



WATER RESEARCH COMMISSION

FETWATER BUSINESS PLAN TEMPLATE 2015/16 – 2016/17

PROPOSAL DETAILS (Mandatory)

KSA	10
Thematic Area	Training and Capacity Building
Proposer	Ashwin Seetal
Proposal Title	Water Legislative and Regulatory Support Network
Proposal Number	(Will be generated by the system)
Start Date	01 April 2015
End Date	31 March 2017



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA



ORGANISATIONS (Mandatory)

Lead organization: (Lead organization refers to the organization where the network coordinator is based)

Organization Name	To be confirmed
SMME	
HDI	
Department/Component	
Contributions	
Postal Address	PO Box
City	
Postal Code	
Physical Address (Contract will be send to this address for signature)	
City	
Postal Code	
If you have not yet submitted the required supporting documents for the lead organization, please submit the appropriate original documents listed below.	
BEE Certificate	
Tax Clearance Certificate	
Company Registration Certificate	
Bank Account Confirmation Letter	

Contract Signatory (Refers to the individual within the lead organization mandated to enter into contracts within the organization)

Title	Mr
Initials	AR
First Name	Ashwin
Last Name	Seetal
Gender	Male
Race	Indian
Nationality	South African
Citizenship	South African
Country of Origin	South African
Email Address	
Telephone Number	
Physical Address	
City	Pretoria
Postal Code	

Collaborating Organizations (It is recommended that selection of participating organizations (partners) should show an effort for representation across the water sector so that collaboration & partnership is fostered amongst SMME, Private & Public Sectors, Academia, Science Councils, Consulting Firms, Local Government, Water Boards & Civil Society with at least 20% being HDIs)

Organization Name	Department of Water and Sanitation
Department	Branch: Regulation (constituent chief directorates)
Contributions	Current and Future Priorities, Current processes
Contact Details	Various – national and regional representatives
Address	
City	
Postal Code	

Organization Name	Universities of Stellenbosch, North West, KwaZulu-Natal, Witwatersrand
Department/Component	Faculties of Law and Centres of Research
Contributions	Research and legal expertise
Contact Details	various
Address	
City	
Postal Code	

Organization Name	Private companies and practitioners
Department/Component	
Contributions	Case experience and private sector perspectives
Contact Details	various
Address	
City	
Postal code	

Organization Name	South African Police Services, National Prosecution Authority and Special Investigation Units
Department/Component	
Contributions	Criminal procedural and prosecution requirements
Contact Details	various
Address	
City	
Postal code	

Organization Name	Water sector organisations
Department/Component	WRC, SETA, WISA, IWA, etc

Contributions	Case experience and private sector perspectives
Contact Details	various
Address	
City	
Postal code	

Organization Name	NGO, civil society and water sector interest groups
Department/Component	Centre for Environmental Rights, WWF, WESSA, Conservancies Associations
Contributions	Case experience and civil society perspectives
Contact Details	various
Address	
City	
Postal code	

PROJECT TEAM (Mandatory)

Project team member details (It is recommended that selection of team members should show an effort for representation across the water sector so that collaboration & partnership is fostered amongst SMME, Private & Public Sectors, Academia, Science Councils, Consulting Firms, Local Government, Water Boards & Civil Society with at least 20% being HDI)

Organisation	
Role	Network Coordinator
Title	Mr
Initials	AR
First Name	Ashwin
Surname	Seetal
ID/Passport Number	6009205163087
Gender	Male
Race	Indian
Nationality	SA
Citizenship	SA
Country of Origin	RSA
Relevant Years of Experience	33
Qualifications	BSc, BSc (Hons), MSc, BAdmin (Hons)
Email Address	Ash.seetal@gmail.com

RATIONALE (Mandatory)

Motivation

Since the promulgation of the National Water Act (No.36 of 1998)(NWA), there has been significant development with the regulatory frameworks and enforcement capabilities in the water sector.

However, given the provisions and inter-linkages among water sector and related legislation, their understanding, interpretation and implementation has proven to be daunting to many water sector practitioners. Consequently, this has resulted in poor implementation of several key statutory provisions. These weaknesses in the NWA implementation have been highlighted in the National Water Resources Strategy 2 of 2013 (NWRS2).

It is also apparent that legislative and regulatory competence and training is generally undertaken as a “matter of chance”, usually through experience obtained as a result of on-the-job performance. Accordingly, there is little formal and structured training and capacity development in this water sector field; a situation that manifests throughout all water sector institutions.

The current opportunity provided by this FETWater III programme would result in the production of a critical mass of competent individuals across the sector and careful prioritisation and deployment of these individuals will enhance NWA and NWRS2 implementation over the next five-year window period.

The envisaged intervention is as follows:

1. The development of targeted and sustainable NWA Strategic Legislative and Regulatory Implementation capability through the FETWater III initiative. The NWRS identified requirements and specific priorities relate to an IMPLEMENTATION CAPABILITY that enshrines the principles of:

FAIR – equity, transparency, information based

REASONABLE – minimal bureaucracy, predictability, capacity

JUST – appropriate institutional framework, comprehensive regulation, administrative considerations

“Successful implementation of the broader scope of regulation under the NWA remains a challenge that must be addressed over the next period” (NWRS2, June 2013); and,

2. Focus on a critical mass of sector competence and capability as key sustainability factors

“... FETWater Phase III (2014 – 2017) currently focuses on six new thematic priority areas with the objective of achieving sustainability beyond 2017.”

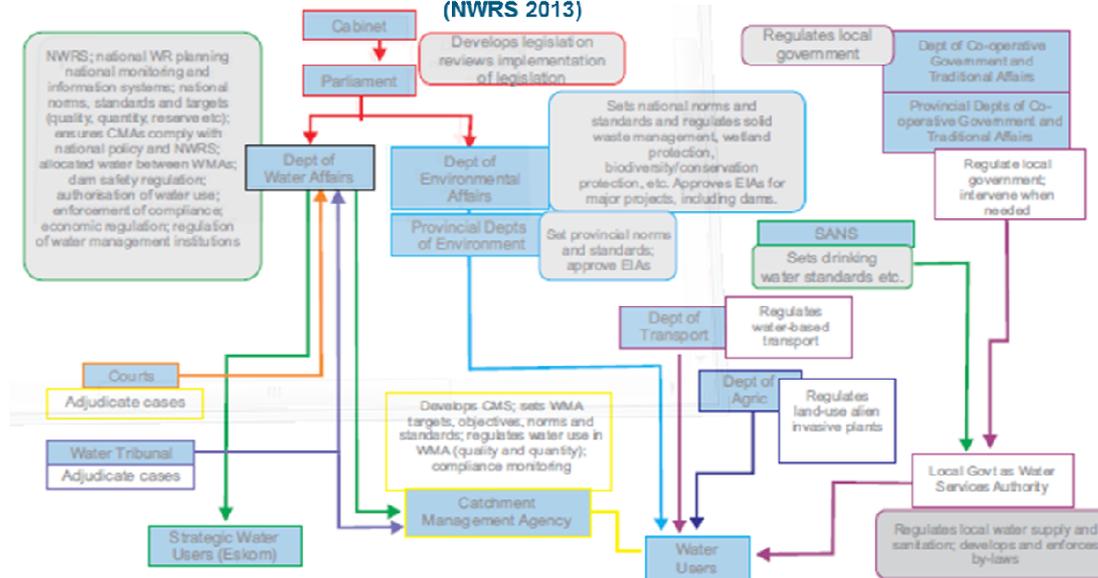
Thus, a sector career appeal and, sustainability and succession are key considerations of the intervention measures.

Outputs/Outcomes and Expected Impact

Enhanced regulatory effectiveness and sustainability can be achieved through the establishment of a medium- to long-term focused training and capacity building programme/ initiative to develop and maintain a critical mass of water sector regulatory implementation capacity. This is the overall long-term goal of this FETWater Network.

ENVISAGED IMPACT

Roles and functions of the organs of state in the water regulatory process (NWRS 2013)



The envisaged impact will be across all water-sector and associated institutions as illustrated in the figure above.

A detailed risk assessment (risk analysis, impact and mitigation) is in preparation, as are the main preconditions and assumptions per-, during and after the implementation phases.

AIMS AND OBJECTIVES (Mandatory)

AIM

1. Emphasis on capacity to address current and potential future legislative and regulatory challenges. There are four burning, basic issues described in the NWRS; the proposed FETWater short-term focus will be on two, namely:

- i. Water Use Authorisation and Compliance
- ii. Drinking Water Quality and Wastewater Discharge Regulation

2. However, attention will be given to all the NWRS Chapter 9 Strategic Actions and there will be structured and targeted interventions for five of the eleven strategic actions. Two of the five overlap with two other thematic priority areas. The five NWRS Strategic Actions where interventions are required, and their impacts (* or #) are as follows:

*9.4.3 Equitable and effective water use authorisation (i)

#9.4.4 Compliance and enforcement (i)
 #9.4.5 Drinking water quality and wastewater discharge regulation (ii) (links with Water Use, Services and Sanitation)
 #9.4.9 Regulatory Coordination (i & ii)
 *9.4.10 Information system and information publishing (i & ii) (links with Water Monitoring and Assessment)

* = internal DWS/CMA
 # = sector-wide

No	Objective
1	Confirm and agree that the point-of-reference for the network intervention is premised on NWRS2.
2	Ensure that the network is established and that engagement with all appropriate sector role-players that input into the network activities is initiated and sustained on an on-going basis.
3	Develop resource materials and human capacity of a high standard that contribute to effective and efficient legislative and regulatory implementation.
4	Foster collaboration among practitioners nationally and internationally to ensure relevance with legislative provisions and practices.
5	Benchmark performance against national and international standards and norms. Monitoring, evaluation and reporting are critical inputs.

ACTIVITIES (Mandatory)

1. Engage with the DWS Champion, CD's and RO's to confirm their endorsement and support for the network;
2. Confirm that the identified 5 NWRS (Chapter 9) strategic actions will be targeted for implementation capacity development support with a key focus on two current burning, basic issues – namely, (i) Water Use Authorisation, Compliance and Enforcement; and, (ii) Drinking Water Quality and Wastewater Discharge Regulation (be vigilant about overlaps and duplication with other FETWater networks);
3. Determine the preferred model(s) that support(s) effective regulatory implementation for particular functions at the desired point(s) of impact (self-regulation, local government by-laws, provincial government ordinances, CMA, alliances with other national government departments and regulatory structures outside the water sector, etc);
4. Establish the specific capacity gaps and needs among sector role-players, their prioritisation and develop an implementation programme with specific timeframes, resource and financial requirements, expected outputs, outcomes and the intended sector impact;
5. Identify network and programme dependencies, linkages, constraints (eg part-time course attendance), risks and key success factors;

6. Confirm and set up the monitoring, oversight and governance structures for the network as envisaged for FETWater Phase III;
7. Configure appropriate capacity development support structures and identify and involve tertiary and research institutions, professional bodies, experienced individuals, etc for participation in these structures. Clarify roles, responsibilities and expectations (agree the terms of reference for individual participating parties);
8. Facilitate the development, adoption and accreditation (EWSETA, SAQA, etc.) of coursework / curriculum material required using the expertise of participating role-players. Formally acknowledge the successful participation in capacity development courses / programmes

DELIVERABLES (Mandatory)

	Title	Description	Target Date	Amount (R)
0	Advance	Conceptual Framework / Draft Business Plan	01/06/2015	30 000.00
1	Progress Report 1	Final Business Plan and Activities 1-3	30/09/2015	150 000.00
2	Progress Report 2	Activities 4-6	30/01/2016	150 000.00
3	Progress Report 3	Activities 7-8	30/09/2016	306 000.00
4	Final Report	Final Report summarizing all deliverables 1 - 3	30/01/2017	159 000.00

PRODUCTS (Mandatory)

Title/Name	Target Group	Application
(1) Legislation Reference Sourcebook	DWS/CMA/LG	Quick reference manual
(2) Water Use Authorisation Procedures	Sector wide practitioners	Reference manual
(3) Self-Regulation and Enforcement Guideline	DWS/CMA/Sectors/Enforcement personnel	Field guide reference book
(4) Best Practice Casebook	Sector wide practitioners	Best practice reference

BUDGET (Mandatory)

Human Resource Costs

Project Team Member	Financial Year	Remuneration Rate (R/day)	Days/Year	Amount (R)
Ashwin Seetal	2015/16			
Hadley Kavin				
Post-Graduate #1 (TBC)				
Post-Graduate #2 (TBC)				
Post-Graduate #3 (TBC)				
Administrative Support (TBC)				

Travelling Expenses (International Conferences, Symposia, Seminars, Workshops & Meetings)

Item	Motivation	Financial Year	Amount (R)
		2015/16	

Dissemination/Uptake Activity expenses

Expense Item	Financial Year	Amount (R)
	2015/16	

Summary

Fin. Year	HR	Travelling	Dissemination	Total	Deliverables
2014/15				330000	
2015/16				465000	
2016/17					

TRAINING DISSEMINATION AND UPTAKE (Mandatory)

1. Maties group (Stellenbosch Univ Water Institute) can be included (train-the-trainers at the relevant level at various NQF levels)
 - Phase 1 Gap Analysis
 - Phase 2 Develop the Curriculum
2. Capacity at a tertiary level (TVET institutions) in the water curriculum is weak. Training is also weak (eg training as an electrician is not necessarily focussed on “water” electrical specific training)
3. Energy and Water SETA (EWSETA) / QCTO & SAQA accreditation
4. Capacity Criteria
 - Accreditation
 - Acknowledge time limitations (part-time)
 - RPL implementation made easier
5. Green Scorpions model and alignment with Outcome 10
6. At a local level – capacity must be developed to regulate polluters and ensure enforcement
7. Revision of provincial ordinances and local by-laws
8. Self-regulation

ADDITIONAL INFORMATION (Optional)

Literature References

Additional Comments

Network Governance and focus summary:

1. DWS is sponsor and primary beneficiary of the network
2. WRC is the Implementing Agent
3. Purpose/Objective is to support the NWA and NWRS2 implementation
4. Timeframe is 01 April 2015 to 31 March 2017

Brief CV details for the Network Coordinator

See attached CV

List of Abbreviations

CV	Curriculum Vitae
FETWater	Framework Programme for Research, Education and Training in the Water Sector
HR	Human Resources
NWRS2	National Water Resources Strategy Version 2
PDIs	Previously Disadvantaged Institutions/Individuals