BACK TO BASICS
Serving Our Communities Better!

TO BUILD A RESPONSIVE, CARING AND ACCOUNTABLE LOCAL GOVERNMENT
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1 Introduction and Background

Local government is a primary point of delivery and is where most citizens interface with government. Our vision of a developmental local government system was that it would be the building block on which the reconstruction and development of our country and society was built, a place in which the citizens of our country could engage in a meaningful and direct way with the institutions of the state.

The country has just concluded a successful national and provincial elections exercise. These elections were the fifth in the history of South Africa, thus proving the maturation of our democracy. The next municipal elections will be held in 2016, in just less than two years’ time. Local government has been a primary site for the delivery of services in South Africa since 1994. We have made tremendous progress in delivering water, electricity, sanitation and refuse removal at a local level. These rates of delivery are unprecedented in world-wide terms.

Yet despite our delivery achievements, our governance system is a cause for concern. It is clear that much needs to be done to support, educate and where needed, enforce implementation. The transformation of the local government sector remains a priority for the current administration. Our National Development Plan makes it clear that meeting our transformation agenda requires functional municipalities and a capable machinery at a local level that can create safe and healthy and economically sustainable areas where citizens and people can work, live and socialise.

It is therefore important to understand where we are, where we could be and what needs to be done. Our goal is to improve the functioning of municipalities to better serve communities by getting the basics right.

1.1 What has been achieved so far?

Much has been achieved in building local government since 1995. We have put in place a decentralized system of local government that is enshrined in our Constitution as a ‘distinctive, interdependent and interrelated’ sphere of government. We have backed this up with a suite of local government legislation and policy that is world class, supported by a transparent system of intergovernmental grants that enables municipalities to perform their roles. Under a democratic dispensation we have established a wall to wall system of municipalities that integrated communities previously divided by apartheid. The Local Government White Paper put forward a vision of local government as a key
component of the developmental state, and in pursuit of that vision, services have been progressively extended to more citizens than ever before.

We have over the years implemented various programme aimed at giving further elaboration to the mandate and strategic and operational support to local government’s functioning. These include a set of municipal toolkits, programmes like project consolidate and most recently the Local Government Turnaround Strategy.

1.2 What are the remaining challenges?

Yet despite our delivery achievements, municipalities have been confronted by a series of problems. Institutional incapacity and widespread poverty have undermined the sustainability of the local government project, leading in some instances to a catastrophic breakdown in services. The viability of certain municipalities is a key concern. The low rate of collection of revenue continues to undermine the ability of municipalities to deliver services to communities. Our municipalities also need to be driven by appropriately skilled personnel and their correct placement. Slow or inadequate responses to service delivery challenges are in turn linked to the breakdown of trust in the institutions and councillors by communities. Social distance by our public representatives is a major cause for concern. This reflects inadequate public participation and the functionality of ward councillors and committees.

The so-called service delivery protests are a reflection of community frustration with these failures, and have generated a negative narrative and perceptions for municipalities. This is compounded by widespread
instances of rent seeking and corruption amongst public representatives, reflecting a broader breakdown in the values and principles that should be guiding the people we have elected or appointed to lead the local government system.

A recent review \(^1\) by COGTA of South Africa's 278 municipalities has revealed that we are still some way away from transformed municipal practices. The review established three groups of municipalities. The first group, of some 37% of all municipalities, comprise cases where municipalities have got the basics right, even though they still have much to do. Within this group, only 7% of municipalities could be regarded as municipalities doing well. In these municipalities the basics are in place, and there are innovative practices to ensure sustainability and resilience. This small core represent the desired (ideal) state for all our municipalities.

The second group of some 32%, are almost dysfunctional and need assistance to get the basics right. Overall performance is barely average. While the basics are mostly in place and the municipalities can deliver on the traditional functions of local government, we also find areas of degeneration and collapse that are worrying signs.

The third group of some 31% are dysfunctional and significant work is required to get them to get the basics right. Among others we find in this category endemic corruption, dysfunctional councils, no structured community engagement and participation systems, and poor financial management leading to continuous negative audit outcomes. There is a poor record of service delivery and service management functions such as fixing potholes, collecting refuse, maintain public places, fixing street lights, etc. While most of the necessary resources to render the functions or maintain the systems are available, the basics are not in place. It is in these municipalities that we are failing our people dramatically, and where we need to be intervening urgently in order to correct the decay in the system.

\(^1\) From State of LG presentation
2 A Programme for Change

We need to do things differently if we want different solutions. “We cannot solve today’s problems with the same level of thinking that created the problems in the first place” (Albert Einstein). The situation needs a change of paradigm that focuses on serving the people and not political elites and organizations. This is the essence of our ‘back to basics’ approach.

At the most basic level, we expect municipalities to:

1. Put people and their concerns first and ensure constant contact with communities through effective public participation platforms.
2. Create conditions for decent living by consistently delivering municipal services to the right quality and standard. This includes planning for and delivery of infrastructure and amenities, maintenance and upkeep, including the budgeting to do this. Ensure no failures in services and where there are, restore with urgency.
3. Be well governed and demonstrate good governance and administration - cut wastage, spend public funds prudently, hire competent staff, ensure transparency and accountability.
4. Ensure sound financial management and accounting, and prudently manage resources so as to sustainably deliver services and bring development to communities.
5. Build and maintain sound institutional and administrative capabilities administered and managed by dedicated and skilled personnel at all levels.

Changing strategic orientation is no mean feat and it requires leadership and political will. At the same time we need a collective effort and unity of purpose and partnership with leaders in local government, provinces and national government. There is a need to improve the political management of municipalities and be responsive to the needs and aspirations of local communities. We desperately need leadership with a vision to change and the calibre to drive the change process. We need leadership that will inspire and organize for our common purpose of improving services to our people.

Each functionary needs to understand the core mandate and orientation, understand their specific role in delivering the local government vision as envisaged in the White Paper and act in a manner that ensures that local government primarily serves its people by delivering basic services.

Our actions need to move from intent to generating impact on the ground. We will have to mobilise massive support from those who are willing to change for the better and isolate those who seek to push back
progressive change amongst us. The strategy for our campaign will be based on supporting and educating the coalition of the willing as well as enforcing compliance through legislation and regulation to achieve our goals. In other words, we will have to push, incentivise, disincetivise and embarrass those who are not willing to change.

2.1 A differentiated approach

Our transformational agenda focuses on the three groups we identified under ‘Challenges’ above – these are differentiated according to the degree to which they are well governed. Our recent assessment of the state of municipalities indicates that a significant number of municipalities are just below the middle path or are in a critical state of dysfunction. Our aim is encouraged all municipalities to become positively functional centres of good governance.

Our immediate priorities for transformation are therefore going to be:

- **Priority 1**: Get all municipalities out of a dysfunctional state and at the very least able to perform the basic functions of local government. We will do this through enforcement of current policies and legislation, and systematically managing performance and accountability, and enforcement of the system for managing consequences. Minimum performance requirements include ensuring the proper functioning of council structures and council processes, and the provision of basic services.

- **Priority 2**: Support municipalities that are at a minimum basic level of performance to progress to a higher path. Here the focus will be on building strong municipal administrative systems and processes. It includes ensuring that administrative positions are filled with competent and committed people whose performance is closely monitored. The oversight system for local government must be improved through creating real-time monitoring systems. A targeted, vigorous and brisk response must ensure that corruption and fraud are rooted out. Measures will be taken to ensure that municipalities engage with their communities. Support measures will be put in place to create an enabling environment for local economic development to stimulate competitive, inclusive and sustainable economies.
• **Priority 3**: Support and incentivise municipalities that are performing well to remain there. Given that in these municipalities the basics are largely in place, the main focus here will be on transforming the local space economy and integrating and densifying our communities to improve sustainability. In this regard, the Integrated Urban Development Framework provides an important building block. The National Spatial Development Framework must be developed to ensure effective alignment of our national economic, environment and social programmes with those of our municipalities. We will develop innovative ways to incentivise those municipalities doing well.

2.2 Managing performance

The primary problem we face in the local government system is that we don’t recognise and reward good performance adequately, nor are there sufficient consequences for under-performance. We are therefore going to institutionalise a performance management system to effect the changes that we require in the system. We will develop and finalize a set of indicators as per the pillars of the Back-to-Basics approach. These indicators will measure whether municipalities are performing in terms of the ‘basics’, namely:

- Putting people first
- Delivering basic services
- Good governance
- Sound financial management
- Building capacity

Later in this document we set out in some detail the reports that municipalities should submit to monitor performance. We will introduce regulations to ensure that reporting on these indicators is legislated – this will ensure that reports are submitted and analysed and corrective action taken where necessary.

Our aim is give all South Africans a basic set of tools by which they can hold their municipalities to account and measure whether they are living up to their promises. The Back-to-Basics indicators will be collated and published for public use.
On the basis of the performance indicators, we will confirm the classification of municipalities to identify those below the middle path, and in these municipalities identify the interventions required, and develop implementation plans for each municipality. We will also follow up non-performance and enforce compliance with legislative and regulatory provisions. The Back-to-Basics indicators will be included in the performance contracts of the senior managers. We will also introduce reforms to strengthen the system of performance management, for example, to regulate or influence the payment of performance bonuses.

Where necessary, we will not hesitate to fulfil the constitutional and policy mandate for national and provincial government to intervene and guide municipalities. There is a need to reassert the unitary nature of our political dispensation. In strengthening the system of interventions by national and provincial government, we will establish a panel of experts to advise on intergovernmental disputes, particularly related to application of Sections 139 of the Constitution and act on the recommendations.

Where corruption and mismanagement have been identified, we will not hesitate to make sure these are decisively dealt with through provisions such as asset forfeiture and civil claims.

2.3 Building blocks of Back-to-Basics approach

2.3.1 Good Governance
Good governance is at the heart of the effective functioning of municipalities. Municipalities will be constantly monitored and evaluated on their ability to carry out the following basics:

- The holding of Council meetings as legislated.
- The functionality of oversight structures, s79 committees, audit committees and District IGR Forums
- Whether or not there has been progress following interventions over the last 3 – 5 years.
- Assess the existence and efficiency of Anti-Corruption measures.
- The extent to which there is compliance with legislation and the enforcement of by laws
- The rate of service delivery protests and approaches to address them
2.3.2 Public Participation
Measures will be taken to ensure that municipalities engage with their communities. We will enforce compliance with the provisions of the Municipal Systems Act on community participation. Municipalities must develop affordable and efficient communication systems to communicate regularly with communities and disseminate urgent information. The basic measures to be monitored include:

- Assessing the existence of the required number of functional Ward committees.
- The percentage of ward committee’s grants spent.
- The number of council effective public participation programmes conducted.
- The regularity of community satisfaction surveys carried out.

2.3.3 Financial Management
Sound financial management is integral to the success of local government. National Treasury has legislated standards and reporting requirements, and based on our monitoring of the indicators, we will identify the key areas emerging from the profiles and partner with National Treasury to support the remedial process. Performance against the following basic indicators will be constantly assessed:

- The number disclaimers in the last three – five years.
- Whether the budgets are cash backed.
- The percentage revenue collected.
- The extent to which debt is serviced.
- The efficiency and functionality of supply chain management.

2.3.4 Infrastructure Services
The planning, implementation and maintenance of basic infrastructure is critical for sustaining basic standards of living and economic activity in our towns and cities. All municipalities will develop service standards for each service, and will establish systems for monitoring adherence to these standards. Municipalities will be required to report on ward-level service delivery plans. We expect municipalities to perform the following basic activities, and the performance indicators will measure the ability of our municipalities to do so:
• Develop fundable consolidated infrastructure plans.

• Ensure Infrastructure development maintenance and reduce losses with respect to:
  o Water and sanitation.
  o Human Settlements.
  o Electricity.
  o Waste Management.
  o Roads.
  o Public Transportation.

• Ensure the provision of Free Basic Services and the maintenance of Indigent register

2.3.5 Institutional Capacity
There has to be a focus will be on building strong municipal administrative systems and processes. It includes ensuring that administrative positions are filled with competent and committed people whose performance is closely monitored. Targeted and measurable training and capacity building will be provided for Councillors and municipal officials so that they are able to deal with the challenges of local governance as well as ensuring that scarce skills are addressed through bursary and training programmes. The basic requirements to be monitored include:

• Ensuring that the top six post (Municipal Manager, Finance, Infrastructure Corporate Services, Community development and Development Planning) vacancies are filled by competent persons (qualifications)

• That the municipal organograms are realistic, underpinned by a service delivery model and affordable;

• That there are implementable human resources development and management programmes; and

• There are sustained platforms to engage organised labour to minimise disputes and disruptions
3 Roles and responsibilities

All three (3) spheres of government have an important role to play in ensuring well-functioning municipalities. Recognising the need for inter-sphere collaboration, this section assigns specific responsibilities to the spheres and in addition existing intergovernmental platforms like MinMec will be used to monitor and review progress.

Throughout this transformative process COGTA will lead national and provincial governance programmes at a local level to ensure they are properly aligned with local governance and local spatial development frameworks. Real-time monitoring systems will be put in place to ensure that governance is democratic, effective, efficient and economic.

We will, however, not rely on audits to measure performance as these are done after the fact. Instead real-time monitoring systems must be put in place and we will require brisk responses to problems and challenges. Collectively all spheres of government will need to be actively involved.

To this end COGTA has established a ‘war room’ and national monitoring system, and is working with provinces and municipalities to establish equivalent structures with respect to their own areas of influence and responsibility.

3.1 National government programmes of enforcement and support:

Building from the work done to date, COGTA will act as a catalytic agency to lead the coordination and enforcement of good practice across our municipalities. Here, we will ensure all spheres of governance will play their part.

3.1.1 Good governance
- Collective efforts will be employed to manage political tensions and ensure a healthy political / administrative interface.
- Capacity building for councillors and senior officials will be prioritised and coordinated.

3.1.2 Public Participation: Putting people first
- Conduct regular national citizen satisfaction surveys.
- Assist municipalities in developing community engagement plans targeting hotspots and potential hotspots areas.
• National and Provincial sector departments to increase their visibility and support to Thusong Centres.
• CoGTA to work with GCIS to improve communication in order to showcase local government successes and use them as learning opportunities for other municipalities.

3.1.3 Basic Services: Creating conditions for decent living
• CoGTA will support the development and implementation of comprehensive infrastructure and maintenance plans in municipalities, with at least 7% of operational budgets going to maintenance of infrastructure. This will include infrastructure audits.
• CoGTA will develop and implement real-time systems to monitor service delivery interruptions.
• CoGTA will provide institutional support to improve expenditure, to target backlogs and to ensure municipalities acquire relevant skills for infrastructure management.
• CoGTA will coordinate collaboration of service delivery initiatives of national government departments under auspices of the IMC.
• The Inter-Ministerial Basic Service Delivery Task Team will assist in unblocking and fast-tracking service around the country.
• CoGTA, Department of Water and Sanitation, Department of Rural Development and Land Reform and The Department of Human Settlements to intensify the implementation of a pipeline of projects in the 27 Districts with particular focus on water and sanitation to targeted areas.

3.1.4 Sound financial management
• National and Provincial CoGTAs and Provincial Treasuries will assess and address capacity deficiencies of municipalities to develop and implement Audit and Post Audit Action plans.
• National and Provincial CoGTAs and Provincial Treasuries will assess the credit control and debt collection policies, including the elimination of theft of services, and by-laws for adequacy, and support the implementation thereof.

3.1.5 Building Capable Institutions and Administrations
• All municipalities will be monitored and supported to approve their organograms and timeously fill vacancies.
• COGTA and National Treasury will collectively enforce the implementation of MSA and MFMA regulations.
• COGTA will develop guidelines on shared services and inter-municipal collaboration.
3.2 Provincial Government programmes of enforcement and support

3.2.1 Good governance
- Province to intensify monitoring and support of Council meetings where there is evidence of dysfunctionality.
- MEC to take action in terms of the Code of Conduct for Councillors.

3.2.2 Public Participation: Putting people first
- Assist municipalities in developing community engagement plans targeting hotspots and potential hotspots areas.
- Provincial sector departments to increase their visibility and support to Thusong Centres.

3.2.3 Basic Services: Creating conditions for decent living
- Provinces to establish/strengthen Rapid Response Teams capabilities to address challenges.
- Monitor implementation plans of municipalities.

3.2.4 Sound financial management
- National and Provincial CoGTAs and Provincial Treasuries to assess and address capacity deficiencies of municipalities to develop and implement Audit and Post Audit Action plans.
- Provincial CoGTAs and Treasuries to assess and address capacity deficiencies of municipalities to develop and implement procurement plans.
- Provincial Treasuries to support municipalities in the development and implementation of financial recovery plans.
- National and Provincial CoGTAs and Provincial Treasuries to assess the credit control and debt collection policies and by-laws for adequacy, and support the implementation thereof.

3.2.5 Building Capable Institutions and Administrations
- Monitor and support the filling of vacancies with competent personnel.
- In collaboration with SALGA, monitor the functionality of local labour forums, identify weaknesses and intervene.
- National and provincial government to support municipalities to develop appropriate organograms.
- Develop and implement appropriate capacity building interventions.
3.3 Local Government programmes

In support of the legislated functions, municipalities will work to ensure the following:

3.3.1 Good governance

- Municipalities will ensure transparency, accountability and regular engagements with communities.
- All municipal council structures must be functional and meet regularly.
- Council Meetings to sit at least quarterly.
- All Council Committees sitting and processing items for council decisions.
- Clear delineation of roles and responsibilities between key leadership structures.
- Functional oversight committees must be in place, e.g. Audit Committee and MPAC’s.

3.3.2 Public Participation: Putting people first

- Implement community engagement plans targeting hotspots and potential hotspots areas.
- Municipalities to implement responsive and accountable processes to communities.
- Ward committees must be functional and Councillors must meet and report back to their constituencies quarterly.
- Utilise the CDWs, Ward Committees and Ward Councillors to communicate projects earmarked for implementation.
- Municipalities must communicate their plans to deal with backlogs.
- Municipalities to monitor and act on complaints, petitions and other feedback.

3.3.3 Basic Services: Creating conditions for decent living

- Municipalities must deliver the basic services (Basic electricity, basic water, sanitation, waste removal etc.).
- In addition to the above, municipalities must ensure that services such as cutting grass, patching potholes, working robots and streetlights and consistent refuse removal are provided.
• Council to ensure proper maintenance and immediate addressing of outages or maintenance issues.
• Municipalities must provide basic services and maintenance.
• Municipalities must improve mechanisms to deliver new infrastructure at a faster pace whilst adhering to the relevant standards.
• Focus must be placed on the operations and maintenance of existing infrastructure to ensure continuity of service provision.
• Increase of CWP sites targeting the unemployed youth in informal settlements to render day to day services such as, cutting grass, patching potholes, cleaning cemeteries, etc.
• Extend reach of basic services to communities living in informal settlements by providing temporary services such as: (i) potable water, (ii) temporary sanitation facilities, (iii) grading of gravel roads and (iv) refuse removal.
• Improve policing and installation of high mast lighting.
• Cities to announce plans for township establishment where they exist.

3.3.4 Sound financial management
• All municipalities must have a functional financial management system which includes rigorous internal controls.
• Cut wasteful expenditure.
• SCM structures and controls with appropriate oversight.
• Cash-backed budgets.
• Post Audit Action Plans are addressed.
• Act decisively against fraud and corruption.
• Supply Chain Management structures in place and functional according to regulations.
• Conduct campaigns on ‘culture of payment for services’ led by councillors.
• Conduct campaigns against ‘illegal connections, cable theft, manhole covers’ etc.

3.3.5 Building Capable Institutions and Administrations
• All municipalities enforce competency standards for managers and appoint persons with the requisite skills, expertise and qualifications.
• All staff to sign performance agreements.
• Implement and manage performance management systems.
• Municipal management to conduct regular engagements with labour.
Local government has been a primary site for the delivery of services in South Africa since 1994. We have made tremendous progress in delivering water, electricity, sanitation and refuse removal at a local level. These rates of delivery are unprecedented in world-wide terms.

Yet despite our delivery achievements, our governance system is a cause for concern. It is clear that much needs to be done to support, educate and where needed, enforce implementation. Back-to-Basics is the framework for our collective action in this regard. We have outlined in this document what each sphere of government is committing itself to in order to address the challenges faced by local government, to address the service delivery challenges we face, and ultimately in order to rebuild the trust of our people in the system of local government. Crucial to this new approach is a system of reporting on, and being accountable for, performance. It is clear that in order to ensure all municipalities function very well, we must collectively and consistently encourage good performance and intervene where needed. We will introduce a means by which we can easily compare performance across municipalities and based on this analysis we will incentivise those doing well and where municipalities are not doing well we will use all possible means to sanction them so that they improve performance and get the basic right.

For the campaign to sustain the momentum, it will need champions at every level of government, as well as in and amongst our communities and private sector. The reform process must release the necessary enthusiasm and commitment amongst the organizations that are involved. The political leadership and management of municipalities will play a significant role in dynamising change and reform, and it is ultimately around these local leaders that coalitions for change will develop. We call on all South Africans to be partners with us in this change. Let us go forward together and build the developmental local government system that our people deserve.
Appendix 1: Municipal performance reporting activities

Actions for immediate implementation:

4.1 Monthly reporting of Council activities

- Every month, each municipal council must consider and then endorse a report on the degree to which it is meeting its governance obligations and the actual delivery of basic services being undertaken. The key elements in that report are listed below.

- This report must be publicised at a ward level

4.2 Each councillor to report to Speaker on a monthly basis:

- How they have made themselves available in communities to serve the needs of communities?
- How many people at community level they have served?
- When last they reported back on initiatives of council to an open public meeting in their community/ward?

4.3 Speaker to report on a monthly basis to Council on:

- Dates of all Council related meetings held since the last Council meeting
- Summary of ward committee meetings (including issues raised) held since the previous Council meeting. In the case of District Municipalities, an overview of all municipalities in terms of ward committee functioning must be provided.
- How many issues were brought to the attention of councillors and how these are being addressed.
- All actions being taken to address fraud and corruption.
4.4 Mayor must report on a monthly basis to Council on:

- How many report backs to stakeholders the Mayor and/or mayoral/executive committee held to communicate policies, plans and progress of council.

- Number of meetings of Mayoral/Executive Committee held the previous month and whether or not they were open to the media and public

- Number of visits to hotspots / areas where there are breakdowns in community services and what was subsequently done

All activities in the previous month by councillors, on campaigns to improve the ‘culture of payment for services’ and ‘against illegal connections, cable theft, manhole covers’

- How many hours were spent in the previous month: (i) in committee/council meetings, including launches; (ii) in political caucus meetings, and (iii) in community engagements

4.5 Chief Whip must report on a monthly basis to Council on:

- The weekly meetings of the Mayor, Speaker, Chief Whip and Manager ensuring that councillors are adequately informed of the municipality’s governance programmes.

4.6 Municipal Manager to report on a monthly basis to Council on:

- The overall operations of financial management and all reported instances of fraud and corruption, including actions being taken.

- The ongoing monitoring of all senior manager’s performance agreements.

- All shortfalls in the competence standards of senior managers and what is being done to address such.

- Regular engagements held with organised labour.
• Number of meetings of senior management, how many issues were decided upon in those meetings and how many hours were spent in those meetings

• Quarterly performance reviews of senior management and what action is taken where needed

• Whether there are vacancies of senior management, and professional/technical staff, and what steps have been taken to fill positions

• How many tenders were awarded and average length of time taken in such tenders: (i) from date of advert to date of final Evaluation Committee meeting and (ii) from date of Final Evaluation Committee to date on which award was sent to winning bidder.

• Total value of section 36 awards for the previous month,

• Total value of awards of tenders for the previous month,

• How many letters clarifying problems raised by communities were replied to during the previous month,

• Areas of protest and actions taken to address issues, including labour disputes, for the previous month,

• Infrastructure delivery the previous month, including: (i) how much was spent on the capital budget the previous month, (ii) how many electricity outages there were and the average length of time taken to fix them, (iii) How many sewerage spillages there were and how long it took to fix them, (iv) backlog delivery in housing, roads (km), water, electricity, sanitation that were addressed.

4.7 Chief Financial Officer to report on a monthly basis to Council on:

• The monthly report required by National Treasury.

• Revenue collection and debtor management processes.

• Multiyear infrastructure investment and maintenance plans and budgets, including steps taken to build and improve the municipality’s capacity to spend capital budgets.
✓ All post Audit Action Plans
✓ Internal controls and what steps are taken to monitor these.