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FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF POLITICS AND PUBLIC MANAGEMENT

**A Critical Analysis of the Role of Urban Councils in Promoting Sound Corporate
Governance in Zimbabwe's Local Authorities: The Case of City of Mutare
From 2013-16.**

By

Mawoyo Tawanda Desmond

Reg No: R143277B

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the Requirement for the Bachelor of Science in Politics and Public Management
Honours Degree**

Supervisor:

Mr Chilunjika. A.

Date October 2017

DECLARATIONS

I, **MAWOYO TAWANDA DESMOND**, sincerely declare that this dissertation is my original work and has not been previously submitted to any other University. Proper citations and acknowledgements in line with the copyright and ethical requirements have been strictly adhered to in writing this text.

Signed by

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Date

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Most importantly I thank God the Father, the Son and Holy Spirit for leading the way without the Trinity I'm nothing continue to lead the way in today's life and the future. My sincere gratitude goes to my supervisor Mr A CHILUNJIKA his mentorship and prayers made this research achievable. To my uncle Codias and his wife Adie Mawoyo thank you so much for the love, care and support. To my daddy, my sister Tinashe (amai Nenyasha) and my two loving nieces Nenyasha and Nokutenda I am humbled by your level of support and genuine encouragement throughout university life. I also thank my grandmother ambuya Mugure, my aunties and uncles thank you for being the great guardians, role models and prayer warriors who believed in me from day one. To my friends Nesbert, Tatenda, Ray, Kudzaishe, Bridget, Nyasha, Latifa, Jones, Tendai, Wellington, Zenzo, Answer, Anesu, Kenneth, Junior Fernando, Trymore, Tatenda, Roy and all my colleagues who were supervised by Mr Chilunjika thank you for being the true friends that you are, I appreciate your companionship, and teamwork which sealed me through the rough patches. Lastly I would like to express my deepest gratitude to Mutare City Council and all respondents who participated in my survey.

DEDICATION

This dissertation is dedicated to my late mother amai Mawoyo for her love in those few years God gave us and my late grandmother ambuya Mawoyo who passed away whilst I was compiling this study. I wish you were all here to rejoice with me God's greatness in my life.

ABSTRACT

The urban councils of Zimbabwe's local authorities have witnessed poor corporate governance for decades, as cases of lack of adherence to good corporate governance have been increasing especially after the Inclusive Government. Urban Councils are Local Government Authorities which draws their mandate from the Urban Councils Act 29: 15. The major mandate of urban councils is to champion government of Zimbabwe's development agenda at local level. The study discovered that promotion of corporate governance is one of the functions of Mutare City Council. Corporate governance in urban councils has been necessitated by the provision of the Urban Council Act which orders Urban Councils to formulate council standing committees that oversees the activities and performance of council departments. However the role of Mutare City Council on corporate governance has been militated against by number of factors such as the controlling and intervening in local authority's affairs by the minister of local government which has weakened Mutare City Council position of promoting sound corporate governance practises. The study used qualitative technique in the solicitation and presentation of data. In the study the researcher used in-depth interviews, questionnaires, document analysis and observations for collection of data. Thematic and content data analysis methods were adopted in the study of data analysis. Ethical considerations were also observed by the researcher in the study. The researcher concluded that it is through council's full commitment to play it's role of promoting sound corporate governance that it will be able to deliver better services to stakeholders hence the researcher proffered recommendations that are aimed at strengthening urban council to promote sound corporate governance practices such as embracing fully the National Code on Corporate Governance, amending the Urban Council Act so as to reduce the powers of the minister of local government and creation of council standing committee on corporate governance among others.

LIST OF ABBREVIATIONS

AGF	Africa Governance Forum
ACGN	African Corporate Governance Network
AGM	Annual General Meeting
AG	Auditor General
BOD	Board of Directors
CEO	Chief Executive Officer
CC	Civic Centre
CGC	Corporate Governance Council
CGF	Corporate Governance Framework
CSC	Council Standing Committees
GCGF	Global Corporate Governance Forum
HCC	Harare City Council
ICGN	International Corporate Governance Network
LGB	Local Government Board
MCC	Mutare City Council
MDC-T	Movement for Democratic Change Tsvangirai
MLPWNH	Ministry of National Housing Public Works and National Housing
OCAG	Office of the Comptroller and Auditor General
OECD	Organisation for Economic Co-operation and Development
PFMA	Public Finance Management Act
PGPA	Public Governance, Performance and Accountability Act
PMD	Prime Minister Directives
SOE	State Owned Enterprise
UCA	Urban Council Act
UK	United Kingdom
TC	Town Clerk

ZACC	Zimbabwe Anti-Corruption Commission
ZANU PF	Zimbabwe African National Union Patriotic Front
ZIMCODE	Zimbabwe Nation

Contents

DECLARATIONS	ii
ACKNOWLEDGEMENTS	iii
DEDICATION	iv
ABSTRACT.....	v
LIST OF ABBREVIATIONS	vi
CHAPTER 1: INTRODUCTION	11
1.1 INTRODUCTION.....	11
1.2 BACKGROUND OF THE STUDY.....	11
1.3 STATEMENT OF THE PROBLEM	14
1.4 RESEARCH OBJECTIVES	15
1.5 RESEARCH QUESTIONS.....	15
1.6 JUSTIFICATION OF THE STUDY	16
1.7 DELIMITATIONS.....	16
1.8 LIMITATIONS	17
1.9 ORGANISATION OF THE STUDY.....	17
CHAPTER 2: LITERATURE REVIEW	19
2.1 INTRODUCTION.....	19
2.2 THEORITICAL FRMEWORK	19
2.3 DEFINITION OF KEY TERMS	20
2.3.1 Urban Council.....	20

2.3.2 Corporation Governance	20
2.3.3 Local Authority	20
2.4 FUNCTIONS OF CITY COUNCIL.....	21
2.5 FACTORS NECESSITATING THE ADOPTION OF CORPORATE GOVERNANCE IN URBAN COUNCILS. 22	
2.5.1 Legal and Regulatory Requirements	23
2.5.2 Separation between the Roles of Council Board and Management	23
2.5.3 Council Standing Committees System	23
2.5.4 Meetings Open to the Public	24
2.6 LEGAL AND REGULATORY FRAMEWORKS OF LOCAL AUTHORITIES IN LIGHT OF CORPORATE GOVERNANCE	25
2.7 ROLE OF URBAN CUOUNCILS ON CORPORATE GOVERNANCE.	26
2.8 CHALLENGES FACED BY LOCAL AUTHORITIES TO IMPLEMENT CORPORATE GOVERNANCE FRAMEWORKS.....	27
2.9 COUNTRY EXPERIENCES	28
2.9.1 Netherlands.....	28
2.9.2 United Kingdom	29
2.9.3 South Africa.....	30
2.10 CHAPTER SUMMARY	31
CHAPTER 3: METHODOLOGY	32
3.1 INTRODUCTION	32
3.2 RESEARCH DESIGN	32
3.2.1 Qualitative Research Design	32
3.3 POPULATION AND SAMPLE SELECTION	33
3.3.1 Target Population.....	33
3.3.2 Sample Selection.....	34
3.4 METHODS OF DATA COLLECTION	35
3.4.1 Document Analysis.....	35
3.4.2 In-depth Interviews.....	35
3.4.3 Questionnaires.....	36
3.4.4 Observations	37
3.5 DATA ANALYSIS	37
3.5.1 Content Analysis	38
3.5.2 Thematic Analysis	38
3.6 ETHICAL CONSIDERATIONS	38

3.7 CHAPTER SUMMARY	39
CHAPTER FOUR: PRESENTATION AND ANALYSIS OF FINDINGS.....	40
4.1 INTRODUCTION	40
4.2 RESEARCH FINDINGS.....	40
4.2.1 Functions of Mutare City Council.....	40
4.2.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Councils	42
4.2.3 Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance.....	45
4.2.4 Role of Mutare City Council on Corporate Governance.	46
4.2.5 Challenges Faced by Mutare City Council in Implement Corporate Governance Frameworks...	48
4.3 CHAPTER SUMMARY	52
CHAPTER FIVE: CONCLUSIO AND RECOMMENDATIONS	53
5.1 INTRODUCTION	53
5.2 SUMMARY OF FINDINGS.....	53
5.2.1Fuctions of Mutare City Council.....	53
5.2.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Council.....	54
5.2.3 Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance.....	54
5.2.4 Role of Mutare City Council on Corporate Governance.	55
5.2.5 Challenges Faced by Mutare City Council to Implement Corporate Governance Frameworks ..	55
5.3 CONCLUSIONS.....	56
5.3.1Fuctions of Mutare City Council.....	56
5.3.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Council.....	56
5.3.3 The Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance.	56
5.3.4 Role of Mutare City Council on Corporate Governance.	57
5.3.5 Challenges Faced by Mutare City Council to Implement Corporate Governance Frameworks ..	57
5.4 RECOMMENDATIONS.....	57
5.4.1Empowering of Urban Council Boards.....	58
5.4.2 Provision of Sound Legal and Regulatory Frameworks in Light of Urban Council Corporate Governance.....	58
5.4.3 Formation of Corporate Governance Standing Committee.	58
5.4.4 The Urban Councils should Fully Embrace the National Code on Corporate Governance.....	59
5.4.5 Enforcement of Annual Audits by Audit Council Standing Committee	59
5.5 CONCLUSION.....	59
REFERENCE LIST.....	60
Graham, N. (2016) Corporate governance in Oxfordshire County Council. webmaster@oxfordshire.gov.uk Retrieved 26 July 2017.	61

Appendices.....	65
Appendix I: Informed Consent Form.....	65
Appendix II: Respondent Questionnaire.....	66
Appendix III: Respondents In-depth Interview Guide.....	70
Appendix IV: Turnitin Ephrous Results.....	71

CHAPTER 1: INTRODUCTION

1.1 INTRODUCTION

This study seeks to analyse the role of urban councils in promoting sound corporate governance in Zimbabwe's local authorities. This chapter will bring forth the background of the study, the statement of the problem, research objectives, research questions and justification of the study. It should be noted that this chapter also consists of the research delimitation, limitations, organisation of the following chapters and chapter summary.

1.2 BACKGROUND OF THE STUDY

The colonial local government system especially in urban council was ruthless to such extent that when Zimbabwe won its independence from the British under the Smith regime the government enacted policies and acts that were aimed at abandoning and solving the colonial injustice so as to enhance effective and efficiency in the local system (Jonga 2016). To effectively undermine and oppress native African the white settlers under the Rhodesian government separated the administration of native African affairs to that of the whites. It should be noted that the Affairs of the natives were administered in native offices which had the white men supervision which were located in townships without black representation in council chambers. In an effort to combine the low and high density area the Prime of the Independent Zimbabwe in 1983 combined the administration system of urban council and representation of both areas at ward level is now the order of the day. This is a crucial development which is an open room for achievement of sound corporate governance especially after the incorporation of concept of decentralisation into the Urban Councils Act (Chapter 29:15). Decentralisation of power through the Urban Act gave room to the city fathers to be responsible, accountable and transparent in matters of council corporate affairs which are the main pillars of corporate governance as elected local authorities officials are given responsibility of providing the services to the public and regulating the affairs of their local authority.

In the global world and Zimbabwe in particular there are various types of urban councils. According to Urban Council Act there are town, municipal and city councils. There are four species of urban council. These are Local Boards, Town Councils, Municipalities and City Councils. The smallest body with the least powers is the Local Board and the largest with the greatest powers is the City Council Zimbabwe has twenty-seven urban councils and of these, four are local boards, seven town councils, nine municipalities and seven city councils Mutema (2014). The powers of these councils depend on the nature and extend of the area they administer. Town councils due to the fact that they administers a very small area they only exercise very limited powers whilst city councils have broad permissive powers and functions which enables them to perform and possess considerable autonomy in determining and financing priorities in their areas. Some of the functions of urban councils as stipulated by Urban Act includes housing development (including low cost housing), road maintenance, organising water supplies, operating hospitals, acquiring land, running markets and main others just but to mention but a few.

Moreover Chatiza (2010) in the same sentiments with Mutema (2014) maintains that historically since independence as the local authority had not clearly stipulated legal and regulatory frameworks the Prime Minister had the powers of intervening in council affairs such as setting an investigation committee to investigate areas of corruption or of any concern or dismissing elected councillors from council affairs. The Prime Minister directives (PMD) managed to address certain area that were racial and undermining towards the development of local authority system in the independent Zimbabwe which was greatly need.

More the Urban Council act and the new Constitution in which the local government was first constitutionalised in Zimbabwe empowers the President and the Minister responsible for local government to interfere in the affairs of the elected bodies and take appropriate action where the council fails to perform it duties or to deal with its budgetary problems mostly through the advice of Local Government Board (LGB) (Mutema 2014).

Furthermore in 1996 during the late John Nkomo as the Minister of Local government he empowered the council through the crafting of the urban council Act 29:15 which empowered the council to establish council standing committees which are directly related to council departments and section. It must be noted that this was the first move towards enhancing good corporate governance in local authorities as the corporate governance requires the board of directors to form board committees which oversee and monitors council

departments operations. Amongst these committees they must be the finance committee, audit committee and the general purpose committees which are in line with the most important committees' in the aspect of corporate governance.

Similar to the above, as good corporate governance was critical for development of local governance system in Zimbabwe, government enacted an Act of Parliament entitled Urban Councils act of 1997 which outlined the duty and function of Council which is in case of Urban councils is headed by non-executive mayor. Moreover Mutema (2014) note that the Urban Council Act designated council standing committees according to council departments to examine the expenditure, administration and policy of council departments and other matters falling under their jurisdictions as council may by resolution determine through approval of local government board. Taziwa (2016) is of the view that council management headed by Town Clerk (TC) and his or her department's directors namely Town Clerks department, chamber secretary department, finance department, city engineers department, housing and community services department and health department. These directors are expected to table at least one monthly report per Council session covering their activities Mutema (2014). City Councils through their Council Standing Committees perform both a pre-audit and a post-audit function. Currently, most cities in Zimbabwe has six council standing committees which are fully operational, (Taziwa 2016)

Moreover according to Mutema (2014) Urban Council Act enabled the provisions of setting the multiplicity of matters upon which urban council laws and by-laws aimed at the prevention of disease. When creating by-laws urban councils can either simply adopt model by-laws or they can draw up their own by-laws to suit local conditions. As regards services provided by urban councils, these can be sub-divided into obligatory services which are essential services which the public is obliged to use and to pay for, such as refuse and sewerage disposal and supply of potable water, and optional services such as public transport and health services Mutema (ibid).

In this context Mutare City Council is a lower tier of government, whose purpose is to champion the government of Zimbabwe's developmental agenda at local level that is according to Mutare City Council official website. The primary focus is on the provision and maintenance of infrastructure and other related services to the residents and ratepayers on a cost recoverable basis. The Council must provide social services at an economic rate. The City is located in Manicaland Province the eastside of Zimbabwe popularly known as

kumakomoyo and the city is the country's gateway to the sea (City of Mutare 2017). It is the fourth largest city of Zimbabwe after Harare, Bulawayo and Gweru respectively. According to the Zimbabwe Statistics of 2012, the city has a population of about 280 000 people. Moreover it consist of 19 wards with each represented by ward councillor. Just like any other urban council the council board of city of Mutare is the highest board at the local authority which act as the employer, board of directors and overseer of council management operation. The city council derives its powers and role from the Constitution of Zimbabwe and Urban Council Act which also guides the council in issues of corporate governance. Its corporate structure at the top there is the Mayor who is elected by councillors, followed by the deputy mayor and chairpersons of the council six standing committees who are also councillors just like the mayor and his deputy and the councillors. On the side of the management there is the local service which consists of the management that is Town Clerk and Heads of Departments and lastly council staff (City of Mutare 2017).

After the 2008 political-economic hardships which witnessed the 2009 Government of National Unity and the 2013-2015 salary sagas and land corruption in local authorities' corporate governance has risen to be awareness that urban councils should also put into consideration. This has led many scholars like Jonga (2014) to argue that it is central government and the civil society organization role to coordinate training workshops and seminars to the local authorities' councils and management so as to foster good governance.

1.3 STATEMENT OF THE PROBLEM

The research intends to analyse the role of urban council in promoting sound corporate governance of Zimbabwe local authorities. The subject of corporate governance has increasingly been of great concern due to number of corporate scandals in the public sector local authorities included. Moreover various report have been showing complains for local government stakeholders such as ratepayers, central government, academia, civil societies and the legislature complaining that urban council area failing to install the aspect of good corporate practices in local authorities. City of Mutare has been in various newspapers reporting corporate abuse by the management like salary gates, nepotism, neglectance and poor service delivery. The Urban Council act clearly points out that it is council mandated to ensure the provision and maintenance and public services and infrastructure and utilisation of public funds transparently and accountably. Moreover it is the role of city fathers to foster development at local level as well as overseeing the operation of council management and

departments as in the aspect of corporate structures they are the Board of Directors chaired by the Mayor. Thus this study seeks to come up with solutions which the researcher assumes that they will strengthen the role of urban council on promoting sound corporate governance in Zimbabwe's local authorities especially Mutare City Council the case study.

1.4 RESEARCH OBJECTIVES

1. To explore the functions of Mutare City Council.
2. To analyse the factors necessitating the adoption of corporate governance at Mutare City Council.
3. To examine the legal and regulatory frameworks of local authorities in light of corporate governance in Zimbabwe.
4. To critically analyse the role of Mutare urban councils in promoting sound corporate governance.
5. To assess the challenges faced in implementing corporate governance frameworks as Mutare City Council.
6. To proffer recommendations on strengthening the urban councils in promoting sound corporate governance practices.

1.5 RESEARCH QUESTIONS

1. What are the functions of Mutare City Council?
2. What are the factors necessitating the adoption of corporate governance at Mutare City Council?
3. What are the legal and regulatory frameworks of local authorities in light of corporate governance in Zimbabwe?
4. What is the role of Mutare urban councils in promoting sound corporate governance?
5. What are the challenges facing Mutare City Council to implement corporate governance frameworks?
6. What recommendations can be proffered so as to strengthen the urban councils to promote sound corporate governance practices?

1.6 JUSTIFICATION OF THE STUDY

The researcher acknowledges works of various researchers on corporate governance. However the researcher was convinced to conduct a research topic involving local authorities' council as he noticed those major researchers were focused on public sector corporate governance leaving out local authorities. As local government is at the closest tie with the general public it therefore entails that local authorities council are the major stakeholders to issues of corporate governance in the public sector framework. It is the researcher's aim to fill the literature gap by focusing on the oversight role of city fathers on their respective local authorities through council and its council standing committees in promoting sound corporate governance in local authorities. According to Zimbabwe Institute (2005) taking this into account one is convinced that sound corporate governance in local authorities sphere will only be achieved by an effective Council among others.

The research should be of interest to local authority councils and management, government especially office of the President and Cabinet, Ministry of Local Government, pressure groups, Parliament of Zimbabwe and Non-government organisations and residents who have vested interest in the good performance of local governance. The results from this study may influence the fully implementation of National Code on Corporate Governance in public entities including all authorities in Zimbabwe. It will also assist local authorities' council on strengthening the role of urban councils in promoting sound corporate governance practices. Moreover to the academic field the research will help in increasing literature on the corporate governance and local authorities affairs which the researcher has notice to be a vacuum which needed to be filled. To research institution and civil societies it will be of help in carrying out research and compiling reports that are not biased and full of long missed data especially on the effectiveness of Zimbabwean urban councils.

1.7 DELIMITATIONS

Simon (2011) defines delimitations of a study as are those characteristics that limit the scope and define the boundaries of your study which are in the control of the researcher. He went on to note that delimitations factors include the choice of objectives, the research questions, variables of interest, theoretical perspectives that you adopted (as opposed to what could have been adopted), and the population you choose to investigate Simon (ibid). The study was conducted at Mutare City Council in Manicaland province the Eastern part of Zimbabwe. The research covered the analysis of the role of urban councils in promoting sound corporate

governance in Zimbabwe local authorities from 2013-2016. The research main objective was to critically analyse the role of Mutare City Council in promoting corporate governance at the local authority.

1.8 LIMITATIONS

Simon (2011) defines limitations as the potential weakness of a study which the researcher encounters which is out of the researcher's control and in most cases researchers encounters challenges that are out of their control. He went on to argue that the researcher must explain how you intend to deal with the limitations you are aware of so as not to affect the outcome of the study. The researcher faced challenges in interviewing Mayor and Councillors, Council department directors, committee officers and Ministry of Local Government, Public Works and National Housing Manicaland Province staff due to issue of the public secrecy act which hindered officials from giving out information about government organisations for state security reasons. Moreover as harmonised elections period is coming nearer most Councillors were busy conducting their wards and constituencies' affairs so as to remain the holder of the seat. However the researcher was keen to be on his level best to access data that enabled him to compile this research on time with success and reliable information.

1.9 ORGANISATION OF THE STUDY

This study explored the role of urban councils in promoting sound corporate governance in Zimbabwe's local authorities. The study is organised in 5 Chapters.

Chapter 1: INTRODUCTION

This chapter is the overview of the research in which the researcher will unpack aspects that are going to be unrevealed. It has the introduction of the chapter and thesis, background of the study, statement of the problems, research objectives, research questions, justification of the study. Moreover it consists of delimitations of the study, limitations, structure of the study and summary of the whole chapter.

CHAPTER 2: LITERATURE REVIEW

It covers literature review which acknowledges existing sources relating to this study. The researcher will acknowledged sources such as peer reviewed journal, books, websites,

newspapers and other sources which he came across when he was carrying out this research. In this chapter the research highlighted the theory that support the research topic and explains the theory in few paragraphs as well as showing how the theory informed the research.

Chapter 3: METHODOLOGY

This chapter addresses issues to do with research methodology. This covers, research design, sampling methods, data gathering instruments, participants to the research, ethical issues that were observed in the study and credibility of this research.

Chapter 4: PRESENTATION AND ANALYSIS OF FINDINGS

This chapter present analyses and discusses the data generated by the researcher. It provides answers to the sub-problems.

Chapter 5: CONCLUSION AND RECOMMENDATIONS

This is the last chapter which wind-up the thesis with the conclusions. Moreover the chapter proffers recommendation that the researcher assumes that they will strengthens the role of urban councils in promoting sound corporate governance.

CHAPTER 2: LITERATURE REVIEW

2.1 INTRODUCTION

This part of the research presents a review of scholarly work that has been conducted already in Zimbabwe and globally concerning corporate governance from public sector down to local authorities. The chapter will incorporate theoretical framework as well as accompanying subtitles crafted from research objectives. More over in this chapter the researcher will give out countries experiences that Zimbabwe can be guided by their achievement and legal framework towards corporate governance so as to improve its local authorities corporate governance.

2.2 THEORITICAL FRMEWORK

In the research the researcher will adopt the agency theory of corporate governance. According to the Fama and Jensen (1983), agent theory was first highlighted by Adam Smith in the eighteen century and was explored by Ross in 1973. Moreover the first detailed description of the theory was presented by Jensen and Meckling in 1976. The theory was crafted in a bid to explain the two separate streams: the positivist agent and the principal agent. Both streams concern the contracting problem of self-interest as a motivator of both the principal and the agent, and they share common assumptions regarding people, organisations and information. The agency relationship is a contract under which one or more persons (the principals) engage another person (the agent) to perform some service on their behalf, which involves delegating some decision-making authority to the agent. Moreover the theory explains the issue of information asymmetry whereby the principal and agent have access to different level of information. Mallin (2012) notes that in practice this means that the agent always have more information which takes the principal at a disadvantage.

The researcher adopted the agent theory because urban councils in the aspect of the corporate structures as council board are the agent who represents the interest of residents from their ward in council chambers. The residents of the geographical boundaries of the local authority

are the owners of the local resources that are then entrusted to the council to monitor enquire and oversee the work of the council management and council departments. Therefore the agent theory is the best theory suitable to inform the study well in analysing the role of urban councils in promoting sound corporate governance.

2.3 DEFINITION OF KEY TERMS

2.3.1 Urban Council

urban councils are administrative board under local authority that are managed by councils composed of councillors elected by registered voters in urban areas concerned and presided over by elected mayors or chairperson elected hierarchically organised into four categories namely cities, municipalities, towns and local boards (Constitution of Zimbabwe Amendment 20 of 2013).

2.3.2 Corporation Governance

Corporate governance refers to a process carried out by the board of directors and its related committees on behalf of the benefit of the company's stakeholders to provide direction, authority and oversight to management (Sobel 2007). Corporate governance in this research it is the major key term which the researcher is aiming that it is improved to greater heights in public sector especially local authorities. ZIMCODE (2014) notes that corporate governance is aimed at attracting financial and human resources on the best terms as well as improving corporate failure through pursuing objectives that is in the interest of the organisation and all stakeholders. Corporate governance is anchored by the pillars or principles of independence, transparency, accountability, responsibility and fairness.

2.3.3 Local Authority

Local Authority – an administrative body responsible for the government of a town or a city and is officially responsible for all the public services and facilities in that area. (Urban Councils Act 2006)

2.4 FUNCTIONS OF CITY COUNCIL

Kimberly et al (2011) define city council as a legal and accountable group responsible for local authority's actions and results of those actions. University of Pretoria defines council a body which comprise of elected councillors from various wards of a city, town, and district. Moreover the Urban Council Act defines councillors as a member of a council other than a mayor. It is elected by residents/ citizens from their wards. City councils consist of Councillors that are elected as representatives of each ward the city administers. They are elected by residents of their respective wards to represent them in council chambers. In this regard councillor in corporate governance sense they act as the employer at local authorities as well as board of councillors who are chosen by residents who are the owners of the local authority. A frequent criticism of council's especially urban council by state media and central government analyst is that they do not have enough capacity and experience to run local authorities as expected by the electorate.

Generally city councils have great responsible and variety of powers compared to town council. Amongst some of the general function of city councils are representing the public and considering the well-being and interests of the municipality, developing and evaluating the policies and programs of the municipality, determining which services the municipality provides, ensuring administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council, ensuring the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality and maintaining the financial integrity of the municipality (City of Kitchener 2017)

Another function of city council is to appoint senior council management who runs the day to day operations of the local authority. The local service report to the Town Clerk whist the Town Clerk reports to the Mayor and Council. It must be noted that Local service is answerable every month to council standing committee in which each council department falls under the standing committee. According to Taziwa (2016) council board appoints a body of senior officers known as the local service with the approval of the Local Government Board as governed by the Urban Councils Act {chapter 29:15} Section 132. The local service includes the Town Clerk, Chamber Secretary and all council department Heads

As note by Constitution of Zimbabwe, conferred local authorities have power to make by-laws, regulations and rules for the effectiveness of the administration of the areas which they

have been established. Furthermore another function that is noted in the Constitution is to levy rates and taxes and generally raise sufficient revenue for them to carry out their objects and responsibilities. According to Mutema (2014) urban councils are hierarchically organised into four categories namely cities, municipalities, towns and local boards. The UCA empowers urban local authorities to make by-laws which regulate various activities, levy rates and service charges on ratepayers to raise revenue for service provision and infrastructure development (Jonga 2014).

Moreover UCA confers urban local authorities with a wide range of responsibilities, which include: providing water for domestic, commercial or industrial areas, hospitals, clinics, ambulances, maternity and child welfare, libraries, provision of housing and transport facilities, construction and maintenance of drains, sewers and bridges, cleansing and refuse removal and disposal ,prevention of air, land and water pollution, operation of fire brigades and municipal police, street lighting ,public places and provision of parks, recreation grounds and open spaces (Ministry of Local Government Rural and Urban Development document. 2011:2)

Council meets regularly to discuss issues facing the city and its residents - as well as day-to-day operational business; and to make decisions on those items based on information presented by city staff as well as their own knowledge and beliefs, and the opinions expressed by their own constituents (City of Kitchener 2017). Mostly they meet at the request of the Mayor or as recommended by general purpose standing committee if there is any matter that must be immediately solved or an outbreak that might result in being a threat to the city and surround districts. A good example of such circumstance is when the Town Clerk has submitted his resignation letter or when councillor or senior council official has passed away.

2.5 FACTORS NECESSITATING THE ADOPTION OF CORPORATE GOVERNANCE IN URBAN COUNCILS

This paper will also discuss the provisions of the Act that benefit the practise of good corporate governance in urban councils. The Act clearly separates the role of the Chief Executive Officer and the chairperson, provides for transaction of business through the committee system, promotes an enabling environment of transparency, provides for a system of managing conflict of interest and promotes accountability.

This section discusses factors that already research literature points to be the reasons behind the adoption of corporate governance in urban councils. The research noted that most scholars like Mutema (2014) pointed out that the provisions of the Urban Council Act are the major elements behind the adoption of corporate governance in urban councils.

2.5.1 Legal and Regulatory Requirements

As noted by Mutema (2014) there are various factors that have necessitated the adoption of corporate governance in urban councils. The first factor is the provision of regulatory and legislative frame work in light of corporate governance such as Urban Council Act, Constitution of Zimbabwe and the recent National Code on Corporate governance of 2015. These frameworks have not only empowered the council boards but enacted the main pillar of corporate governance in local authorities such as transparency, accountability and auditing.

2.5.2 Separation between the Roles of Council Board and Management

Furthermore the separation between the role of council and council management is another fact that has enhanced the adoption of corporate governance in Urban Councils. The council board plays the role of oversight role on the management whilst the management through the leadership of the Town Clerks or Town Secretary runs the day to day affairs of the council with the assistance of council directors, chamber secretaries and administrators. Mutema (2014) maintains that the UCA provides for a clear demarcation of responsibilities and authority between the chairperson of council and the Town Clerk or Town Secretary, this is a good corporate governance practice. Moreover Fernando (2006) note that the combination of the roles of the council chairperson and that of the Chief Executive Officer created conflict in decision making and concentration of power in one person resulting in poor service delivery in local authorities.

2.5.3 Council Standing Committees System

Moreover the Urban Council Act orders urban council to form at least six council standing committees. These committees includes audit committee, finance committee, public works and town land committee, community services, housing, health and education committee, environment management committee and general purpose committee (Taziva 2016). Colley et al in Mutema (2014) notes that good corporate governance practice demands a board of directors that conducts its business through a well organised committee structure that

partitions the work of the board and allows directors to make maximum use of their expertise. The Zimbabwean urban councils operate using a system of committees. The committees make decisions as delegated by council and the full council will have the obligation to ratify committee decisions and consider committee recommendations. It must be noted that every department and its sections are linked to council standing committees which their business falls in. Amongst this council there are also two committees on finance and the other one on audit. The council committee system enhances effectiveness as council related work is minimised from the council.

A department composed of executives services a committee. Normally a committee would be responsible for the output of a department under its charge. The committee system lessens the burden of council enhancing its effectiveness. Committees diffuse centralisation of power by council as decision making is delegated to relevant committees. The committee system also promotes good governance values of democracy, inclusiveness and participation as the responsibility for operating the council is share amongst the committees of council Mutema (ibid). All councillors in this case participate in decisions of their council, since all councillors are members of one or more committees of council (Chakaipa 2010:39).

2.5.4 Meetings Open to the Public

According to Mutema (2014) Section 87 (1) of the UCA provides for council meetings which are open to the public and the press, it states that: “Every meeting of a council should be open to the public and press” Council is the supreme policy making board for local authorities. Issues from standing committees are presented, deliberated on and resolved in council. Allowing the public and the press to attend full council meetings presents them an opportunity to observe the mechanisms, processes and procedures of council and to make meaningful analysis of the local authority’s decisions an Corporate governance is anchored by the pillars or principles of independence, transparency, accountability, responsibility and fairness. UCA Section 87(1) creates an environment of openness where operations are there for all to see and nothing is hidden (Mutema 2014).

Moreover Mutema (2014) Section 88(5) of the UCA authorises any person from the public to inspect minutes for committees of council and the full council meetings provided that the minutes do not relate to staff matters or matters of internal or national security and any other matters which council may have resolved should not be open to inspection. Section 88(5) also permits any person to obtain a copy or an extract of the minutes upon paying a fee as

prescribed by a resolution of a council. Moreover Mutema (ibid) allowing the public to inspect or to have a copy of council minutes is another way of promoting transparency in urban local authorities. Through these minutes, urban councils can communicate and disclose key organisational issues to its stakeholders. Section 88 (5) of the UCA promotes transparency in the sense that every stakeholder is permitted access to crucial information. As transparency is one of the main pillar of corporate governance involving the general public in the affairs of their own local authority enhance support and trust between the elected official, council management and the community at large (Mutema 2014).

2.6 LEGAL AND REGULATORY FRAMEWORKS OF LOCAL AUTHORITIES IN LIGHT OF CORPORATE GOVERNANCE

The legal and regulatory framework for urban local authorities in Zimbabwe is set out in the UCA chapter 29.15 (1996) and the Local Government Laws Amendment Act of 2008. Moreover the two Acts are supported with the Constitution of Zimbabwe Amendment 20 of 2013 Mutema (2014). Chakaipa (2009) since independence the local government of Zimbabwe in which local authorities are housed was not constitutionalised until 2013. According to Mutema (2014) urban local authorities confine their operations to the principal act (UCA) which guides the practice of corporate governance in urban local authorities. and they cannot do anything beyond the powers sanctioned by the legal instrument. The UCA establishes cities, municipalities, towns and local boards. It also confers functions and powers and imposes duties upon municipal and town councils and local boards. Moreover Machingauta (2009) maintains that Zimbabwe has 31 urban local authorities which are hierarchically organised, based mainly on size and functions.

According to Moyo (2016) there have been concerted efforts to enhance corporate governance in Zimbabwe in recent years. The National Code on Corporate Governance Document (2015) note that enhancement of corporate governance was partly encouraged by international social and economic developments as well as a reaction to the increase in the number of corporate collapses within the country. Moreover Mutema (2014) note that local authorities being elements of public entities which are state owned entities under the coordination of the Minister and Ministry of Local Government, Public Works and National Housing.

It must be noted that the local authorities derives their powers from Constitution Chapter 14 and Urban Council act. However for the aspect of corporate governance they are also covered

by the legal and regulatory framework of corporate governance in Zimbabwe such as the current National Code on Corporate Governance, the Corporate Governance Manual, the Public Finance Management Act and the Corporate Governance Frame Work (CGF) for State Enterprises and Public Entities launched in 2010. Furthermore, Moyo (2016) noted that in April 2014, Zimbabwe came up with a draft Corporate Governance and Remuneration Policy Framework to govern the operations of state-owned enterprises and local authorities with regard to remuneration and corporate governance practices

Mutema (2014) Zimbabwe has put substantial efforts into developing a corporate governance framework which they have done well in incorporating local authorities in trying to promote good corporate governance. Despite having a very strong regulatory framework, Zimbabwe local authorities are still faced with challenges in adhering and promoting sound corporate governance. The research therefore, examine the level in which urban councils in Zimbabwe local authorities are complying with the corporate governance framework and the challenges they are encountering in their efforts to comply with the framework. The researcher provides as well recommendations for arrears that need improvements.

2.7 ROLE OF URBAN CUOUNCILS ON CORPORATE GOVERNANCE

According to Moyo (2016) corporate governance must be evaluated not only in terms of rights, but also in terms of duties and responsibilities. Council board have great role which enhance good corporate governance so as to meet their expected mandate of provide basic services to the locals. The council boards just like boards of directors of public sector have duty to behave responsibly by attending monthly seating, voting and exercising their authority within the organisation and to ensure that the company observes good corporate governance.

The extent of the power exercised by and the legal responsibilities of urban council vary with the nature of the legal government system of a particular country (Jonga 2014). In the past Urban Council powers were not quit clear due to basing on the directives of the central government however due to adequate and clear legislative and regulatory frameworks councils derives their power from those legal statutory instruments. This however have increased efforts for urban councils to act as good corporate board by considering a wider range of interest of stakeholders such as residents, central government and city link partners and the business community. The councillors should therefore whilst seeking political

mileage exercise their functions in the best interest of the local authority and the electorate interest (Chatiza 2010).

Nicholson and Newton in Moyo (2016) ascribe three key roles to the board namely; to monitor management (control role), to provide advice and links to external resources (service role); and to set overall corporate strategy (strategic role). Moreover Chavhunduka (2015) note that the board is responsible for ensuring that the management is not abusing its office and act in the best interest of the rate payers. However the Urban Council Act seems to be directing the affairs of the senior management of the urban council to Local Government Board which in turn undermines the role of the council in monitoring the management.

2.8 CHALLENGES FACED BY LOCAL AUTHORITIES TO IMPLEMENT CORPORATE GOVERNANCE FRAMEWORKS

There are numerous challenges that local authorities face which hinder them from effectively implementing corporate governance frameworks. According to Chatiza (2010) some challenges are due to a very changing political, economic and social environment. Zimbabwe local authorities are mainly faced with too much political wrangling and bickering as such there is too much political decentralization that has led to recentralisation in many municipalities. This is mainly because Urban Councils in Zimbabwe are mainly monitored by Movement for Democratic Change Tsvangirai (MDC-T) councillors therefore the Minister responsible for local government affairs ensures that they remain ineffective in playing their role especially on corporate governance as a tool to change citizens' minds in the future elections (Jonga (2014).

Moreover the Urban Council legal provisions are silent on the qualifications of councillors. For one to become representative of a certain ward, he or she just needed to be a resident of that ward and manage to win local government elections only. Mutema (2014) maintains that sound corporate governance is achievable if there is a competent, skilled and experienced board to enable effective discharge of duties. Mkhabele (2014) argues that the local councils are comprised of councillors who are not knowledgeable on aspects of governance but are most influential residents within their respective wards who manage to persuade their electorate to vote for them. Basing on the above two arguments, one can argue that for local authorities to implement corporate governance due to non-requirement of academic and professional qualification in areas such as council committees such as audit committees which require vast knowledge about auditing.

Furthermore Mutema (2014) the National code on corporate governance is another framework of importance which the local authorities adopts as the code is in line with the legal statutory instrument of local government. Moreover local authorities are member of the public sector which the code was crafted to guide alongside the private sector. However the code is not mandatory but rather voluntary and for the local authorities to enhance the code the central government need to approve and as well walk the talk at the top. This has disabled the local authorities to adopt the code which have yield good results in the private sector which is strict following the nine carefully chosen section of the code (Moyo 2016).

2.9 COUNTRY EXPERIENCES

Zimbabwe local authorities' especially urban local authorities' council and central government can adopt a number of lessons from counterparts with influential local authorities' corporate governance. The researcher selected countries that are accredited by most researches as the best in the world. These are Netherland, United Kingdom and South Africa. It must be noted that some of the recommendation that will be given out by the researcher for improvement in Zimbabwe urban authorities councils are derived from these three country studies.

2.9.1 Netherlands

As in many countries, municipalities in the Netherlands are the primary level of government most citizens come into contact with. The municipality is the most visible level of government. Association significantly to the image of public administration. This has however led the Dutch local authorities' municipal council to be the most vibrant in promoting sound corporate governance at local levels. According to the Association of Netherlands Municipalities (2007) it is the municipality that is increasingly acting as the driving force of policy development. The other is the face of a decentralised democratic and unitary entity: whereby the central, provincial and municipal governments cooperate to 'organise' society. Even though the type of local government in Netherlands is unitary just like the Zimbabwe type of local government, the Dutch central government coordinates rather than control affairs of local authorities. Each of the three sectors of government has its own responsibilities, with the central government providing unity through legislation and supervision.

Moreover, the Association of Netherlands Municipalities (2007) maintains that due to the unique position of municipal councils close to the population, the municipalities over time received an increasingly central position in creating and implementing policy. This is a distinct consequence and prominent feature of the operation of a decentralised unitary state: listen to and then act on what is happening in the heart of s. Today there is hardly a country in which Dutch local governments are not active or have not been active leaving a clear and generally favourable mark. This shows how, even in a traditionally national policy area, central and local government are working together intensively and in a supportive and complementary manner society. Moreover the Netherlands council have the powers to dismiss the council management if it does not operate and fulfil the interest of the council and local citizen they represent in council chambers Association of Netherlands Municipalities (2007).

2.9.2 United Kingdom

In the UK system corporate governance has developed formally through a series of codes, beginning with the Cadbury Code of 1992. England is another developed country with a vibrant local government that have been proven to be one of the best local authorities systems in terms of corporate governance. According to SOLACE (2007) each local authority operates through a governance framework. It is an interrelated system that brings together an underlying set of legislative requirements, governance principles and management processes. Traditionally, local government has conformed in whole or in part and in many different ways to the principles of good governance and has had a sound base on which to build. The success behind the local authorities' councils in promoting sound corporate governance rallies behind the fact that, in UK there is a strong regulatory framework in existence and robust arrangements for monitoring and review. Graham (2016) further note that the framework recommended that local authorities review their existing governance arrangements against key principles as well as annually reporting on their effectiveness in practice.

Moreover SOLACE (2007) maintains that in UK government sort the executive propose arrangement and local authorities on the other hand operates based on those arrangements though these operation are however based on sound decision making with effective process to support it by local authorities councils. Though since the introduction of the framework local authorities in England has been subject to various reforms however unlike Zimbabwe

enactment and change of certain framework and legislation United Kingdom's reforms have only led to improvement local authorities' accountability which is the main agenda of corporate governance.

2.9.3 South Africa

Mkhabele (2014) the South African government has clear policies that local municipalities and councillors should be sensitive to community views and responsive to local problems. Partnerships should be built between civil society and local government to address local issues. A number of laws outline participation processes that municipalities have to use to consult the community. South Africa Local government is a sphere of government in its own right, and is no longer a function or administrative implementing arm of national or provincial government.

Nevondwe (2013) with corresponding view with Mkhabele,(2014) who also point out that South African local government effectiveness in terms of corporate governance became a well-known area after the 2007 document entitled Delivering Good Governance in Local Government, which was published by four leading public sector organisations again as following recommendation of the King's Committee 3. The published document led to improvements which were as a result of its review which had two out comes guidance on how to achieve good governance and framework for making it happen. The two outcomes were supported with six core principles which councils were encouraged to demonstrate them. These were focussing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area, Councillors and officers working together to achieve a common purpose with clearly defined functions and roles.

Moreover, Mkhabele (ibid) maintains that promoting the values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour and council should take informed and transparent decisions which are subject to effective scrutiny and managing risk. Furthermore the review identified that in order to achieve good governance council should also develop the capacity and capability of councillors and officers to be effective and engage with local people and other stakeholders to ensure robust public accountability.

2.10 CHAPTER SUMMARY

Literature review related to urban councils role on promoting sound corporate governance was unpacked with various examples showing evidence that urban councils have a great role to play in promoting good corporate practices in local authorities. This chapter provided for the theoretical framework that underpinned the study. Different issues and themes which relate of this study were also highlighted. The study also sighted other countries experiences Netherlands, United Kingdom and South Africa in an effort for Zimbabwe to learn one or two lessons from on how the given countries urban councils role on corporate governance has promoted corporate governance practices which has enables their local authority system to be amongst most accredited ones in the world. Chapter 3 is the next Chapter which covers Methodology.

CHAPTER 3: METHODOLOGY.

3.1 INTRODUCTION

This chapter serves to present a synopsis of methods that were applied in the collection and analysis of the data by the researcher in the conduction of this research. According to Blaxter et al (2006) methodology deals with techniques by which the researcher designed and conducted the study as means to obtain data on the research and meet stated study objectives. It unravels the suitability of research instruments used so as to capture useful data about the role of urban councils in promoting sound corporate governance Local Authorities. Moreover, issues the chapter unravels are research design, sample selection, data collection, data analysis and ethical consideration and chapter summary.

3.2 RESEARCH DESIGN

Robson (2010) Research design refers to the overall strategy chosen and applied to answer the research question. It therefore, constitutes a coherent sequence of determining the research questions and the methods to be adopted to collect relevant data to answer the research question and how this will be accomplished. Key aspects of research design include: research methodology, research method, sample selection and data collection procedures and instruments. The researcher will employ the qualitative research method. Braun and Clark (2006) note that qualitative research offer accessible, theoretically flexible approach to analyzing data. One of its advantages is that it is conducted in the field of study, in which the participants normally conduct their activities. Besides, qualitative research allows genuine social interaction to occur between the researcher and the respondent where possible.

3.2.1 Qualitative Research Design

Houser in Nyashanu (2015) postulates that understanding the meaning of the phenomena of interest is what qualitative research is all about. The qualitative research method is applicable when the nature of the problem under study needs to be clearly understood. Qualitative research is mainly associated with the application of non-probability techniques

such as snowball sampling, quota sampling, convenience sampling and purposive sampling. Moreover it also uses textual data to collect and analyse data these methods includes document analysis, in-depth interviews, questionnaires and observations. These methods under qualitative research methods encompasses various set of data collection and analysis that results in the trustworthiness of the complied information.

The researcher employed the qualitative research methods due to numerous advantages of qualitative research. According to Koerber and McMichael (2008) qualitative research methods set goals that minimize the bias and also maximises the overview remains unchanged. Moreover qualitative research provides a wider room or complexity of understanding the topic being studied. A good example of the above is that this research enables the end user to gain knowledge about the role of urban council in the domain of corporate governance. Moreover the qualitative research allows the participants to be flexible and open when expressing their opinions. Furthermore Creswell in Nyashanu (2015) is of the view that qualitative research is a means for exploring and understanding the meaning individuals or groups ascribe to a social perception in this case on corporate governance.

3.3 POPULATION AND SAMPLE SELECTION

3.3.1 Target Population

Yin (2003) defines population refers to a collection of subjects of all interests who are analysed under one study. The research was conducted at Mutare City Council which is headed by Mayor, Council standing committees chairpersons and councillors from 19 wards of City of Mutare. The researcher targeted the board of councillors and the management. The council has council chamber which is sub divided into 6 standing committees. Therefore the researcher targeted His Worship the Mayor, his deputy who is the chairperson of all council standing committees, 6 standing committee chairpersons. Moreover the researcher also targeted council management which consist of the Town Clerk, Chamber Secretary, City Engineer, Housing and Community Services, Director Finance, Director Health, Human Resources Manager. Moreover the management also consist of Chief Officers these are Chief Committee officers, Chief Legal Officer, Chief Town Planner, Chief Finance officer and six standing committee officers. All together the targeted population was 25 participants and were selected purposively.

3.3.2 Sample Selection

A sample is a smaller (but hopefully representative) collection of units from a population used to determine truths about that population (Field 2005). Sampling is mainly involves the process of selecting specific participants within a research data gathering from the entire population. In this research the selected or identifying participants are the councillors of Mutare city council and senior management of the same council. Sampling involves the selection of the specific research participants from the entire population. To actually come up with key respondent the researcher applied the purposive non probability sampling which will be explained in full in few paragraphs to follow.

Due to the fact that the research was in the qualitative paradigm, he employed the non-probability sampling techniques. The researcher adopted the purposive sampling amongst all other non-probability sampling techniques. Purposive sampling enabled the researcher to achieve his research objectives. As note by Baxter and Jack (2008), purposive sampling is the selection of participants or sources of data to be used in a study, based on their anticipated richness and relevance of information in relation to the study's research questions. Moreover Baxter and Jack (ibid), argues that richness and relevance include sources whose data are presumed to challenge and not just support a researcher's thinking about the research questions and therefore should be part of the sample .

Moreover purposive sampling is mostly appropriate when the nature of research requires a small sample therefore, subjects with appropriate variability in what one is studying like in this case the researcher focuses on councillors of Mutare City Council and senior Council management. For example selecting officials within Mutare City Council chambers and departments provided crucial information. Due to their seniority as council standing chairpersons and senior officials as Directors and chief officers in their capacity as members of council management their view and contribution towards issues of corporate governance was relevant and increased chance of analysing the role of Mutare City Council in promoting sound corporate governance in their local authority. The researcher sampled eight interview respondents from the senior management with the population of twenty-five and six respondents from the Councillors that is council chambers with the population of twenty-five hence; this method targeted fourteen respondents out of the target population of twenty-five respondents.

3.4 METHODS OF DATA COLLECTION

Leedy and Omrod (2009) note that data collection is the process of gathering and measuring information on variables of interest in an established system fashioned that enables one to answer stated research questions and achieve research objectives among others. Moreover Bulmer (1992) maintains that a good qualitative research includes multiple data collection methods as it results in a balanced research work. Basically the will apply various methods to collect data for the research namely documentary analysis, questionnaires, in-depth interviews and observation of council sessions.

3.4.1 Document Analysis

According to Bloor and Wood in Yin (2011) document analysis is the cautious analysis or investigation of documents in order to pull out conclusions about the social conditions in which the documents were produced. Organisations document through publications which can be accessed by end users. These publications include annual reports, replacements in newspapers, gazettes, online publication and many other documents. The researcher analysed several documents pertaining local authorities especially urban councils. The researcher analysed monthly reports, government gazettes, policy statement, mission statements and newspaper articles which covered Mutare City Council which is the case study.

As noted by Cannel and Khan (1968) in the public sector, documents both historical and contemporary are rich in source of data for social science research. Document analysis contains various documentary evidence which is continuously compiled by organisations and print medias but however most researcher turn to side-line them without bearing in mind there worthy information which can be useful if carefully and patiently unpacked. Another reason behind the employing of document analysis is that though it is an old fashioned way of gathering data information which the respondents might not provide due to short memory or fear the documents will not hide that data if accessed. Moreover MacDonald and Tipton (1996;187) document analysis is ironic since the development of social science and when one employs document analysis uses four broad way to link data which are classification of public records, visual documents, the media and private papers

3.4.2 In-depth Interviews

Cannel and Khan (1968) defines in-depth interview as a deliberate discussion started by a questioner to acquire the applicable data using organized and applicable standard questions.

In-depth interviews are a method of qualitative research methods that obtain data from a conversation between the interviewer who is the researcher and the respondent who will be part of the target population of participants within the research. The researcher crafted an interview guide that enabled him to stick to research questions and objectives so as to extract accurate data. The researcher interviewed various respondents using purposive qualitative research designs that are the researcher only interviewed the respondent he was sure they are familiar and experience in local authorities affairs. Due to the fact that the researcher applied to the Chamber secretary of Mutare City he was granted enough time to interact and interview respondents as well as conduct follow ups in areas that needed further clarity. However in some instances the researcher faced challenges as some respondents were not easy to book due to their busy schedules though at the end all expected interviewee were interviewed.

The researcher employed in-depth interview due to a number of reasons that were beneficial to this study. Friesen (2010) argues that in-depth interviews are most appropriate for situations in which you want to ask open-ended questions that elicit depth of information from relatively few people. Other advantages mentioned by Megafon (2014) are that the method of the in-depth interview is also appropriate if the subject and issue are in the nature of something controversial, sensitive or tabooed as was the case in this study. Moreover another advantage of the in-depth interview is that there is time for the respondent, in peace, to further develop and give reasons for his or hers individual point of views - without being influenced by the opinions of other respondents (Megafone *ibid*). In this study, interview questions were crafted from the research questions that were link to research objectives as well.

3.4.3 Questionnaires

According to Cannel and Khan (1968) questionnaires are questions that are compiled by the researcher that can be completed in either one or two ways. Moreover Phoofolo (2008) note that questionnaires can be filled or answered in the presence and or absents of the researcher. Open ended questionnaires is used to allow free responses from respondents which are enable getting of the in-depth views about the study in question the researcher applied the open ended questionnaires because they allow respondents to get in-depth view as well as clarifying areas that needs clarity. More over the open ended questionnaires does not restrict the respondent to answer in a certain favour or targeted expected answer by the researcher but

allows the respondents to answer freely which promote honesty and unbiased answers which enables a study which is reach in reliable data.

Open ended questionnaires were applied to gather data on the role of urban council in promoting sound corporate governance in local authorities. Due to the fact that the research case study was Mutare City Council, the researcher accessed the data at the same organisation though the questionnaires were distributed to different departments of the council as they are not housed at the same building. As council officials such as His worship the Mayor, councillors and senior council management especially Heads of Departments are always away with council business questionnaires were booked to their secretaries when the researcher was booking interview slot and later collect when he was interviewing the respected officials.

Open ended questionnaires were useful tool in data collection as they gave room as mentioned above to openly express in writing their knowledge about the role of urban councils in promoting sound corporate governance. This therefore work as an advantage as well reduced the limitations of closed ended questionnaires which does not create room for the respondent to be flexible when answering and giving their opinion (Phoofolo 2008).

3.4.4 Observations

According to Saunder et al (2007) observation is a qualitative research tool in which the researcher observes the population of the study without them being aware that they are under study. The researcher also applied observations as tool of gather data. During the course of the study the researcher attended two monthly seating of Mutare City Council at Council Chambers so as to observe and understand the how the city fathers efforts in overseeing if council management and staff are upholding good corporate practices. Observations were of great importance to this research as able to combine highly research data. Moreover observation was a good way of obtaining data as the participants will not be aware that they are under study as they will be acting in a normal way and the researcher is able to observe the possible truth from the participant.

3.5 DATA ANALYSIS

According to Turkey (1961) data analysis is a procedures of analysing data, techniques for interpreting the results of data gathered so as to make the data analysis easier and more

precise and accurate. In analysing data collected, the researcher converted data into significant form so as to maintain original research questions. Research findings were analysed and later presented in a format that they will be meaningful to the end users who were not with the researcher in the field when data was been collected but when using the research the end users can get to understand the data collected. The researcher due to the fact that he adopted the qualitative research design he utilized two methods to analyse the research findings. The two methods are content analysis and thematic analysis

3.5.1 Content Analysis

As noted by Creswell (2008), content analysis is a standard technique for the analysis of data that comes from several sources oscillating from textual material, interviews, pictures and video materials. In this study, the researcher adopted content analysis due to the fact that he has employed the qualitative research design therefore methods of data collection like interviews, observations, document analysis and questionnaires content analysis was relevant. The relevant data collected through the methods of data collection stated above was paraphrased and later analysed in a bid to come up with the conclusions that enables answering the research questions.

3.5.2 Thematic Analysis

Tashakkori and Teddlie (2003) defined thematic analysis as the major form of data analysis in qualitative research that accentuates in probing, identifying and recording patterns or themes within data. Moreover Saunders (2007) maintains that themes are patterns across data sets that are imperative to the description of phenomenon and are supplementary to a specific research question. The patterns are identified through a Patterns are identified through a continuous process of data familiarisation, theme development and revision. The researcher adopted thematic analysis of data in this study by examining themes that emerged during the conduction of the study. The benefits of adopting this analysis is that it is a reliable method of analysing data as it groups questions which are interrelated to respondents' experiences as well as their perceptions and views (Teguru 2016).

3.6 ETHICAL CONSIDERATIONS

Somekh and Lewin (2011) maintains that ethics are set of moral principles that are widely accepted which are suggested by an individual of people. A good researcher considers aspects

that a crucial and sensitive to the respondents such as their rights, privacy, confidentiality and integrity. As the researcher is aware of the Zimbabwe work environment especially in the public sector due to issues of public secrecy exposing the respondent might results in the victimisation and discrimination of the respondents like losing their job, suspended or regarded as violation of corporate secrets. After considering all this factors resulted in the researcher seeking first informed consent from research participants. According to Bulmer (1992) Informed consent is principle that orders that the participant in a research should willingly participate in the research after clearly explained to by the researcher about the research is about and ensures participant the right to withdraw his or her participation from the research whenever necessary. Moreover the researcher ensured also that respondents have their right to privacy and confidentiality always.

3.7 CHAPTER SUMMARY

This chapter highlighted on the methodology used by the researcher to collect data. In particular, it looked at the research design, research instruments and data collection procedures. Research instruments strengths and weaknesses were mentioned thereby deducing how valid and reliable the methods were. The following chapter represents an analysis of the data which was collected.

CHAPTER FOUR: PRESENTATION AND ANALYSIS OF FINDINGS

4.1 INTRODUCTION

The chapter is focused on presenting and analysing data obtained by the researcher through the use of in-depth interviews, questionnaires, document analysis and observations to critically analyse the role of Urban Council in promoting sound corporate governance at Mutare City Council. The researcher employed qualitative research technique to present and analyses data gathered. The researcher combined the presentation and the analysis of findings in line with research questions in a comprehensive manner. Moreover the researcher formulates themes according to research objectives and questions. The researcher will closely link the data gathered and the literature review.

4.2 RESEARCH FINDINGS

Lohr (1999) defines research findings as the all-out comes that the researcher gathers in a research project it highlights what the project suggested, revealed and indicated. He went on to argue that research findings shapes the research project as it solve research objectives by addressing research questions. Oppong (2013) note that research findings play a crucial role in the research study by providing a comprehensive assessment as it answers research question as a tool to for the researcher to satisfy research objectives. The data presented was collected from 25 council officials of whom 8 of them are councillors who are holders of positions within council chambers that is His Worship Mayor, his deputy and 6 council standing committees' chairpersons. Furthermore the remaining 17 consist of the senior management within Mutare City Council.

4.2.1 Functions of Mutare City Council

The first research objective was to explore the functions of Mutare City Council. Respondent X responded that Mutare City Council functions are carried in two ways that is the Council which consist of city father the councillors who formulate by-laws and confers resolution and

council departments head by Town Clerk and directors who implement the by-laws and resolutions on day to day basis. This goes hand in hand with Mushamba (2010) sentiments that urban council is composed of two units, the elected councillors who have policy and the legislative responsibilities on one hand and the administrative arm which is responsible for day to day running of council and implements decisions of council.

The researcher discovered from Mutare City Council official website that Mutare City Council is Mutare City Council is a lower tier of government whose purpose is to champion the government of Zimbabwe's developmental agenda at local level. The primary focus is on the provision and maintenance of infrastructure and other related services to the residents and ratepayers on a cost recoverable basis. This revealed that 60% of the respondents cited that council functions at MCC are carried through the six departments of Mutare City Council. 30 % cited that the council is mandated to carry out seven overall functions which are aimed at providing quality services to clients and stakeholders of the MCC. The Mutare City Council official website also highlighted that the overall functions for City of Mutare are: provision of Housing services, provision of potable and wholesome water, provision of infrastructure, provision of health services, provision of education and social amenities, provision of waste management services, environmental Management, provision of Planning Services, provision of Emergency Services and Civil Protection, management and regulation of the transport system, investment promotion, formulation and enforcement of by-laws and Promotion of corporate governance. Responded K stressed that the council only debates about these functions of Mutare City Council and formulates policies and by-laws on how these services should implemented. The management headed by the Tow Clerk administers or implement these functions on day to day bases.

Moreover 10 % of the respondents cited that City of Mutare is a lower tier of government, whose purpose is to champion the government of Zimbabwe's development agenda at local level. Its primary focus is on the provision and maintenance of infrastructure and other related services to the residents and ratepayers on a cost recoverable basis. UCA empowers urban local authorities to make by-laws which regulate various activities, levy rates and service charges on ratepayers to raise revenue for service provision and infrastructure development. Mutema (2014) view support respondent S above as he argues that This legislation (UCA) confers urban local authorities with a wide range of responsibilities, which include: providing water for domestic, commercial or industrial areas, hospitals, clinics, ambulances, maternity and child welfare, libraries, provision of housing and transport

facilities, construction and maintenance of drains, sewers and bridges, cleansing and refuse removal and disposal ,prevention of air, land and water pollution, operation of fire brigades and municipal police, street lighting ,public places and provision of parks, recreation grounds and open spaces.

The research revealed that 56% of the respondents cited that the City Council generally act as the legislative branch of the city government, as well as its policy-making body. The council also looks to the city's goals, major projects and infrastructure improvements ranging from community growth to land use to finances and strategic planning. Furthermore during one of the inter-view conducted another respondent argues that *“Even if councillors focus more on their ward they understand what happens to the city happens to them. This is local government and local politics and there isn't a lot of space to forget that,”* she said. This goes in line with Machingauta (2009) argument that in urban local authorities’ officials both elected and appointed make decisions at work that may affect their private interests and when these officials are found in such a situation conflict of interest arises.

Morestill respondent U pointed out that when resources are injected in from central government or donations from partners such as Haarlem as well as sources generated from the residents, the city fathers have a say in where it goes. However politics within the council chambers as well as reflectance of the city fathers view is the major dice due to the fact that the councillors have the best interests at heart as they do anything to remain their wards choice so as to remain the holder of the seat. However Moyo (2016) maintains corporate office holders should not benefit illegal from their wards but should upholds good service delivery within the local authority.

4.2.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Councils

The second research objective was to analyse the factors necessitating the adoption of corporate governance at Mutare City Council. Various participants gave different views about the factors necessitating the adoption of corporate governance at MMC. 64% of the respondents cited that the provisions of the Urban Council Act demands that council boards to spearhead the implementation of the corporate governance. 20% of the respondents of noted that the city father fears to be dismiss and replaced by the caretakers that is commission which is appointed by the Minister of Local government Public Works and National Housing as he is empowered by the Urban Council Act and the Constitution to dismiss councillors

who fails to adhere to corporate governance or to council board which does not ensure that it's local authority is performed as per expected. The above responses are in line with Mutema (2014) who argues that the Urban Council Act. Basing on this background corporate governance in local authorities is the child brain of the Urban Council Act which demands and expects the Council to walk the talk in matters of corporate governance.

Furthermore respondent L maintained that the element of auditing which done as a requirement of multiple Acts which governs the local authorities and public sector of Zimbabwe such as the Public Finance Management Act 22:19, Audit Office Act 22: 18 and Urban Council Act 22: 15. These Acts points out that the local authorities as part of the public sector organisations should be annually audited. Respondent Y specified that audit is of crucial as it is the cornerstone which enables the Mutare City Council to promote sound corporate governance. This cements Nyashanu (2015) argument that The UCA requires urban councils to present audited financial statements to the minister not more than six months after the end of each financial year. This provision encourages disclosure, however most urban local authorities are behind in terms of presenting audited financial statement to the minister.

Moreover 78% of the respondents cited that the incorporation of local government in the 2013 Zimbabwean Constitution is the major element that gave room to the adoption of the corporate governance at Mutare City Council. Respondent T further explained that before the enshrining of the local government in the constitution the available acts which were governing the local government reduced the position of the city fathers to such an extent were by the management were somehow more superior that the board. However due to issues of devolution of power which is enshrined in the preamble of Chapter 14 of the Zimbabwean constitution the local authorities are empowered to drive their council to the desire destination though with the close monitoring of the central government. The above view is in relation with Jonga (2014) argument that before the incorporation of the local government system in the Constitution the central government meddled in the affairs of the urban council mostly as the councils had no standing clear legal document to defend them. In the case of Mutare prominent Mayors Kagurabadza and James were fired by Honourable Minister Chombo who was then the Minister responsible for local affairs on ground which was regarded by Jonga and Chirisa (2009) empirical overtone of central government but now most Council like Mayor Bernard Manyenyeni of Harare City Council (HCC) had been dismissed unfair but had been able to challenge the minister through courts basing of chapter 14 of the new Constitution.

The researcher also observed that the council standing committee system which is enshrined in the Urban Council Act is another factor which is enabling the adoption of corporate governance within MMC. The researcher attended the full council monthly seating in which the chairperson of seven standing committees were tabling to council director's monthly report. The researcher noted the committee system enables the operation of council affairs and business in an environment that pave way for accountability and transparency which benefits the practises of good corporate governance. Colley et al (2003) maintains that organised committees structures such health, housing and finance partitions the works of the board and allows the board members to make maximum use of the expertise. Though the researcher observed the committee system as crucial element Mutema (2014) in line with Mkhabele (2014) are of different observations as they noted that though the committee system within local authorities is in line with the requirements of corporate governance principles but due to shortcomings of the UCA in terms of qualification of councillors. They went on to argue in the same sentiments that matters of corporate governance require profession experience and strong academic background so as to be able to question the operation of the management.

Moreover the respondents A and B mentioned that the embracing of the National Code on Corporate Governance (ZIMCODE) by MCC is another reason which has necessitated the adoption of the corporate governance within the local council. The code came as a result of poor corporate governance which both the public and private sector were facing which had resulted in the corporate failure of most entities. 48% of the respondents cited that though the code was not mandatory however due to the commitment and attending seminar and workshop by council representative from both the board and management that were done by the ZIMCODE formulating board the management and council understood that the framework was of crucial importance to the rebuilding and strengthening of MCC corporate image. The above respondent's responses are related to Moyo (2016) who maintains that in order to improve the performance of the public sector and avoid corporate failure the government should embrace the ZIMCODE.

4.2.3 Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance

The researcher learned from 46% of the respondents that the local authority in light of corporate governance is guided mainly by the Urban council act which stress out in its provisions the roles of both the council as the board and the management. The respondent T stressed out that the Urban Council act has certain provision that covers pillars of corporate governance such as the transparency, accountability, fairness, effectiveness, efficiency among others. According to Mutema (2014) the act has provisions that benefit the practise of good corporate governance in urban councils. He went on further to note that the act clearly separates the role of the Chief Executive Officer and the chairperson, provides for transaction of business through the committee system, promotes an enabling environment of transparency, provides for a system of managing conflict of interest and promotes accountability.

Furthermore 8% of the respondents cited that the Constitution of Zimbabwe is the main legal and regulatory framework of the local authorities in light of corporate governance. MCC just like any other local authorities and public sector organisations derive their corporate powers from the constitution. Though there acts it must be noted that they follow or expands what is enshrined in the Constitution which is the supreme law of the land. Jonga and Chirisa (2014) applauded the government and citizen for incorporating the local government system as before the inclusive of the system within the constitution the legal framework was a bit weak.

Moreover respondents A to F also pointed out that Audit office act, Public Finance management Act as crucial frameworks that regulates the financial prudence of MCC. The respondent L specified that these legal acts requires MCC as part and parcel of the public sector to be audited by the auditor general's office and external auditors mainly those who comes from the ministry responsible of local government. Mutema (2014) in support of Mushamba (2010) highlighted that the urban council are required to submit their annual audits to the Minister of local government before 60-30 of every financial year.

58% of the respondents cited that National code on corporate governance is another legal framework that guides MCC in matters of corporate governance. Respondent A, B and E revealed that ZIMCODE document has been greatly welcome by the new management and council as the council declared that the code is the only way in which it will rebuild its furnished image by the former management which some were fired and others resigned after

the residents of Mutare had demonstrated after it was leaked by whistle blowers that the resources that must be channelled for workers pays and city development were be abused by senior management. Moyo (2016) maintains that if Zimbabwe takes the ZIMCODE seriously it will pave way for development and sustainability.

4.2.4 Role of Mutare City Council on Corporate Governance

The fourth objective was to analyse the role of Mutare city council on corporate governance. Mutare city council has the major role to play on corporate governance. Various respondents gave their own thoughts about Mutare city council role on corporate governance. Respondent M explained that through it seven council standing committees the council checks and balance the council departments through questioning heads of departments reports which are tabled before the line committees monthly by heads of departments. The committees review the report and question the Directors or their deputies in areas where clarity is required. However Mutema (2014) maintains that low qualifications stifle councillors' ability to have insight into issues discussed in council meetings and to ask searching questions. This results in ineffective councils, incapable of adjudicating complicated strategic issues to the detriment of good corporate governance. The committee system also promotes good governance values of democracy, inclusiveness and participation as the responsibility for operating the city/town council is divided among and shared by all members of council. All councillors in this case participate in decisions of their council, since all councillors are members of one or more committees of council (Chakaipa 2010:39).

Most respondents A argued that promoting transparency and accountability is another role of Mutare City Council. Respondent A further argues that due to the fact that the Council is entrusted with the local resources therefore it is city fathers duties to ensure that the management and council departments are acting in transparency and accountable manner. This supports the King's Report (2002) which argues that transparency and accountability are major pillars of corporate governance as the outsiders are able to make analysis of the organization's action. 38% of the respondents cited that through councils monthly report which is compiled from all the reports tabled by the council department are submitted to the Ministry of Local government Public and National Housing and these reports are also open to residents and other stakeholders to go through them and file objections or request for clarity in area of need.

As discovered by the researcher in the MANICAPOST of February 2015 the role of city fathers on corporate governance is to punish management found abusing their corporate offices to benefit themselves. The newspaper stressed out those councillors at Mutare City Council should crack the whip on errant directors and show them the exit door when they caught them on the wrong side of the law in carrying out their duties. The article also pointed out that the council board through its Mayor Councillor Nhambarare was not hesitating to bring to book the directors fingered in the corruption who benefited from the mess the local authority was under. This review is supported by Chimene (2016) who alluded that the city fathers as the employer and the boss of the management should ensure that corporate governance is adhered to and must refrain from the habit of submitting to the management. However, Mutema (2014) contradicts with the view as he pointed out clearly that the Urban Council Act subjects the affairs of the senior managers that is appointment and dismissal and punishment to the Local Government Board which deprive the city fathers to directly deal with the management.

The researcher reviewed from the council monthly minutes and reports that another role of MCC on corporate governance is to deal with corporate abuse cases by council officials. It was discovered that from the period 2013 to 2013 to May 2017 the Mutare City Council board through its general purpose committee had been dealing with hearing of council officials who had been found abusing their corporate privileges. The researcher noted that these hearing resulted in council requesting the intervention of the central government to intervene as most of its directors were alleged to be in corrupt activities. This resulted in various residents' demonstration demanding the stepping down of the senior official including former Town Clerk Mr Muzawazi who later resigned from council business together with his other senior management counterparts who were fired by council though with the approval of the Local government board.

It was again reviewed in the minutes of Mutare City council that another role of the Council Board on corporate governance is the appointment of best and most suitable city management. It was noted that the council was delaying the appointment of the Town Clerk as it was looking for qualified and most suitable candidate for the job. The report also stressed out that council was to renew the contract of the Town Clerk to be appointed on the bases of performed based contract. Moreover the researcher observed that city of Mutare former publications had only eleven overall functions but it was only after the continued corporate sagas like the Muzawazi and team salary and allowance saga that the local

authority added another function of promotion of corporate governance with Mutare City Council. Respondent A stressed out that this function was added by the council as it effort of rebuilding the corporate image which had been tarnished by the continued corporate sagas which had reduced the faith of the stakeholders in their local authority board and management. This observation is supported by Minister Kasukuwere (2016) who maintained that it was only through promotion of good corporate governance that the local authority would deliver its purpose.

Moreover the full council through the council standing committee on audit must ensure that the local authority is annually audited. Moreover the respondent H maintains that MMC through it audit committee and audit section produces audited financial statements in line with the requirements of the Urban council Act to the minister and other crucial stakeholders such as the residents, This is line with what Mutema (2014) said, auditing and financial reporting are some of the cornerstones of good corporate governance therefore each local council should establishes an audit committee whose function includes promotion of accountability, integrity, credibility and objectivity.

Furthermore the researcher observed that councillors as the board of the organisation have the duty to attend monthly council settings in which they are mandated to exercise their authorities and powers within the local authority such as voting for council resolutions and implementation of governmental policies. Moreover it is within the monthly seating that the management present their monthly report in which the council ensures that the management is running the day to day business of the council in line with good corporate practices. Moyo (2016) notes that even though the board must exercise their duties in the best interests of the company, all other stakeholders and the environment

4.2.5 Challenges Faced by Mutare City Council in Implement Corporate Governance Frameworks

The fifth research objective was to assess the challenges faced by Mutare City Council in implementing corporate governance frameworks at Mutare City Council. As gathered in the research findings there are a variety of challenges that Mutare City Council to implement corporate governance frameworks. Respondent A and B agreed that central government interference is the major challenge that Mutare City Council is facing in promoting corporate governance in the organisation. *“Central government should coordinate rather than control the local authorities as they are being more of controlling which is disempowering the*

council to effectively play their role in promoting sound corporate governance” said the respondent A. Mushamba (2010:114) comments on the powers of the Minister of local government and observes that other stakeholders are of the view that the Minister wields excessive powers and that the legislation is written in a manner that makes it open to abuse. The system of local government therefore depends on the individual minister’s power to exercise restraint

Moreover, respondents Q and R responded that conflict between council and senior management affects the council role in promoting sound corporate governance. Lack of qualified councillors on the bases of academic and professional qualification was also pointed out by respondent P. Council does not have direct control of the affair of senior management as management affairs are directly dealt with Local Government Board. Finally 70 % of the respondents cited that the shortfalls of provisions the Urban Council Act is another challenge that are weakening urban council to effectively plays their role in promoting sound corporate governance. The above sentiments are supported by Mutema (2014) together with Machingauta (2009) who argues in the same line that urban council act has certain provisions that has been regarded mostly as draconian.

Similar to the above 20 % of the respondents cited that Moreover issues of lack of qualified workers and councillors are another challenge that has been militating against MCC to implement corporate governance frameworks. Respondent L pointed out that most workers and councillors are too academically and professionally qualified to deal with issues of corporate governance. The respondent went on to express that the city fathers and management are aware of the unqualified workers who holds influential positions within council but due to the fact that most of them are their relatives nothing much has been done so far. Respondent H expressed that most officers especially in the department of finance and audit section are not qualified and this is leading to failure to account the expenses and incomes of council finances which has led to failure to pay councillors allowances and workers’ salaries on time for years. However respondent L expressed that the new management requested all workers within the administration to re-submit the curriculum vitae. Dewa et al (2014) noted that as most are not academically and professional qualified of which issues of corporate governance require knowledge and experience as it incorporates issues of risk management and financial prudence. Moreover the Dewa et al (ibid) maintains that qualified councillors are not easily abused by the minister concept as they are able to

defend themselves in area were the minister will be trying to deprive them their authority as councillors.

Furthermore respondent F expressed that abuse of corporate office by city fathers and management is another challenge which has been faced by MCC to implement corporate governance frameworks. The above respondent highlighted that instead of focusing on service delivery city fathers have been neglecting their official duty in pursuit of their own self benefitting agenda around the Civic Centre and housing department fishing how council project can enables them to make profits. 34% of the respondents noted that the city fathers neglects the frameworks as because they are afraid that they will not win the councillor position due to factional disputes within most political parties of Zimbabwe therefore loot as much resources as they can. However Moyo (2016) clearly states that board's members and management should refrain from abusing office so as to benefit them. However due to human nature it is on the willingness of individuals to come together and be serious in matters of corporate governance.

16% of the respondents maintain that frameworks such as the national code on corporate governance is not mandatory therefore the implementation of an framework that is not required to be observed is weak and idealistic rather than real. Though the document has benefited the private sector the public sector remains chained due to the fact that the central government due the stakeholder in the crafting of the code it has not yet fully embraced the blue print document. Failure to embrace the will complied document by the public sector has resulted in the heavily burden of the local authorities of Zimbabwe. The above view is support by Mkhabele (2014) who argues that South African local government system embraced their own king's report and has resulted in the development of the local government of South Africa.

28% of the respondents cited that the politicisation of council affairs. The respondent M specified that due to the fact that the council is composed of number of councillors who comes from various political parties they takes their difference in debates when trying to come up with resolution. Furthermore respondent N highlighted that in the appointment of council senior management candidates that the city fathers selects and present to the local government board most of them are turned down due to the fact that they are regarded as heath and kin of the opposition party. In most cases the central government declares candidates who serve the best interest of the ZANU PF regime which in case Mutare City

Council has for decades led by MDC-T mayor and most councillors. If there is clash of interest between the council and the management corporate progress is likely to slow down leading to poor service delivery as the management who be puppeteer to act in such a way so as to change the outcome of the next election in favour of ZANU PF (Jonga: 2014).

The research also revealed from respondent G revealed that the issue of politics of patronage has been at play in the Zimbabwean public sector in which the issue of effectiveness and efficiency is undermined due to the unskilled and unqualified personnel's who are qualified to work in the public office. 34% of the respondents noted that the ruling part was using its councillors within council chambers to influence decision that benefits the party rather than the intended residents of Mutare. Respondent Q revealed that politics of patronage played it course during the selection of the new Town Clerk the ruling party councillors pushed for candidates who are kith and kin which led to the turned down by the Local government board candidates who had been preferred as the best candidates for the post. The issue has undermined issue of strategic management functions to be at operative in the Zimbabwean public sector and development issues are at stake according to (Jonga 2014). The matter in place has to be considered in the issue.

Moreover respondent V blamed the city fathers for lack of commitment on their duties as it is leading to the failure to adequately embrace corporate governance frameworks at Mutare City Council. The respondent went on to stress that if the city fathers focuses on their office responsibility of checking and balancing city management the corporate saga that they are last to hear from whistle blowers they will be the first to notice them. The researcher observed that at one of the department of Mutare City Council Housing and Community Services department that is when one is able to meet the city fathers as they will be taking advantage of their senior position within council as the employer to connect their supports, relatives and business associates to be allocated residential or commercial stands mostly the period when the researcher was gathering data from the local authority it was selling low and high density stands. This lack of seriousness on crucial work was also noted by respondent T stressed out that it only when the city fathers comes to monthly seating or when they have a personal favour from the council officers that most visits the council headquarters. Respondent A narrated how the Town Clerk had to instruct that all councillors request from the council officers should be handled by himself or his deputy the Chamber secretary.

The findings in the above paragraphs go hand in groove with Minister Kasukuwere (2016) motion that city fathers are involved in the corruption saga that are happening in local authorities. He went on further to note that their silence and reluctance to deal with corrupt activities by the management in the entities only entails that they are benefiting together from the mess of poor corporate governance Zimbabwe local authorities are under. This at times dismisses the complains by most councils that the central government is intervening in the local affairs because if they fails to act as they are mandated it leaves no choice to the central government to intervene either by replacing the city fathers with commissions or by suspending them in effort to alert other councils that the government is serious on the aspect of good corporate practices.

4.3 CHAPTER SUMMARY

Presentation and analysis of data was the focus of this chapter. In summation the researcher employed questionnaires, interviews and observations to extract data from respondents. As mentioned in the early stages of this chapter due to the fact that the researcher adopted the purposive sampling his population of twenty-five participants respondent all to both questionnaires and interviews. Mutare City Council is facing challenges which are resulting in it to fail to play its role effectively o promoting sound corporate governance within the local authority. These militating factors include central governance interference, politics of patronage, lack of academic and professional qualified councillors, lack of financial prudence and radical relationship between council and management. Though these factors are hindering the role of MMC on promoting sound corporate governance it was observed that the Council is trying its level best to comply with accepted corporate governance standards. The next chapter will be summing up the entire study as well as drawing up conclusions explored from the chapter findings. Recommendations from respondents and finally the researcher will be given to strengthen the role of MMC to promote sound corporate governance.

CHAPTER FIVE: CONCLUSIO AND RECOMMENDATIONS

5.1 INTRODUCTION

This chapter is the last chapter of the research and serves to conclude the study. It consist of the summary of findings and conclusions extracted from the search findings about the role of Urban Councils in promoting sound corporate governance at Zimbabwe local authorities. It is in this chapter that the researcher proffers recommendations that strengthen the urban councils to promote sound corporate governance practices and the overall conclusion of the study. The summary of findings and the conclusions are derived and based on the research findings obtained in the previous chapter.

5.2 SUMMARY OF FINDINGS

This section serves to give out the summary of the research findings of the themes that has be revealed in chapter four. Therefore the summary of findings will be given out basing on the themes that has been discussed in the chapter of presentation and analysis of findings. The themes that has already discussed in previous chapter includes functions of Mutare City Council, factors necessitating the adoption of corporate governance at Mutare City Council, the legal and regulatory frameworks of local authorities in light of corporate governance in Zimbabwe, the role of Mutare City Council in promoting sound corporate governance and the challenges faced by MCC in implementing corporate governance frameworks.

5.2.1Fuctions of Mutare City Council

The researcher discovered that city council's functions are carried in two that is the council who are basically the board of directors who are tasked by the Urban Council ask to craft by laws and proffers resolution and the management which is headed by the Town Clerk and his

directors runs the day to day operations of the local authority. The research findings on the functions of Mutare City Council reviewed that the overall functions of Mutare City Council are as follows provision of housing services, provision of potable and wholesome water, provision of infrastructure, provision of health services, provision of education and social amenities, provision of waste management services, environmental management, provision of planning services, provision of emergency services and civil protection, management and regulation of the transport system, investment promotion, formulation and enforcement of by-laws and promotion of corporate governance. It is worth noting that amongst the function of the city council as highlighted above corporate governance is one of the overall **functions** which the study was seeking to analyse the role of MCC on promoting sound corporate governance at MCC.

5.2.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Council

The study revealed that there are a number of factors that are necessitating the adoption of corporate governance at Mutare City Council. The major factor is that corporate governance in local authorities is a requirement of the Urban Council Act whose provision enshrines the main pillars of corporate governance such as transparency and accountability. The research discovered also that the council standing committees system is another element that has enabled the adoption of corporate governance at the local authority as committee system enables council board to question and enquires the activities of council departments

5.2.3 Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance

The study revealed that in light of corporate governance the local authorities' councils of Zimbabwe like Mutare City Council are guided by the Constitution of Zimbabwe, Urban Council Act, Audit Office Act, Public Funds Management Act, Finance Act and the National Code on Corporate Governance (ZIMCODE). It was also revealed that the Urban Council Act is the major act that guides Mutare City Council in matters of corporate governance as the provisions of the act are positively platform for MCC to upholds corporate governance at MCC as the main pillars of corporate governance such as integrity, accountability, transparency, effectiveness and efficiency among others are enshrined in the act. Moreover the other remaining frameworks such as ZIMCODE have managed the council to be guided and strive to walk the talk in matters of corporate governance at its implementation of the

code few years ago the council added promotion of corporate governance and business investment committee amongst its functions and council standing committees respectively.

5.2.4 Role of Mutare City Council on Corporate Governance

The researcher gathered that there are complex roles of council board on corporate governance. It was noted in the aspect of corporate governance the city fathers have the crucial role in corporate governance as they have to ensure that the council walks the talk in matters of corporate governance. The major role of the city fathers to corporate governance is to play the oversight role on the management so as to ensure that the management is running the corporate affairs of the city in a manner that promotes sound corporate practices. It is the duty of the council to safeguard the local authority so as to avoid corporate failure. Moreover council implements its role on corporate governance through its seven council standing committees which are audit committee, finance committee, general purpose committee, business investment committee, public works and town lands committee, environmental management committee and community service, housing, health and education committee. These committees oversee and enquire about council departments related to each and every committee through monthly reports and seating at council chambers where council business is conducted.

5.2.5 Challenges Faced by Mutare City Council to Implement Corporate Governance Frameworks

The study discovered that Mutare City Council is facing a lot of challenges to implement corporate governance frameworks. The major challenge facing Mutare City Council to implement corporate governance is the intervention of the minister responsible for local affairs. The minister and local government board are empowered by the Constitution and Urban council act to monitor and coordinate MCC affairs rather than control the affairs of the local authority. It was also noted that politics of patronage is another hindrance to the effective implementation of corporate governance frameworks at MCC. Issues of corruption among the management were also revealed as another element militating against the smooth implementation of the frameworks of corporate governance. It was also discovered that the city father's doing of submitting to the management yet in essence they are the employer and the bosses of the organisation is another factor that is resulting in the local council failing to implement the corporate governance frameworks.

5.3 CONCLUSIONS

The conclusions of the research study below are derived from the research findings in the previous chapter. It should be noted that each and every research findings has a conclusion that is related to the research objectives.

5.3.1 Functions of Mutare City Council

The functions of Mutare City Council which are provision of housing services, provision of potable and wholesome water, provision of infrastructure, provision of health services, provision of education and social amenities, provision of waste management services, environmental management, provision of planning services, provision of emergency services and civil protection, management and regulation of the transport system, investment promotion, formulation and enforcement of by-laws and promotion of corporate governance. Corporate governance is also part and parcel of the functions of Mutare City Council. The researcher was extracting the functions of the city council as stipulated in the Zimbabwean Constitution and the Urban Council Act. The major aim of all these functions is to provide quality municipal services to residents of Mutare and other stakeholders. The research concludes that it only through the promotion of sound corporate governance that all the aim of Mutare City Council through the provision of the above functions is adequately fulfilled.

5.3.2 Factors Necessitating the Adoption of Corporate Governance at Mutare City Council

The research concludes that corporate governance is mainly necessitated by council standing committee system in which city of Mutare adopted from the Urban Council Act. The council committee system is influential for the embracing of corporate governance at the local authority as council checks and balances the management and their department's activities monthly. However it was noted that due to lack of academic and professional qualification some of the committee members of the seven council standing committees are not adequately able to question directors in areas that requires clarity

5.3.3 The Legal and Regulatory Frameworks of Local Authorities in Light of Corporate Governance

The study concludes that Urban Council act is the major framework of urban council such as Mutare City Council in light of corporate governance. This act had been described as advantageous in promoting sound corporate governance at Mutare City council due to its

positive provisions which enshrines the main pillars of corporate governance in it such as transparency, accountability, integrity, professionalism, efficiency and effectiveness among others. The act is supported by the Constitution and other Acts such as Audit Office Act and the newly National Code on Corporate Governance (ZIMCODE).

5.3.4 Role of Mutare City Council on Corporate Governance

The study concludes that on the role of Mutare City Council on corporate governance the ball is in the court of the city fathers at the Civic Centre who are the employer of the management. Their crucial role is crack the whip on errant directors and lead by example in matters of corporate governance. It is only when the city fathers stood up without hesitation to bring to book city management and staff fund on the wrong side of corporate governance. This crucial role enables corruption and poor service delivery mess that avoids the aim of the council of providing quality services to the stakeholders and residents to be achievable.

5.3.5 Challenges Faced by Mutare City Council to Implement Corporate Governance Frameworks

It can be concluded that efforts by Mutare City Council to implement corporate governance frameworks are adversely affected by a number of factors. Among the issues is the intervention of the minister responsible for the affairs of local government which is controlling rather than coordinating. This act by the central government is however leading to the emergence of another broad challenge which is the submission of the city fathers to the council management due to the fact that through running the affairs of senior council management by Local government board it becomes very impossible for the council board to bring to book managers found on the wrong side of corporate governance issues yet in essence the city fathers are the employer and the overall board in charge of the management.

5.4 RECOMMENDATIONS

In light of the conclusions that have been drawn from the research study the following are recommendations made to strengthen the role of urban council in promoting sound corporate governance on Zimbabwe Local authorities.

5.4.1 Empowering of Urban Council Boards

The researcher recommends that the central government and other stakeholders should empower the urban council boards by coordinating seminars, conferences and workshops that proffers knowledge to the city fathers about their roles. Moreover the seminars and workshops will be influential in the aspect that they will discuss and offers lessons to the city fathers on the issues of corporate governance especially on the part of how they can promote sound corporate governance within their councils.

5.4.2 Provision of Sound Legal and Regulatory Frameworks in Light of Urban Council Corporate Governance

It is recommended that there should be sound and effective legal and regulatory frameworks in light of urban council corporate governance. The Urban Council Act 29: 15 should be amended as it gives the minister responsible for urban council and the local government board excessive powers that are leading the central government controlling rather than coordinating the urban council affairs. The principle of devolution of power between the central government and the local government which is in the preamble of chapter 14 of the Zimbabwean Constitution should be implemented as it gives voice to the city fathers to control the affairs of their respective local authority which includes the senior management as well. Issues of academic and professional qualification of councillors should as well enshrine in the Constitution and the Urban Council Act as issues of corporate governance requires professionalism and experience.

5.4.3 Formation of Corporate Governance Standing Committee

As corporate governance is of crucial importance ad as the ball of corporate governance is in the hands of the city fathers it is recommended that Mutare City Council should establish a committee on corporate governance. This committee will be in-charge of overseeing all council departments and checks if they are abiding by the expected corporate governance that prevents the council in falling in corporate mess. This committee will be in charge of whipping up and showing the doors especially to senior management who will be found abusing their corporate powers and ensure that every one that benefited from corporate abuse they pays back what they took from the council coffers.

5.4.4 The Urban Councils should Fully Embrace the National Code on Corporate Governance

The National Code on Corporate Governance (ZIMCODE) is a voluntary code that is not mandatory. The code since its implementation has been fully embraced by the private sector leaving the public sector which is not immune in matters of corporate scandal behind. As urban council and the entire local authorities are element of the public sector they should embrace the nine carefully chosen chapters of the code son as to be able to promote sound corporate governance in the public sector of Zimbabwe just like what the private sector has been benefiting from the fruits of the code through continuous improvement of the private sector organisation performance regard less of the ever changing environment especially the economic and political situation the nation is experiencing.

5.4.5 Enforcement of Annual Audits by Audit Council Standing Committee

It is recommended that the city fathers should ensure that their authorities are audited annually. It is the audit standing committee duty to ensure that the audit report has been reviewed and open to the stakeholders to verify it. As noted before the former Auditor General Ms Chiri highlighted that local authorities had not been promoting financial prudence as accounts books of local authorities such as Mutare had no up to date audited financial records as per her 2016 annual report. Auditing of local authority accounts upholds the pillars of corporate governance as well as paving way for city father to ensure that they are promoting sound corporate governance basing on the opinions given out by auditors.

5.5 CONCLUSION

The major objective of this research was set on the role of urban council in promoting sound corporate governance in Zimbabwe local authorities. Sound corporate governance in local authorities and public sector at large is a platform of effectiveness, efficiency, transparency, accountability and service delivery. The researcher discovered that most Urban Council in Zimbabwe local authorities are not adequately playing their role in promoting sound corporate governance in their organisations. The result emanating from high interference of central government in local authorities affairs, lack of oversight role of management by the council, lack of academic and professionally qualified councillors among other factors the researcher analysed the autonomy of the urban council, council-management relations. The researcher conclude that it is through council full commitment to play it role of promoting

sound corporate governance in urban council in Zimbabwe that it will be able to deliver better services to stakeholders and residents. Taking note on how urban council exercises and carry out its role of promoting sound corporate governance was the main task of this study.

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Appendices

Appendix I: Informed Consent Form

Dear Participant,

My name is Mawoyo Tawanda Desmond. I am a fourth year student at Midlands State University undertaking a undergraduate Honours degree of Science in Politics and Public Management. I am conducting a research study entitled **A Critical Analysis of the Role of Councils in Promoting Sound Corporate Governance in Zimbabwe's Local Authorities: The Case of Mutare City Council**. The objective of this research is to critically analyse the effectiveness of local authorities' councils in Zimbabwe in discharging their duties and to extract out obstacles militating them in carrying out their mandates within the current political economic environment in Zimbabwe. This is an invitation to participate in a research study conducted by the researcher. Your cooperation is sought to complete the questionnaire to gather information on the research study. Your participation will involve completing a questionnaire or answering questions.. The results of the research study may be published by Midlands State University but your identity will remain confidential and the researcher will ensure your name will not be disclosed to any outside party leading the researcher to assure you that there no foreseeable risks.

I thank you in advance for your support with this study.

TD Mawoyo

Appendix II: Respondent Questionnaire

My name is Mawoyo Tawanda Desmond. I am studying on the road to completion of a Bachelor of Science in Politics and Public Management with Midlands State University.

This questionnaire is part of an academic research in pursuance of a Bachelors of Science in Politics and Public Management on **“A Critical Analysis of the Role of Councils in Promoting Sound Corporate Governance in Zimbabwe’s Local Authorities: The Case of Mutare City Council.”** It is prepared only for the purpose of gathering information to ascertain the effectiveness of local authorities councils.

SECTION A

Name of your Organization

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Position in the Organization

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SECTION B

1. What are the functions of Mutare City Council?

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2a. what is your understanding about corporate governance?

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2b. what are the factors necessitating the adoption of corporate governance at Mutare City Council?

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2c. Poor corporate governance in the public sector has been the labelled as the major setback to economic and social development in the country. Do you think that poor corporate governance is the panacea to failure to implement government of Zimbabwe development agenda at local level?

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3ai. What are the legal and regulatory frameworks of local authorities in light of corporate governance in Zimbabwe?

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3aii. I understand that Urban Councils Act is the major legal framework in which Mutare City Council derives it manadate. Does the Act provision guide your authority in light of corpoarate governance? Please do explain provisions that enable your council to promote sound corporate governance.

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3b. Is your local authority embracing the ZIMCODE the new framework towards improving Zimbabwe organisations corporate governance?

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3c. In your own view do you think ZIMCODE incorporated with Urban Council Act strengthens council's position to promote sound corporate governance?

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4. What is the role of Mutare urban councils in promoting sound corporate governance?

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4b. Do you think Council have the major say or control on council senior manager more than local government board and Minister responsible?

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4c. The central government has been blaming City fathers for submitting themselves to council management yet they are the boss as the employer and council board. Is it the same scenario at the local entity?

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5. What are the challenges facing Mutare City Council to implement corporate governance frameworks?

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5b. the challenges that you have highlighted above which one is the major challenge? Please explain your answer.

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6. In your view what can be done to strengthen the urban councils to promote sound corporate governance practices?

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Thank You

Appendix III: Respondents In-depth Interview Guide

My name is Mawoyo Tawanda Desmond. I am studying towards the completion of a Bachelor of Science in Politics and Public Management with Midlands State University. I am researching on **A CRITICAL ANALYSIS OF THE ROLE OF URBAN COUNCILS IN PROMOTING SOUND CORPORATE GOVERNANCE IN ZIMBABWE'S LOCAL AUTHORITIES: THE CASE OF CITY OF MUTARE FROM 2013-16**. I kindly ask for your assistance by answering all the questions included in this interview guide. Your response shall be kept confidential and only used for academic reference.

1. What are the functions of Mutare City Council?
- 2a. what is your understanding about corporate governance?
- 2b. what are the factors necessitating the adoption of corporate governance at Mutare City Council?
3. What are the legal and regulatory frameworks of local authorities in light of corporate governance in Zimbabwe?
4. What is the role of Mutare urban councils in promoting sound corporate governance?
5. What are the challenges facing Mutare City Council to implement corporate governance frameworks?
6. What recommendations can be proffered so as to strengthen the urban councils to promote sound corporate governance practices?

Thank You

Appendix IV: Turnitin| Ephrous Results

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- 1 [http://www.threerivers.gov.uk/GetResource.aspx?file=Constitution%20-%20Revision%20June%202013%20\(2013%2006%2004\).doc](http://www.threerivers.gov.uk/GetResource.aspx?file=Constitution%20-%20Revision%20June%202013%20(2013%2006%2004).doc)
- 1 <http://ir.msu.ac.zw:8080/jspui/bitstream/11408/455/1/MANGE%20FINAL%20soft%20copy.doc>
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- 1 Found at: UOZ University of Zimbabwe (TAPIWA L MUDZENGI, R158659L, %noelmuzondo@gmail.com - MUDZENGI - R158659L, 05/06/2017)
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