



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref: 3/5/3/5/2/2

2019-08-30

**NOTICE OF A
CORPORATE SERVICES
COMMITTEE MEETING
MONDAY 2019-09-02 AT 15:00**

TO Councillor AR Frazenburg [**Chairperson**]

Councillors FJ Badenhorst
FT Bangani-Menziwa (Ms)
R du Toit (Ms)

Ex officio Executive Mayor, Ald G Van Deventer (Ms)

Notice is hereby given that the meeting of the Corporate Services Committee will be held in the Council Chamber, Town House, Plein Street, Stellenbosch on **Monday, 2019-09-02 at 15:00.**

COUNCILLOR AR FRAZENBURG
CHAIRPERSON

A G E N D A
CORPORATE SERVICES COMMITTEE MEETING
2019-09-02

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APPENDIX 1



STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Ref: 3/5/3/5/2/2

2018-06-20

MINUTES

CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING

2018-06-20 AT 15:00

MINUTES

CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING

2018-06-20

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**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

PRESENT Councillor E Groenewald (Ms) [Chairperson]
Councillor J Hamilton

Also Present Cllr WC Petersen (Ms)

Officials Director: Strategic & Corporate Services (A de Beer (Ms))
Manager: ICT (B Mkaza)
Manager: Compliance (M Mgogoshe)
Senior Legal Advisor (E Rhoda (Ms))
Senior Legal Advisor (M Williams)
Manager: Municipal Court (C McGillewie)
Manager: Document Management and Support (W September)
Manager: Communication (S Grobbelaar)
Senior Manager: Governance (S de Visser (Ms))
Committee Clerk (B Mgcushe (Ms))
Committee Clerk (N Mbali (Ms))

1.	OPENING AND WELCOME
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The Chairperson extended a warm welcome to all present.

1.1	COMMUNICATION BY THE CHAIRPERSON
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The Chairperson said she would like to tell everyone to enjoy the rain and seeing that the Draft Communication Policy is on the agenda it should be noted that our communication lines need to be clear at all times.

1.2	DISCLOSURE OF INTERESTS	(3/6/2/2)
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NONE

2.	APPLICATION FOR LEAVE OF ABSENCE
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The following applications for leave were approved in terms of the Rules of Order of Council:-

FT Bangani-Menziwa (Ms)	- 20 June 2018
MB De Wet	- 20 June 2018

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
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3.	CONFIRMATION OF PREVIOUS MINUTES
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The minutes of the Strategic and Corporate Services Committee Meeting held on 2017-10-04, were **confirmed as correct.**

4.	REPORT/S BY THE DIRECTOR RE RESOLUTIONS TAKEN AT PREVIOUS COMMITTEE MEETINGS
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NONE

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

5.	REPORTS FROM OFFICIALS: STRATEGIC AND CORPORATE SERVICES
5.1	NON-DELEGATED MATTERS
5.1.1	ADOPTION OF DRAFT COMMUNICATION POLICY

Collaborator No: 589198
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 June 2018

1. SUBJECT: ADOPTION OF COMMUNICATION POLICY

2. PURPOSE

To consider the attached draft Communications Policy for recommendation to the Executive Mayor. The item outlines the objectives and key intentions of the Communication Policy. It further provides a summary of the Communication Policy's purpose and addresses financial, legislative and staff implications.

3. DELEGATED AUTHORITY

Council.

4. EXECUTIVE SUMMARY

The Municipality has made steady improvements in its attempts to streamline and formalise its communications with residents, businesses and other stakeholders. Ensuring that the right messages reach the intended audiences on the most appropriate platforms is an on-going task, which we aim to execute successfully with the guidance of this policy.

The aim of this Policy is to ensure that all forms of communication takes place in a well-coordinated and professional manner. This will allow us to consistently design clear and uniform messages that are able to support the realisation of the Municipality's Strategic Objectives.

The Communication Policy seeks to ensure that the Stellenbosch Municipality acknowledges the importance of Communication as a strategic management function and a fundamental part of its daily functioning. The Policy will guide all communication efforts, ensuring that they are always aligned to our vision, mission and values. The new policy is a newly drafted policy and not a review of the current Policy.

The Policy will provide clear procedural direction for the Communication Department and streamline communication efforts. It furthermore aims to provide direction and guidance on how the Stellenbosch Municipality conducts both internal and external communication, to promote –

- an informed and empowered workforce;

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
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- public participation and effective two-way communication between the Municipality and all external stakeholders; and
- the Stellenbosch Municipality brand as a whole.

The policy served before the Executive Mayoral Committee meeting in May 2018 and was referred to the portfolio committee for consideration and to make recommendations to the Executive Mayor before it is recommended to Council.

**RECOMMENDATIONS FROM CORPORATE AND STRATEGIC SERVICES
COMMITTEE MEETING TO THE EXECUTIVE MAYOR: 2018-06-20: ITEM 5.1.1**

- that the Mayoral Committee adopts the new Communication Policy; and
- that the new policy replaces the Communication Strategy approved in June 2015.

FOR FURTHER DETAILS CONTACT:

NAME	<i>STUART GROBBELAAR</i>
POSITION	<i>MANAGER: COMMUNICATIONS</i>
DIRECTORATE	<i>OFFICE OF THE MUNICIPAL MANAGER</i>
CONTACT NUMBERS	<i>X8172</i>
E-MAIL ADDRESS	<i>stuart.grobbelaar@stellenbosch.gov.za</i>
REPORT DATE	<i>10 May 2018</i>

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

5.1.2	FEEDBACK: GUIDELINES ON FLEXI-TIME
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Collaborator No: 4/11/10
 IDP KPA Ref No: Good Governance
 Meeting Date: 20 June 2018

1. SUBJECT:

GUIDELINES ON FLEXI-TIME

2 PURPOSE

To inform the Human Resources Portfolio Committee, Executive Mayor and Council of the guidelines on Flexi-time that was consulted with the trade unions.

3. DELEGATED AUTHORITY

Municipal Manager may approve flexi-time within the framework set by Council.

4. EXECUTIVE SUMMARY

Council approved the office hours for the Municipality and in line with the Collective Agreement on Conditions of Service approved by the SALGBC employees must work a 40 hour work week except for uniform staff who has a separate arrangement. The current office hours for the Municipality is 07h30 – 16h30 with a 30 minute lunch break between 13h00 and 13h30. For operational reasons there is a need to alter the official hours and the Municipal Manager can approve that in terms of section 55 of the Municipal Systems Act, section 32 of 2000 as amended. Guidelines on allowing staff to work alternative hours to that of the approved office hours were consulted with the trade unions and is attached as **APPENDIX A**. The Local Labour Forum approved the Guidelines and resolved that it be submitted to Council for noting.

RECOMMENDATION FROM CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING TO THE EXECUTIVE MAYOR: 2018-06-20: ITEM 5.1.2

That the Guidelines on Flexi-Time be noted and forwarded to Mayco and Council for information.

FOR FURTHER DETAILS CONTACT:

NAME	Annalene de Beer
POSITION	<i>Director: Corporate and Strategic Services</i>
DIRECTORATE	<i>Corporate and Strategic Services</i>
CONTACT NUMBERS	<i>021 808 8018</i>
E-MAIL ADDRESS	<i>Annalene.deBeer@stellenbosch.gov.za</i>
REPORT DATE	<i>21 November 2017</i>

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
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5.2	DELEGATED MATTERS
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5.2.1	MONTHLY REPORT: FEBRUARY 2018
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 June 2018

1. SUBJECT: FEBRUARY MONTHLY REPORT

2. PURPOSE

To inform the Committee of monthly activities in the Directorate: Strategic and Corporate Services as per Department for 2017/2018 Financial year.

3. DELEGATED AUTHORITY

For information to Portfolio Chairperson and the Municipal Manager.

4. DISCUSSION / CONTENT

(a) Document Management:

There were 5 agenda's and 3 sets of minutes of Council /Committee meetings distributed. The current system used for Document Management (Collaborator) has over the years not been updated regularly. A new and updated (synchronised) file plan for Collaborator is in process of being implemented, the implementation will take place in March 2018, this implementation will allow the management of records electronically and hand as from 1 April 2018. An Audit on Records Management took place on the 7th February 2018 and we are awaiting a report.

(b) Human Resources:

The Training department went through an extensive process of tenders to appoint service providers for trainings, this process is in its finale stage and training will take place from April- June 2018 to spend the current budget. The tenders enable the department to slot in July 2018. 3 Training interventions took place in February: Construction Road works NQF L2, Welding Pre- Assessment and MO-M6 Pre-Assessment. There were 3 appointments and 2 terminations, which bring the Municipalities, turnover rate to 0.18%.

Injury on duty incidents reported 6. The number of reported accidents / incidents has decreased, especially in Engineering Services and Community & Protection Services; an investigation must be done to prevent the reoccurrence of similar incidents; most of these injuries are body injuries.

Health and Safety Committee meetings took place on the 1 February- 6 March 2018. Strategic and Corporate Services needs to conduct a Health & Safety Representative election before the end of this year, in order to

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
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proceed with election of Safety Rep OHS is waiting for the approval of the Action Plan from the Director of Strategic & Corporate Services.

6 disciplinary hearings took place, 1 suspension, incapacities 4 and SALGBC (condonations/conciliations and Arbitrations) 3. The Local Labour Forum meeting was held on the 26th February 2018.

(c) Information Systems Technology:

The voice tender provides telephone lines connectivity. ICT has gone through a process to appoint service providers. The Voice tender bid has since been cancelled; by the BAC none of the tenders complied with the specifications. SCM granted approval to ICT to engage with Telkom on the solution required as they are the only service providers that can provide the specifiers required.

The ICT team has met with Telkom representatives to supply them with our needs and scope of the project. A full assessment of all sites regarding network infrastructure has been made available to the Telkom team.

Server Room Clean Up:

A tender specification was successfully developed and packaged to the Bid Specification Committee for the approval of the new server room. Parallel to this the ICT department is applying for the extension of the BVI contract to project manage the entire fitting of the Data Centre as per prepared specification.

Disaster recovery site:

The disaster recovery site is running smoothly. A test to determine if we can recover data in case of a disaster has taken place.

DC Media Project Extension

The winning bidder has installed 2 screens – one in our Main Entrance foyer and the other in our Cashiers / Payments foyer. Scheduled work will continue with commissioning of the additional screens set for 18th March 2017.

Free Wi-Fi Project

Tender BSM 40/17 Supply and Delivery of Wireless Hardware Equipment has been advertised inviting all interested Service Providers to submit bids for the extension of the Free Wi-Fi solution currently in place. This bid has a closing date of 24 March 2018.

Hardware Security – FIREWALL

Tender BSM 71/17 Supply and Installation of Next Generation Firewall with Unified Threat Management and Licensing have been advertised with a closing date of 31 March 2017. This bid will be used to replace the

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
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current out-dated infrastructure currently in place protecting our core network.

Application Systems Activities

The Kronos Server was started on 1 February 2018. Strategic and Corporate Services Managers do have access to the server as well as the other department's Managers. Kronos systems training is due on the 19th February 2018. Software licenses due for renewal on 1st July 2019: *VMware, Mimecast, Kaspersky*.

(d) Municipal Court:

The Municipal Court revenue for the month is R 297 000.00. 668 warrants have been authorised and 871 cases were placed on role, struck off role 3, Payments 43, deferment 9, withdrawn cases 148 and mediations 0.

(e) Legal Services:

The legal Services department is assisting other departments with any requests sent to them as indicated in **ANNEXURE E**.

(f) Contract Management:

This section mainly deals with Supply Chain Contracts. Activities are indicated in **ANNEXURE F**.

**CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING: 2018-06-20:
ITEM 5.2.1**

RESOLVED

That Strategic and Corporate Services report for February 2018 is noted.

FOR FURTHER DETAILS CONTACT:

NAME	AKHONA MDUZANA
POSITION	SENIOR ADMINISTRATIVE OFFICER
DIRECTORATE	STRATEGIC AND CORPORATE SERVICES
CONTACT NUMBERS	021 808 8182
E-MAIL ADDRESS	<i>Akhona.Mduzan@ Stellenbosch.gov.za</i>
REPORT DATE	

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

5.2.2	MONTHLY REPORT: MARCH 2018
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Collaborator No:

IDP KPA Ref No:

Meeting Date:

Good Governance and Compliance

20 June 2018

1. SUBJECT: MONTHLY REPORT MARCH 2018

2. PURPOSE

To inform the Committee of monthly activities in the Directorate: Strategic and Corporate Services for the month of March 2018.

3. DELEGATED AUTHORITY

For information to Portfolio Chairperson and the Municipal Manager.

4. DISCUSSION / CONTENT

a) Document Management:

There were 10 agenda's and 11 minutes of Council /Committee meetings distributed. The current file classification system has a severe backlog resulting from bulk internal transfer remains, impacting on service delivery. There is no progress on the procurement of CO² Fire Extinguisher, Identified by Western Cape Archives and Records Service during Provincial audit.

b) Human Resources:

The Skills Development section evaluated tenders, and served at the Bid Adjudication Committee on the 26th March 2018. The BAC awarded the tenders who were compliant in terms of the specification requirements. Some service providers were non-compliant due to outstanding documentation therefore not all tenders were awarded. Training interventions that took place in March: Construction Road works NQF L2, Local Government Advance Accounting Certificate and Electrical Modular M0-M6 Training. Funded vacant positions as at 1 March 2018 is 141, resulting in a vacancy rate (*total funded vacant/total budgeted posts x 100*) of 11.08%. There were 15 appointments and 8 terminations, which brings the Municipalities turnover rate to 0.71%.

The Municipalities injury on duty incidents reported 5, no injuries reported for Strategic & Corporate Services. Health and Safety Committee meetings took place on the 26-29 March 2018. A bid has not yet being awarded for the Health & Safety Training, Skills development will communicate the date as soon as the service provider has been appointed and a discussion regarding the training has taken place.

2 disciplinary hearings took place, 1 suspension, incapacities 2 and SALGBC (condonations/conciliations and Arbitrations) 5. The Local Labour Forum meeting was held on the 26th March 2018.

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

c) Information Systems Technology:

A specification for the procurement of a PABX has been forwarded to the BSC for review and approval. This specification will address the current and future needs of the Municipality.

Server Room Clean Up:

The Bid Specification Committee approved the specification and the formal bid was advertised across all mediums. A clarification meeting has been scheduled for the 5th April 2018 in the Council Chambers. The BVI contract has been successfully extended with the consultant leading the clarification meeting.

Disaster recovery site:

The disaster recovery site is running smoothly. A test to determine if we can recover data in case of a disaster has taken place in March 2018.

DC Media Project Extension

Additional screens (10) were purchased in by way of a tender. Delivery has been taken of the screens and supporting hardware for the streaming of the content. Invoice for such delivery has been signed and payment raised. The placement of the screens is still to be officially confirmed.

Free Wi-Fi Project

Tender BSM 40/17 Supply and Delivery of Wireless Hardware Equipment has been advertised inviting all interested Service Providers to submit bids for the extension of the Free Wi-Fi solution currently in place. This bid has a closing date of 24 March 2017.

Hardware Security – FIREWALL

Tender BSM 71/17 Supply and Installation of Next Generation Firewall with Unified Threat Management and Licensing have been advertised with a closing date of 31 March 2018. This bid will be used to replace the current out-dated infrastructure currently in place protecting our core network.

The intention is to review the key sites across the Stellenbosch Municipality and purchase in mini firewalls working in conjunction with the main firewall to further protect the ICT assets and software from being disrupted.

Application Systems Activities

The process was reviewed and the following took place:

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

Biometric scanning:

- A total of **755 users** are registered and **325 employees** started using the biometric system on the **9th of April 2018**.
- **Payday_system:** The registration of new employees is still part of the induction process. The registration of employees process has been adjusted whereby new employees will be created on the Payday system prior to the **first day** on commencement of service to allow the Employee biometric system be updated. New employees will be registered on the first day of service unto the biometric system.
- **Network_connection:** The biometric clock makes use of backup batteries in order to operate during power outages. The clocks have been set to operate in the absence of a network connection and will transfer data as soon as a data connection is operational. We are busy to determine the status all the municipal working areas.
- **Future Planning:** Installation of new biometric clocks.
- A list of sites installation is included in **ANNEXURE C**

d) Municipal Court:

The Municipal Court revenue for the month was R325 780.00. 287 warrants authorised and 442 cases were placed on role, struck off role 3, Payments 8, deferment 4, withdrawn cases 120 and mediations 0.

e) Legal Services:

The legal Services department is assisting other departments with any requests sent to them as indicated in **ANNEXURE E**.

f) Contract Management:

This section mainly deals with Supply Chain Contracts. Activities are indicated in **ANNEXURE F**.

**CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING: 2018-06-20:
ITEM 5.2.2**

RESOLVED

That Strategic and Corporate Services report for March 2018 is noted.

FOR FURTHER DETAILS CONTACT:

NAME	AKHONA MDUZANA
POSITION	SENIOR ADMINISTRATIVE OFFICER
DIRECTORATE	STRATEGIC AND CORPORATE SERVICES
CONTACT NUMBERS	021 808 8182
E-MAIL ADDRESS	<i>Akhona.Mduzan@stellenbosch.gov.za</i>
REPORT DATE	

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

5.2.3	MONTHLY REPORT: APRIL 2018
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Collaborator No:
IDP KPA Ref No: Good Governance and Compliance
Meeting Date: 20 June 2018

1. SUBJECT: MONTHLY REPORT APRIL 2018

2. PURPOSE

To inform the Committee of monthly activities in the Directorate: Strategic and Corporate Services for the month of April 2018.

3. DELEGATED AUTHORITY

For information to Portfolio Chairperson and the Municipal Manager.

4. DISCUSSION / CONTENT

a) Document Management:

There were 2 agenda's and 3 minutes of Council /Committee meetings distributed. Terminated system (Electrical): Ephemeral retention symbols were approved by Managers and will be submitted to WCARS for approval. Decentralized Planning Archives will relocate to current Building Control accommodation.

b) Human Resources:

Training pre-assessments started in April 2018. The below training interventions took place in April/May: Construction Road works NQF L2, Electrical Modular M0-M6 Training, Code EC Driver's License, Flagman Pre-Assessments, Roadside Safety Pre-Assessments, Laying of Sub Surface Drains, Use and Maintain Small Plant & equipment on a construction site, Portable Angle Grinder, Chlorine Handling, Advance Driving Pre-Assessments, Pave Surfaces Pre-Assessments. Funded vacant positions as at 1 April 2018 is 141, resulting in a vacancy rate (*total funded vacant/total budgeted posts x 100*) of 10.74%. There were 3 appointments and 1 termination, which brings the Municipalities turnover rate to 0.08%.

The Municipalities injury on duty incidents reported 7, no injuries reported for Strategic & Corporate Services. Health and Safety Committee meetings took place on the 16-26 April 2018. A service provider has been appointed to service the Fire extinguishers.

4 disciplinary hearings took place, 1 suspension, incapacities 2 and SALGBC (condonations/conciliations and Arbitrations) 5. The Local Labour Forum meeting was held on the 26th March 2018.

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

c) Information Systems Technology:

BID BSM 96/18: Supply, installation, maintenance and support of an IP based PABX with a switchboard for a period of 3 years has been advertised on the 22nd April 2018. A compulsory clarification meeting was held on the 30th April 2018 in the Council Chambers. The bid closes on the 25th May 2018.

Server Room Clean Up:

The tender was published and the bid closes on the 4th May 2018.

Disaster recovery site:

The DR project implementation was successfully completed over the weekend of the 29th April 2017. The following 2 weeks ending 12th May 2017 were used to monitor the replication and backup of data between the production and DR site.

DC Media Project Extension

A further 6 screens have been installed with the remaining 2 being held in storage whilst renovation work is done in Pniel and Klapmuts. Training and software publishing sign off will take place based on the availability of key staff and the vendor.

Free Wi-Fi Project

The 50 access points have been successfully installed in and around the Stellenbosch WC024 area. A backup stock of 5 access points have been kept in store to assist in the case of any hardware failures.

Hardware Security – FIREWALL

The intention is to review the key sites across the Stellenbosch Municipality and purchase in mini firewalls working in conjunction with the main firewall to further protect the ICT assets and software from being disrupted.

Application Systems Activities

The process was reviewed and the following took place:

Biometric scanning:

- A total of **755 users** are registered and **325 employees** started using the biometric system up until the **9th of April 2018**.
- **Payday_system:** The registration of new employees is part of the induction process. The registration of employees process has been adjusted whereby new employees will be created on the Payday system prior to the **first day** on commencement of service to allow the Employee biometric system be updated. New employees will be registered on the first day of service unto the biometric system.
- **Future Planning:** Installation of new biometric clocks

**MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20**

d) Municipal Court:

The Municipal Court revenue for the month was R 453 410-00. 498 warrants authorised and 740 cases placed on role, struck off role 0, Payments 25, deferment 3, withdrawn cases 124 and mediations 0.

e) Legal Services:

The legal Services department is assisting other departments with any requests sent to them as indicated in **ANNEXURE E**.

f) Contract Management:

This section mainly deals with Supply Chain Contracts. Activities are indicated in **ANNEXURE F**.

**CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING: 2018-06-20:
ITEM 5.2.3**

RESOLVED

that Strategic and Corporate Services report for April 2018 is noted.

MINUTES CORPORATE AND STRATEGIC SERVICES COMMITTEE MEETING
2018-06-20

6.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

7.	NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER
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NONE

8.	CONSIDERATION OF URGENT MATTERS
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NONE

The meeting adjourned at 16:15.

CHAIRPERSON:

DATE:

Confirmed on **with/without amendments**

4.	REPORT/S BY THE DIRECTOR RE RESOLUTIONS TAKEN AT PREVIOUS COMMITTEE MEETINGS
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NONE

5.	REPORTS FROM OFFICIALS: CORPORATE SERVICES
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5.1	NON-DELEGATED MATTERS
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5.1.1	ADOPTION OF REVISED SYSTEM OF DELEGATIONS
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Collaborator No:

IDP KPA Ref No: *Good Governance*

Meeting Date: **2 September 2019**

1. SUBJECT: ADOPTION OF REVISED SYSTEM OF DELEGATIONS

2. PURPOSE

To submit the proposed amended System of Delegations for discussion at the Section 80 committees to provide feedback to MAYCO and Council on any inputs on the delegations that affects the functions of the specific section 80 committees.

3. DELEGATED AUTHORITY

Council to approve.

4. EXECUTIVE SUMMARY

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system, may:

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality’s IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality’s political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality’s duties; and
- (c) withdraw any delegation or instruction.

Section 59(2)(f) provides, inter alia, that the system of delegations developed in terms of section 59(1) by Council must be reviewed when a new council is elected.

The current system of delegations was approved by the previously elected Council. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to “*Note the existing System of Delegations*”. Council has not fulfilled its obligation in terms of section 59(2)(f) to review the system of delegations after its election in 2016. A revised system of delegations has been tabled after the election but was not considered.

The Delegations have been revised in its totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made. The changes as discussed at the workshop on 13 February 2018 are included in the attached document.

Council considered the delegation on 28 August 2019 and the following ruling was made by the Speaker:

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

“The Speaker RULED

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via the MAYCO.

5. RECOMMENDATIONS

- (a) that it be noted that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (b) that the section 80 committee consider the provisions of delegations in regard to the functions relevant to the committee and provide input at the meeting for consideration.

6. DISCUSSION / CONTENTS

6.1 Background

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances.

6.2 Discussion

In terms of Section 59(2)(f), such System of Delegations must be reviewed when a new Council is elected.

The Local Government elections took place on 3 August 2016 and a System of Delegations was tabled at the first Council meeting on 15 August 2016. The recommendation to adopt the delegations was not approved and the Speaker ruled that Council NOTED the existing System of Delegations. The last time that the delegations were reviewed was in 2015.

In terms of section 59 of the Local Government: Municipal Systems Act, 32/2000, a Municipal Council must develop a System of Delegations that will

maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with such system, may:

- (a) delegate appropriate powers excluding the powers referred to in section 160(2) of the Constitution, the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b), to approve or amend the Municipality's IDP, and any other provision in legislation conferring the powers to Council alone. The delegations may be made to any of the Municipality's political structures, political office bearers, councillors or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the Municipality's duties; and
- (c) withdraw any delegation or instruction.

The current system of delegations was approved by the previously elected Council in 2015. The current Council did not adopt the System of delegations – the Speaker ruled on 15 August 2016 to Note the existing System of Delegations.

The Delegations must be reviewed in order to align with, amongst others:

- Municipal Assets Transfer Regulations;
- Preferential Procurement Regulations; and
- Cost Containment Regulations.

The Delegations have been revised in totality and a new format was used in an attempt to link legislation and the different authorities to whom delegations are made in order to make it more user friendly. It is therefore not possible to show individual changes as it was changed as a whole.

The Directors all made their inputs in regard to their functional fields. To comply with the legal directive of maximizing administrative and operational efficiency, a high degree of sub-delegations to Directors, Managers, Heads of Departments and other senior employees are provided for. Although every effort was made to ensure that the new proposed system of delegations is accurate and incorporates the delegations, it may be that certain minor administrative overlaps and omissions can be identified.

There are policies and by-laws that are currently under review and those have not been included in the System of Delegations. It is therefore recommended that when a new policy or By-law is approved, the delegations are approved with it and then administratively added to the System of Delegations.

A workshop with Councillors took place on 13 February 2018. The changes as discussed at the workshop are included in the attached document.

6.3 Financial Implications

As per the approved budget.

6.4 Legal Implications

Compliance with Section 59(1) of the Systems Act and various other legislative measures as listed in the definitions and interpretations contained in part 1 of the System of Delegations.

6.5 Staff Implications

If any additional staff has to be appointed permanently it will only be done within the framework of a Council-approved structure and with the necessary budgetary provisions.

6.6 Previous / Relevant Council Resolutions

Council resolution dated 15 August 2016, containing the Speaker's ruling.

6.7 Risk Implications

Delegations must maximize administrative and operational efficiency and provide for adequate checks and balances.

6.8 Comments from Senior Management

The item was discussed at the Director's meeting and the workshop, and the Directors' inputs are contained in the report.

6.8.1 Chief Financial Officer

Agree with the recommendations

6.8.2 Municipal Manager

Agree with the recommendations

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-14: ITEM 7.2.3

that this item be deferred to a continuation meeting on 20th August 2019.

RECOMMENDATIONS FROM THE EXECUTIVE MAYOR, IN CONSULTATION WITH THE EXECUTIVE MAYORAL COMMITTEE, TO COUNCIL: 2019-08-20: ITEM 7.2.3

- (a) that Council adopts the attached revised System of Delegations as set out in **APPENDIX 2** as the primary source of the delegations from 1 September 2019;
- (b) that Council takes note that by-laws or policies that are in the process of being revised and that are not included in the delegations will be taken up in the delegations administratively after the approval of the amended by-law or policy, and that the current delegations attached to those by-laws and policies remain in effect till such time it is revised; and
- (c) that all political office bearers, political structures, the Municipal Manager, Directors, Senior Managers, Managers, Heads of Departments and all other identified officials be hereby authorised to exercise on behalf of the Council the delegated powers designated to them in terms of **APPENDIX 2**.

30TH COUNCIL MEETING: 2019-08-28: ITEM 11.2.3

The Speaker **RULED**

that, after consultation with the Executive Mayor, this matter be referred to all the Section 80 Portfolio Committee meetings in September 2019, where after same be resubmitted to the September 2019 Council meeting via MAYCO.

ANNEXURES

Appendix 1 – Council resolution dated 15 August 2016.

Appendix 2 – System of Delegations (**APPENDIX 2 of the System of Delegation document is distributed under separate cover**)

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Corporate Services
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REPORT DATE	29 August 2019

APPENDIX 1

6.8 ADOPTION OF SYSTEM OF DELEGATIONS

File number : 3/P/7

Report by : Acting Municipal Manager

Compiled by : Director: Strategic & Corporate Services

Delegated Authority : Council

1. LEGAL FRAMEWORK**1.1 System of Delegation**

In terms of Section 59 of the Local Government: Municipal Systems Act, Act 32/2000, a municipal council must develop a system of delegations that will maximize administrative and operation efficiency and provide for adequate checks and balances, and, in accordance with such system may:-

- (a) delegate appropriate powers, excluding a power mentioned in Section 160(2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of Section 76(b) and to approve or amend the municipality's IDP, to any of the municipality's political structures, political office bearers, councillors, or staff members;
- (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties; and
- (c) withdraw any delegation or instruction.

A copy of Council's current approved System of Delegations is **distributed under separate cover as an APPENDIX.**

1.2 Review of Delegations

In terms of Section 59(2)(f), such System of Delegations must be reviewed when a new Council is elected.

In terms of Section 65, whenever it becomes necessary in terms of Section 59(2)(f)(supra) to review a municipality's delegations, the Municipal Manager must submit to Council:-

- (a) a report on the existing delegations issued in terms of section 59; and
- (b) recommendations on any changes to the existing delegations which the Municipal Manager may consider necessary.

If the municipality has an Executive Committee or Executive Mayor, the Municipal Manager must submit such report and any recommendations to the Council through the Executive Committee or Executive Mayor.

RECOMMENDED

that Council adopts the existing System of Delegations.

(ACTING MUNICIPAL MANAGER TO ACTION)

1st COUNCIL MEETING: 2016-08-15: ITEM 6.8

the Speaker **RULED**

that Council **NOTES** the existing System of Delegations.

(ACTING MUNICIPAL MANAGER TO ACTION)

5.2	DELEGATED MATTERS
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NONE

6.	REPORTS SUBMITTED BY THE MUNICIPAL MANAGER
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NONE

7.	NOTICES OF MOTIONS AND NOTICES OF QUESTIONS RECEIVED BY THE MUNICIPAL MANAGER
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NONE

8.	CONSIDERATION OF URGENT MATTERS
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