CSOS
Community Schemes
Ombud Service

INDABA
CONCEPT NOTE

The 2nd Community Schemes
Ombud Service Indaba

Marketing & Communications

INDABA CONCEPT NOTE

THE 2ND COMMUNITY SCHEMES OMBUD SERVICE INDABA

Proposed Theme: Promoting Well Governed, Empowered and Transformed Community Schemes

Date: 12 - 13 September 2024

Proposed Venues: Bolivia Lodge, Polokwane, Limpopo

Contact persons:

CSOS: Ms. Siyethemba Mthethwa (Siyethemba.mthethwa@csos.org.za)

Ms. Doniah Motsoeneng (doniah.motsoeneng@csos.org.za)

Ms. Christine Mmeti (christine.mmeti@csos.org.za)

Ms. Tshepiso Thipe (Tshepiso.Thipe@csos.org.za)

1. BACKGROUND AND CONTEXT

The Community Schemes Ombud Service (CSOS) convened its inaugural Indaba on August 3-4, 2023. In accordance with Section 4(2)(b) of the CSOS Act, the first Indaba aimed to educate 500 community scheme owners and provide knowledge to help develop their governance, administration, and management. The Indaba was planned to promote further community debates and allow community schemes to share lessons learned, difficulties, and potential solutions that might be suggested as additional upgrades or revisions to the CSOS legislation.

Following the success of the inaugural Indaba, the second CSOS Indaba is set to focus on several critical aspects of the community schemes sector, with a particular emphasis on scheme verification, registration of new schemes, promoting good governance, ensuring compliance, and driving transformation. This gathering aims to build on the foundations laid during the first Indaba, addressing the challenges and opportunities within the sector. Scheme verification and the registration of new schemes are key priorities to enhance transparency and accountability. Additionally, the Indaba will spotlight the importance of good governance practices and compliance with regulatory standards, essential for the effective management and sustainability of community schemes. Crucially, the event will also highlight the need for continued transformation within the sector, advocating for inclusive practices that reflect the diverse makeup of society and promote equitable participation for all.

The need for registering new community schemes and promoting good governance, compliance and transformation:

1. **Registering new community schemes**
   - **Transparency and accountability**: Registering new community schemes ensures transparency and accountability. It creates a formal record, making it easier to track the management and governance of each scheme, and holds those responsible accountable for their actions.

   - **Legal compliance**: Registration ensures that new schemes comply with relevant laws and regulations, protecting the

rights of residents and stakeholders, and ensuring the schemes operate within the legal framework.

- **Data collection and planning**: Registration provides valuable data that can be used for urban planning, resource allocation, and policy-making, helping to address housing needs and improve community living standards.

2. **Promoting Good Governance**
   - **Effective management**: Good governance ensures that community schemes are managed effectively, with clear roles and responsibilities, strategic planning, and sound decision-making processes, leading to better outcomes for residents.

   - **Trust and confidence**: When community schemes are governed well, it builds trust and confidence among residents, leading to a more harmonious and cooperative living environment.

   - **Conflict resolution**: Good governance includes mechanisms for resolving conflicts fairly and efficiently, reducing disputes and promoting peaceful co-existence.

3. **Ensuring Compliance**
   - **Legal and financial protection**: Compliance with laws and regulations protects community schemes from legal issues and financial mismanagement, ensuring long-term viability and stability.

   - **Standardisation**: Compliance ensures that all community schemes operate to a standard, providing a consistent level of service and living conditions across different schemes.

4. **Driving Transformation**
- **Inclusivity and equity**: Transformation is essential to ensure that community schemes are inclusive and equitable, reflecting the

diversity of society and providing fair opportunities for all residents to participate and benefit.

- **Economic empowerment**: Transformation efforts can open up economic opportunities for marginalized groups, promoting broader economic participation and reducing disparities.

- **Sustainable development**: Transformation can drive the adoption of sustainable practices, ensuring that community schemes contribute to environmental preservation and resilience.

2.   AIM OF THE 2ND COMMUNITY SCHEMES OMBUD SERVICE INDABA

1. Facilitate discussions on scheme verification and the registration process for new schemes.
2. Strengthen partnerships with sister organizations such as the Property Practitioners Regulatory Authority (PPRA).
3. Engage with key authorities including the South African Revenue Service (SARS), the SAPS, and the Companies and Intellectual Property Commission (CIPC) to ensure comprehensive compliance and legal frameworks.
4. Provide a platform for collaboration and knowledge-sharing among stakeholders, including association of developers, managing agents, deeds office representatives, and scheme owners.
5. Foster a deeper understanding of regulatory requirements and best practices for effective scheme governance.
6. Drive the transformation of the community schemes sector.

3.   MAIN THEME

"Enhancing Community Scheme Governance and Compliance."

4. TOPICS FOR DISCUSSION

Possible topics to include, but not be limited to:

- **Scheme Verification Processes**:
    - Best practices for verifying existing community schemes.
    - Technologies and tools for efficient scheme verification.
    - Challenges and solutions in scheme verification.

- **Registration of New Community Schemes**:
    - Procedures and requirements for registering new schemes.
    - Benefits of formal registration for community schemes.
    - Case studies of successful scheme registrations.

- **Promoting Good Governance**:
    - Principles of effective governance in community schemes.
    - Roles and responsibilities of executive committees.
    - Strategies for transparent decision-making and accountability.
    - Training and development programs for community scheme leaders.

- **Ensuring Compliance**:
    - Overview of relevant laws and regulations for community schemes.
    - Compliance monitoring and enforcement mechanisms.
    - Common compliance challenges and how to address them.
    - The role of CSOS in supporting compliance efforts.

- **Driving Transformation**:
    - Importance of racial and economic transformation in community schemes.
    - Strategies for promoting inclusivity and diversity.
    - Implementing sustainable practices in community schemes.
    - Success stories of transformation within community schemes.

- **Conflict Resolution and Dispute Management**:
    - Effective dispute resolution mechanisms for community schemes.
    - Role of CSOS in mediating conflicts.
    - Training for community leaders on conflict resolution.

- **Financial Management and Accountability**:
    - Best practices for financial management in community schemes.
    - Transparency in budgeting and financial reporting.
    - Auditing and oversight mechanisms.

- **Resident Engagement and Participation**:
    - Strategies for fostering active resident participation.
    - Building a sense of community and belonging.
    - Tools and platforms for enhancing communication among residents.

- **Technology and Innovation in Community Schemes**:
    - Leveraging technology for efficient scheme management.
    - Smart community initiatives and digital transformation.
    - Data protection and privacy considerations.

- **Legal and Regulatory Updates**:
    - Recent changes in laws affecting community schemes.
    - Understanding the implications of new regulations.
    - Preparing for future legal and regulatory developments.

- **Sustainable Development Goals (SDGs) in Community Schemes**:
    - Aligning community scheme operations with SDGs.
    - Implementing eco-friendly practices and green technologies.
    - Measuring and reporting on sustainability initiatives.

- **Role of CSOS and Other Regulatory Bodies**:
    - Overview of CSOS services and support mechanisms.

- Collaboration between CSOS and community schemes.
- Feedback and improvement of CSOS processes.

5. APPROACH

This Indaba will be content-focused and highly participatory in nature. The topics identified above will serve in conference style to ensure in-depth engagements and inclusive deliberation. The proposed facilitation approach for each stream is that of having at least 2 main resource persons per each of the parallel sessions of the sub-theme. Such people should prepare content-rich presentations that will stimulate discussion and share key insights on the sub-theme, aligned to the main Indaba theme and outcomes.

Presenters will prepare content-rich presentations that will stimulate discussions and share key insights on the topic, aligned to the main Indaba theme and outcomes. Then a panel discussion comprising about 10 -15 people drawn from different stakeholders could be used to ensure reflection on the main presentation drawing from own experiences and evidence.

Facilitation should encourage participation and good time management. Most importantly, there should be focus on ensuring that the discussions contribute to the achievement of the Indaba outcomes.

There will be dedicated secretariat for each of the sessions to ensure that resolutions from each stream are recorded for further key actions. Secretariat will work together with relevant facilitators to generate feedback to the plenary session. This content will then be consolidated into an Indaba outcome document and/ or report that will be used to implement key actions as recommended by the delegates.

6. TARGET AUDIENCE but not limited to the following:

- Representatives from community schemes
- Property developers and real estate professionals
- Managing agents and estate managers

- Legal practitioners specializing in property law

- Government officials from the human settlements department and related agencies

- Industry associations and regulatory bodies