



# HIV and Aids

*The epidemic, its prevention and its consequences require coordinated responses of all institutions and sectors involved in municipal development. While municipalities may need further guidance through national programmes to know how to respond, the municipal management has to ensure that appropriate measures are being implemented on the ground (Department of Provincial and Local Government, IDP Guide Pack, undated).*

**WHY (AND HOW)  
LOCAL GOVERNMENT  
MUST  
RESPOND**

HIV and Aids has been widely perceived as a health issue for some time, but the impact of the epidemic on the development goals of municipalities is now becoming increasingly obvious. This contribution is the first in a series of articles discussing the many dimensions of HIV and Aids for local government, ranging from impact to response and from legal and policy frameworks to examples of local responses, as well as national and international developments.

## The implications of HIV and Aids for local government

HIV and Aids changes the municipal service needs of individuals and households and affect the social and economic development of communities. Communities that lack basic infrastructure services, such as clean water, good-quality housing and sanitation, are particularly vulnerable to the disease. To give a few examples, unsafe water increases the risk of diarrhoea, while poor solid-waste

management enhances the chances of transmitting microbiological infections and viruses. High population density, such as in informal settlements, increases the opportunities for sexual networking and thereby the risks of contracting the virus. The greater number of child-headed households, with the related vulnerabilities and special needs, is another implication of the HIV and Aids epidemic that requires municipal attention.

Not only are municipalities faced with the changing needs of communities and households, but the epidemic also has a direct impact on municipalities as organisations. The municipal revenue required for service delivery is affected as households lose breadwinners and income and savings are spent on HIV- and Aids-related needs. As a result, less income is available to pay government levies. In the workplace, municipal employees are infected and affected by HIV and Aids, just like workers in any other organisation. The implications range from increased absenteeism, morbidity and mortality to a drop in morale and the loss of skills and experience, which affect the municipality's capacity to deliver services.

## The legal framework

All municipalities in South Africa are affected by HIV and Aids. The variety in the extent and nature of responses by municipalities in South Africa may give the impression that HIV and Aids is not part of the core business of municipalities, but the mandate of developmental local government makes it clear that the opposite is true. There are several legislative prescripts and guidelines that confirm the mandate of local government to respond to HIV and Aids. In terms of South Africa's Constitution, local government has original and assigned powers and functions which give it the mandate to respond to the HIV and Aids epidemic within its area of jurisdiction. Chapter 7 of the Constitution states that a municipality must "structure and manage its administration, budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community". To the extent that the HIV and Aids epidemic affects people's basic needs, local government thus has the inherent constitutional obligation to do everything within its original and assigned powers and functions to respond to the challenges posed by the epidemic.

The White Paper on Local Government stipulates that

developmental local government works with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives. The empowerment of marginalised and disadvantaged groups is a fundamental part of that. This is also reflected in legislation that has a direct impact on the functioning of the municipalities, such as the Municipal Systems Act, read with Chapter 1 of the Development Facilitation Act of 1995, in terms of which a municipality is expected to undertake developmentally oriented planning in order to achieve the objects of local government and give effect to its developmental duties and the principles of cooperative governance as set out in the Constitution.

Furthermore, the guidelines on integrated development planning (IDP) from the Department of Provincial and Local Government (DPLG) identify HIV and Aids as a municipal priority issue and stipulate how municipalities should pay attention to HIV and Aids through the various phases of the IDP process. It further states that HIV and Aids has an impact on the level of services that households affected by HIV and Aids require and hence on the services municipalities select and capital investments prioritised in the course of the IDP process. Where HIV and Aids is not identified as a priority issue, reasons should be given.

## Responding to HIV and Aids

In initiating responses to HIV and Aids, municipalities should look at both the vulnerability and the susceptibility of communities, households and individuals to the epidemic. "Susceptibility" refers to the likelihood of people becoming infected with the virus. For example, poorer communities are at higher risk due to poor access to resources, high unemployment and the extent to which women may resort to transactional and/or commercial sex activities as part of their survival strategies. "Vulnerability", on the other hand, refers to individuals and households already infected and affected by the virus. For instance, households and communities trying to cope with the disease are worst affected if there is no access to clean water, sanitation or shelter and if there are limited opportunities for economic development.

Because the impact of the HIV and Aids epidemic on communities cannot be curbed by any sector of society on its own, municipalities are expected to work in partnership with other stakeholders. This is reflected in the HIV/Aids and STD Strategic Plan for South Africa 2000-2005. The plan

# key points

- Socio-economic analyses by a municipality should include HIV and Aids as a basis for a development strategy that is in line with national policy guidelines on poverty alleviation and gender equity.
- Part of the mainstreaming endeavour would be to respond to the internal impact of HIV and Aids on the municipal workforce by the implementation of an HIV and Aids workplace programme.
- HIV and Aids are the business of every sphere of government and every department, as they affect the socio-economic needs of communities and municipal functioning as a whole.
- Where municipalities understand this and respond accordingly, they can make a substantial difference to the quality of life of their constituencies.



consideration, resources expended in terms of the IDP process and municipal budgets will be mismatched with the consequences of HIV / Aids on the local community. As such local resources will not be utilised in a fully sustainable and beneficial manner.

Therefore, socio-economic analyses by a municipality should include HIV and Aids as a basis for a development strategy that is in line with national policy guidelines on poverty

outlines the need for a multisectoral response, with both government and non-government institutions involved. On the basis of the legal and policy framework for local government, there are four areas that require municipal attention:

- the prevention of new infections;
- the impact on households and their changing needs in terms of municipal services;
- the impact of HIV and Aids on municipal revenues and economic development; and
- the impact of the epidemic on the municipal workforce and the municipality's capacity to deliver services.

A framework which will give comprehensive guidelines to municipalities on how to address prevention and impact within the local government mandate is currently being finalised by the DPLG. The launch of this Framework for Developmental and Governance Responses to HIV and Aids is expected soon.

Broadly, on the basis of the legal and policy frameworks and existing studies, the following municipal roles can be identified.

## 1. Understanding the status quo and planning ahead

In the Overview of Development Dimensions in the IDP Guide Pack, the DPLG warns:

Should HIV / Aids trends not be taken into

alleviation and gender equity. This includes an investigation of where the most vulnerable communities are and in what ways and to what extent communities and the municipality as a whole are affected. Depending on what resources are available, this can be done through an analysis of existing research and statistics, by conducting community surveys or by consulting the members of the local Aids council (LAC) and other resourceful persons.

## 2. Developing and implementing an integrated HIV and Aids strategy

The Municipal Systems Act requires each municipality to have an operational strategy, and an integrated HIV and Aids programme should be part of this strategy. Such a plan should target both prevention and impact measures. An interdepartmental mainstreaming forum for HIV and Aids can help to ensure that all municipal departments assess the linkages between HIV and Aids and their core functions, develop action plans and combine these into one municipal response plan which can be budgeted for through the IDP. Representatives of the LAC and people living with HIV and Aids should be involved in the development of the strategy.

## 3. Workplace response

Part of the mainstreaming endeavour would be to respond to the internal impact of HIV and Aids on the municipal workforce and the municipality's capacity to execute its



mandate by the implementation of an HIV and Aids workplace programme.

#### 4. Coordination and facilitation

Municipalities are expected to play an enabling and coordinating role in uniting stakeholders in the local response to the epidemic.

In conjunction with the Department of Health, municipalities must establish district Aids councils (DACs) and LACs. General guidelines for the composition and functions of these structures have been developed by the South African National Aids Council, the highest government body that advises the government on all matters relating to HIV and Aids, currently chaired by the Deputy President. The core functions of LACs are:

- to advise government, including municipalities, on HIV- and Aids-related policies;
- to advocate for the effective involvement of sectors and organisations in the implementation of programmes and strategies;
- to create and strengthen partnerships for an expanded response among all sectors;
- to monitor the implementation of the strategic plan in all sectors of society;
- to mobilise resources for the implementation of Aids programmes; and
- to recommend appropriate research.

#### 5. Leadership

None of this can happen without political and senior management leadership. This includes not only public statements about the municipality's commitment to fighting HIV and Aids and to active participation in HIV and Aids events, but also support for the establishment and strengthening of structures such as the LAC and Interdepartmental Forum (IDF), the allocation of available resources and the establishment of an environment conducive to the performance by municipal officials of duties related to HIV and Aids.

Furthermore, municipalities should take cognisance of good

practices and lessons learnt in peer municipalities and the various types of support available in the form of guides, manuals and technical assistance.

#### Comment

It is clear that for an effective HIV and Aids response, the epidemic can no longer be solely coordinated and managed by the health, community services and human resources departments. HIV and Aids is the business of every sphere of government and every department, as it affects the most basic socio-economic needs of communities and households as well as municipal functioning as a whole. Where municipalities understand this and respond accordingly, they can make a substantial difference to quality of life in their constituencies.



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