in the delivery of services,” and where, “citizens and governments work together to co-produce knowledge towards a common goal of better service delivery” (Vivier & Sanchez Betancourt, 2014).

Having observed the janitorial service social audit, Yume (2014) in an unpublished dissertation manuscript disagrees with this view, arguing that the SJC’s social audits are wholly unsuitable for “co-production”.

Vivier et al. (2014) at times pass lightly over the ways that the SJC’s social audits in the City of Cape have become bitterly contested (Ben-Ze’ev, 2015), and there is some debate amongst civil society organisations as to whether the contested nature of the SJC’s social audits is unique to the circumstances.

Indeed, Storey (2014) acknowledges the toxic party political environment over the last few years (political context) that has meant the City is highly sensitive to negative impressions of sanitation service delivery in the media, as well as the specific relationship that the City and the SJC have developed through its ongoing campaigning around sanitation (organisational relationship).

On the other hand, contestation could be seen to be inevitable in spaces where officials are publicly held accountable and even necessary. Indeed, though social audits are institutionally established now in India, Kidambi (2014) describes similar dynamics in the early days of the MKSS campaigns. It is these power struggles that I am particularly interested in understanding, not as aberration, but as central to the project of accountability. How can we begin to understand this?

The Mshengu social audit: "situated knowledge", legitimacy and power

Vij (2011) correctly identifies the centrality of "voice", highlighting how the social audit allows "the vulnerable to raise their 'voice' and assert their 'rights'" (Vij, 2011), and experience the "agency they have to take control" (Madonko, 2014). Storey (2014) observing the SJC's Mshengu social audit in 2013 takes this a step further:

"What sets the audit apart is not the inclusion of personal stories about the problems with Mshengu toilets. The poignant points about the audit are, first, that it was framed to prioritise everyday experience as the most legitimate information about the delivery of services, and, second, that residents were positioned as those who should collect and present data from the wider community. What resulted was the blending of personal stories with statistical data culled from community members' own field research and the creation of forms of knowledge legible to city monitoring and evaluation processes (statistical and objective) but imbued with personal narrative (experiential and subjective)" (Storey, 2014, 413).

As Storey (2014) suggests, it is not uncommon for community members to testify or use personal stories when relating experiences of poor service delivery to City officials. For her, it is the particular articulation of this voice that is important.

As such, the Mshengu social audit provided a number of forums for reflection, discussions and sharing of experiences, or what Storey (2014) would term "grounded" or "situated" knowledge, drawing on Haraway (Haraway, 1991). Participants had met in groups, and valuable observations and insights were expressed in the interaction with the City officials, in the studying of documents and in the debriefings.

Storey (2014) noted the ensuing difference between the "statistical knowledge form that the City used for tracking contracts, and the experiential knowledge form of the community's daily lives" (Storey 2014, 412). As Storey put it: "one expertise based on engineering, policy, and costs, and the other expertise based on the daily experiences of living in a community serviced only by impermanent sanitation services" (Storey, 2014, 412).

Cornwall (2007) states, "For people living in poverty, subject to discrimination and exclusion from mainstream society...How they talk and what they talk about may be perceived by professionals as

scarcely coherent or relevant; their participation may be viewed by the powerful as chaotic, disruptive, unproductive” (Cornwall & Coelho, 2007) p.13.

City officials whose expertise is valued in one context, “...may be unwilling to countenance the validity or value of alternative knowledges and practices in another” and likewise residents “who have been on the receiving end of paternalism or prejudice in everyday encounters with state institutions may bring these expectations with them into the participatory sphere.” (Cornwall & Coelho, 2007) p.12.

However, as the social audit moves to its conclusion at the public hearing, residents presented data to City officials as a mixture “of stories of their own lives with those of residents they interviewed, layered with statistical informal from the audit’s findings” (Storey, 2014, 413).

Thus, “marginalised communities were prepared and able to communicate their needs in a way that were understandable to City officials – “forms of knowledge legible to city monitoring and evaluation processes (statistical and objective) but imbued with personal narrative (experiential and subjective)” (Storey, 2014, 410).

The social audit not only developed or produced alternative knowledge, more importantly, the experience of interacting with documents and collecting evidence valorised it, as participants recognised their own expertise and authority based on their “everyday experiences of life within marginalised communities” (Storey, 2014, 413).

According to Storey (2014) then, the social audit is principally the domain for the “production of alternative knowledge” (Storey, 2014) that can challenge the hegemonic, technocentric and systemic ways of seeing while (re)placing the individual and their unique insight at the centre.

Thus, what the social audit did was clearly assert alternative forms of knowledge as more important and legitimate in ways that were legible to the City. Furthermore, the social audit presented the community members as having the “authority to gather, create, and present such information” (Storey, 2014, 413).

This would seem to be the reason why claims to authority and legitimacy in exposés of poor service delivery while calling for accountability in very public exchanges are highly politicised forms of participation (Storey 2014). In the Mshengu social audit, in the interactions with the City officials throughout the week and especially at the public hearing, they were unable to accept this knowledge or

authority as legitimate (Storey, 2014, 415), and resulted in vociferous and defensive push back from City officials.

Conclusion

It is clear that a range of factors, including poor delivery of basic services, is resulting in frustration amongst South Africa's Black African poor and working class, who increasingly resort to violent service delivery protests. Another contributing factor is the failure of South Africa's local government institutions of representative democracy, and the executive Mayco systems in the Metro municipalities, which are characterised by centralised administrations with few opportunities for meaningful participation. As a result, social movements such as the SJC have moved to develop new spaces for participation where the City has been invited to engage. To date, the result has not been productive. Storey (2014) argues that this is inevitable given the way that social audits validate "situated knowledge" and challenge the authority and legitimacy of the City's officials.

Had members of the SJC and myself read Storey's (2014) article before moving to plan the janitorial service social audit in 2014, we might have had taken a different course that sought to institutionalise this validation of experience and "situated knowledge".

As it stood, we took an entirely different approach, seeking legitimacy by reworking the data collection methods. In the next chapter I reflect on my personal role in this, together with my methodology for this research.

Chapter Three. Activism and scholarship, a messy but productive tension

Many would argue that the obligation of researchers goes further, to use these forms of critical engagement together with political action to create knowledge that is grounded, valuable and contributes to the struggle for social justice and equality.

Introduction

The SJC and NU have campaigned together for a number of years. The SJC leads politically, rooting its work in community struggle. NU defines itself as a “group of activists, lawyers and researchers providing research capacity, legal services and training opportunities to social movements and community based organisations” (NU, 2015).

The SJC and NU partnership has become fluid, symbiotic and non hierarchical. Working relationships have developed across all levels of staff. Specific skills are offered and transferred across the organisations where needed and our offices are open to both staff. When deadlines or key moments in campaigns arise, we work together to achieve results irrespective of job titles and roles.

In September 2013, I joined NU. I had worked for six years as a primary school teacher and I spent the first month in the job a little overwhelmed, trying to orientate myself. By June 2014, I had become a little more confident and the opportunity arose to work together on the janitorial service social audit that the SJC was conducting.

I took a leadership role in the collective conceptualising, planning and organising of the janitorial service social audit, together with Axolile Notywala, the then coordinator of the Imali Yethu Proejct at the SJC, Dustin Kramer, the Deputy General Secretary, and Nkosikhona Swartbooi, who now coordinates the social audit network at NU. Many other community advocates, members and residents took part and helped to make it a success.

I reflect on the need for movement of knowledge across the artificial border between the university and social movements and the benefits of this to both theory and practice.

I reflect on the implications of writing this dissertation, acknowledging the power dynamics inherent in retelling other people's stories as a middle class White male, and the creative tensions that arise from my role in planning the social audit and as a scholar writing about it.

I conclude with a discussion of the merits of this form of messy knowledge production, and argue that, in fact, it is an obligation of scholars writing about social movements to contribute in the struggle for injustice and inequality.

Wanting to make an impact: My role in the janitorial services social audit

As mentioned in the introductory chapter, my observations on the day I spent with participants during the area cleaning and refuse removal social audit in October 2013 had a profound effect on my thinking around the need for greater data reliability. Thus, I took a keen interest and played a leading role in the design of the questionnaires, as well as the capturing and analysing of the data and the development of the final demands in the report.

Given how the City of Cape Town had attacked previous audits and tried to delegitimise the findings, I believed at the time that if we could improve the reliability of the data, we would be able to improve the legitimacy of the social audit itself. We would come to learn that this was not the case at all, and the City of Cape Town attacked the social audit despite our efforts.

There were at least 100 participants and the case of the janitorial social audit could be told in a 100 different ways. Other writers, for example, might have focussed on the experiences and leadership of women, or the way young activists found their voice, and no doubt would have presented profoundly different insights and conclusions. To that extent then, this dissertation is not only a review of the case of the janitorial service social audit, it is also personal retelling that focussing on the role of data in participatory mechanisms such as social audits. How can we understand this?

Social movement scholarship, positionality and power

In the first instance, Oldfield (2014) speaks clearly to the merit and relevance of scholarship on social movements and makes the case for researchers maintaining strong links, arguing that to some extent, social movement scholarship has been cut off from practice (Oldfield, 2014).

Oldfield (2014) argues that theory uninformed by social movement struggles, "is more likely to be sterile and less likely to capture the vibrant heart and subtle nuances of movement efforts" (Oldfield, 2014). She continues:

“In opening up theorisations of activism and revolution to the knowledge practices of movements, we may more cogently take account of the strategic and intimate politics that characterise contemporary activism” (Oldfield, 2014) p.12.

Indeed it is an articulation of the messiness of social movement struggles and the messiness of researching then that appeals to Oldfield (2014) even though the relationship makes research more complex – it generates insights that would be difficult to achieve elsewhere. Effectively, crossing the border between scholarship and activism can enrich both people’s struggles and theory (Oldfield, 2014) p.5.

There is however a rich body of literature, which I acknowledge, reaching back to the post-modern and postcolonial turn in academia, critiquing the subtle and not so subtle gaze of scholars, imbued with class and race interests, situated in inherent and oftentimes hegemonic power relations, who speak for and on behalf of those being studied.

For the purposes of social movement scholarship, this is perhaps best framed by Nagar (2013), a feminist geographer, who critiques the resulting impasse in fieldwork methods and the “concepts of reflexivity, positionality and identity that has led many to tack on a few pages of reflexive identification” as insufficient a solution to the pitfalls and problems of doing fieldwork in the “third world” (Nagar & Geiger, 2000). Nagar (2013) has as a consequence explored alternatives ways of doing research and writing that include forms of collaboration and co-authoring.

Nagar and Geiger (2000) advocate and practise the production of knowledge(s) that are more explicitly tied to the “material politics of social change in favour of less privileged communities and places”, offering two solutions:

- A “speaking with” model that sees reflexivity and positionality as processes evolving over space and time.
- Crossing boundaries in ways that allows the building of “situated solidarities” (rooted in specific contexts and places, not universal) (Nagar and Geiger, 2000).

I have never really seen myself as an activist, though I do activist type work. For me, the title of activist is more appropriately claimed by many of my colleagues who are poor and working class and struggle daily for justice and equality in their communities. I would say, for the most part, that I contribute the skills that I have, within the confines of my language abilities, class, race and gender.

This work is by its nature political and takes a certain sensitivity. I acknowledge that my colleagues and I are differentiated by class, race and gender and our daily relationships is negotiated through a dynamic

web of power relations and the privileges we hold. This is not something I take lightly, as a White male working in and with predominantly Black African people, I am asked to check my privilege nearly daily.

As a scholar then, these relationships are amplified. However, I would not readily classify my colleagues at NU and the SJC as informants or research subjects for this dissertation, and certainly not the leaders though I speak about them and on behalf of them, this is done with the knowledge that the overall synthesis would be familiar to any one of my colleagues – we have talked through the minutia of politics and practice of social audits too many times to count. In that sense, so much of the positions and arguments that I present here have been arrived at collaboratively in that they were determined in and through the spaces, conversations and actions of the campaign.

Nevertheless, I acknowledge that the final retelling I present here is entirely my own, framed as it is by my position as a leader who has the power to decide and to speak publicly, by my own interests, by my class, race and gender positionality and I try to be sensitive to it and cautious in my retelling. Though I do present the stories and opinions of a number of other people in making my arguments I have tried to be true to their intentions, Where I have clearly spoken on behalf of people, such as Nosiphelele Msesiwe, I have passed them versions and asked for their consent.

Activist research, knowledge production and social justice

There is precedent for this dual role. Speed (2006) states that, “at the intersection of anthropology and human rights, a critical activist engagement is ethically and practically warranted” (Speed, 2006). Indeed the terms activist and academic are not mutually exclusive (Corntassel, 2003) and neatly bounded, as Oldfield articulates:

“I draw on categories of ‘activist’ and ‘academic’, and reference spaces in and beyond the university. In doing so, my intent is not to reify these categories, but to render what lies in and between them as messy, multiple, complex sites of knowledge, that are entangled and intermeshed.” (Oldfield, 2014).

Choudry (2014) citing Kinsman (2006) goes so far as to articulate a Marxist theory of praxis that denies the binary between research (analysis) and activism (action) and places a greater obligation on the production of knowledge to “change the social world by explaining and making visible its dynamics and contradictions and organizing ourselves in alternative social formations’, grounding them in their historical relationships” (Choudry, 2014).

Indeed, Colley (2012) critiques the “the separation of ideas or concepts as abstractions, disembodied from the actual social relations in which they are produced, and disarticulated from the actual social practices in

which they are enacted.” Many would argue that the obligation of researchers goes further, to use these forms of critical engagement together with political action to create knowledge that is grounded, valuable and contributes to the struggle for social justice and equality (Speed, 2006) (Choudry, 2014).

It would seem that if we are going to study inequality and injustice, then it is our obligation to struggle in solidarity. Choudry challenges the very idea that education, learning and knowledge is produced by scholars alone – exploring a whole range of researcher activists embedded in organisations working for social change who provide the “critical conceptual tools with which to understand and advance social change” (Choudry, 2014).

Considering the poor rate of transformation in South African universities, Oldfield (2014) argue that it is in fact a moral imperative:

“This type of initiative is particularly urgent in a South African context where the nature of the university and the project of research and knowledge after apartheid are under critical debate. And, an ongoing discussion places in question the social and political role of universities and research, in relationship to the state and society, and African region and continent” (Oldfield, 2014) p.4.

Methodology

In terms of research methodology then, this dissertation does not fit squarely into any one of the more established qualitative methods, rather drawing on a range in an intuitive and interrelated way. To retell the story of the story audit, I’ve for the most part relied on my own photographs, memory and notes, as well as semi structured interviews with other the leaders, organisers and participants, especially for the days I was absent or parts I did not have a view on personally.

For the discussion of the messy evidence gathering, analysis and the City’s response, I also reviewed a range of original digital and print sources, from organisational reports and e-mails, archival video and workshops notes, through to newspapers articles and social media posts.

The arguments I present in the final chapter, where formed in discussion at debrief sessions after the social audit – not only the formal opportunities, but also through social opportunities after work and with friends and colleagues.

Conclusion

My role in both planning and conducting the social audit and as scholar has clearly produced tensions, notwithstanding the inherent power relations in doing this work, which I acknowledge, it is by and large a productive position to write from.

My role in planning the social audit has given me a close up view through which to analyse, as have my relationships with colleagues provided unlimited access.

The meetings and conversations that we have had to review the social audit have found expression in these pages; and the arguments presented in the dissertation itself has already led to new approaches in doing social audits: in August 2015 as I submit this dissertation, the SJC and NU concluded a fourth social audit that was substantively different in approach and outcomes – but that is perhaps a story for a different time. For now, I turn to a retelling of the case of the janitorial service social audit.

Chapter Four. "Our toilets are dirty": The case of the janitorial service social audit

The tension was palpable and I had to stand outside for a while. We had worked hard to present solid findings and it was all too predictable and frustrating to see how the day was unfolding. I stood in the car park wondering what had gone wrong. Was this the result of the City's attitude and response? Could we have avoided this conflict in any way?

Introduction

In June 2014, the SJC conducted a social audit on the janitorial service for full flush toilets in Cape Town. Covering four informal settlements in Khayelitsha, together with over 100 participants. Collecting over 800 survey questionnaires, the social audit was the largest and most ambitious the SJC had every attempted. However, City officials at the public hearing asked to see the raw data, attacked the legitimacy of the findings and cast aspersions on the intentions of the SJC. The ensuing media storm pitted the City against the SJC in a bruising battle.

This chapter presents the case of the janitorial service social audit. I begin by discussing the state of sanitation in Cape Town using a range of documents and research that we have gained access to in the course of our work. I then locate the SJC within a tradition of organisations using similar strategies of slow activism, evidence gathering and use of the law and move to focus on the campaign for "Clean and Safe sanitation".

Through my position at NU, I gained access to an archive of materials from the campaign, which had been neatly filed in three or four ring binders. The files contained letters, newspaper articles and reports arranged by date order – providing extraordinary insight into the campaign, the contours of which I describe in the next section.

This campaign record provides a useful context to better understand how the social audit came to be situated as primarily a strategic political tool to influence the City and also how the City official's attacks on the SJC and the social audit discussed in later chapters were part of a pervasive and consistent culture of antagonism towards the social movement and its members.

The chapter continues with a personal retelling of the janitorial service social audit and ends with a discussion of the efficacy of the social audit as an advocacy tool and begins to ask questions about what was gained and lost in the decisions that we took to ensure that the findings would be seen as legitimate.

The state of sanitation: inequality, outsourced services and access

While international and domestic law recognises the right to sanitation, all three spheres of Government are struggling to provide for the right adequately.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions” (ICESCR, 1976). Though the right to water or sanitation was not made explicit (SAHRC, 2014), some have argued it is implicit and provided for within the Covenant (Murthy, 2013).

While South Africa became a signatory to the ICESCR in 1994, the Covenant was only ratified by the South African Parliament on the 12 January 2015 (SAHRC, 2015), well after the United Nations Human Rights Council explicitly recognised the human right to water and sanitation in a resolution stating, “[it] is a human right, equal to all other human rights, which implies that it is justiciable and enforceable” (SAHRC, 2014).

Domestically, sanitation is not provided for explicitly in the South African Constitution Bill of Rights. However, it is provided for indirectly as fundamental to the enjoyment of other rights. Within the context of informal settlements in particular, the Constitution provides for the rights to sufficient water as well as the rights to dignity, safety and security, and an environment that is not harmful to human health or wellbeing (SAHRC, 2014).

The right to sanitation is, similar to other socioeconomic rights, extended in Bill of Rights, in that, “the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of these rights.”

However, the right to basic sanitation is specifically found in Section 3 of the Water Services Act (No 108 of 1997), which states that, “Everyone has a right of access to basic water supply and basic sanitation” and defines basic sanitation as, “the prescribed minimum standard of services necessary for the safe, hygienic and adequate collection, removal, disposal or purification of human excreta, domestic wastewater and sewage from households, including informal households” (Water Services Act, 1997).

The following section briefly outlines the state of sanitation in South Africa more generally, and Cape Town in particular. Across South Africa, reliable data on access to sanitation is not readily available. The 2011 national census is regarded as the most comprehensive and reliable, showing that 70% of households have access to an acceptable level of sanitation (that is not using buckets, open fields and bushes, or pit latrines).

This is not enjoyed uniformly across the country. In the Western Cape and Gauteng Provinces, for example, nearly 90% of people have access to full flush or chemical toilet. In the Free State and Northern Cape around 70% have access, and in the remaining Provinces not more than 50% of people have access, with Limpopo Province the lowest at 21% (SAHRC, 2014).

Metro municipalities across the country have some of the highest levels of access. Overall, Cape Town, with a population of 3.7 million people has 92.1% access to a full flush or chemical toilet (StatsSA Census, 2011).

Access is not uniform – lack of access to a clean, safe and dignified toilet overwhelmingly affects poor and working class Black Africans living in informal settlements. Currently there are 204 recognised informal settlements in Cape Town, with a total number of 439 individual pockets. These range in size and density, from one household in Meadowvale Farm to over 6000 households in Enkanini.

The 2011 census shows that about 30 000 homes (over 100 000 people) have no access to sanitation in Cape Town, while the City's Water Services Development Plan shows that nearly 80 000 homes (nearly 300 000 people) living in informal settlements have inadequate access to sanitation (SJC & NU, 2014).

City officials, however, insist that 100% of households in informal settlements have access to adequate sanitation (CoCT, 2014), a figure taken from a 2012 report by the National Department of Water Affairs, whose methodology has been challenged by the SAHRC (SAHRC, 2014) (SJC & NU, 2014).

Part of the problem lies in the different definitions of acceptable levels of sanitation and partly due to a lack of national regulations suitable for informal settlements in urban contexts that clarify the minimum norms and standards for fulfilment of the right (SAHRC, 2014).

An analysis of the draft 2015/2016 budget indicates that the City has consistently allocated a disproportionately smaller share of its Water and Sanitation capital budget to informal settlements for the provision of sanitation infrastructure – less than 1.5% of the total budget; and will spend even less over the next two financial years, before returning to current spend levels (Notywala, 2015).

The City has no plans to increase capital budget allocations to informal settlements for at least the next three years, which indicates a continuation of the status quo. There are insufficient funds to support any medium to long term plan for delivering permanent sanitation in informal settlements (Notywala, 2015).



Figure 2: A blocked full flush toilet in Enkanini, Khayelitsha. Photo: Shaun Swingler

The City argues that the main barrier to full flush sanitation systems in informal settlements is either the unsuitability of the location (wetlands and flood prone areas); because they are located on private land; or have too high a density; or the distance to existing sewerage networks is too long to be economically viable (Mels et al., 2009).

Indeed, there is no overarching strategic plan for the provision of permanent sanitation solution in informal settlements in Cape Town, neither is there a related plan for managing questions of urbanisation, land tenure and housing in the City (SJC & NU, 2014). In effect, the City has historically seen, and continues to characterise, informal settlements as temporary in nature, despite the fact that most have been in existence in the same locations for over 15 years (NU, 2014).

Whereas one could argue that the informality of informal settlements requires a long-term plan, the City takes the position that informality makes planning redundant. On this point, Councillor Ernest Sonnenberg writes that, "...due to the informality of the environment in which Water and Sanitation provides such services in, a plan beyond the current financial year would be detrimental to service delivery as it would prevent the necessary flexibility, adaptability, and identification of opportunity required" (Sonnenberg, 2015).

In the policy lacuna, the City has taken a particular approach that emphasises the provision of temporary technologies over permanent and measures access in terms of the overall number of toilets provided, which the City claims "clearly demonstrates the City's progressive realisation of rights" (Sonnenberg, 2015).

In this regard, the City has rapidly increased the numbers of toilets available in informal settlements: from just under 15 000 in 2006 to over 45 000 in 2014, which by all means is a major achievement. The City includes a range of sanitation technologies, from full flush toilets to temporary solutions such as chemical toilets, container toilets, while nearly half (19 828) of the current toilets being provided are PFTs (Sonnenberg, 2015).

The majority of these technologies are communal and most of the temporary technologies are provided by outsourced private contractors. Murthy states that from a human rights perspective, "the important question is not *whether* a private sector entity is involved in the delivery of services, but how the arrangement is structured, implemented, and monitored." (Murthy, 2013).

Currently in Cape Town, contractors are by and large unresponsive to the experiences of the communities they service. They are poorly monitored by the City on their contractual obligations, and are rarely sanctioned for poor performance (SJC, 2013).

More importantly, the experience of residents indicates that having a toilet nearby does not necessarily mean that you have access to it: it may be locked, blocked, broken, unclean or dangerous. Thus, the use of aggregate statistics is misleading to determine whether the right has been provided for – and the poor monitoring of outsourced service providers and poor maintenance of existing toilets compounds the problem. Many of the stories I have heard about lack of access are compelling and it is imperative that the City move to address this question.

Residents of informal settlements often have to walk long distances from their homes to the nearest shared toilet that they have access to, which is sometimes ten or twenty minutes walk away (Qezo, 2015).

It is difficult to keep toilets clean when you have to share them with up to fifteen or even thirty people. In order to keep them clean, many residents have locked the toilets and so for those without keys, access is a constant battle of either having to find an open toilet or borrow a key from a neighbour. For disabled residents, especially those in wheelchairs, using communal toilets is impossible:

“My chair makes it impossible for me to use the toilet. My chair cannot go inside the toilet and there is no way for me to help myself get into the toilet and leave my chair behind. I have to use linen savers I get from the clinic when I need to use the toilet” (Mayekiso, 2015).

For residents who use portable flush toilets most have to use them in front of their families and they describe the embarrassment and the smell that they can't avoid inside the home. These toilets are temperamental and there is often a scarcity of parts so many make do with plastic bags when the lids crack or come back missing. They are ostensibly collected three times a week and it is mostly the women who end up having to carry them to the collection points. They are heavy and spill on the ground when full. (Bebi, 2015). For most residents, there is the constant smell of sewerage in and around their homes.

Women describe their fear of going to the toilet at night. The journey is dangerous without street lights and most women and children prefer to use a bucket inside at night and empty it out in the morning (Qezo, 2015), but there is nowhere to empty the sewage and so most residents empty their buckets in alleyways and bushes around the informal settlement. For the women who don't have access to a toilet and use nearby fields, rape is a constant threat, even during the day:

“There was one occasion when I was walking to the bush to relieve myself, I didn't realise someone was following me. As I sat down to relieve myself I heard someone creeping up on me from behind. I quickly stood up while urinating and started to run to safety, I ended up urinating on myself but I was so scared I could not stay there. I have since been too afraid to go to the bush and I have decided to wait as long as necessary for someone to let me use their toilet when I need it” (Bobotyana, 2015).

It is because many of its members were experiencing these problems that the SJC began its campaign for “Clean and Safe Sanitation” - a campaign that was born out of the recognition that, as SJC General Secretary Phumeza Mlungwana often states, “going to the toilet in an informal settlement is one of the most dangerous things that you can do.”

Slow activism: The Social Justice Coalition

Khayelitsha is the largest township in Cape Town, located on the periphery, some 30km from the city centre (See Appendix C). It is home to between 370 000 and 426 000 mostly Black African people (Simkins, 2013), which is around 10% of the total population of the city.

Here, 32% of people are living in informal settlements (Simkins, 2013). Some are small, with only a few hundred homes, nestled in between formal areas, while others occupy large swathes on the periphery, with six to seven thousand homes.

The SJC has 12 branches based in informal settlements across Khayelitsha. Formed in 2008, initially in response to the xenophobic riots that swept through South Africa, to “protest against the failure of the government regarding service delivery, accountability and the associated attacks on the Constitution and Judiciary” (SJC, 2011), the SJC describes itself as, “...one of South Africa’s newest and fastest growing mass-member based social movements campaigning for safe, healthy and dignified communities” (SJC, 2011).

The SJC is a non party aligned social movement and “...promotes active citizenship through education, policy and research, and community organising to ensure government is accountable, open and responsive” (SJC, 2011). This is rooted in what Robins (2014) terms the reformist movements that use the “logic of the law, liberalism, constitutional democracy and the bureaucratic state” (Robins, 2014). In effect this relates to the core strategies such as peaceful protest, research, and litigation where necessary.

As Robins explains, “The Constitution, itself the product of a wide range of international legal and political influences, created the conditions for the development of legal strategies that drew on the legacy of anti-apartheid traditions of litigation deployed by human rights organisations such as the Legal Resources Centre, the Centre for Applied Legal Studies (CALS) and others” (Robins, 2014).

The SJC working within these traditions has been able to develop, “activist tactics and strategies that combined savvy media campaigns with forms of ‘slow activism’ that included patient modes of grassroots mobilisation, human rights-based pedagogies of active citizenship, litigation, and a ‘critical engagement’ with the modern, bureaucratic state” (Robins, 2014).

As Storey (2014) states, groups such as the SJC, “...often have complex relationships with the state and local governments, incorporating into their demands both rights-based, liberal solutions that work

alongside government actors and counter-hegemonic, anti-neoliberal resistance — a ‘mixture of engagement and opposition’” (Storey, 2014).

The “Clean and Safe Sanitation” campaign

The campaign began in earnest with a protest on Human Rights Day in March 2010, when about 600 SJC members formed a queue on Sea Point promenade outside a public toilet, highlighting the inequality in public toilet provision across the City. Unlike the public toilets in informal settlements, public toilets in Sea Point are cleaned daily, well maintained and guarded at night,

In response to this protest, Alderman Clive Justus, the Mayco Member for Utility Services at the time stated that the SJC, “ignores the reality of uncontrolled urbanisation, limited resources for local government and the fact that Cape Town is performing better than other Metros” (COCT, 2010).

At a meeting on 1 April 2010, then Mayor Dan Plato lambasted the SJC for being politically motivated and again questioned their motives for protesting in Cape Town and not elsewhere, while blaming poor services on residents’ behaviour (vandalism, littering, not taking care of facilities) (SJC, 2010).

Interestingly, City officials would use similar arguments nearly four years later in the response to the social audit. The rest of 2010 was taken up with community meetings and further publicity opportunities, including press statements and news articles, as the SJC built its case for a janitorial service in informal settlements.

As discussed in the previous chapter, sanitation service delivery became a bitterly contested issue during the 2011 local government election. Having won a majority in the City Council, one of the first things that newly elected Mayor Patricia de Lille did was to meet the SJC in June 2011. Minutes from the meeting suggest that the new administration had had a change of heart on the issue of sanitation and Mayor Patricia de Lille agreed in principle to work together with the SJC (SJC, 2011). To this end the SJC proposed a sanitation summit (SJC, 2011) and in a subsequent media release, the Mayor emphasised, “We want the SJC to be our partners in service delivery and show their commitment to helping the people of Cape Town by positively engaging with government” (COCT, 2011).

At the ensuing summit, Mayor Patricia de Lille agreed in principle to provide a janitorial service to informal settlements – which was a major achievement for the SJC and residents of informal settlements across the City because it would have an immediate impact on thousands of households. Though the Mayor presented the janitorial service as a unique partnership between government and communities, it

was in fact rolled out unilaterally through 2011 and 2012 without consultation or input from community organisations and not surprisingly, from the beginning, was beset with problems, a lack of transparency and poor communication. As a consequence, the SJC began to regularly monitor the service.

By September 2012, the SJC was publicly demanding an implementation plan for the janitorial service because it was being implemented in an ad hoc manner (SJC, 2012). As Axolile Notywala explains, "...we'd been trying to get the City to develop this document that would help us monitor and help other people monitor. A document which would more or less look like a service delivery agreement which would say what the responsibilities of different stakeholders are" (Notywala, 2015).

The publicity in the national press brought Mayor Patricia de Lille back into direct involvement a second time, as it became apparent that the janitorial service had failed. In a meeting with the SJC that October, she admitted that the City had not done a very good job and publicly apologised, but an implementation plan still remained elusive.

In early 2013, the SJC conducted its first social audit on the provision of the ubiquitous Mshengu chemical toilets by outsourced contractors, together with the help of Sowmya Kidambi and Vivek Ramkumar, both previous activists with MKSS mentioned in the previous chapter, who had pioneered the social audit method.

The audit revealed systemic problems in the monitoring of service providers, substantial differences between the number of toilets paid for and the numbers available, and evidence of poor maintenance and cleanliness. The "Mshengu Report" became the subject of a complaint by the SJC to the SAHRC (SJC, 2013).

The first social audit proved to be a turning point in the relationship. In response, Mayor Patricia de Lille reacted aggressively and defensively, attacking both the accuracy of the findings and the SJC itself - a strategy that they would repeat at each subsequent social audit.

Afterwards, hundreds of Khayelitsha residents and SJC members marched to the Civic Centre and presented a memorandum to the Mayor's office demanding an urgent timeline for the development of a plan for the janitorial service (Mlungwana, 2013).

By June 2013, the relationship between the City and the SJC had deteriorated immeasurably. In August that year the SJC asked for a meeting but the Mayor responded that she was only available in October,

nearly a year after her previous public commitments, so the SJC protested again at the Civic Centre, chaining themselves across the stairs at the main entrance to the building.

Although the protest was peaceful, 21 activists from SJC and NU were arrested and were subsequently charged with unlawfully convening and attending a gathering (Mlungwana, 2013) because they had not given notice. 11 were eventually found guilty but have since appealed the ruling.

Finally, on 8 October 2013, the SJC met with Mayor Patricia de Lille. At the meeting she refused to commit to any timeframes or a plan but did commit to a second janitorial service summit for the following year – to discuss the implementation plan.

That month, the SJC conducted a second audit on refuse removal and area cleaning in Khayelitsha. Here again, the SJC found that despite an inspection framework that identified that outsourced services were not performing to the expected standards, the City continued to pay substantial invoices and avoided implementing financial penalties on these service providers.

On the 28 February 2014, the City hosted a second summit on the janitorial service, which ended in a complete breakdown in relations. The SJC maintains that at the summit Councillor Ernest Sonnenberg had once again refused to develop an implementation plan and proposed instead the formation of an advisory committee. The SJC leadership felt strongly at that stage that the development of a plan through committee would lead to unnecessary delays and they did not want to be co-opted into doing the work of the City but agreed to make a submission.

Councillor Ernest Sonnenberg and others at the City interpreted this reaction as a walk out, repeatedly stating that the SJC walked out of discussions and cooperation and from this point forward there seems to have been a decision internally that the City would no longer work or cooperate with the SJC at all. The advisory committee was never formed, nor was an implementation plan produced (SJC, 2014)

When asked why the SJC decided to conduct a social audit, Dustin Kramer recalls that, “It was all about where we were with the campaign” (Kramer, 2015). By early 2014, it was clear that the SJC had reached an impasse with the City in securing an implementation plan for the janitorial service. Axolile Notywala adds, “...we realised, I think after 21 of us were arrested, that this was not working and that the problems were still continuing” (Notywala, 2015).

The janitorial service social audit: a retelling

The janitorial service social audit in July 2014 was the third conducted by the SJC in two years. The City's response to the first two had been to focus on the data and attack the SJC and the findings. At the public hearing and in the media they refused to acknowledge that there were any problems and refuted "what they saw as statistical inaccuracies" (Storey, 2014).

In doing so, the City was able to ring fence and ignore the experience of residents and avoid any accountability for the problems with its outsourced sanitation services. Moving forward, the SJC expected to be attacked by the City again and the findings would be bitterly contested and subjected to intensive scrutiny in the public eye.

This led to an assumption that if we could ensure the data collection method was more rigorous, professional and transparent, the legitimacy of the findings would be bolstered and the City would have to concede and admit that there were problems. As mentioned previously, my own experiences observing the previous social audit on area cleaning refuse removal had left me feeling that the questionnaire and the accuracy of the data collection could be improved and I played a leading role in this agenda.

Axolile Notywala and I spent the weeks before planning the audit, and developing the questionnaires. We conducted training sessions and revised these a number of times, struggling to get the questions right and deliberating on the formats and possible interpretations – with a view to gathering comparable and reliable data.

From Monday 14 July till Friday 18 July 2014, a hall in Green Point, Khayelitsha, known as the white hall, would be our base for the week long social audit, with the public hearing scheduled for the following Saturday (See Appendix C for a map of the social audit areas). I retell the story of the social audit in the pages below:

The first day of the social audit was cold but dry and a winter light illuminated the breath of participants as they arrived. Two urns had been set up at the back of the hall for people to help themselves to tea and coffee. Taxis arrived in fits and starts and by 10am the hall was full with around 80 participants from informal settlements across Khayelitsha.

Axolile spent the morning introducing the social audit method, taking participants through each step and explaining what they could expect. After lunch, City officials arrived, led by Pierre Maritz, the Head of the Reticulation Branch, and Joseph Tsatsire, the then Head of the Informal Settlements Unit. We had invited them to present on the janitorial service so that participants could better understand how the service was meant to work.

The Tuesday morning was taken up in small groups studying the policy documents that we had gained access to describing the janitorial service. While these were not full implementation plans, for many, this was the first time that they had seen any written documents at all describing how the service was intended to operate. The discussion was lively and empowering as residents discussed the service in detail: working hours of janitors, the requirement to be inoculated, the uniforms and equipment that was to be provided.

In the afternoon, it was time to test the questionnaires we had developed: one to be used for a physical inspection, one to interview janitors, and one to interview residents. Half of the participants got their clipboards and copies of the physical verification questionnaire and headed off to the nearest cluster of toilets in to practise inspecting them.

When the group got there, however, they realised that most of the toilets were locked and were impossible to inspect. We knew this was an issue for janitors, but in the haste of preparations we hadn't given sufficient thought to how we would, in fact, be able to inspect the toilets ourselves. Although Nkosikhona found a resident who was willing to open up a toilet for the group, this would prove to be an enduring problem for all the teams over the week.

Back at the hall, the other participants were taking turns doing a role-playing exercise to practice interviewing janitors and residents and documenting their responses. Many struggled. It was clear, even at this point, that the questionnaires were perhaps too complicated. There were too many questions and some of the residents were struggling to interpret them. Without time to model questions and answers, many struggled to role-play as janitors especially and so couldn't provide suitable answers in character that could be used to test the suitability of the questions and the possible variety of answers. But time was short and we neither had the time to redo the questionnaires or return to the role-plays and we, perhaps mistakenly, decided to continue.

By the Wednesday, we were ready to begin inspections and interviews in four informal settlements in Khayelitsha: BT section, BM section, PJS section⁶, and Enkanini, which had been selected because we knew anecdotally that these areas had major problems. Rain clouds had been forecast but the day was clear and sunny. By the time I arrived, the hall was packed. Although we had decided to try and keep the groups constant, many people wanted to be involved in the actual audit and most groups were swollen with volunteers and other observers who hadn't attended the training days. This meant this this would be the first time many people would be seeing the questionnaire.

At around 10 o'clock Axolile asked participants to get into their teams and the team leaders handed out clipboards, maps and blank questionnaire forms. I joined one of the teams heading

⁶ "The formal sections of Khayelitsha are 'named' from A to Z and where there is an informal settlement nearby it gets the same initial letter, plus another letter, for example BM and BT informal settlements are close to B Section. If you ask us residents what the initials stand for, we mostly don't have a clue, we just use the initials as the name." Nkosikhona, 4 September 2015.

out to Enkanini lead by Welcome Makele. When we arrived, Welcome divided us into smaller groups in order to interview residents and do the physical audit as it had been decided that only two in each team would interview janitors. We were almost immediately surrounded by young children who were eager to see what all the action was about and they accompanied us for the rest of the day, following us up and down the sandy paths.

Enkanini is a large informal settlement with over 6000 homes scattered over what was previously scrub land and dunes. Although large, unlike in other informal settlements, Enkanini is not very dense and most residents open their door onto pathways and sandy roads, many of which can accommodate a car. Here, the City has build toilets in clusters of about six dotted throughout the settlement.

At first, things were slow. We walked up to our first cluster of toilets but Welcome hadn't necessarily thought through giving everyone clear instructions as to how to work together. By this stage, I was trying to play a mostly observer role to see how everyone used the questionnaire.



Figure 3: Welcome Makele opens up the toilet to inspect.
Photo: Shaun Swingler

One toilet was open and a young man who had sat next to me in the taxi inspected it, completed a form while another took a photo. Job done. It wasn't clear then how we would get in to the rest of the locked toilets but Welcome went in search of keys and soon things started to move forward. We would find out later that other teams had made very different plans. Some had simply passed over the locked toilets and others had tried to take pictures over the doors. This would prove to be problematic later in the sample because by and large most of the toilets that were unlocked were also the toilets that were vandalised or not working.

People negotiated amongst themselves who would do the inspecting and who would take photographs and split into small teams of two or three and started

to explore the area. The groups got into their stride fairly quickly and become more confident at explaining what we were doing and asking local residents to open up their toilets. Surprisingly, most residents had no problem and opened their toilets without question

In fact, we found a mix of toilets in a confusing array of conditions. Some were in an appalling state, some had no doors and were filled with sand, stones and rubbish. Others had clearly become blocked recently and were filled to the brim with water and excrement. Others were working but had a range of minor faults, pipes were leaking or handles were broken. In some

instances the City had covered the toilet with plastic to indicate it was not working and had left it like that. At least one had a lock on it that was so rusted it was clear that nobody had gained access for a long time.

Others were clean or even very clean and we started to come across toilets that had nice mats on the floor with disinfectant and toilet brushes on the cistern – in what appeared to be a sign that some residents had adopted toilets for their personal use. Still other were painted in pinks or blues on the inside and at least one other had words spray painted on the outside ‘Don’t leave your shit here!’”

It became clear that not only were the janitors providing a rather haphazard service, but were also struggling to access toilets themselves – as we had predicted. There seemed to be no rationale or system and janitors were left to clean and engage residents as best they could resulting in a rather ad hoc and uneven service which affected residents access to a clean toilet. However, many of the problems we observed went beyond the cleanliness and pointed to deeper structural problems in the placement and arrangement of the toilets in general.

At the end of the day, both Axolile and I were concerned about the weather. Rain was forecast for Thursday and Axolile was beginning to think that most of the teams had finished. With the public hearing looming ever closer - scheduled in two days’ time - we decided to make a start capturing the forms that had been collected already.

Late on Wednesday evening I sent an e-mail out to a group of volunteers from various organisations who had expressed an interest in helping to capture and analyse the forms saying, “NU boardroom will be data HQ tomorrow...we will get going on capturing what data we have and iron out any odd anomalies in the forms. We may race through them, but it’s hard to say...until we get a fix on things and we can agree on the most important messages to present on Saturday” (Rossouw, 2014).

On the Thursday, participants arrived despite the rain and there was a nice buzz in the hall – everyone felt like they had an insight, a handle on what was happening out there with the janitorial service. It was another cold morning and people had



Figure 4: Nkosikhona Swartbooi leading a debrief sessions with participants. Photo: Shaun Swingler

brought blankets and thick coats. A few were huddled around a heater. Axolile asked the different teams to discuss some of the challenges they had experienced and to agree on the main findings.

Before lunch, based on this discussion, Axolile summarised the community discussion into eight broad thematic areas or findings, which he brought to the data capturing team. This included issues such as poor access to cleaning equipment and products, poor training and a lack of inoculations for janitors, generally poor cleanliness and maintenance, and the issue of the locked doors.

On the Friday morning it finally began to rain and most participants were asked to spread out and mobilise members of the community to attend the public hearing on the Saturday.

Meanwhile, about six volunteers were sitting in the NU boardroom, each with a laptop and a stack of questionnaires. We had set up Google forms online, one for each of the questionnaires, so that each person could capture a pile of forms on their own laptop and all the data would then be recorded in a single online spread sheet. We matched each online question to the paper version.

This worked surprisingly well. Some could be done quickly by clicking on options where these were multiple choice. Others had to be typed in manually. Axolile brought the remaining forms later in the day – nearly 800 in total.

These were of varying quality and we fairly quickly came across anomalies in the forms: questions of interpretation, questions of consistency of recording and questions of validity of the data. At the time we felt that it was very important to capture the forms in as systematic and transparent a way as possible.

None of us had formal training in what was effectively survey methodology and basic quantitative analysis and to a large extent we were working intuitively to solve these problems rather than following a professional or prescribed method: as we encountered issues and problems, we discussed and resolved them as a group, recording any decisions for later reflection.

By midday, we had three completed spread sheets online that were as accurate as we could hope: these reflected 528 physical verification responses, 193 residents' responses and 31 janitor responses. These odd numbers were unfortunate for the broad conclusions we were aiming for, as they did not make for good proportion or percentages. What divides easily into 193?

After lunch, myself and the other analysts were under immense pressure to have findings for the public hearing. We were acutely aware that, had we more time, we could have made any number of interesting findings. Already then, I was beginning to feel uncomfortable that this arrangement and process had effectively split the social audit analysis in two – one conducted in the hall and one with a smaller team looking at the questionnaires. I was concerned that the analysis would be data driven, get overcomplicated and would not resonate with participants or residents experiences, particularly because none of the people in the team lived in an informal settlement or even in Khayelitsha.



Figure 5: Volunteers help to capture and analyse 800 questionnaires. Photo: Jared Rossouw

To mitigate this somewhat, I had agreed with Axolile that instead of looking at the data and coming up with findings, we would focus on the eight main thematic findings the participants had agreed on the day before and find the data to match and develop these points.

This presented the second problem. We had spent so much of the day trying to nail down a process that would get us good data, good analysis and findings that we had lost sight of the political context. Dustin read the initial findings and felt strongly that very few of them would pass muster in a climate where the City officials would be looking for any factual errors to attack the SJC and the social audit. He felt that the numbers needed to be simpler and that, although we had tried to address the main findings

of the participants, we had not necessarily considered how these should be presented politically to advance the campaign. We set about consolidating and rewriting the findings.

By 9pm everyone was exhausted and we still did not have presentable findings. The team leaders had spent most of the afternoon and evening waiting patiently and they were starting to get angry with the lack of progress or communication. We understood the tension they faced, as they were expected to present the findings on behalf of the community the next morning to a large hall of people. They wanted time to interrogate the findings and to learn them off by heart. At the same time, however, we knew that it was still going to take a while. We ordered KFC for everyone and made the decision to meet early at the venue.

From that point on, Dustin, Joel Bregman (the SJC's head of communications) and myself, in our capacities as leaders within the SJC and NU, sat in the NU boardroom working on the findings for the public hearing. It would take us until 3am to finish, once we had gone through each of the documents prepared in the afternoon, chosen the most salient data and gone back to the spread sheets to verify the numbers.

For each finding, we checked and double-checked the data and played with the wording until it was clear, accurate, politically punchy and resonated with what the participants had found. What had started as a broadly participatory process, ended up being finalised very late by the leadership, which was disappointing as many of the participants would only get to see the final wording in the morning. I've included the final social audit report in Appendix D, where you can find the full list of findings.

The public hearing was booked to take place in the hall at Matthew Goniwe Memorial High School in Khayelitsha. Over 400 community members from all of the informal settlements that had been inspected, representatives from the City, as well as a number of funders, and observing organisations such as a DJ from the local radio station, officials from the DPME and the SAHRC.

SJC members had set up the hall with coffee and tea and lines of blue chairs. On the stage, there was space for the City officials and independent observers with a lectern in front of a large SJC banner with the words, "Standing for safer communities". On a screen at the back, Axolile had organised a slide show with photos of some of the worst toilets from the social audit and some of the good ones too. This slide show was set on repeat, a visual backdrop for the meeting.

By 10am the hall was packed and Helen Zille, the Premier of the Western Cape Province, had arrived, finding a seat at the front. She was surrounded, for a while, by members of the audience asking for photos but was soon joined by Andrea DeUjfalussy, a political operator from the Mayor's Office who sat next to her. Councillor Ernest Sonnenberg, the Mayco Member for Utility Services, arrived a bit later, together with Executive Director for Utility Services, Dr Gisela Kaiser. With them was Joseph Tsatsire, who had joined us earlier in the week.

Councillor Ernest Sonnenberg was warm and ebullient and shook a few hands, making the time to quip to Dustin, "Did you bus a few in today?" They made their way to the stage, where they were asked to sit, and keen to start on time, Axolile, acting as chairperson for the day, started the proceedings.

According to the agenda that Axolile had put together, the public hearing was to have three parts: a formal presentation of the main findings and a response from the community; an opportunity for the City and all other stakeholders to respond; followed by an opportunity for the community to ask questions and to provide further testimony on their experience of the janitorial service. Axolile had chosen a number of different people to present the findings and they had spent some of the morning practising their delivery (Rossouw, 2015).

At that stage I felt confident about the findings. We had been cautious and as precise as possible with the wording and I felt that we were presenting findings that we could back up with data. Furthermore, I felt confident that, even if the City were to contest some of the findings, say for example whether it was in fact 23% rather than 28% of toilets that were dirty, that the findings were speaking to substantive issues that the community was experiencing (Rossouw, 2015).

However, as the hall started to settle down and Axolile got proceedings underway, Councillor Ernest Sonnenberg stood up, asked for the microphone and requested two hours to study the "raw data". Whereas Axolile had certainly expected the City officials to be antagonised, this was a bold move to try and influence the agenda for the day.

He responded that the data would be provided together with the full report, and asked to stick with the agenda. He felt that the place for discussion was after the presentation of the findings, based on "a way forward from there", where everybody would get an opportunity to speak. He was emphatic that, "Before the discussion, we just want the City to respond to the findings that we have. And that is all that we ask" (Cam 1 - Day 7 - 09.mov, 2014).

Councillor Ernest Sonnenberg then asked to speak again and made the point that he felt the social aspect of a social audit was a discussion when the “community and government come together” to discuss the “findings before you make the findings public.” He felt that the public hearing was a forum to present agreed upon findings and that the City couldn’t be expected to respond to the findings without having seen and verified the data.

He implied that the SJC had an alternative agenda, so in the interests of “fairness and transparency” he wanted to respond to “how the raw data was collected” and “what the research question was”. Otherwise, he feared, the findings would be accepted as fact, especially in the media (Cam 1 - Day 7 - 09.mov, 2014). Having made his points, he reluctantly conceded that proceedings should go ahead as planned. This short speech was duly met with a round of singing, which drowned out Councillor Ernest Sonnenberg voice, led by SJC staff members at the back of the hall.

Before Axolile could move forward, Councillor Ernest Sonnenberg invited Premier Zille to speak. Seeing that the atmosphere was getting tense, the Premier told everyone that in fact we were all working towards the same goal and that, “we want everybody to have clean, usable, dignified, decent toilets”. She stated that the City had come in good faith in a “sharing spirit to look honestly at problems and to try and find solutions together” and that she expected everyone in the hall to exercise “good faith, reasonableness, willingness to listen and understand concerns on the part of all parties”. She then also urged that proceedings should continue.

The speakers stood up on the stage to present the findings. Some were nervous and others more strident, speaking in a mixture of isiXhosa and English, with each finding followed by clapping. Axolile then opened the discussion up to the floor, for the community to make comments in support or in contradiction of the presentation and various community members spoke about their own experience. On the stage in the background, Dr Gisela Kaiser was working through the document carefully, and she could be seen tapping on a calculator, at times conferring with Joseph Tsatsire next to her. Councillor Ernest Sonnenberg sat and listened. He had brought his own interpreter and he leaned back to hear the translations.

Councillor Ernest Sonnenberg was then invited to respond, and he spoke about the structural and geographical problems with building flush toilets, afterwards returning to the theme of the data and suggested that it was contaminated. He asked for five minutes to consult as a team to discuss who would answer formally and the City officials and politicians left the hall through the side door.

In the meantime, Premier Zille took the opportunity to respond herself. She said that if government was not doing its job then those things should be fixed immediately, but that the community must stop vandalising the toilets, clean up after themselves and take responsibility for reporting faults. She spoke of a “whole of society approach” where each stakeholder plays their part.

On the return of the City officials, Dr Gisela Kaiser responded to a few of the findings, giving specific examples of how the data might be flawed in terms of sample sizes and the difference

between the City's data and the audits. She also explained how the system was designed to work, citing the tremendous complexity of running this service across the City and in particular the challenges of working in informal settlements.

She was nervous and softly spoken and half way through Dr Gisela Kaiser's response, the community members in the hall began to get restless. One or two got up to look for a cup of coffee, most began to chat and a distinct and rising murmur began to drown out her words too. Axolile asked her to change the angle of her microphone, which helped but everyone was restless.

Finally, Axolile decided to open up to the community for a discussion, beginning with the issue of fault reporting, which all three City officials had so far brought up. At this point, Councillor Ernest Sonnenberg asked that they stick to the issues at hand, namely the legitimacy of the findings of this particular survey, and not begin open-ended questions in public, which the City couldn't be expected to respond to. Axolile stated boldly, to a round of applause, that as the reporting of faults was inherently linked to the janitorial service and maintenance, these were the issues at hand.

At this point, most of the members of the audience had had enough of the City's antagonistic attitude and for over an hour one after another lambasted the City officials loudly in isiXhosa on the poor state of service delivery. After a while, even the official translator gave up and the speeches washed over them in anger and frustration.

The tension was palpable and I had to stand outside for a while. We had worked hard to present solid findings and it was all too predictable and frustrating to see how the day was unfolding. I stood in the car park wondering what had gone wrong – was this the result of the City's attitude and response? Could we have avoided this conflict in any way?

Back inside, Axolile had a difficult job managing the audience and his own frustrations. It was important that residents felt heard and respected and were given time to speak. Yet, the conversation soon shifted between the janitorial service and the state of the toilets to other frustrations such as unemployment and housing.

In the closing speeches, Councillor Ernest Sonnenberg decided not to respond to individual complaints, and returned to his main points about the integrity of the data, the difficulties of service delivery given the infrastructural and budget constraints and the need for the community to play their part. At this point, Axolile concluded the meeting by asking the City officials if they would return after three months, which the Councillor Ernest Sonnenberg committed to do.

After the public hearing, most of us who had been involved in the social audit were exhausted. For the next few weeks, there was a hiatus, though we felt under pressure to publish the final report together with the raw data as promised.

Dustin, Axolile and myself went away for a few days to try and write the report, but found it difficult to write clearly without falling back into the phrases and sentences that had been written and rewritten so many times they had almost lost all meaning.

I spent most of August cleaning up the spread sheets so that they were uniform; uploading the toilet photos and generating a digital map of the social audit. By early September we had approved the copy through multiple iterations and I was working with a designer to ensure that it was accessible and visual.

Together with a media consultant, we decided on a launch strategy that involved, “priming the ecosystem” (Cohen, 2014), meeting journalists and other influential people within the City to brief them on the findings and provide embargoed copies. We hoped that when the final report was launched and the City started up its usual defence, there might be multiple public voices of dissent and we would be able to lead the narrative with the main issues.

Finally, nearly two months later, we decided to launch the report, called “Our Toilets are Dirty”, in BM section in Khayelitsha, in front of the communal flush toilets (See Appendix D for a copy of the report). As Nkosikhona recalls:

“The team that was working on the launch was so creative in the manner that they decided that it should be right there where the problem is so that if ever it gets televised, if ever there are pictures taken, the problem should be at the backstage and remind people that the reason why we are there, the reason why we had the launch of the social audit document”. (Swartbooi, 2015)

At the launch venue, the SJC had arranged chairs and a table. The final reports had been delivered by the printer the day before and we piled them on the tables. Children and local residents become interested in all the fuss and took their places or played around in front of the cameras.

We had spent time phoning and confirming the attendance of various TV news organisations who took their places together with a number of columnists and print journalists, many of whom had already read the report. As Axolile began his official statement a City truck rolled past to deliver hundreds of the much maligned portable toilets as the children held their noses and giggled – we couldn’t have asked for a better setting.

The SJC released the following media press statement focussing on the cost and the call for an implementation plan:

“...The social audit findings are dire. Despite costing the public almost R60 million, and having the potential for a major impact on the lives of informal settlement residents, the City of Cape Town is failing on the janitorial service. Those living in informal settlements are being left without access to safe and dignified toilets, workers face life threatening risks, and public money is being wasted. Despite a litany of commitments from Mayor Patricia de Lille herself since 2012 to produce an implementation plan for the janitorial service, the City’s Utilities Directorate has repeatedly failed to uphold these commitments.” (SJC, 2014).

That morning, Councillor Ernest Sonnenberg released his own statement which concluded:

“The City is currently conducting its own assessment of efficacy of the programme with a view to determining the future nature of its roll-out. Given the SJC’s past disingenuous conduct and fundamental lack of understanding of the programme, they will not be included in this process” (Sonnenberg, 2014).

It was clear that the space for engagement was entirely closed and that we were not locked into a vicious media war. What followed was a dizzying round of print, digital, radio and TV news that picked up the story and for the most part, as Dr Gisela Kaiser and Councillor Ernest Sonnenberg had feared, mostly ran with the numbers, lifting parts of the press release verbatim.

We had hoped the publicity would ensure the findings gained traction but the City remained steadfast in its call for the raw data even after it had been provided, and in its attacks on the legitimacy of the SJC and the process.

While we had raised the issue of the janitorial service to the level of national news, we had not managed to secure any acknowledgement that there was a problem, or even agreements to look into things. On the surface it appeared that the social audit had failed to improve the janitorial service.

We began to question whether it had supported the campaign at all, let alone met the expectations of the residents and members who had taken part that the social audit would result in their own toilets being cleaner.

Conclusion

This chapter has described in some detail the SJC's campaign for "Clean and Safe Sanitation" and the events leading up to and after the janitorial service social audit, arguing that the social audit was essentially a strategic advocacy tool employed to advance the call for an implementation plan for the janitorial service and to improve the service, after relations broke down between the SJC and the City.

I have described the lengths we went to ensure that the data collection would be reliable, comparable and legitimate and the messiness and unexpected situations that manifested during the actual audit. I describe, despite our efforts the entirely predictable responses from the City officials and our disappointment.

It would seem that while we had managed to elevate the profile of the social audit, the experiences of residents that Storey (2014) has so clearly argued was intrinsic to the process had been somehow lost. In the next chapter I describe in detail a few moments from the social audit, touching on the messiness of data gathering and lost opportunities for capturing and valorising the experiences of residents.

Chapter Five. Messy data and lost opportunities

“I think it was in the first day the City came to present and Nosiphelele who used to be a janitor spoke very powerfully about her experience and that’s something that really stood out for me and there was clearly a lot of anger towards the City and you know often, especially the City, portrays that kind of anger as political, whereas it was clear to me that in general in most instances it’s not, it about people’s lives”
– Dustin Kramer, January 2015.

Introduction

Evidence gathering is at the heart of the social audit method in the MKSS tradition because participants “can actually show what is happening to these services...community members can go and say this is what we actually counted, this is what we actually saw ourselves [and] in a very systematic way can present that evidence [and] give testimony of their own experiences of using the services” (Kramer, 2015). As Dustin Kramer explains it is what makes the social audit “particularly powerful” (Kramer, 2015).

And yet, not all evidence gathering necessarily results in what Storey (2014) calls the right mix of “situated knowledge” and personal experiences, “punctuated by data points” that are legible to City officials.

This chapter describes in detail some of the moments of messiness in the data gathering despite our best efforts to make it reliable and comparable; together with moments that became lost opportunities to capture and valorise residents’ experiences. It concludes with a detailed analysis of the response to the social audit by City officials.

Accessing information: unsuitable records and reliance on surveys

The verification of government records, be they budgets, policies or tenders is at the heart of the social audit in the MKSS tradition, but this presents two challenges. Firstly, communities need to be able to access the records, and secondly, the records need to be in a format that is suitable for use by communities.

The most suitable records tend to be those that can be physically verified or counted. This is easier to do in large groups and is the most robust form of evidence gathering. In the Indian tradition established by MKSS, especially those working in the labour rights space, access to government records is proscribed by law, are available in real time online and have been designed in a format that allows for a detailed

physical verification. For example, the names of labourers on muster and payment rolls can be checked with beneficiaries; or finished building projects can be measured and inspected and compared to the specifications in planning documents.

In South Africa, the right to access information is provided for in the Constitution, which states in Section 32(1) that, “Everyone has the right of access to (a) any information held by the state; and (b) any information that is held by another person and that is required for the exercise or protection of any rights” (RSA Constitution, 1996), and given effect by the Promotion of Access to Information Act (PAIA, 2000).

However, with regard to basic sanitation services, especially where these are outsourced, our experience is that access to information is still a problem. Very little is proactively published and we have had to go through lengthy processes to gain access to tenders, contracts and service delivery agreements (SDA), even though these are required by law to be published online (MFMA, 2003). In fact, less than 5% of municipalities are compliant with these requirements nationally (NU, 2015) and the City of Cape Town stubbornly refuses to publish SDAs online.

In the two previous social audits, the struggle had been to get access to the SDAs, which the SJC knew existed (Notywala, 2015). Even then, the SDAs were not ideal – as they did not describe the service in such a way that a community member could understand what to expect, or in a way that was easy to verify; however, we were able to count the number of toilets provided by private contractors compared to what had been agreed to in the SDA.

In the case of the janitorial service, the City had refused to develop an implementation plan and it was not outsourced so did not have a tender specification either. As a consequence, the service was being rolled out ad hoc and we lacked a suitable record that we could use to verify the service against.

Initially we tried to secure records but this process proved much harder than expected, simply because we really had no idea what kinds of records were being retained by the City, by which department, and in what format.

We needed a record that could, for example, state what the role of the janitors was, what equipment and chemicals they should use, and where and how often the toilets should be cleaned. We were particularly interested in using budget and expenditure records, but again we had had very little idea to what level these records were disaggregated. Would the City, for example, have records on expenditure for chemicals or wages for each section in Khayelitsha?

Axolile Notywala asked Councillor Ernest Sonnenberg in the City for a number of records that we thought ought to have existed, for example, “a breakdown of the Janitorial Services Budget for the current financial year” (Notywala, 2014). Councillor Ernest Sonnenberg provided the broad outline of this budget below (see Figure 6) (Sonnenberg, 2014):

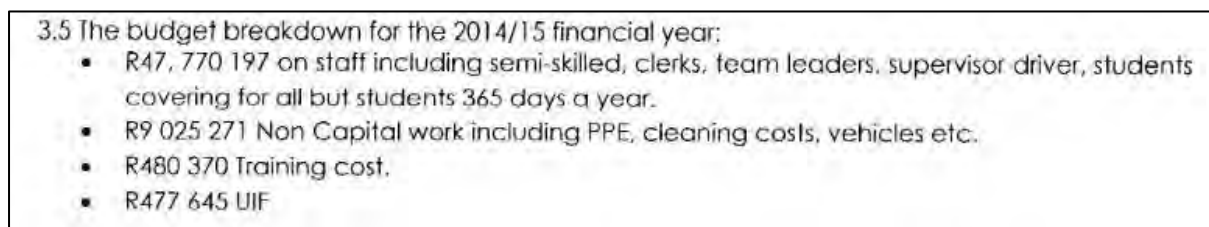


Figure 6: Budget information received from Councillor Ernest Sonnenberg

The overall budget figures would be extremely useful from an advocacy point of view, illustrating that the City was spending around R58 million annually on the service. However, this general information was not suitable for a social audit because we would have no way to disaggregate them and verify them with the community.

Also, most records that we had or could access would be more efficiently and accurately analysed by a small group of researchers – what we required was access to a record with sufficient detail about the service at the community level, in a format that could easily be verified by large numbers of residents in the community.

Overall then, the procurement of records was challenging. We may have been able to use these initial documents to dig deeper and request more specific information, had we more time and a better relationship with the City. As it stood, the relationship between the SJC and the City by that stage was sufficiently strained that any communication had to be done by formal letter with Councillor Ernest Sonnenberg and Dr Gisela Kaiser. Every letter could take weeks to be responded to, delaying the process.

It is for this reason that we set much of the information provided by Councillor Ernest Sonnenberg aside and relied on a document we had gained access to in preceding correspondence with the City: we had what the City referred to as the System Procedure (Included as Appendix A), which the SJC received from Councillor Ernest Sonnenberg in July 2013, after threatening litigation to produce a plan. It provided some detail on how the janitorial service ought to work but was not a formal policy adopted by the City, nor a full implementation plan. Though imperfect, this would become our central reference document for the social audit.

The Questionnaires: struggling with complexity and a lack of norms and standards

As mentioned previously, we saw the questionnaire as the primary tool for collecting reliable data (An example is included as Appendix B). However, none of us were trained in professional survey methods and we struggled to develop questions that could capture the complexity of the problems we were seeking to understand, yet were simple and robust enough to produce reliable and comparable data when used by over a hundred different people with various levels of literacy and only limited experience and training in conducting surveys (Notywala, 2015).

For example, it was a common sight to see janitors sitting around sunbathing and doing very little while many of the flush toilets were not maintained, were broken, or too dirty to use. It would seem to be an easy issue to gather evidence and report on, but it proved to be a conundrum to find the best question to do this in a questionnaire, as illustrated by the following anecdote from a workshop:

Martha raises a point of clarity: “Sorry, before we go on further. Do you know if they clean [the toilets] each day – I think we should say – do they [residents] see them [janitors] everyday? Yes or No? And then do they clean everyday? Yes or No? Because they might be around but they don’t do cleaning!” Another team leader chips in agreeing, “Yes they are not visible!” Axolile responds, “Some people might not see them because they are at work. The janitors might be cleaning but they are not seen.” There are a few giggles and I lean on the table. This question is complicated. Martha continues, “My concern is that the individual might respond to the question that I see them everyday so I assume they clean every day, which is not an actual fact that they clean everyday?” We seem to be going around in circles – its difficult to get the right question to get at what you want to find out. I try to summarise for the group: “Martha the question you are trying to ask is, are they actually cleaning! Just because you see a janitor doesn’t mean they are cleaning.” I suggest the best way to test that is in fact a physical inspection of the toilets: “That would be much better evidence. If the toilets are dirty that is better evidence that they are not cleaning.” Martha agrees but another team leader adds, “just because the toilet is clean doesn’t mean it is the janitor who is cleaning it. It could be a resident!”

As can be seen here, we were attempting to find a way to measure a simple thing – were the toilets clean and thus were the janitors doing their jobs? Basing the assessment on a physical inspection seemed much more reliable, but without norms and standards for the janitorial service, assessments of cleanliness proved to be quite relative.

The only mention we could find in the System Procedure of any kind of norms and standards stated that: “The cleaning and sanitising of the toilets will include the toilet plan, the floor, the cisterns, the inside and outside toilet structure walls, and the surrounding area of the toilet facility, but limited to a maximum of two metres” (Maritz, 2013).

We decided to work with the team leaders collaboratively to develop our own norms and standards and publish these together with the report, though this became problematic too. Axolile Notywala and I put up a few photographs of toilets in various states of cleanliness on the white board. There was general agreement on the worst examples. A toilet covered in excrement with the floor full of trash was clearly a “very dirty toilet”.

However, those in the middle range were harder. What about a generally clean toilet with a chip packet, or bricks outside, or sand on the floor? Many of the toilets needed maintenance more than cleaning and it was unclear how useful a rating of very dirty was when in fact the main issue was that a newspaper was blocking the toilet.

After some discussion we settled on three categories: “Very Dirty”, “Dirty” and “Clean” and asked auditors to assess the ground separately. An example of the guide is below:

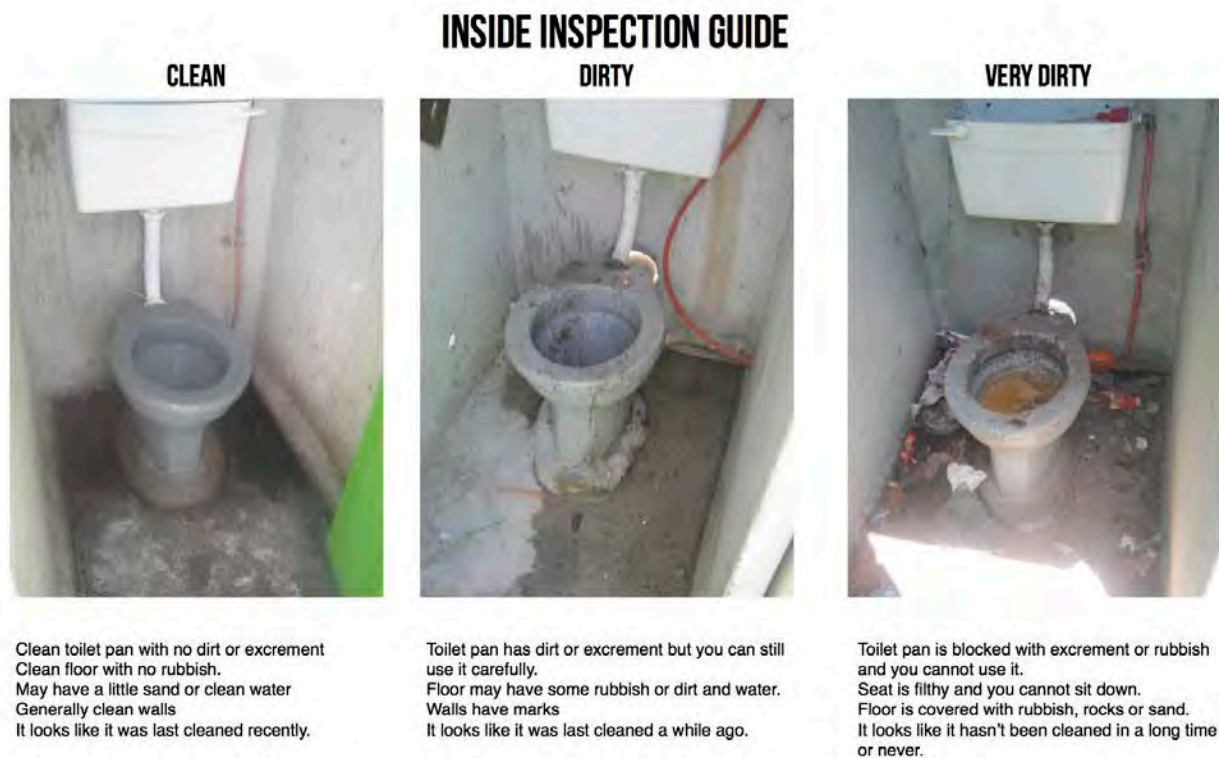


Figure 7: The physical verification inspection guide

After the experience with the team leaders of the difficulty of assessing cleanliness purely visually, we also decided to settle on a description to go with each picture that would help participants to assess a notion of *functional* cleanliness based on evidence of recent cleaning. The question we designed to address this issue was: “Could you use this toilet in this state of cleanliness?”

Thus, a clean toilet was one that looked like it had been cleaned recently and that you would use any time. A dirty toilet looked like it hadn't been cleaned recently and you might use it carefully (for example, without sitting on the actual pan). A very dirty toilet was impossible to use either because it needed maintenance or because it was simply too disgusting and/or dangerous to use. The final question in the physical questionnaire, with isiXhosa translations looked like this:

8) Iklini kangakanani itoilet ngaphakathi? Seklisha enye How clean is the toilet inside? Use guide IKLINI / CLEAN IMDAKA / DIRTY IMDAKA KAKHULU / VERY DIRTY
--

Despite these careful deliberations, and though not entirely unexpected, the audit itself would be rather messy as participants interacted with, interpreted and modified the questionnaires and collection of data.

Inspections and interviews: insufficient training time and messy evidence gathering

As mentioned previously, participants struggled during the role-playing sessions, where they took turns to act as janitors and residents. Axolile Notywala describes how this unfolded:

“The resident one wasn't that difficult because people [implementing the survey] live in those areas and they know those conditions. But the one for the janitor was a bit challenging because people hadn't been janitors so they don't really know about what the janitorial service is or what the workers were supposed to be doing.” (Notywala, 2015).

It stands to reason that it would be easier for participants to role-play being residents because, in fact, most were. We had not factored in that residents would need to know a lot more about the experience of being a janitor before being able to role-play and answer questions in character.

Practically, with up to 50 people simultaneously practising, it was difficult to figure out who was doing well and who needed support. In hindsight, it might have been better to demonstrate the role-play with two people first and then take questions of clarity. Many participants were therefore not fully prepared to answer the questionnaires accurately during the actual interviews.

As it turned out, during the actual physical inspections, the inability to inspect toilets was more widespread than our group in Enkanini. We had not established a common procedure for how to deal with this and how to record it and the various strategies that participants in our group used to overcome this was multiplied manifold times.

Further, few teams systematically worked through and inspected all the toilets. For those teams with assertive team leaders, or where the auditors or team leaders knew or came from the area, they were able to ask residents to open up. Axolile Notywala, for instance, reflected on a successfully surveyed area, PJS. He explained, “We had a lot of participants who were community leaders in PJS so it was easy for them to speak to residents because they knew where they lived, to open the toilets so the majority of the toilets we could access in PJS” (Notywala, 2015).

In BT sections, in contrast, “people couldn’t get access to [the toilets] because there were no janitors who could get keys or residents who knew where the keys were” (Notywala, 2015). Many residents were at work during the day when the survey teams visited and nobody at home had the keys.

In contrast again, in BM section the survey team found that many of the locks were totally rusted and the toilets had not been opened in a very long time. While a useful finding, it was unexpected and we did not have a way to record it on the form systematically (Notywala, 2015).

In other cases and contexts, participants worked around these limitations of access by again taking photos over the tops of doors. This approach resulted in anomalies and contradictions in the data because toilets were recorded as locked but at the same time inspected (Cam 1 - Day 5 - 4.mov, n.d.).

Interviewing janitors was equally complicated because we could not find janitors in certain sections, for instance in BT and PJS, on the audit day. Axolile Notywala explained this situation further: “We found janitors in BM and Enkanini and we managed to speak to them. But again some of the janitors, as we had seen before when we were doing monthly site visits, some of them are scared of talking and don’t want to open up. Some of them are willing to talk” (Notywala, 2015).



Figure 8: Participants audit toilets in Enkanini. Photo: Shaun Swingler

This suspicion of the motives behind the SJC and the social audit is not uncommon and is something SJC staff deal with and negotiate on a daily basis. The mention of janitors not willing to talk therefore was not entirely unexpected, as we had expected the City to warn janitors to avoid talking and participating in the social audit. We did not know for sure if this was the case. Certainly anybody employed on temporary contracts would feel insecure discussing their working conditions and work.

In the previous social audit on refuse removal in Khayelitsha, after workers employed by private contractors spoke to auditors about irregularities in their pay and contracts, the City accused the SJC of trying to cause labour unrest and the contractors refused to come to the public hearing.

At that audit, contractors were often seen following auditors around, which was intimidating⁷– and, despite the training, where we had emphasised the importance of introductions and explanation of the survey, its intention, and SJC, not everybody in Khayelitsha knows about the SJC and their work or the purpose of social auditing.

Data HQ: (Mis)reading the evidence

Complications in the social audit did not end with the survey. The data compilation and analysis proved equally challenging.

To determine the findings we initiated two parallel processes, as discussed previously: a community report back in Khayelitsha, which was built around a summary of eight key themes or issues; and, a systematic process of data capturing and analysis through which we hoped to compile a rigorous data base on the janitorial service and sanitation conditions in the informal settlements surveyed. In combining these approaches, we hoped that participants in the community report back would, through discussion, identify the priority findings and that the database built from the questionnaires would then be used to provide supporting evidence and to refine these issues for debate and engagement with the City – but in practice the data become the driving force behind the development of the findings.

Fairly soon, we started to come across anomalies in the forms fairly quickly: questions of interpretation, questions of consistency of recording and questions of validity of the data.

⁷ This suspicion or at least cautious approach to participation in social audits contrasts to the very public and open way that auditors in India conducted interviews outside people's homes in villages. It hints that a deeper culture of public auditing may need to be built in the South African context.

At that stage, our main concern was the transparency of the social auditing process and the integrity of the data. We felt that it was very important to capture the forms in a systematic way as possible. At the same time, we worked intuitively to solve these problems as they arose. As we encountered issues and problems, we discussed and resolved them as a group, recording any decisions for later reflection.

In general, we sought to ensure that all data capturers interpreted and captured the data in a consistent way, with the rule of thumb to be cautious rather than interpretative and to “quarantine” any anomalies until a group decision could be made. This approach was not however professional in the sense that it didn’t follow a standard methodology for survey data compilation, and at the same time, staff compiling the data rotated. We tried to bring newcomers ‘up to speed’ as effectively as possible, but inconsistencies in processing and recording data were part of the process.

For example, in a questions where we had expected participants would either circle yes OR no, some forms came back with both circled. For example, see question below:

6a) Uyakwazi ukuyihlola itoilet? Can you inspect the toilet?
EWE/YES HAYI/NO

This data could be interpreted in a number of ways. Perhaps the auditor at first couldn’t inspect the toilet and then they found the resident and later could; perhaps they couldn’t physically but could with a photo from above the door; perhaps they could partially and circling both responses indicated some assessment between ‘yes’ and ‘no’.

To resolve these ambiguities, we decided that we would not try to interpret the meaning in these double responses at all. In hindsight this was a fairly useless question to ask, especially because, the next question allowed for the non-inspection of the toilet.

6b) Ukuba hayi, kutheni? If no, why not? _____

In some cases, for example, the auditor may have circled “HAYI/NO” indicating that they could not inspect the toilet and then the rest of the form was completed, which would indicate that they had actually gone on to inspect the toilet.

Clearly, what we were hoping to determine was if there were reasons why a toilet could not be inspected, for example due to flooding, or perhaps because it was completely destroyed. In hindsight this dynamic could have been recorded in a way that did not require a binary ‘yes’ or ‘no’ response. There were a few other examples across the questionnaires where a particular response was dependent on the question above, resulting in similar contradictions. For example:

7a) Iyasebenza itoilet? Is the toilet working?

EWE/YES HAYI/NO

7b) Ukuba hayi, kutheni? If no, why not? tick all that are true

BHLOKILE / BLOCKED AYIGUNGXULEKI / CAN'T FLUSH AKHOMANZI / NO WATER

AKHO PAYIPU WELINDLE / NO SEWAGE PIPE ENYE / OTHER

7c) Ukuba enye, cacisa / If other, explain: _____

In this question there are in fact two questions dependent on the answer in question 7a, "Is the toilet working?" We came across some contradictions here, one where an auditor would indicate "EWE/YES" and then go on to tick reasons why the toilet was not working. In this instance we decided to treat each part of the question separately and not try to make any inference. Thus we would capture both answers verbatim.

In other instances, questions such as 7a were left blank but ticks were placed in the section on reasons why it was not working. Here, we could infer that the toilet was not working because they had ticked the reasons, but again we decided to try to not infer across questions and left 7a blank.

In sum, we stuck to the principle that we should not try to infer from an auditor why they had made particular choices, that we could not predict rationality or logic and that our job was simply to record clear indications on the forms, where possible. In hindsight, many of these issues could have been resolved had we had better training in developing surveys and more time to train participants.

As the results from the data capturing were recorded in a single spread sheet, other issues began to crop up. Perhaps the most perplexing challenge was data recorded that suggested the duplication of toilets, in other words, that particular toilets had been surveyed twice!

Strangely, more than one inspection of the same toilet was not something that we had expected, though in hindsight, of course, it is obvious that groups of auditors walking around the informal settlement might inspect the same toilet twice.

This challenge was made more complicated by the unreliable nature of the toilet numbers that we recorded with each form, begging the question: was the toilet inspected twice, or was the toilet number recorded wrong, or as could have been the case, was the form captured twice?

In the end we committed to removing all duplicates from the final physical verification spread sheets. Where there was no toilet number, we could not know whether it was a duplicate inspection and had to make an assumption that it was not.

Nevertheless, by the evening before the public hearing, we were confident that the data set was as clean as possible and that we were able to extract a number of statistics to support key findings from the social audit, which are available in the social audit report (“Our toilets are dirty” is included as Appendix D).

Missed opportunities: Nosiphelele Msesiwe’s experiences as a janitor and others

If you read “Our toilets are dirty” you will notice the detailed and comprehensive analysis – but it is hard to ignore that the voices of residents living in informal settlements are missing. This section looks at some of the missed opportunities to capture the experiences and insights of residents who participated in the social audit.

The language in which tenders, contracts and policy documents are written is often technical and difficult to understand, even for community members who are literate and fluent in English. Equally, the format can be impenetrable. However, through carefully managed facilitation, it is possible as Nkosikhona Swartbooi explains:

“For me it was also difficult in our first social audit to get to understand the contract because the language that we speak is different from the language of the government, because there is English that we know and speak in our daily lives. In government there are some terms that you wouldn’t understand at first and you would need to check their meaning in the dictionary. And also their information is all over the place. You can’t follow correctly...It’s very difficult, even for someone who understands English” (Swartbooi, 2015).

In this case, working in guided groups of up to 15 participants, each with two team leaders who had previously studied the documents, helped. Nkosikhona describes how he facilitated this:

“The way I did it was to give turns for everyone to read and participate then we all tried to understand what that page or paragraph means and then from there note down what questions we have so that when the City officials are there we can ask for clarity” (Swartbooi, 2015).

Nevertheless, in the first few days of the social audit, participants found it extremely empowering to read and discuss the System Procedure. For example, in paragraph 6.2 it clearly states that janitors should be inoculated before starting work. The vignette below describes this in action:

Nkosikhona’s group will be inspecting BT section and has a mixture of participants including SANCO members, SJC members and volunteers from partner organisations. The participants are seated in a circle, each with a copy of the System Procedure, most holding pens. The atmosphere is serious and focused. Nkosikhona is discussing point 6.2 of the System Procedure which [deals with] the process for inoculating janitors. He explains to the group: “For a janitor to go and do his or her job, they have to be inoculated first. He has to get that needle that will protect you from getting disease from the toilet.” Turning to the text, he reads aloud: “Inoculation. Every janitor will be inoculated according to the council policy prior to being deployed.” Immediately he opens up for discussion on

this point. Speaking in isiXhosa, Nomfundo makes a point to the group and Nkosikhona translates into English: “Do you hear what she is saying? She is saying that one of the reasons why janitors are finding it difficult to do their jobs is because they are sceptical of putting his or herself at risk without being inoculated!” Another asks how long they are appointed for and Nkosikhona confirms that it’s six months. One or two jot down notes or circle words on the sheet of paper, others look to the next page or shake their head (Cam 1 - Day 2 - 18.mov, 2014).

As can be seen, the failure to inoculate the janitors proved to be a major barrier affecting not only the health of janitors, but the running of the service of a whole and ultimately the cleanliness of toilets, due to janitors having to wait to be inoculated so as not to put their own health at risk.

In fact, the previous day, when City officials had presented on the service, they had admitted that this had been a problem. At the meeting they stated that they were considering dropping the requirement to be inoculated altogether.

Their record and their solution was challenged by one participant who had been a janitor, Nosiphelele Msesiwe, who stood up and spoke clearly about her time as a janitor, how she had waited for weeks for the inoculation with very little communication about what was happening and had not been able to work for all of that time. Dustin Kramer remembers the moment vividly:

“I think it was in the first day, the City came to present and Nosiphelele who used to be a janitor spoke very powerfully about her experience and that’s something that really stood out for me and there was clearly a lot of anger towards the City and you know often, especially the City, portrays that kind of anger as political, whereas it was clear to me that in general in most instances it’s not, it about people’s lives and I think when that woman spoke it was really quite powerful for me in terms of how she actually spoke about her experiences as a janitor, as a worker. It was about getting sick and those sort of real issues, which is what we were addressing in the audit” (Kramer, 2015).

For participants, this exercise was valuable in and of itself. For many of those who had first hand experience of being a janitor, or who had experience of the service as a resident, this was the first time that they had come across any form of formal documents explaining what the service *should* be doing and what residents could expect from the service.

For Nosiphelele especially, it was important to see the requirement written on the page. It became immediately clear to all that the City had not been honouring its obligations and this was a major factor contributing to the poor retention and performance of janitors and ultimately the cleanliness of the toilets. Thus, not only did residents have the experience and evidence to engage substantively with the root causes of the problem, but they were now familiar with the mechanism by which to hold the City accountable. This was incredibly empowering.

However, at the time we were not able to recognise what Nosiphelele said as testimony, even though it was evidence enough to engage the City on the issue of inoculation. Had we had a process to capture this better, we might have developed a finding then and there and Nosiphelele could have spoken to it directly at the public hearing.

Instead, her testimony was not captured nor was the discussion in the group. Instead, the discussion on inoculations was summarised into bullet points and these were then brought to NU where the smaller analysis team sifted through the data to back up the findings.

The primary evidence for the issues of inoculations came from the spread sheet derived from the interviews with janitors. By the time we had honed and refined the final findings ready for the public hearing, Nosiphelele's voice had been lost.

And so, the finding in this regard read, "Janitors are not being inoculated against disease" with the data showing that "27 out of 31 or 87% janitors were not inoculated against disease", and the explanation that, "the City of Cape Town has not prioritised inoculation and that the vast majority of janitors have been exposed to the risk of disease. Further, because of the delays, in some instances, janitors have not been able to work."

Sifting through video filmed of the audit, I couldn't help but notice other opportunities, which we failed to recognise and capture. The issue of communication, for example, was discussed at length by one group, and is described in this vignette:

Patience, who is used to code switching between English and isiXhosa, reiterates the question for the group, "With all these findings what do we think is the crux, is the root of the evil?" Sunil, an American researcher who has just arrived, ventures his own conclusion: "Is it the fact that the janitors are uninformed? Is it the fact that the community is uninformed? Like, just different levels of information that both of them have. The community doesn't know about the janitors, the janitors don't know where the keys are, what contract they are supposed to have. Or is it completely systemic, like every single aspect is broken?" (Cam 1 - Day 5 - 4.mov, n.d.).



Figure 9: Participants discuss the findings from the audit Photo: Shaun Swingler

Though this was Sunil’s first time in Khayelitsha, his intuitive assessment was not wrong. Here, the participants were referring to a lack of simple information exchange and education – it would seem the City had done very little to inform the community exactly what they could expect from the service. It was rolled out in haste with poor consultation and no specific programmes dedicated to education and information sharing.

Likewise, it would seem that although janitors may have been informed during training how the systems should work, the high turnover, poor monitoring, lack of resources such as radios, and poor systems for communication flows for both instructions and reporting of problems had knock on effects with regard to janitors’ access to PPE and tools, and toilets left broken for long periods of time.

At the presentation day, Joseph Tsatsire had spoken at length about how the City did nothing without consultation with communities but described the difficulty reaching consensus with communities where there are multiple and parallel, formal and informal leadership structures. This made the case all the more compelling for a formal planning document that could be shared with all stakeholders so that residents would receive consistent messages.

In this sense the lack of communication that residents experienced on a daily basis about the basic services that affected their lives should have been a critical finding underpinning the poor performance of the service, but it barely gained a mention at the public hearing.

We had included a finding in the report that stated, “Most residents found out about the janitorial service by observing janitors” (SJC & NU, 2014), with a statistic that “117 out of 193 (61%) residents find out about the service by observing the janitors in the area” (SJC & NU, 2014), from which we extrapolated a comment that, “Most residents have not received communication from the City about the purpose of the janitorial service and what they can expect from janitors cleaning in their area” (SJC & NU, 2014). It is clear that the interrelated nature of the poor communication and its affects had not come through and were not presented at the public hearing beyond a reading of the main finding.

In a final example, the issue of access to keys came up time and time again in discussions. Locking toilets is one of the easiest ways that residents can maintain control over the cleanliness of a toilet and the City had been initiating the locking of toilets for some time, as discussed in a group led by Nkosikhona Swartboo again:

“Tomorrow, if you ask anyone from this area if they were given a lock they will tell you they were never given this lock by any City official,” says Nkosikhona. A local shopkeeper states that after the toilets were completed, locks were put on and the keys were distributed to the street committees. Nkosikhona asks him how they distributed the keys. He responds that they were just given the keys with no instructions other than to distribute them (Cam 1 - Day 3 - 27.mov, 2014).

This has had a number of unintended consequences for residents. Firstly, it means that although residents may have a toilet nearby, they still may not have access to it, as one participant mentioned: “You have to get keys from friends. If you don’t have a key, then you end up using the veld” (Cam 1 - Day 3 - 27.mov, 2014).

These observations spoke directly to the question of access and it became obvious that there was remarkable variation in the service depending on how the residents in the surrounding area had organised access to the toilets. The placement and arrangement of flush toilets resulted in a multiplicity of local variations in how the service was conducted and knock on effects on the cleanliness of toilets.

In Enkanini and elsewhere, for example, the toilets are clustered in groups of about six or eight throughout the informal settlement. In another debrief, one of the groups, led this time by Khanyiswa Gxotani, talked about the effects of this:

“Some of the communities clean the toilet by themselves. And some of the communities fix the toilets by themselves.” Alan, who is writing the notes confirms, “So the community maintains their own toilets?” “Ja,” another chips in, “They were asking for the City of Cape Town to give them the

materials that the janitors use because the janitors do not use them effectively so if they can give them those chemicals they don't mind cleaning themselves" (Cam 1 - Day 5 - 07.mov, n.d.).

It is clear that some toilets were treated as communal public toilets. Here the janitors could easily access because they were not locked, but they often became vandalised or overused and fell into disrepair. Many toilets had plastic bags taped over them while the janitors waited for the City to fix them.

Others had shared arrangements with multiple households having access to a key and here the janitors seem to use a variety of methods to gain access depending on their own initiative. Some clearly knew who had the keys through familiarity, others made announcements, still others simply waited around until someone opened up a toilet. In some cases, residents had taken direct ownership of toilets, painting inside and taking responsibility for cleaning and maintenance themselves.

By contrast, in BM section, nearly 300 toilets are placed in a long row along the highway. Residents here have to walk some distance across a field to get to them. These toilets are extremely dangerous to use at night and are routinely vandalised, presumably because they are effectively a row of public toilets and treated as such. Some are open and others are locked though it is unclear who and how many people have access to the key.

These toilets are difficult for janitors to clean because sand blows into them, the whole area floods in the winter and it is difficult to find the residents who have the key and consequently cleanliness is a major issue.

Again, although the findings at the public hearing spoke to the issue of keys, this level of analysis was missing. The report had finding that, "Most toilets are locked and not all residents can access a toilet" with a statistic that, "144 out of 193 (75%) of residents said their toilet was usually locked" (SJC & NU, 2014). Here again, the finding could not do justice to the complexity of the problem of locked toilets and its relationship with placement, ownership and cleanliness, nor describe the specificity and variety of experiences across informal settlements.

As can be seen a number of opportunities arose to listen to and capture residents' experiences of the janitorial service, as participants read through the documents, inspected toilets, conducted interviews with residents and janitors and discussed their findings. I can't help but feel that had we not been so reliant on gathering evidence through the questionnaires, we may have been able to capture these experiences better.

In our efforts to improve the validity of the data, we became reliant on the questionnaire as the primary method for capturing experience and this paradigm prevented us from exploring what, in hindsight, might have been other more appropriate methodologies. This interaction with Sindisa Monokali, described in the vignette below, illustrates this well:

By late afternoon we were getting tired. Enkanini was bigger than I had thought and the work was getting a little monotonous. We had tried to work systematically up the hill, surveying each cluster of toilets on the main roads, and then a little haphazardly following a path until we came across another. I was a little unsure whether we had managed to find them all despite the maps we had made and I was worried that we had surveyed the same toilets more than once as the group broke apart to explore different areas. At some point, Sindisa, a young participant not quite twenty years old with a floppy cap and a great smile disappeared amongst the houses. A while later, he came up to us and showed us his notebook. While we had been slogging it out with the questionnaires, Sindisa had taken the initiative to speak candidly to a few of the residents and he'd already written up a summary of his findings on the first two pages of his notebook. He said, "I think I've found out what the big issues are here." I knew that Sindisa wanted to be a writer and I liked his enthusiasm. I told him to keep it safe because we would be able to use the information later. Unfortunately, we never did. (Rossouw, 2015).

What Sindisa had done intuitively was to use a form of open-ended interview, which in hindsight was an obvious method of inquiry. It was logical for a young person who was living in Khayelitsha to have a wide ranging conversation with another resident about the janitorial service and jot down the most salient points. Had we thought about it, we might have been able to put in place training and support to facilitate this and develop a method of evidence gathering more suitable for capturing testimony and the experience of residents.

It is easy to see then how City officials such as Councillor Ernest Sonnenberg could move to attack "the raw data" because the data had become something abstract, disembodied and void of its power, which was essentially the voice of experience.

There could be multiple ways to articulate this better, but, for example, had Nosiphelele Msesiwe stood up at the public hearing and not only read out the finding but spoken to her experience, or had young people like Sindisa spoken at the public hearing about his interview or introduced the resident he had interviewed and let them speak directly, I'm sure that Councillor Ernest Sonnenberg would have struggled to reject the findings outright (though he may have tried). It is worthwhile then to see how the City took advantage of this and the next section explores the City's response.

The City's response: A clear agenda to delegitimise the findings

As mentioned previously, City officials had come to the public hearing with a clear agenda to attack the data and delegitimise the SJC and findings through a range of antagonistic, disruptive and deflecting strategies.

Councillor Ernest Sonnenberg's attempt to influence the agenda is a case in point. It is unclear whether he ever expected that his request would be agreed to. Surely he must have known that it would be nearly impossible to keep a hall of 400 residents waiting? In asking for the two hours to review the raw data, he made a strategic move to reframe the discussion at the public hearing about the quality of the data and rigour of the method instead of the findings or experiences of the residents themselves.

Even though the SJC did publish the raw data that we had collected together with the report, the City continued to call publicly for the raw data. It became clear that the City had no interest in the raw data at all, but rather saw it as weakness that could be exploited. For example, Paul Boughey, the then Mayor's Chief of Staff stated on TV the evening after receiving the raw data, "I think one of the key problems we have with the audit is that we said all the time to the SJC, please share your raw data with us".

It was used to cast aspersions on the intentions of the SJC. In asking, "...I question why we can't have that data now and go through it", Councillor Ernest Sonnenberg implied that the SJC had something to hide. This was taken up by Premier Zille, who stated that they "felt that they have been put into an ambush". She asked: "Is it good faith? Is it really to improve the conditions of the toilets? Or are there other agendas?" (Cam 1 - Day 7 - 09.mov, 2014).

City officials used a number of strategies to attack the findings outright. Councillor Ernest Sonnenberg argued that the findings were out of date, asking, "Why does the SJC not report faults when they occur, but rather wait to compile 'dossiers' with out-of-date data for maximum self-serving publicity? It is pointless to collate out-of-date information. If they were actually interested in assisting residents, they would report faults for remedial action" (Sonnenberg, 2014).

Dr Gisela Kaiser focused on sample size, stating that, "In the four areas that the social audit covered, there's approximately 14 000 households and 195 residents were interviewed. Now in terms of sample size, that sample is too small to be a representative sample so that one can insure that you can repeat the findings." (Cam 1 - Day 7 - 09.mov, 2014). This particular criticism was also taken up by Paul Boughey who stated in one of a number of releases in response to newspaper articles that "...the SJC only looked

at a tiny sample of four out of the 160 areas in which the programme operates. This means their audit cannot be seen as definitive, or even credible” (Boughey, 2014).



Figure 10: Dr Gisela Kaiser responds to the findings Photo: Shaun Swingler

Where Dr Gisela Kaiser had access to City data, she challenged the validity of the social audit data itself. For example, in response to the finding that, “The distribution of janitors is unequal and not all sections have enough janitors”, which gave estimates of the ratio of janitors to toilets, Dr Gisela Kaiser responded that, “...the figures are not according to our figures... So we’re not sure if you are looking at exactly the same areas, but we’ve got different figures according to our ratios of janitors per toilets” (Cam 1 - Day 7 - 09.mov, 2014). She did not, however, in this instance cite her figures.

In an interview, Paul Boughey used a similar line of attack, giving examples of contradictions in the data: “For example, there is no clarity on the standards used to measure outcomes and the SJC cannot explain contradictions such as finding a toilet “dirty” when it simultaneously argues that it could not access the same toilet to assess it” (Boughey, 2014).

Dr Gisela Kaiser concluded with, “I really hope that...**our findings on your findings** will be acknowledged as well and that these are not published as accurate and actual results” (Cam 1 - Day 7 - 08.mov, 2014), and she drew an analogy likening the findings to a press release in that “whenever we issue a press release, we have to make sure that we can verify and we can prove that the data that we provide is in fact true and that it’s reliable and valid”. What is rather astounding is that of all the findings, the only one that Dr Gisela Kaiser was willing to admit to was that the janitors had not been inoculated.

“A whole of society approach”: Disrupting and reframing the narrative

Apart from attacking the findings themselves, City officials used a number of other strategies to disrupt and reframe the overall narrative of rights violations and poor service delivery, laying responsibility at the foot of the community.

Premier Helen Zille introduced the concept of the “whole-of-society approach”. In her view, the issues raised in the findings could be easily rectified and were non-issues: “if janitors haven’t been paid that problem can be sorted out quickly. And if janitors haven’t got the equipment that problem can be sorted out quickly” (Cam 1 - Day 7 - 26.mov, 2014). Using a “whole-of-society approach”, “...we don’t focus just on what is wrong. We focus on the full picture...[where] everybody has a responsibility, not just the government” (Cam 1 - Day 7 - 26.mov, 2014).

In her weekly newsletter on the Sunday, Premier Zille clarified that, “...unless we follow a ‘whole-of-society’ approach things will only get worse rather than better. No government can substitute for the role of committed, responsible citizens who contribute to their own development” (Zille, 2014). As Nkosikhona Swartbooi put it, “...the premier tried to shift the blame to the community side. She was claiming that community members are not reporting and not using the facilities well” (Swartbooi, 2015).

The Premier quickly reframed the problem of dirty and poorly maintained toilets, not as poor service delivery or a violation of rights, but as an issue primarily of poor hygiene, poor care and vandalism. For if “Everyone has a responsibility to leave a toilet in the condition they would like to find it”, then “...janitors would still have a job to do but they wouldn’t be cleaning out rubbish dumps in toilets and they wouldn’t have to try to unblock toilets where people have put things into toilets that shouldn’t go into toilets” (Cam 1 - Day 7 - 26.mov, 2014). This line of argument reframes the structural and communal problems associated with insufficient sanitation provision as a cultural problem of personal (ir)responsibility: it is not that the City does not provide enough toilets, or keep them well maintained, rather that poor people do not take care of them.

The issue of vandalism of infrastructure is a particularly thorny issue to resolve. Outright vandalism does occur – many toilets we came across had no doors left or had bricks and other rubbish blocking the toilets. It is, however, not always a simple issue. In many cases, poor maintenance results in vandalism as the toilets break down and remain like that for weeks or months. In other cases, residents may use newspaper or rags as toilet paper or try to flush food waste or rubbish down the toilet. In one sense this is a result of poverty: some families simply don’t have the money for toilet paper. In another sense, it is clearly a case for education.

Later, the City officials attempted to reframe the findings about the janitorial service within the larger problem of building toilets within the geographical, budgetary and infrastructural constraints that the City feels impedes service delivery. A common response here, as described by Premier Zille, is that, “We want

everybody to have decent services that we are progressively trying to realise against many serious challenges in a system of very rapid urbanisation. This City grew by 30% in ten years. That's huge". Later, Councillor Ernest Sonnenberg stated that the City grew by 46% in 15 years, and Paul Boughey reiterated, "The City has grown by 30% in the last ten years. Clearly urbanisation in any South African large City is a major, major challenge. That's why we've invested the way we have and that's why we roll out quality services" (eNCA, 2014). Here, the narrative is framed in terms of the City being under siege and unable to cope, yet doing its best, as Dr Gisela Kaiser states, "It is challenging because of the sheer scope and scale of informal settlements and then also their changing nature".

Premier Zille added, "One could ask: why is the SJC focusing exclusively on Cape Town?", which fed into a common claim that the SJC was somehow politically motivated and "picking on the City", and when in truth the SJC does not operate anywhere else in the country. Premier Zille had to acknowledge this after Axolile Notywala answered her question publicly at the hearing: "The SJC would respond by saying that, at this stage, they only operate in Khayelitsha. And the fact that it is much worse elsewhere should not stop them from pointing out what is wrong there. OK, point taken, let's move on" (Zille, 2014).



Figure 11: A young child plays in a vandalised toilet. Photo: Shaun Swingler

Lastly, the City refused to admit that the janitorial service was an intrinsic part of ensuring the right to access basic sanitation, viewing the janitorial service as voluntary, a "top up" and therefore in addition to a "basic service". For example, Paul Boughey stated that the janitorial service social audit "...ignores the fact that the janitorial service itself is a top up service the City introduced as a voluntary mechanism...The City did voluntarily introduce this programme because we are constantly innovating" (eNCA, 2014). This is noteworthy for two reasons. Firstly, the City did not voluntarily introduce the janitorial service, it was secured after significant advocacy, protest and public pressure by SJC, its members and the Khayelitsha community. To suggest otherwise is disingenuous. Secondly this reframes the right of access to basic

sanitation in terms of compliance with national legislation and not in terms of qualitative assessment of access and certainly not in terms of the community's own perception of what the standard ought to be to be acceptable. In this view, the City's position remained that as long as it was providing a suitable ratio of toilets to population, the right of access had been effectively provided for.

Conclusion

Looking back, it is hard to know whether much of the chaos and messiness in the data collection was avoidable or is in fact an inevitable part of social audits (and part of the fun). Surely, evidence gathering needs to be as inclusive as possible and there is a limit to what extent the survey method can ever be seen to be professional enough, or even, given the lost opportunities I've described, whether this is even desirable.

In hindsight these lost opportunities to better articulate community experience was a tragedy. Raw and powerful stories, experiences and insights had been replaced with completely unembodied data and in that translation, the passion, conviction and anger with which residents analysed problems and spoke did not come through to be heard at the public hearing together with the findings, nor was captured in the report.

What were the consequences? In the next chapter I will take a step back to reflect on our learning from this experience, with particular attention to what else was gained and lost in the choices we made.

Chapter Six. Accountability and Justice

We had thought that improving the data collection method would mean that the City would accept the findings as legitimate, but it was all too easy for the City officials to reframe the public hearing as less about the City being accountable to communities for poor service delivery and more about the community being accountable to the City for the data.

Introduction

A few months after the release of the report on the janitorial service social audit by the SJC and NU, Councillor Ernest Sonnenberg wrote to the SJC unexpectedly, stating that: “This is not a direct response to the issues raised in the social audit as the City was not able to verify the information collected due to not being included in the data-gathering process” (Sonnenberg, 2015), yet he went on to relate progress on a number of the key findings, from janitor inoculations to the distribution of personal protective equipment. However, the City remained steadfast that it would still not be developing an implementation plan. (Sonnenberg, 2015)

On 6 January 2015, Councillor Ernest Sonnenberg further stated that an internal review of the janitorial service had been completed and that the “...programme is working well in 83% of the areas and, in some cases, improvements were possible”. He went on to state that “...the programme was found to be ineffective in the remaining 17% of areas and it is in these areas that we are reviewing the programme” (Sonnenberg, 2015).

It would seem that, after things had quietened down and outside of the public eye, the City had indeed looked at the findings and moved to make some changes in the janitorial service, though naturally they were unwilling to admit that this was as a result of the social audit.

This chapter describes the impact of the social audit and what was gained by emphasising the data aspects, moving to a discussion of the dynamics at play in the articulation of community power and a broader discussion of what was lost in terms of opportunities for accountability, participation and transformation of basic service delivery, ending with a discussion of whether this was inevitable given the culture within the City.

Impact: The social audit as an advocacy tool and the data trap

As an advocacy tool then, it's clear that the social audit had some impact, even if indirectly. This is extremely rare in social justice work and campaigns and should be celebrated as a triumph for the power of community participation.

However, without further research or another round of monitoring, it is unclear how far reaching or sustainable those changes have been. For many residents in informal settlements across the City, the issues of cleanliness, safety and access to clean toilets remains a daily problem, and the janitorial service is by no means running smoothly. Many of the problems identified in the findings still remain.

To a large extent long term campaigns such as this, that attempt to chip away at the impenetrable structures of inequality are won not necessarily through ground breaking shifts (though these do occur) but through the combination of layers and layers of consolidated struggle. The social audit added immeasurably to the struggle for clean and safe sanitation.

It would seem that we had done a very good job of raising the profile of the social audit and the issue of access to sanitation. The media campaign during and after the public hearing, and the launch of the report were all very successful at engaging the City and generated significant coverage in the national media. A host of high profile opinion writers, such as Judith February, Steven Friedman and Sandra Liebenberg, supported the audit publicly on social media and in their regular columns. It certainly raised the issue of access to toilets and the problems of the janitorial service as an issue on the national agenda.

The use of the surveys and development of the findings, dominated as they were by statistics were very helpful in this regard. Journalists are generally short of time and numbers such as these are easily digested and make for great headlines. No doubt this is why Councillor Ernest Sonnenberg was loath to embrace them at the public hearing – knowing as he did that no matter what he said, the numbers would make the headlines – and rightly so!

To that extent, much like the Mshengu social audit previously observed by Storey (2014), the janitorial service social audit was extremely successful at making the experiences of poor and working class people legible, not only to the City, but to a wider audience of journalists, academics, civil society activists and policy makers.

However, at the same time, we found that legibility did not immediately translate into accountability and this requires much further study. Although we had experienced this before, I think we all had an

assumption that the more legible and reliable the data, the more like we were to get traction within the City and this proved to be totally unfounded – indeed the push back was even more vociferous.

In some ways, the presentation of the findings with an emphasis on the data proved to be counterproductive and allowed City officials such as Councillor Ernest Sonnenberg to paint the actual findings as illegitimate or at the very least suspect and therefore something that they could not be expected to respond to in full.

This meant that in effect, all discussion at the public hearing could be regarded as in brackets, until such time as the City confirmed the data and methodology, and until that time, the City could not be expected to respond in full, or at all.

We had thought that improving the data collection method would mean that the City would accept the findings as legitimate, but it was all too easy for the City officials to reframe the public hearing as less about the City being accountable to communities for poor service delivery and more about the community being accountable to the City for the data.

The challenges central to data collection methodology, sample sizes, data validity and reliability, and the preparation and interpretation of raw data spread sheets were messy. The development of the questionnaire was messy and fraught with problems, as was the training and roleplaying. The data collection was wholly messy. The fact that the social audit findings were essential in our advocacy strategy to force the City to develop an implementation plan meant that we doggedly pursued and presented the findings as systemic and citywide. I have no doubt that the findings we published in the four informal settlements are by and large indicative of the service across the City but the problem here was that we had gone some way to making the social audit more professional, yet not quite far enough.

As Dr Gisela Kaiser pointed out, in hindsight the sample was indeed a problem from a purely methodological point of view and would certainly have not passed muster as a professional survey. We had selected four informal settlements to conduct the social audit in but had not spent much time considering whether these were representative.

Ideally we should have stated clearly that the social audit was not a citywide audit and could only speak to conditions in the four informal settlements that we audited, and then grouped the findings by informal settlement. Even here, however, our method for selecting toilets to inspect and residents and janitors to interview had no clear rationale.

SJC's approach was to be transparent about the process and its intricacies, shortcomings and strengths. Yet, in retrospect it seems that in trying to find ways to make the experience of residents legible to the City, we found ourselves caught in the survey and its problems. In focusing our energies on the systematic production of data and findings through the social audit, we had in some ways shifted even further into the language of the City with its commitment to and investment in articulating this debate through statistics and questions of their validity.

In this space, ultimately, the City had the upper hand, with its greater claims to data, even in this case where they failed to make this data public. We had unwittingly given the City officials the power to frame the debate as a question of data and its characteristics as "true, reliable and valid".

Ultimately then, it became clear that, in fact, no amount of data would be sufficient and that further movement in this direction would be a trap. The legitimacy of the findings resided not in the data alone, but in the everyday experiences of residents in this part of the city.

Whereas as Storey (2014) had emphasised how the Mshengu social audit had legitimised and valorised the experiences of residents, perhaps, we had mistakenly placed too much emphasis on valorising the data. Perhaps we needed to focus on legitimising experience and the voice of residents as true, reliable and valid data in and of itself.



Figure 12: Residents express their frustration at the Public Hearing. Photo: Shaun Swingler

Poor articulations of community power

In hindsight there were too many lost opportunities to capture and make community experience legible. The reliance on the survey method and systematic findings effectively left out residents' voices and more holistic and interrelated explanations for the problems residents faced.

In previous audits the SJC had developed the questionnaires together with participants. While this had resulted in questions that were not always ideal for collecting comparable data, it had meant that participants understood substantively what problem the question was addressing and had ownership on the suitability and priority of the questions.

The development of the questionnaires by Axolile Notywala and myself centrally was a major problem. To a large extent these were framed to provide data to reflect on the limited documents we had with

systemic lines of inquiry in mind and so when residents raised unique observations, issues and experiences which we had not thought to include, there was no obvious place to record this and they were lost.

There was a need to do more focus groups or discussions before developing questionnaires. For example, the janitorial service social audit did not ask questions about disability, about flooding, or about toilet reporting – all of which came up but were not easily recorded.

We may have missed the point entirely: a questionnaire, developed as it was by a few organisers, could help to generate statistics, but was not robust enough given the specificity and variety of conditions, and the interrelatedness and complexity of the problems with the janitorial service.

Clearly, what we had not considered was how the use of the survey questionnaire as a technology and mode of inquiry would limit our ability to make findings based on other ways of seeing, which may have been more effective. Taking this further, the survey questionnaire was unable to weight or rank findings, or isolate central issues that may have played an influential or causative role in a number of outcomes.

We were unable to capture specific cases, both positive and negative, and then drill down to find out what had produced that result. Our questions could tell us how many toilets were dirty, and we could express that as a statistic, but they were not very useful in helping us or the City to understand why.

Apart from the surveying, the various group sessions and debriefings offered other opportunities that we could have capitalised on. In fact, here, Axolile did make significant efforts to collate and record the discussions into findings. Axolile initiated a three stage process in the hall that consisted firstly of teams discussing the main findings from the areas they audited in their groups, followed by a report back to the whole hall, and ended with a discussion around what the main findings were.

Although the discussion provided context and area specific understandings of the problems and solutions, these were not carried forward as the findings were scaled up. The process led to a synthesising of experience and at each stage, the richness of discussion and detail was left out in the inevitable move towards bullet points.

Ultimately, the findings were too broad and lost most of their specificity, meaning and power. Axolile summarised the community discussion into eight broad thematic areas or findings that he brought to the data capturing team on the Friday morning. At this point, the experience was lost almost entirely as it was only used to inform the findings extrapolated from the questionnaire data.

At the public hearing, having listened to much of the response from the City officials, residents felt unheard and it was easy to understand how many became angry and the proceedings became aggressive and antagonistic. The community members in the hall became more and more angry with each interruption and began to demonstrate their collective power with interruptions of their own of singing and shouting.

When Councillor Ernest Sonnenberg intervened to change the agenda, they sang and danced. After Dr Gisela Kaiser began to speak about the poor sample size, they walked about and talked loudly. When the City tried to deny them the chance to speak they shouted. And throughout, the City was able to push its own disruptive agendas and narratives, which only made things worse.

One voice can be powerful when the evidence and the narrative are carefully articulated, and especially when that one voice is surrounded by multiple consenting voices. I would imagine that that is an articulation which, one would hope, would draw a more accountable response from officials.

However, the repetition of finding after finding, in the format and language that we had followed, with statistics, percentages and fractions, although legible to City officials, was disconnected from the majority of residents at the public hearing who simply could not relate and feel, “Yes, that represents me and my experience too.” It would seem to be the opposite of what Storey describes when she states that the findings, “were not only simply data points but also important ways for understanding what services actually mean to those who use them” (Storey, 2014). This “mixture” of statistical data and community experience, described by Storey (2014), was disconnected and resulted, perhaps, in a poor articulation of community power.

Besides the attacks on the data described previously, this opened the space up for the City to dominate with alternative narratives and agendas that ultimately led to the extraordinary anger and frustration witnessed and little accountability.

Accountability and justice for residents and participants

Ultimately then, with no signs of accountability, residents were subjected to a profound denialism and sense of injustice. This is most appropriately manifested in the outright denial of Councillor Ernest Sonnenberg to hear residents and recognise their experiences. Dustin Kramer explains:

“...telling the community members that what they found was wrong. Um, whereas they are the ones who actually use the service. And here he is, who doesn't live in Khayelitsha and now he's telling them

that what they are saying is wrong because they provide the best service. You know that wasn't the place to spin. It's not twitter. It's not like he can convince anyone, because those people are the ones actually using that service. It's not like he's talking to the white middle class where he can convince them. Who is he going to convince there" (Kramer, 2015).

This is also manifested in the structure of the social audit, which offers little opportunity for redress after the fact. For those who took part in the social audit and in the public hearing, who had experience of indignity and who had come to speak of their experience and perhaps had expected the City to make commitments to improve, or had hoped that their particular toilet would be unblocked or a key made available, there was a profound sense of injustice.

Furthermore, the social audits have to date been more event based weeks. The events bring considerable attention and raise the heat at that moment, and consequently, this often means that success is determined by the media response rather than remedial action for findings and the momentum soon fizzles out to follow up.

In the current model, follow up and advocacy tends to be political and managed centrally and focused on the broader systemic policy issues and campaign goals. Even where we have secured commitments from officials, we may have failed to follow up on these to ensure the City delivers, or we may not have ensured that those who took part in the social audits were kept informed of the progress of these commitments. Indicative here is that we never insisted that Councillor Ernest Sonnenberg return after three months as promised.

The social audit has potential as a tool to mobilise and organise people politically around a long term shared campaign for improvement of services. Though the individuals who took part became aware of their rights and learned a lot, its potential to educate people about service delivery and rights in a way that is sustainable and builds a movement is not fully exploited.

A consistent programme of problem solving through social audits would ensure that community members will continue take part and value the process and this may work for us in the long term in our ability to mobilise and motivate people. Strategies that have been employed in India, such as drama, song and the public education campaign that have the ability to draw in people to the process have yet to be tested and tried.

An inevitable outcome? The participatory culture of the City of Cape Town

It has been my interest and obligation to consider how our actions may have contributed to these outcomes, but despite this, the lion's share for poor accountability must rest on the shoulders of the City and its officials.

We should ask ourselves, how difficult is it really to listen to residents, acknowledge their experiences and offer to look into matters as best you can? The expectations of communities to participate, be heard and have their needs met is not unreasonable. To what extent is confrontation inevitable these days in any community engagement with City officials and is this a deeper cultural problem that goes behind the immediate officials responded to the social audit?

Indeed, this may be because, no matter what, where there is publicity, sanitation service delivery in Cape Town is viewed through the paradigm of party politics. This means that any engagement in the political space on sanitation is treated in much the same way that political engagements are treated – with a uniform and antagonistic defensiveness. Local service delivery issues quickly get blurred with national political polemics.

However, the public hearing was also an opportunity for residents to speak directly to City officials. Had Councillor Ernest Sonnenberg and Dr Gisela Kaiser been able to listen, empathise and respond, the hearing might have been a great success – nobody went in looking for a fight.

Certainly, the atmosphere was almost festive and there was an expectation that the City would bring good news. However, Councillor Ernest Sonnenberg and Dr Gisela Kaiser were unable to understand the personal testimony that they heard as evidence at all. Much of the testimony presented at the public hearing was read as anecdotal and personal.

Given the breadth of experience and depth of testimony placed before them, it was simply absurd that the City officials chose to focus on the raw data and use their positions of power to introduce alternative agendas that would disrupt and defeat the narratives the community was trying to present.

Dustin Kramer reflected specifically on this position, stating that, “Whatever we say they need time to respond. And I think that that’s an incorrect view. I think that’s wrong.” His sense is that “a lot of what is being presented is not particularly complex,” and that “even if the response is, you know, we’re going to have to look into why the Janitors aren’t getting the protective clothing, or whatever the case may be, you

know. I think that they can't respond in their own City, in the City where they govern, where they supposedly know what is going on, I think that's completely incorrect" (Kramer, 2015).

The problem lies in the institutional culture of the City. This may be exacerbated by the fact that the City is the only Metro governed by the opposition Democratic Alliance. I can't help but feel personally that its leading politicians believe and actively project the idea that the City is somehow "under siege", having to prove itself despite the problem of inequality that affect all South African cities. Instead of dealing with the dissenting voices and legitimate demands of poor and working class people by opening up to communities, entrenching participation, freeing the flow of access to information, devolving power and opening the space for democratic deliberation, its politicians, under the control of Mayor Patricia de Lille have done the opposite.

High level politicians are engaged in micro-managing bureaucrats at almost every level. This makes progress extremely difficult, particularly where politicians are obstructive. It prevents relationships of trust developing, especially with lower level staff.

This means that we are forced to deal directly with centralised structures rather than those who are most familiar with and responsible for service delivery. This is a problem of levels – that we are unable at present to address or deal with the correct level of government, many of whom may be sympathetic to the cause and insufficient work has been done to identify and approach those who are responsible. The question as to whether the leadership would allow this is still to be tested.

In this environment, even though the social audits are seeking practical remedial action for local issues, this is stalled or blocked. Every interaction with the City needs to be cautious and formal and there is a general paranoia within the City of interacting with the SJC or its members or partners.

The fact the City would move to review the janitorial service internally only two months after an opportunity to engage residents directly on the service may indicate that the events surrounding the social audit are symptomatic of a deeper crisis, not only in service delivery and the progressive realisation of the right to sanitation, but in the orientation of the City and the culture and capacity of its officials vis-à-vis the rights of residents to participate.

Conclusion

I reserve the last word here for Councillor Ernest Sonnenberg, who seems particularly unfit to navigate the invited spaces of participatory democracy, fraught and contested as they are. His lack of empathy for

the experiences of poor and working class Black African people, his aggressive and antagonistic behaviour, and his inability to lead the Utility Services Directorate towards a reasonable plan to fulfil the rights of residents of this City to sanitation, health, safety and dignity has had devastating effects.

It is no doubt that his personal failings to engage, negotiate and represent residents as a politician has contributed to the impasse which has left the SJC with no choice other than to take the City to court. In the final and concluding chapter I chart some of the other opportunities moving forward.

Chapter Seven. Conclusion

Social audits have the potential to be platforms for mobilising poor and working class people – we plan to conduct them more often and in more communities.

As I write this, it is nearly exactly a year since we launched “Our toilets are dirty”, the public report of the janitorial service social audit. Many of us were tired and bruised by the experience and the City’s response, but our cynicism has gradually given way to new work and opportunities that have opened up.

Axolile Notywala has since been promoted at the SJC to head the Local Government programme, and Dustin Kramer and Phumeza Mlungwana have both been re-elected to lead the organisation. Nosiphelele Msesiwe, who spoke so clearly about her experiences as a janitor became and NU fellow and has since been employed as a community advocate at the SJC. Nkosikhona Swartbooi who helped to lead one of teams is now coordinating a new social audit network hosted at NU that aims to bring together practising and interested organisations, social movements and community associations and build the social movement nationally.

The campaign for access to clean and safe sanitation continues. At the beginning of 2015 SJC and NU campaigned for the first time on the City’s budget, placing the discriminatory capital allocations for infrastructure and the lack of plans on the national agenda. Once again, sanitation and access to a clean and safe toilet was in the news, which resulted in Mayor Patricia de Lille personally attacking the SJC for ten minutes in her budget speech. Some things change and some things stay the same. Aluta Continua!

In terms of social audits, many of the reflections here have already been deliberated on by our organisations in conversations, meetings and debriefings since the social audit. New ways of working have been articulated and already codified in a fourth social audit which the SJC conducted in Green Point, Khayelitsha in August 2015, supported once again by NU.

For example, we have decided in principle to move towards more local social audits that are based within the geographical boundaries of informal settlements in order to avoid some of the pitfalls of representivity and sampling that we experienced in the janitorial service social audit. In this regard the social audit can speak to the specific experience of residents that are peculiar to that informal settlement auditing the full range of sanitation service delivery holistically. In this developing model the social audit would be

conducted with members from that specific community and we would hope to record not only systemic but also community and resident experiences, stories and voices into the findings and ensure that individual injustices are followed up.

We have decided to focus less on the use of social audits in advocacy and more on their central role in empowering residents. The social audits have the potential to be platforms for mobilising poor and working class people – we plan to conduct them more often and in more communities.

We've made a decision in principle to find ways to work within the levels of government and attempts to approach and ensure participation of the right level of official and/or outsourced service provider who is directly responsible and can take immediate remedial action – in part to avoid the highly political public hearings to date and secure a measure of justice for participants.

More importantly in terms of this thrusts of this dissertation, we decided in principle to move away from survey type methods and more towards verifying City data, where possible. In essence the social audit would only include a basic survey which would involve mostly counting and verifying rather than interviews and surveys, together with methods for capturing and recording community experiences and the individual and powerful voices of residents in ways that legitimise them as “true, reliable and valid” in their own right.

The extent to which the space is open for engagement with the City on these directions has not been resolved, though there is a clear need to assist them in understanding the process better and the expectations of the community for their behaviour when invited into participatory spaces.

In terms of theoretical implications, there remains a clear need for scholars to develop a body of work around the study of citizen based monitoring mechanisms and social audits, particularly in South Africa. Further research and experimentation is needed to understand how different evidence gathering methods can validate community experience; and further research is needed to understand the dynamics of public accountability – what conditions encourage public official to be publicly accountable?

Through the nascent social audit network that is hosted at NU, new organisations are being trained and it is likely that we will see social audits being conducted in a range of settings, both rural and urban and on a range of basic services in the National, Provincial and Local spheres. All will provide opportunities for comparative research and further case studies.

Ultimately, the foundation has been laid for social audits to grow and mature, and I hope that communities across South Africa struggling with the indignity of poor service delivery will be able to gather evidence and find their voices, that local officials will hear them and respond in kind, and as a result poor and working class people may gain a measure of justice and equality.

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Appendix A: The System Procedure

SYSTEM PROCEDURE: JANITORIAL SERVICES			 <small>CITY OF CAPE TOWN ISISEKHO SASAKHANA IYADU MAAPHTADU</small>	
W&S/PROC/001	23/01/2013	WATER & SANITATION DEPARTMENT	Version: 1	Page 1 of 5
COMPILED: P MARITZ			APPROVED: W&S DIRECTOR	

1. PREAMBLE

The aim of this document is to ensure that the City of Cape Town provides for the best possible service delivery within the City's allocated budget. In conjunction with all relevant stakeholders, including community organisations and the Social Justice Coalition, the City of Cape Town in May 2012, launched its janitorial services programme in informal settlements as a pilot project. This is a high priority programme intended to improve sanitation services in informal settlements. The current status of shared toilet facilities requires special focus due to the lack of dedicated ownership and the high maintenance thereof. In response to this, it was decided that janitorial workers would be appointed on contract through the Expanded Public Works Programme in order to provide services to these shared toilet facilities.

This operational system of procedure applies to janitorial services provided by the Water and Sanitation department in the Utility Services directorate within the City of Cape Town.

2. PURPOSE

In an effort to improve the provision and maintenance of sanitation services in Informal Settlements, the department of Water and Sanitation ("W&S") will be providing janitorial services to sanitation facilities within the allocated budget. The janitorial services will be funded from the Informal Settlements operation budget of each year and any other dedicated funds that may be made available for this service.

3. SCOPE

The janitorial services may be provided to all forms of toilet facilities in Informal Settlements, except for situations where one-on-one toilet facilities are provided. Wherever a communal facility is provided, it is the intention of the department to provide janitorial services.

The purpose of this operational system of Procedure is to define the provision of janitorial services in respect of:

- Establishment of standards for janitorial services;
- Definition of the scope for janitorial services;
- Identification of the equipment and resources required for janitors;
- Identification of the training and induction requirements for the janitors, supervisors etc;
- Roles of various stakeholders;
- Working hours;
- Transport, and
- Materials storage and re-supply.

SYSTEM PROCEDURE: JANITORIAL SERVICES			 <small>CITY OF CAPE TOWN OUKERIG SAASIKAPA SIIBO BANAYISILE</small>	
W&S/PROC/001	23/01/2013	WATER & SANITATION DEPARTMENT	Version: 1	Page 2 of 5
COMPILED: P MARITZ			APPROVED: W&S DIRECTOR	

4. STANDARD OF JANITORIAL SERVICES

The City of Cape Town will endeavour to provide the following interim standard of services:

- 4.1. A ratio of 1 janitor per 25 toilets with a servicing ratio of 1:5 households within a maximum distance within 200 metres of each other, or
- 4.2. A ratio of 1 janitor per 10 to 25 toilets where toilets are beyond 200 metres of each other. In such cases, the project official shall determine the practical number of toilets allocated per janitor;
- 4.3. Janitorial service working times shall be from 05h00 to 21h00 daily
- 4.4. Depending on the availability of the City's budget, toilet paper may be provided to ablution blocks;
- 4.5. Communal ablution blocks will only be available for public use in Informal Settlements from 05h00 to 21h00 daily (including weekends and public holidays) and will be locked after the working hours by the assigned janitor(s).

5. SCOPE OF JANITORIAL SERVICES

The City of Cape Town will endeavour to provide the following janitorial services:

- 5.1. Toilet cleanliness: The cleaning and sanitising of the toilets will include the toilet pan, the floor, the cisterns, the inside and outside toilet structure walls and the surrounding area of the toilet facility, but limited to a maximum of two metres from the toilet facility.
- 5.2. Supply of toilet paper: Subject to availability, toilet paper will be provided to Janitors who will ensure that the toilets remain stocked with paper (refer to Clause 4.4 above).
- 5.3. Toilet security: Ensure that toilets are secured after hours as agreed to by the relevant community and management.
- 5.4. Maintenance and repairs to the toilets: Janitors will be responsible for the maintenance of minor faults and the reporting of any faults or breakdowns to the Call Centre and supervisor, as directed from time to time.
- 5.5. Statistics: Janitors are to record and provide any statistical information that may be required by management.
- 5.6. Monitoring of contractors and service providers: Where service providers or contractors provide complimentary or additional services in ensuring the cleanliness of toilets or sanitation facilities, such as portable flush toilets, the janitor will also be responsible for checking and recording the quality of the service provider's work.
- 5.7. Management liaison: The janitor will provide regular feedback to management through a system established for the monitoring of the quality of work provided in the Informal Settlements.

SYSTEM PROCEDURE: JANITORIAL SERVICES			 <small>CITY OF CAPE TOWN ISIZENZI SAKHAKHA ITOLO KAPSTAD</small>	
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6. EQUIPMENT AND RESOURCES REQUIRED BY THE JANITOR

- 6.1. Personal Protective Equipment (P.P.E.): Appropriate protective clothing will be provided to each janitor for the duration of the employment contract and will be in accordance with the Council policy.
- 6.2. Innoculation: Every janitor will be inoculated in accordance with Council policy prior to being deployed.
- 6.3. Tools and Materials: The janitors will be provided with all tools and materials necessary for them to execute their duties and will be held accountable for same.
- 6.4. Remuneration: The remuneration will be in accordance with the relevant Council policies.
- 6.5. Communications: At the discretion of management, janitors will be provided with communication tools to enable them to have access to management.
- 6.6. Training: Basic "on the job training" will be provided to janitors on aspects of hygiene, use of equipment, fixing basic faults (e.g. misaligned cistern floaters), etc.
- 6.7. Duration of contract: The short term contracts for temporary employment will be a maximum of six (6) months or as per the EPWP policy or City's employment policies.
- 6.8. Recruitment and selection: The employment of janitors will be as per the EPWP recruitment and selection policy which require that candidates to be identified through the Sub Council database or approved Council policy.
- 6.9. Deployment of janitors: Whilst every effort will be made to ensure that the janitor resides in the Informal Settlement that he or she is expected to work in, deployment will ultimately be at the discretion of management in liaison with the community.

7. ROLE OF VARIOUS STAKEHOLDERS

Janitorial service operations recognises the roles of various other stakeholders to assist in ensuring efficiency and effectiveness of the program. To this end, the following stakeholders have been identified as key to the operations of the janitorial services:

- The City Health department;
- Community Based Organisations such as the Social Justice Coalition and other NGO's;
- Water and Sanitation department;

SYSTEM PROCEDURE: JANITORIAL SERVICES			 <small>CITY OF CAPE TOWN ISIZIFUNDI SASEKAPEN IYADU KAPSTAD</small>	
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7.1. City Health Department

The City Health department will endeavour to provide its traditional and legislatively mandated monitoring role of identifying health risks, assisting with the training of communities on recommended sanitation practices, inspecting the sanitation facilities and raising health concerns with the Water and Sanitation department. This role will assist the Water and Sanitation department (W&S) in monitoring the quality of work of the janitors. The City Health department will endeavour to provide weekly and monthly inspection reports on sanitation facilities to the W&S operational staff. The reports will aim to include the following minimum information:

- (a) Name of the Informal Settlement;
- (b) The toilet or facility number;
- (c) Date of inspection;
- (d) Inspector's name;
- (e) If possible, pictorial representation (if possible);
- (f) Detailed description of issues of concern and creation of C3 notification;
- (g) Whether it is a repeat finding or not.

7.2. Water and Sanitation Department (W&S)

The Water and Sanitation Department will be the custodian of the janitorial service and will be responsible for the following:

- (a) Budgeting and control;
- (b) Recruitment, selection, training, deployment, and performance monitoring of janitors;
- (c) Provision of working tools and materials, any required transport and accommodation and protective clothing;
- (d) Reviewing the Standard of Service in consultation with the relevant stakeholders.

7.3. NGO's and community organisations

The role of Community Organisations is critical for the success of the janitorial services. This recognises the fact that Community buy-in is important for the success of this program. The role of community organisations and or NGO's will be:

- (a) The education of communities on responsible behaviour;
- (b) Assisting with sanitation awareness campaigns;
- (c) Mobilising corporate resources for the provision of toilet paper or other useful contributions;
- (d) Assist with the monitoring of performance of the service providers and reporting this timeously to the operational staff in the Water and Sanitation Department.

SYSTEM PROCEDURE: JANITORIAL SERVICES			 <small>CITY OF CAPE TOWN EBSENIYI SAKENJANI STAD KAAPSTAD</small>	
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(e) General community liaison and facilitation.

6 SHIFT SYSTEM: WORKING HOURS

A planned approach to delivering a seamless janitorial service in the informal settlements, include weekends and public holidays, is envisaged. This service will apply best practice in determining shift systems and working hours thereby ensuring continuity of service delivery.

7 TRANSPORT

Where required, transport will be provided for shift rotations. The nature of the geographical spread will be analysed and schedules will be drafted to accommodate these logistics.

8 MATERIALS STORAGE AND RE-SUPPLY

Storage of materials and equipment will be the responsibility of the janitor and will be resupplied by a top-up supply service. This resupply will be issued on a weekly basis and monitored and controlled by the site supervisor. This will be done by the Monitoring and Evaluation officers who in turn will order and control the issuing of all necessary supplies.

Revision No	Changes	Pages	Date
0	Created Draft Document	All	05/10/2012
1	Review process	All	23/01/2013

CHANGE LIST

SIGNATORY SECTION

Approved by: <u>PETER FLAHER</u>	Signature: <u>signature removed</u>
Director: Water & Sanitation (ACTING)	Date: <u>2013-07-17</u>

Appendix B: Physical Verification Questionnaire

PHYSICAL VERIFICATION

1) Igama / Name:

2) Iqela / Team:

3) Umhla / Date: 16 July 17 July 18 July

4a) Inamba yetoilet / Toilet number:

4b) Inamba yekhamera / Camera number:

4c) Inamba yefoto / Photo number:

5) Ingingqi / Section: BT BM PJS ENKANINI _____

6a) Uyakwazi ukuyihlola itoilet? Can you inspect the toilet?

EWE/YES HAYI/NO

6b) Ukuba hayi, kutheni? If no, why not? _____

7a) Iyasebenza itoilet? Is the toilet working?

EWE/YES HAYI/NO

7b) Ukuba hayi, kutheni? If no, why not? tick all that are true

BHLOKILE / BLOCKED AYIGUNGXULEKI / CAN'T FLUSH AKHOMANZI / NO WATER

AKHO PAYIPU WELINDLE / NO SEWAGE PIPE ENYE / OTHER

7c) Ukuba enye, cacisa / If other, explain: _____

8) Iklini kangakanani itoilet ngaphakathi? Seklisha enye

How clean is the toilet inside? Use guide

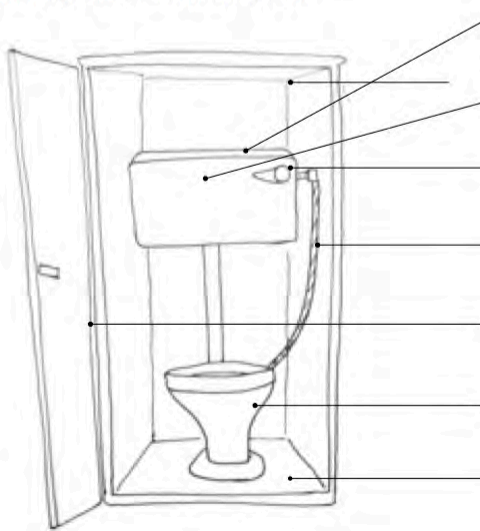
IKLINI / CLEAN IMDAKA / DIRTY IMDAKA KAKHULU / VERY DIRTY

9) Kuklini kangakanani phantsi ngaphandle (Imitha eziyi 2)? Seklisha enye

How clean is the ground outside (up to 2m)? Use guide

IKLINI / CLEAN IMDAKA / DIRTY IMDAKA KAKHULU / VERY DIRTY

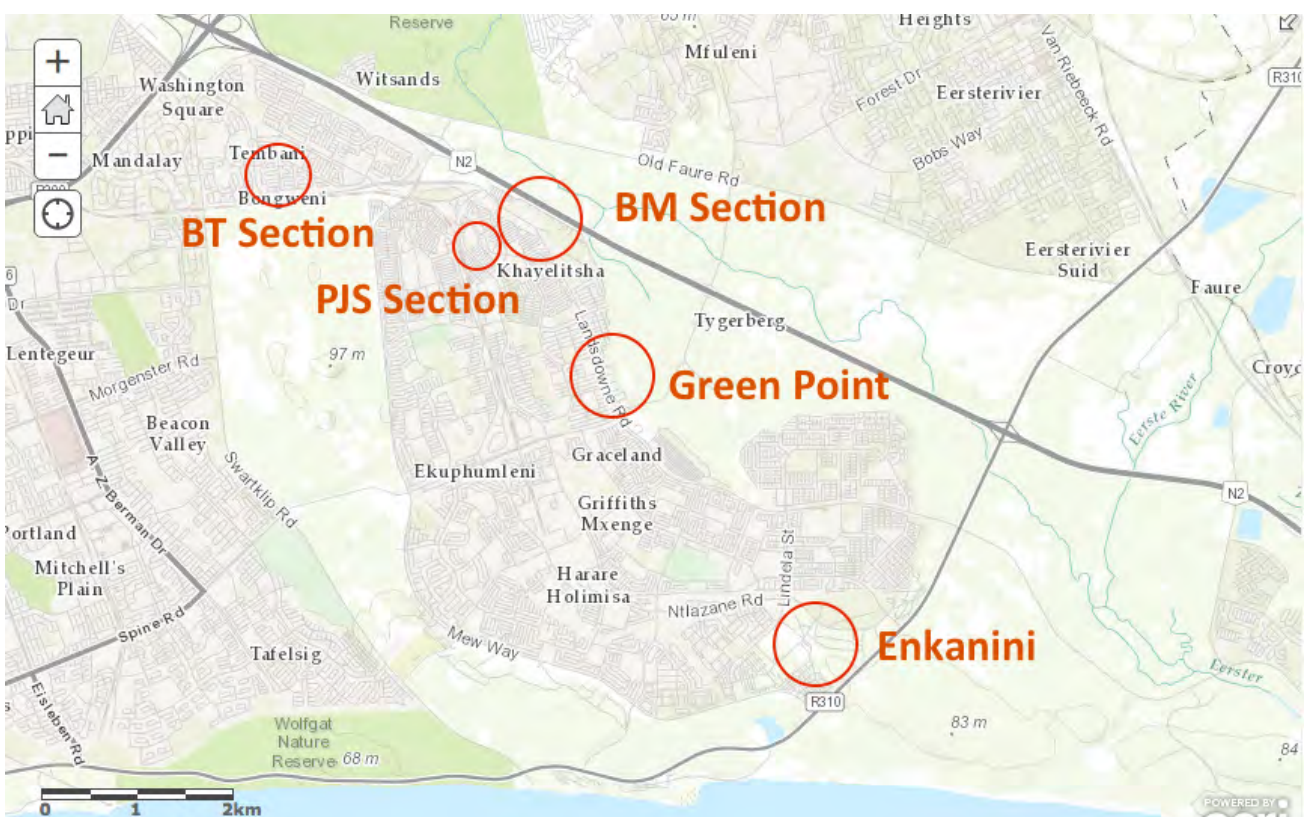
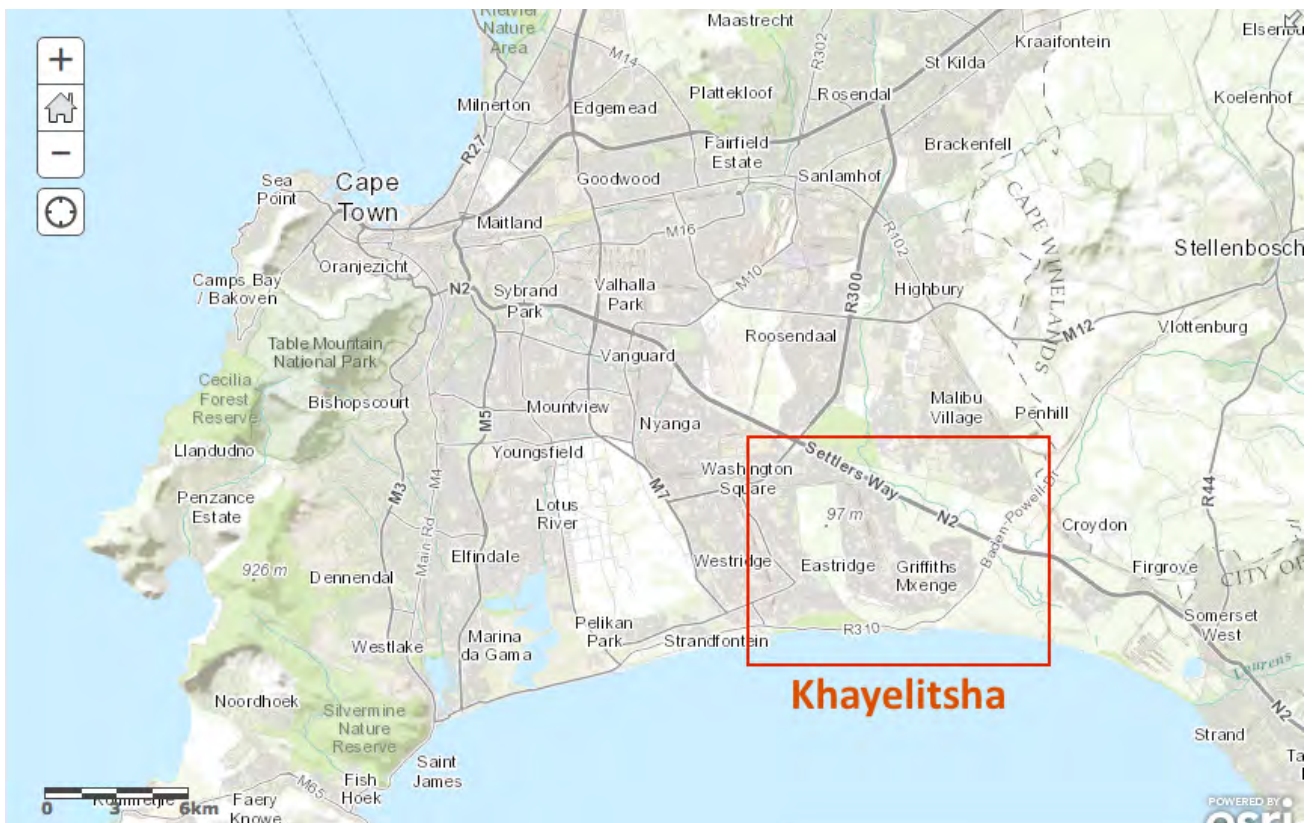
10) How well is the toilet maintained?



- Cistern cover is missing or broken
Isiciko seCistern asikho okanye sophukile
- Cistern parts are missing or broken
iiparts kwiCistern azikho okanye zophukile
- Toilet handle is missing or broken
Ihandle yetoilet ayikho okanye yophukile
- Water pipe is missing or broken
Payipu wamanzi awukho okanye wophukile
- Door is missing or broken
Icango alikho okanye lophukile
- Toilet pan is missing or broken
Ithobhi alikho okanye lophukile
- Water is leaking
Amanzi ayavuzwa
- Other/ Enye _____

11) Ingaba ikhona enye into ofuna ukuyibhala? Is there anything else you would like to record?

Appendix C: Map of Khayelitsha



Appendix C: Our Toilets are Dirty

The final report of the social audit is attached separately.

For digital readers a copy can be downloaded [by clicking here.](#)