



GENDER POLICY

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1. DEFINITION OF TERMS

In this document, unless the context indicates otherwise

“Gender” Gender refers not simply to women and men, but to relationships between them and the way it is socially constructed. It is also an analytical tool for understanding social process.

“Gender Equity” It is process of being fair to women and men whereby measures should be available to compensate for historical and social disadvantages that prevent women and men from otherwise operating on level playing fields and where equity leads to equality.

“Gender Equality” It means that women and men enjoy the same status and have equal conditions for realising their full human rights and potential to contribute to national, political, economic, social and cultural development and to benefit from the results.

“Gender division of labour” This refers to the allocation of tasks and activities on the basis of sex where this is learned and clearly by all members of a given society.

“Gender mainstreaming” This involves the incorporation of gender considerations into policies, programmes, and practices so that before decisions are taken, an analysis is made of the effects on women and men respectively. It also includes the routine consideration of gender issues in strategic planning exercises, incorporating gender-specific budgets and the reflection of gender issues in business plans and routine reports.

“Gender roles and responsibilities” This is the term for the division of labour and is mostly used in analytical frameworks.

“Empowerment” It is a collective undertaking of both men and women involved in an individual change and collective action. Women’s empowerment means developing their ability to collectively and individually take control of their own lives, identify their needs, set their own agendas and demand support from their communities and the state to see that their interests are responded to.

“Marginalised groups” This includes historically disadvantage as well as people who face continuing disadvantage in society such as women, gays, lesbians, trans-gendered and inter-sexed individuals, and refugees and asylum seekers.

“Transforming gender relations” This is a transformation that requires an understanding and parallel or concurrent attention to practical needs and strategic interest in order to work strategically and practically.

2. EXECUTIVE SUMMARY

One of the key questions about South Africa’s transformation process over the past few years relates to women’s economic empowerment and how it can be achieved. The economic position of women has deteriorated over the past fifteen years because women tend to be forced to rely on casual and unstable work, with lower real wages and reduced benefits and protection within the workplace. The historical discrimination of women, their political participation at local level, access to services and resources, gender dimension of poverty and violence remain key issues in development.

Despite the emphasis on gender equality in policies guiding development of women and men, there is still some challenges regarding the explicit implementation of the gender agenda. In addition to the economic empowerment of woman, which is needed as one of the urgent national policy attention, the question of gender-based structural and individual violence also pose a threat to the social and economic well-being of women, and therefore demand urgent attention not only within the Eastern Cape but also in the MLM generally.

In the MLM, the lack of consultation and communication has led to the insufficient feedback to the communities regarding gender sensitivity and gender programme implementation. With regard to economic growth on gender, MLM should develop a gender sensitive strategy and/or action plan to address the high level of poverty that affect many women especially women headed households. Cultural beliefs and traditions still remain to be amongst the challenges facing gender issues at MLM.

Available data shows that the problem of the formalisation of gender structures and forums has a negative effect on the coherent response to woman abuse, teenage pregnancy that has resulted to single parents, the violation of circumcision prescripts and by-laws leading to high mortality rate.

The lack of budget to implement gender programmes has resulted to inability to monitor and evaluate the gender mainstreaming initiatives. Women’s participation in politics and political decision-making

is critical, not only as a matter of democracy, equality and human rights, but also as part of a policy agenda which prioritizes development and services delivery programmes.

3. PURPOSE

This Gender sub-unit seeks to address the following agenda issues:

- 3.1 The power-relations between women and men which are impediments to the advancement of women.
- 3.2 The feminisation of poverty as reflected in women's limited access to control over productive resources, social services, remuneration, employment opportunities and minimal participation in political and management processes.
- 3.3 The retention of women in decision making position.
- 3.4 Full and equal participation of women and men in issues of politics, administration and service delivery.
- 3.5 Equal opportunity to both men and women to become agents and beneficiaries of development.
- 3.6 Equal access and control over resources.

4. LEGISLATIVE REQUIREMENTS

Local Government within its developmental mandate as espoused in the Constitution of the Republic of South Africa has a surmountable task of transforming the lives of women. Municipalities are thus expected to respond to the service needs of local communities, but also to establish, understand and respond to the needs of different community groups including those of women.

4.1 STATUTORY REQUIREMENTS

The following pieces of legislation set out the mandate of developmental local government. Furthermore, they highlight the inclusion of women and emphasises the importance of mainstreaming gender in policy, planning and implementation.

- a) Constitution of the Republic of South Africa, Act 108 of 1996.
 - b) Labour Relations Act 1996.
 - c) The White Paper on Local Government 1998.
 - d) The Municipality Systems Act 2000 (No. 32 of 2000).
 - e) The Municipality Structures Act (1998).
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- f) The Intergovernmental Relations Framework Act (2005).
- g) Employment Equity Act 1997.
- h) Basic Conditions of Employment Act 1997.

4.1.2 INTERNATIONAL AND NATIONAL GENDER INSTRUMENTS

The policy shall take cognizance of the provision of National, Sub-Regional, Regional and UN instruments, which promotes gender equality. Such instruments include, but are not limited to:

- South Africa's National Policy Framework for Women's Empowerment and Gender Equality;
- The promotion of equality and prevention of Unfair Discrimination Act.
- The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).
- International Labour Organisation Conventions and Recommendations as they relate to matters of equality and women in the workplace.
- The Beijing Platform for Action.

5. SCOPE OF APPLICATION

The Gender Policy shall have implications to all or other Divisions in the municipality and beyond Special Programme Unit (SPU).

- 5.1. Performance Management Framework shall be the main outcome of the Gender strategy.
- 5.2. The strategy shall be reviewed every after five years or as and when there is a need
- 5.3. The annual monitoring and review processes should take into account the continuous review and assessment of the Strategic Plan.
- 5.4. Budget should be attached for the implementation of the programme interventions as outlined in the Strategic Plan.

6. GUIDING PRINCIPLES

The MLM policy for gender is based on the values and principles enshrined in various instruments that establish a framework for the achievement of gender equality.

Among them are:

- Equality and Equity.
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- Customary, Cultural and Religious Practices Economic Empowerment of Women.
- Affirmative Action.
- Participation and Representation.
- Mainstreaming gender.
- Entitlement to the Right of Integrity and Security of Person (this implies that women have a right to make decisions regarding their own bodies, including their productive rights as well as psychological integrity as enshrined in the Constitution).
- Women's Rights.

7. OBJECTIVES

MLM seek to INTERNALLY address both the:

- Empowerment of both women and men equally through capacity building and skills development.
- Entrench gender analysis as a fundamental requirement in all programmes.
- Ensure the development of specific gender sensitivity indicators and monitoring mechanisms.
- Ensure that budget processes and items of budget reflect the municipality's commitment to address existing disparities between women and men as well as the empowerment of women.
- Review practices within MLM that directly or indirectly undermine equal access in terms of recruitment, treatment, advancement and promotion.
- Introduce the necessary measures that would facilitate the provision of the needs of both women and men in MLM.

EXTERNALLY address both the:

- Base all planning on gender on desegregated data.
 - Pay special attention in all programmes to the needs of women who are amongst the poorest segment of the population and are heads of households or single parents.
 - Ensure adequate participation by women in the planning, operation and maintenance of service delivery systems.
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- Provide technical training to both women and men of the community in order to enable their participation in project planning and implementation.
- Full and equal participation of women and men in issues of politics, administration and service delivery.
- Equal opportunities to both women and men to become agents and beneficiaries of development.

8. VISION

MLM strives to create an enabling environment that promotes gender equality and empower women internally and externally to improve their status and quality of life, increase access to opportunities and their ability to influence political and administrative decision-making processes.

9. INSTITUTIONAL ARRANGEMENT

- 9.1. Institutional arrangement should include a political oversight committee and a civil society committee to ensure proper and accountable consultation.
 - 9.2. Gender Focal Units should be designed into all services areas/directorates with corresponding authority to ensure the implementation of the corporate and specific Gender strategy.
 - 9.3. Integration of the gender programmes should be regarded as a structural entity with other human rights programmes (ie. Youth, disability & HIV/AIDS).
 - 9.4. The Gender mainstreaming strategy should be separate from the operational functions in order to develop an institutional arrangement that will underpin and support the strategy.
 - 9.5. The duly constituted committees for Gender should develop the approved terms of reference and the functions should be:
 - 9.5.1. To produce periodic reports on Municipality's progress in implementing all aspects of the gender policy, monitor and evaluate progress in policy implementation.
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9.5.2. To ensure that attention to gender issues is mainstreamed with all the MLM activities and services.

9.5.3. To coordinate the work of SPU for the comprehensive implementation of the gender policy.

9.5.4. Collaborate with the Office of the Status of Women, to ensure that the MLM gender policy implementation contributes towards coordinated national efforts for women improvement and increase empowerment.

10. GENDER POLICY MEASURES

a) INTERNAL MEASURES

- I. The MLM shall ensure that targeted 50% representation of women in leadership position in the Council and decision-making position within and outside the municipality is realised.
 - II. The municipality shall adopt a participative approach in the planning activities by recognising the inequalities caused by the dynamics of the relationship between men and women thus, enabling them to take corrective actions.
 - III. Participatory Planning with a Gender Perspective shall require political will power that will undertake a gender awareness campaign prior to initiating the planning activities in order to encourage necessary support, including training.
 - IV. The municipality should develop strategies for promoting gender equality in the workplace to ensure women's equal access to, and full participation in, decision-making positions by establishing gender forums and ensure that they have real influence where it matters, on policies and decisions at all levels.
 - V. The municipality shall conduct Training Needs Analysis and embark on a capacity building programme as informed by the resources available to fulfil these needs.
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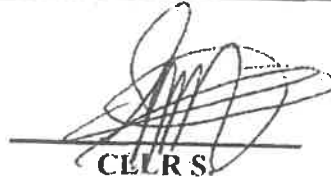
b) EXTERNAL MEASURES

- i. We seek to address the social context issues in which discrimination against women is entrenched by taking consideration of the plight of rural women namely, economic growth, poverty reduction and development effectiveness.
 - ii. We seek to ensure that the outputs of the municipality meet the needs of the target group and consequently enhance the performance of the municipality by integrating gender perspectives in policies, programmes and projects by embarking on the following:
 - Use more gender sensitive data in the formulation of policies and implementation of programmes and projects.
 - Generate and disseminate gender disaggregated data and information for planning and evaluation;
 - Increase women's capacity to participate in leadership positions and enhance quality participation of women (e.g. In-public meetings).
 - Ensure that gender sensitive indicators are developed for the monitoring and evaluation of programmes and projects.
 - Ensure that before policy decisions are taken, an analysis of their impact on women and men is carried out.
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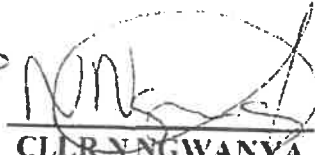
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