# Provincial Government: Western Cape



# **Department of Local Government**

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# Part A: Strategic Overview

# StatementofPolicyandCommitmentbytheMinisterofLocal Government

TheWesternCapehassetitselfthegoaltobuild WorldClassProvincewhichcaresanddelivers and which shows how different people, from diverse communities, can work best together in makingasuccessofourcommonfuture

The preparation of this Strategic Plan by the Department of Local Government coincides with realignment of political forces in the Western Cape. It follows that this plan responds to the policy priorities of the Provincial Executive towards its Municipal partners; to significantly improve the lives of all of the people of our province –particularly in those areas where the levels of poverty are highest, and where daily life continues to be astruggle for simple survival.



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Wearekeenlyawareofthefactthatmunicipalitiesarethefront -lineagentsinour commonfightagainstpoverty, and our emphasistherefore, is on finding the best ways to capacitate and empower local government to be sustainable and effective agents of change and delivery in our communities. We see this as the core role of the Department -ensuring a viable and sustainable system of local government in the province.

The task of the Department of Local Government has undergone significant changes in the period pre, during and post the restructuring of municipalities. A more focused reorganized Ministry and Department now allows for the emergence of a new strategic emph asis on empowerment and capacitating municipalities within a cooperative governance milieu.

It is therefore with confidence that I commit my Ministry to the delivery of the strategies outlined in this Plan. We shall collectively ensure the implementatio of this plan as it carries with it the goodwill of a committed team towards delivering practical solutions to the developmental challenges facing our communities.

#### MinisterCobusDowry

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# 2. OverviewbytheAccountingOfficer:HeadofDepartment

The est ablishment of a separate Department for Local Government reflects the priority that the Western Cape attaches to municipalities in improving the lives of communities. The establishment of a new Department also creates the opportunity to reflect on improve ments and changes that are required in the province to make the system of local government perform optimally.

The present situation is one of being a delivery agent for national programmes and a minimalist role within the national legislative mandate.



Consequentlythepresentallocationofownresources by the Provincial Government does not sufficiently reflect the focus deserved by an effort to ensure successful municipalities and thereby in turn, successful delivery agents for change and development. This fact is illustrated by present budget figures where 60% of expenditure is from national conditional grants, supporting national programmes.

In developing this plan we combined the views of our Provincial and Municipal partnerswithourownsense of whereweneedtobeandproducedaStrategicPlan for the Department of Local Government which we believe will take us forward in makingmunicipalitiessuccessful.

In essence our approach is one of forming partnerships with local government and taking co-responsibility for ensuring successful local government. It follows that our focus must be one of adding value in a proactive way in disposing of our constitutional obligation to regulate, monitor, supportand co-ordinate.

Ourstrategicplanisfocused on10strategicgoalsfallingwithintwocategories.Our strategicgoalsthatsupportourinternalorganizationalperformanceare:

- o Providingsoundadministration;
- o Buildingappropriateorganizationalskillsandcapabilities; and
- Creatingeffectivehuman resourcesandfinancialmanagementcapacityfor thedepartment.

Our second category of strategic goals addresses the delivery of our strategic mandate:

- ShapingProvincialstrategyinrespectoflocalgovernment;
- o Providingleadershipinbuildingdevelopm entallocalgovernment;
- o Ensuringlocalgovernmentsustainability;
- o Facilitatingexcellentintergovernmentalrelations;
- Enablinglegislativeclarity;
- o Facilitating constructivemanagementofthepoliticaldynamics; and
- Facilitateandsupportthecreationof aneffectiveDisasterManagement system.

### Ourplanistogivesubstancetothesegoalsinthreestages:

Stagel: Consolidating and ongoing Improvement of current work programmes

StageII: ImprovingManagementcapabilityinrespectofIntergovernmentalR elations

StageIII: Providingleadershipinrespectoftheprovincialpolicyagendaforlocal

government

We understand that we still need to build the competence, concepts and networks required to fully evolve from our current organization into a highly effective change agent for Municipalities. This plan, however, establishes a broadstrategy, mandate and focus areas for the Department with which we will be able to create a series of specific programmes and interventions.

I would like to thank my staff for their collaboration and ongoing support in the creationandimplementation of this Strategic Plan.

#### **CareIDuPreez**

## 3. OurVision

#### **SUCCESSFUL MUNICIPALITIES**

Municipalities are under increasing financial pressure, limiting in roads into the provision of basic services. The ongo ing provision of infrastructure cannot continue unless ways can be found to maintain and sustain affordable municipal services. A sustainable system of local government will have to achieve a balance between stimulating the creation of sustainable livelih oods for their communities and finding ways to provide the affordability, equity, efficiency and effectiveness with which the portfolio of municipal services are provided.

Our Vision is of a future in which all municipalities are successful and sustainable not only indelivering basics ervices to their communities, but also in developing the social and economic foundations of the communities that they serve.

Our strategy begins to outline Provincial initiatives we believe will assist municipalities in main taining their current momentum with service delivery, whilst building their capacity to fulfil their developmental obligations. Our strategy further seeks to strengthen the financial and institutional sustainability of municipalities by means of a soundan donstructive system of intergovernmental relations.

# 4. OurMission(statementofintent)andStrategicGoals

Ourstatementofintentissimple, yetitcaptures the complexessence of what we believe is required within the municipal sector — it is our mission to ensure municipal successand sustainability!

Acritical review of our environmentandane valuation of the way in which we have responded previously convinced us that we need to focus on the following Departmental strategic goals:

### Goall:Prov idingsoundadministrativesupporttoaneffectiveDepartment

#### GoallI: ShapingProvincialstrategyinrespectoflocalgovernment

FulfillingaleadingroleinthedevelopmentofaProvincialstrategyinrespect of local government. Such a strategy nee ds to feed into and form part of a broader Provincial plan that outlines objectives and desired outcomes and must indicate the rolesa ndresponsibilities of municipalities in pursuing these objectives and achieving such outcomes.

#### GoallII:Providingleade rshipinbuildingdevelopmentallocalgovernmen

Providing a package of policies, projects and interventions to enable the Department and the Province to actively support the building of developmentallocalgovernment.

#### GoalIV: Ensuringlocalgovernmen tsustainability

Monitoring progress, building the analytical, interpretive and evaluative capabilities of the Province to understand issues and trends in local government performance and enable the Province to proactively intervene and support municipalities with appropriate programmes of action.

#### GoalV:Facilitatingco -operativegovernment

Shapingtheagenda, influencing the strategy and facilitating the creation and maintenance of structures to facilitate a system of intergovernmental relations with:

- TheCityofCapeTown;
- o DistrictandlocalmunicipalitiesthroughtheProvincialAdvisoryForum;
- o OrganisedLocalGovernmentthroughSALGA/Weclogo;
- o Provinciallinedepartments; and
- o TheNationalDepartmentofProvincialandLocalGovernment.

# GoalVI:Enabli nglegislativeclarity

Providinganexpertadvisoryservicetomunicipalities, influencing the national legislative programme, performing the full mandate of statutory responsibilities and creating an appropriate provincial legislative agenda.

#### GoalVII: Facilitatingaconstructivepoliticalprocess

Providing decision -making support, and assistance in process facilitation to enablepolitical processes to function optimally.

#### GoalVIII: Buildingappropriateorganizationalskillsandcapabilities

Establishing an institution fit for its purpose, staffed with appropriately qualified, skilled, re -skilled and motivated people. Applying recruitment, selection, training and career development processes that are both in line withlegislativeimperativesanddepar tmentalobjectives.

# GoallX:Creatingeffectivehumanresourceandfinancialmanagement capacityfortheDepartment

Establishinganefficienthumanresource -andfinancialmanagementcapacityandto continuously review and improve human resource and fin ancial management systems and processes internal to the department . To ensure compliance with all relevant legislative and administrative requirements and equip departmental staff with the capabilities required to maintain all human resource and financial managementsystems in support of departmental functioning.

# Goal X: Facilitate and support the creation of an effective Disaster Managementsystem

SupporttheimplementationoftheDisasterManagementAct.

### 5. StrategyOverview

In order to achieve our strategic goals we are on a three stage journey. In some instances these condstage of the journey has already commenced.

Stratogy Emphasis	Dominant Poles	Provincial Machanisms
Strategy Emphasis  Stage I  Consolidation and ongoing Improvement of current work programmes	Dominant Roles  Delivery agent for national programmes  o IDP, o LED, o URP o ISRDP. o Disaster Management o MSP o CMIP  Minimalist role within national legislative mandate emphasizing: o Monitoring	Provincial Mechanisms  Programme administration Relationships management Information provision Ad hoc technical support
	<ul> <li>Support</li> <li>Coordination</li> </ul> Provide expert advice service to less capacitated municipalities Providing a Ministerial support service	

Stage II Improving the management of Intergovernmental Relations	Active emphasis on Provincial coordination of intergovernmental relations re. Local government  Development of a provincial local government strategy  Facilitate political decisionmaking support processes and Provincial Mechanisms	Policy Agenda setting Strategy development Structures Procedures Protocols Relationship management/Networking
Stage III Providing leadership around an original policy agenda adding unique value to both municipalities and the province	Develop a Provincial policy framework and plan for municipal support  Design and implement proactive intervention programmes and projects  Introduce relevant financial and technological solutions and best practices  Actively build capacity by becoming a conduit for sharing learning and best practices between municipalities	Finance Regulate Support Instruments Centre of Excellence Best Practice rewards

The above strategy outline does not represent a set of alternatives; it rather reflects cumulative stages in gearing up towards a new role, rooted within the national context, and aimed at adding value to the way in which the Provincial Government of the Western Caperesponds to its specific challenges.

It is of importance to note the timing and durability of each stage. Although it may be easy to project a def ault strategy into the future based on the implementation of national programmes and legislative require ments, these aspects of the Department's strategy will be the least durable. On the other hand, astrategy leading to a unique and value added policy framework may take longer to a chieve, but will be durable and highly relevant in the medium to long term.

The basic prerequisite for successful implementation of the Department's strategic shift is however to capture legitimacy within the political and administrative arena of national, provincial and local levels for playing this new role.

# 6. DeliveringtheStrategy

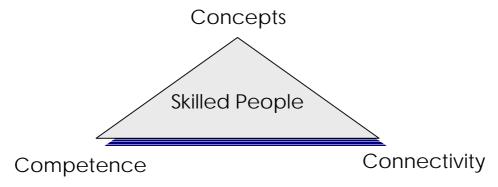
#### 6.1 KeySuccessFactors

The Department of Local Government's strategy is more skills driven than finance dependent. It is for this reason th at some of our goals are inwardly focused — on the creation of a Department able to serve in a dramatically changed environment.

However, we also realize that much of our success hinges on our ability to play a pivotal role in facilitating intergovernm—ental relationships for the broader provincial family. For this we need trust, credibility, legitimacy and confidence in the eyes of our stakeholder groups. We see these factors providing us with the connectivity on which an effective IGR role is dependent.

Itfollows that the impact throughour strategy will ultimately be dependent on the quality of our ideas and ability to fund them. We know that the value of our contribution depends on the concepts and solutions we are able to generate.

Our approach should be one of forming partnerships with local government and taking co -responsibility for ensuring successful local government. It follows that our focus must be one of adding value in a proactive way in disposing of our constitutional mandate of regula ting, monitoring, supporting and coordinating.



### 6.2 Uniqueoffering

The Department's value of fering is currently based on:

- A unique understanding within the PGWC of the complexity and challengesofthelocalgovernmentsector;
- Auniqueoverviewofthenewlegalordergoverningmunicipalitiesandthe legislative framework regulating the intergovernmental interface with the municipalsphereofgovernment;
- o Theabilitytoprovideproceduralandlegislativecertainty; and
- o Afreshm andatedrivenbyasoundstrategy.

#### 6.3 OurValues

We re -affirm our values based upon the principles of Batho Pele but have specifically agreed (in June 2002) that we want to also base our values upon:

- (a) Asenseof *personalconduct* toourselvesando thersreflecting
  - Honesty
  - Fairness
  - Dedication
  - Diligence
  - Accountability
  - Efficiency
  - Friendliness

#### (b) A *cultureofmanagement* reflecting

- Participative decision making
- Transparency
- Maximalautonomy
- Discipline

#### (c) A **senseofachievement** builtuponanethosof

- Professionalism
- Servicedelivery
- Responsibility
- Ongoingpersonalgrowthanddedicationtoacultureoflearning

#### 6.4 KeyUncertainties

Uncertainties are often excuses for inaction. We therefore ha ve taken a critical look at the key uncertainties that would most likely impact upon the implementation of our strategy:

- a) Political Environment: We view coalition politics as a reality in the Western Cape political landscape. We do therefore not belie ve that the lack of a single majoritarian rule dispensation represents uncertainty. We thus plan with the view to best understand the dynamics of our political environment and serve the processes requiredbysuccessfulcooperativeandcoalitiongovernment s.
- b) Legislative Context: Most of the new generation framework legislationiseitherinplaceorinthelatterstagesofdevelopment. It is therefore our conclusion that sufficient clarity is currently in place to allow us to plan effectively. The ke youtstanding legislation that may have a material impact on the work of the Department are:
  - Municipal Finance Management Bill insofar as it defines a monitoringandoversightroleontheProvince;
  - PropertyRatingBillinsofarasitplacesamonitor ingandquality controlobligationtotheProvince;and
  - Disaster Management Bill insofar as it outlines a coordination function for the Province.
- c) Institutional locus: We understand that the institutional location of some of our responsibilities rem ains subject to provincial policy. However, the Department enjoys sufficient institutional clarity in order to proceed with implementation planning. The relatively small size and focused nature of the Department provides an opportunity to play a powerful role in the process of building a freshap proach in respect of the Provincial interface with the municipalities.

#### 7.1 Introduction

The new Constitutional order changed the nature of the relationship between the Provincial and Local spheres of government significantly.

The Constitution rests on three principles in outlining the architecture of intergovernmentalrelations. These are:

- a) Distinctiveness: by separating the degree of legislative and executive authority of each sphere of government (r esulting in a regulative role for each sphere);
- b) Interdependence: Referring to the degree of dependence between spheres of government to fulfill their respective Constitutional obligation. There are two aspects to this; the first relating to the entitlement of provincial and local assistance from the national sphere (the supportive role), and secondly the respective supervision of the provincial and local spheres by national and provincial government (the monitoring role);
- c) Interrelatedness: The duty of each sphere to cooperate with each otheringoodfaithandmutualtrust(the **coordinationrole**).

The substance of the provincial/municipal interface rests on the practical expression of the above three Constitutional princ iples into regulation, monitoring, supportand coordination activities in the PGWC.

National legislation sets out specific functions, powers and duties for the Provincial Minister responsible for Local Government and hence also the Department of Local Government (DLG). How the Minister and the DLG exercise these powers and perform these functions and whether other additional functions are performed, is determined by strategic choices. These choices are informed by the following contextual considerations:

- o Thebroadconstitutionalcontextofprovincial -localgovernmentrelations
- o Themulti -departmentalrelationswithmunicipalities
- Thenationalgovernmentcontextofprovincial -localrelations
- Thestructureoflocalgovernment.

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<sup>&</sup>lt;sup>1</sup> See Powell: 2001:258 in Levy N. and Tapscott C. 2001: Intergovernmental Relations in South Africa: The Challenges of Cooperative Government. IDASA.

# 7.2 The legal context of De partment of Local Government Relations with Municipalities

# 7.2.1 Constitutionalcontext -thethreeelementsofdecentralization <sup>2</sup>

In order to appreciate the place and role of the Department of Local Government it is necessary to sketch the broad picture of the interface between the Province and local government. The PGWC as a sphere of government interacts with municipalities in the province in the context of the three elements of decentralization that constitutes South Africa's system of government. These elements - autonomy, super vision and cooperation make the spheres, in the words of the Constitution, "distinctive, interdependent and interrelated". <sup>3</sup>

#### a) Autonomy

The Province and municipalities are "distinctive" in the sense that both enjoy autonomy, that is, the degree to which each sphere is the final decision-maker on a particular matter that falls within its area of competence with regard to legislation, administration and finances. The powers of the Province and municipalities are set out in Schedules 4 and 5 of the Constitution; the Province has full legislative competence with regard to Schedule 4A and 5A matters, but is restricted to the extent set out in section 155(6) and (7) of the Constitution (monitor, supportand regulating the exercise of municipal executive authority).

The area of local government's competency may be increased by assignment of powers and function by the nat ional and provincial governments. With regard to the administration of Schedules 4A and 5A matters, a municipality is entitled to the assignment of those matters which necessarily relates to local government and they would most effectively be administered locally and the municipality has the capacity to administer them.

It must however be stressed that no sphere of government is unqualified autonomous, due to the interdependence and interrelatedness required by the constitution.

<sup>&</sup>lt;sup>2</sup> See Guideline Document on Provincial-Local Intergovernmental Relations, prepared by Johann Mettler, Jaap de Visser and Nico Steytler for DPLG, September 2002.

<sup>&</sup>lt;sup>3</sup> Section 40(1) Constitution.

<sup>&</sup>lt;sup>4</sup> S 156(4) Constitution.

#### b) Supervision

Localgoernmentandprovincesare "interdependent" in these nset hat the exercise of autonomy by a municipality is supervised by provincial and national government; the national and provincial governments make final binding decisions affecting local government. Su pervision includes four types of activities:

- o regulation;
- o monitoring;
- o support;and
- o intervention.

Regulation sets the framework within which local autonomy must be exercised. Monitoring is necessary to ensure that legislative frameworks are complied wi than do to indicate when support is required that would enable local government to exercise its autonomy effectively. Control means that the province makes decisions for and, onoccasions, actin the place of a municipality.

Theautonomyoflocalgovern mentisthusrelativetotheextentthatthe nationalandprovincialgovernmentssuperviseit.

#### c) Cooperation

Provincial and local governments are "interrelated" in the sense that each must exercise its autonomy to the common good of the province and the country as a whole by cooperating with one another. This element of decentralization guides both the Province and local government how they exercise their autonomy — they must seek to align their policies and coordinate their actions.

#### 7.2.2 Multi-departmentalrelationswithmunicipalities

The DLG is not the only department that interacts with local government. Most of the other provincial departments deal to a greater or lesser degree withmunicipalities. This occurs largely in an uncoordinated manner. I fsound provincial-local intergovernmental relations require, as it should, a consistent provincial policy and approach to municipalities, the major challenge is how to develop coherence and coordination among departments.

<sup>&</sup>lt;sup>5</sup> Section 155(7) Constitution.

<sup>&</sup>lt;sup>6</sup> Section 155(6)(a) Constitution.

<sup>&</sup>lt;sup>7</sup> Section 139 Constitution.

Ingeneral, the task of coordin ation falls on the Premier acting with his orher cabinet and, consequently, on the Director -General responsible for the Premier's Office. While the Premier exercises executive authority together with the Cabinet, by "coordinating the functions of the provincial administration and its departments", <sup>8</sup> the Director -General, as head of the provincial administration, is responsible "for the intra -governmental cooperation between the relevant provincial administration and its various provincial departments, including co-ordination of their actions and legislation". <sup>9</sup>

### a) Autonomy

The allocation of powers and functions between the Province and municipalities in terms of Schedules 4 and 5 is unclear resulting in effecttoadegreeofconcurrency; there is an overlap between matters listed in Schedules 4 A and 5 A on one hand and Schedules 4 B and 5 B or the other. It is a question of where are the cut -off points between provincial and local competencies in the same functional areas. The most important areas of uncertaint yare:

Provincial	Local
Provincial Roads (4A)	Municipal Roads (5B)
Provincial Traffic (5A)	Traffic and Parking (5B)
Road Traffic Regulation (4A)	
Health Services (4A)	Municipal Health Services(4B)
Public Transport (4A)	Municipal Public Transport (4B)
Pollution Control (4A) Environment (4A)	Air Pollution (4B) Municipal Health Services
	(4B)
Provincial Planning, Urban and Rural	Municipal Planning (4B)
Development (4A)	
Tourism (4A)	Local Tourism

As these functions affect a number of line departments , the Province as a whole needs to address this issue and adopt a consistent approach to the definition of powers and functions.

Currently municipalities are performing functions that fall within the Province's jurisdiction such as libraries and ambulance services. The issuethatthe Province faces is how to manage the mismatch between constitutional powers and practice. More generally, how should the Province manage the transfer of powers, functions and administration through the instruments of assignment, delegation and agency?

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<sup>&</sup>lt;sup>8</sup> Section 125(2)(e) Constitution.

<sup>9</sup> Section 7(3)(c) Public Service Act of 1994, as amended by Public Service Laws Amendment Act 86 of 1998.

The DLG is currently a member of a Trilateral Task Team (with the Provincial Treasury and Legal Services) investigating the issues of assignmentstomunicipalities.

The department will perform a coordinating and leadership ro le in achievingauniformapproachtodefinitionofpowersandfunctions, as wellastheshiftingoffunctions.

#### b) Supervision

The Province *regulates* municipalities, through a number of departments, by establishing frameworks within which munici palities exercise their autonomy. The DLG hashad the most prominent role in this respect through the establishment of municipalities in the province through the application of the Structures Actand the Systems Act. With the establishment of the new local governm ent dispensation completed, the focus of regulation will shift to the various functional areas and the frameworks within which local autonomy must be exercised.

The regulation of municipalities by the Province would entail dealing with the question of dev eloping a common framework for regulation which is premised on a shared conception of the constitutional status and place of local government.

While the Systems Act give the PROVINCIAL MINISTER for local government specific powers of **monitoring** municipal ities, the monitoring of local government will inevitably entail that all line departments that have dealings with municipalities on substantive issues, will play a monitoring role. Given the fact that monitoring is a province-wide endeavour, the issuesth at the Province has to address are how to ensure the proper co -ordination of monitoring efforts, and, closely linked to the first, how the information gathered by the Province is shared among all departments.

With interaction with municipalities spread ac ross departments, **support** is rendered by more than one provincial institution. The question is, then, how to ensure a complementary system of support that avoids duplication of effort and awaste of resources.

Whileeffectivemonitoringandsufficientsup portshouldavoidtheneed for intervention, the prospect of issuing directives, assuming responsibilitiesorevendismissingacouncilcannotberuledout. While the power to intervene in terms of section 139 is accorded to the

provincial executive (an ap proach followed by the Municipal Finance Management Bill), legislation has entrusted this power to specific Provincial Ministers. In terms of the South African Police Services Act the Provincial Minister responsible for Safety and Security may intervene with regard to municipal police forces while the Structures Actendowsthe Provincial Minister for local government with the power to dissolve a council. As monitoring, support and intervention is a continuum of interaction with amunicipality, the issue of coordination is relevant to all aspects.

The Department of Local Government will play a role in facilitating a uniform approach to supervision in as much as it relates to the institutional effectiveness of the municipality.

#### c) Co -operation

CooperationbetweentheProvinceasacollectiveandalImunicipalities maytakeplaceinanall -inclusivepoliticalbody(ashasbeenthecase inmostotherprovinceswherethePremierdrivestheprocess).

Cooperation may also occur through IGR structures that ar e sector specific. While there is yet no all -inclusive provincial IGR structure in the Western Cape, there are sectoral structures. The Provincial Advisory Forum, comprising of the Provincial Minister for Local Governmentandmayorsofallthemunicipaliti es,hasbeenestablished to advise the Minister on how he or she should exercise the powers relating to the establishment of the newlocal government dispensation. Where there are other sectoral IGR structures, the issue of coordination arises.

The Depart ment of Local Government will facilitate the establishment of and manage and maintain an all inclusive IGR structure between Provincial and Local Government to promote co -ordination and synergy. This will exclude existing forums for line functional coordination by individual departments

#### 7.2.3 Nationalcontextofprovincial/localinterface

The interface between the Province and local government takes place within a national legislative, policy and administrative context which often adds complexity to the relationship.

#### Concurrencyofinteractions

Running concurrent with the Province's interface with local government, are the efforts of the national government to define the contours and scope of local government powers and to supervise municipalitie s. This often results in aduptication of effort and may even eclipse the role of the Province.

The department will fulfill a facilitative role in ensuring greater co-ordination between national and provincial supervision of local government.

#### Sectoralnational -provincialrelations

Despiteaneffortbythenationalgovernmenttoclusteritsdepartments, itstill relates along sectoral lines with provincial line departments. The sectoral approach often results in inconsistent and conflicting positions a nd policies that provincial line departments adopt. Where the policies that impacton local government may be inconsistent with national policies, then these may be relayed by the provincial departments to municipalities. The issue is thus how integration of provincial policy relating to local government can be achieved.

The Department will play a facilitative role via the IGR -structures and IDP processes in integrating provincial policies relating to local government.

#### Localgovernmentcontext

The inter action that the Province has with local government is not with a uniform institution; the three categories of municipalities place their own complexitiesontherelations.

#### Metro

With 75% of the province's population living in the metropolitan area and themetro's budget approximating that of the Province's, the interface with this municipality is of a different order. It impacts fundamentally on how powers and functions are distributed between the province and the metro, how supervision takes place and places special demands on effective cooperation.

Special structures should be created to mediate the relationship with the metro and the Department has to play a leadership role with regard to such structures. More time and resources should be devoted to fulfil our constitutional mandate *visavis* the City of Cape Town.

#### o Districtmunicipalities

In the areas outside the metropolitan area, the Province's primary relationshipiswiththedistrictmunicipalities, whichinturn, co -ordinate and communicate with local municipalities. This arrange ment will work adequately if the district municipalities perform their coordination and communication functions effectively. The health and well -being of district - local relations is thus an important issue for the Provin ce. Already the DLG seeks to manage these relations through the District Advisory Forums.

#### LocalMunicipalities

Interaction with local municipalities is either in a one on one situation around specific (localized issues) or collectively via a provincial a dvisory forum, which includes a technical forum as well.

#### 7.2.4 Thelegislativemandate

#### a) Mandateintermsofnationallegislationandpolicy

NationallegislationdemarcatesthefollowingfocusareasfortheProvincial Ministerforlocalgovernment:

- General regulation, monitoring, support of and coordination with, local government interms of the Structures and Systems Acts.
- Withintheoverallsupervisoryrole, the regulation and monitoring of the financial management of municipalities. This will take place in terms of the Municipal Financial Management Bill and the Municipal Property Rates Bill.
- Withintheoverallcoordinationrole,integratedplanningintermsofthe SystemsAct.

The details of these powers and duties are set out in the attached schedule A. Each focus area is analysed in the context of the forms of interaction:dealingwithautonomy, supervision and cooperation.

# b) Mandateintermsofprovinciallegislationandpolicy

#### Provinciallegislation

Limited mandates appear in provincial le gislation. The Develop ment Act of 1999 and the Health Facility Board Act of 2002 provide for consultationwiththe PROVINCIAL MINISTER for local government.

#### Provincialpolicy

Interms of provincial policy, further mandates have been imposed on the DLG.

The Provincial Cabinet identified the DLG as the technical champion for the Urban Renewal Programme and Integrated Sustainable Rural DevelopmentStrategy. These programmes are initiated by the national Department of Provincial and Local Government (DPLG) . The DLG also coordinates and monitors the Local Economic Development programme (LED) and Consolidated Municipal Infrastructure Programme (CMIP), which is initiated by the DPLG.

The DLG is responsible for Disaster Management.

The DLG is a member of the Trilateral Task Team investigating assignments of functions to municipalities by the different provincial departments. This team sees its role as a conduit between the municipalities, organised local government and the provincial departments. Through this process the DLG endeavors to identify a legislative inventory of provincial functions currently performed by municipalities and to investigate the possible devolution of functions to municipalities.

# 8. ContextualOverviewinformingtheStrategicPlan

8.1 Contextual considerations for the Department -Constitutional and legislative developments

Several ongoing change processes influence the content of strategy and strategicpositioningoftheDepartment.Keyamo ngstthesecontextualissues are:

a) The ongoing *refinement and evolvement of the new order local government legislative framework* in the form of the Municipal Systems and Structures Acts; guiding the role, powers and value addition strategy of the Departmen t in relation to Municipalities. A

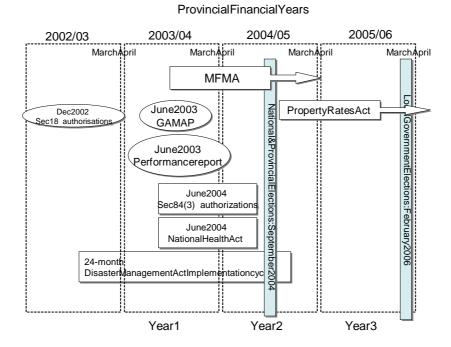
- major matter to be resolved is the legislative scope, strategy and approachoftheProvinceinformulatingitsownlegislativeagenda;
- b) The completionandpromulgationofkeynewlegislationoutlining new responsibilities to the provinces in relation to local government. The Municipal Property Rates and Finance ManagementBillsarethemostprominentofaseriesofnewlegislation in the pipeline with significant implications facing the Department. In addition function -specific legislation is unfolding in relation to disaster management and municipal health services which similarly impact on theworking of the Depart ment;
- c) The completion of the transition process of local govern ment flowingfromtheimplementation of the finalphase of local government transformation after 5 December 2000. The most prominent of these processes relates to the finalisation of the division of powers and functions in terms of sections 18 and 84(3) of the Municipal Structures Act, as amended, and the winding down of the two -year statutory transition period allowed after the 2000 local elections (now extended to 30 June 2003);
- d) The evolving nature of the intergovernmental interface between the Province and Municipalities in the Western Cape. The establishment of District -based and Provincial co -ordination, advisory and consultative structures alongside organised local government unlocked some concern with regard to the respective roles, responsibilities and political influence associated with the various intergovernmental structures. The proposed reorganisation of SALGA adds further complexity to the nature of the relationship with Municipalities and the role of the Provincial Minister within these;
- e) The different nature of the City of Cape Town and its demands of Province in relation to district and local Municipalities is a further key issue. The political dominance of the City and the interface with the Provincial Cabinet is a related inter -governmental dynamic influencing them anner in which the Department responds strategically;
- f) The functional and financial interface between Munici palities performing services on behalf of the Province is a further area of complexity. The causes of the current (ill defined and unresolved) service relat ionship between the Province and Municipalities are well documented and do not require expan sion here. The urgent need to formalise the current contractual relationship and management of the financial risk for the Province has become a key focus area of the Department in leading the trilateral task team within Province. The

creation of a sustainable and disruption free resolution of the intergovernmental services and financial interface presents extremely complex challenges requiring strong leadership, co-ordination of Provincial decision -making, and possibly, alegislative response;

- The recent *restructuring of the Province*, resulting in the creation of a separate Department of Local Government is a further significant contextual issue. This restructur in gnot only separated planning from housing and local government, but wenth and inhand with a division of responsibilities into a new Department. In addition to the support, development, regulation and development roles of the Department in relation to local government, specific functional responsibilities in relation to CMIP, MSP and MIG, IDPs, disaster management as well as the placement of the ISRDP and IURP and LED programmes has taken place within the Department. This internal restructuring process requires an organisational design response that simul taneously reflects the institutional resourcing requirements facing the Department and the strategic direction required by its leadership; and
- h) An expectation shift in the role of the Department is inc reasingly reflected in its involvement in both the trilateral task team and the placement of key inter -governmental programmes within the Department. The Department is no longer only expected to play its traditional role of monitoring, supporting, develop ingand regulation of Municipalities, but also needs to provide a key conduit for the coordination of the activities of other provincial line departments in relationtolocalgovernment.
- 8.2 Outlineofkeycontextualtimeframesandmilestonesinformingplan ningand interventionprioritization

The current legislative framework provides for a period of transition during which various key elements of the final phase of local government transitions come into effect. These milestones overlap with provisions in sectoral legislation and also overlap with financial years. It follows that an outline of the transitional milestones provides a useful planning and prioritization tool for the Department.

The graphic below outlines the proclaimed and approximate dates in relation to key milestones faced by the Department. It can be observed that a large proportion of statutory milestones impacting on the Department will kick in during the 2003/04 financial year, with further emphasis following on in 2004/05.

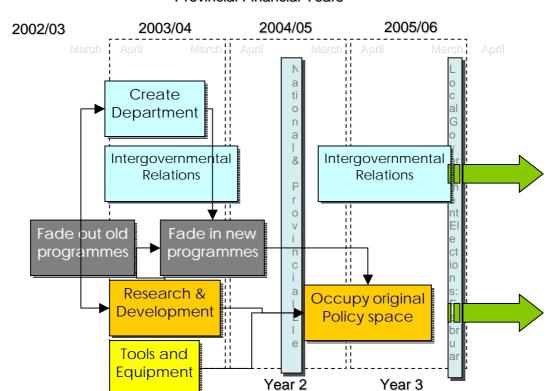


The initiating and completing the necessary steps for the creation of a new Department must be one of the key activities for 2003/04. Although the Department is rooted in some existing administrative entities, it still requires the completion of its organizational design and the placement and appointment of staffont other existing administrative.

Wealsoseethatestablishingtheplatformforinter -governmentalrelationsas a high priority in the coming financial year. An increased emphasisi ninter -governmental initiatives is again anticipated in the period leading up to national and provincial elections.

We also see 2003/04 as a transitional period during which our current programmes will be reviewed and where necessary, be wound down. I nthis year we will stream in our new initiative sfitting with this strategic outline.

The roll -out of an original policy agenda for the Department however, is only anticipated in the 2004/05 financial year. It follows that the emphasis during 2003.04 will be on research and development and establishing the tools and infrastructure underpinning this agenda. We for ese ethat initiatives such as a possible green and white paper process will precede our intended policy focus, culminating into a Provincial Lo cal Government Act.



# Therelativepriorityemphasis on ourstrategy'sdeliveryisillustratedbelow. Provincial Financial Years

### 9. DescriptionoftheStrategicPlanningProcess

Inordertocompilethisdocumentthefollowingactionswereundertaken:

- a) a desktop review of the current legislative provisions impacting on the role of the Department;
- b) the circulation of 17 self administered question naires to all district and a selection of local municipalities, as well as We clogo and all Provincial line departments;
- a series of structured interviews with selected Provincial Heads of Department; and
- d) a literature overview of state/provincial roles within an inter governmental system, and a review of current thinking and practices relatingtop ublicsectorstrategy.

The results of the initial research and interviews were reflected into two discussion documents; one dealing with the legislative framework impacting on the Department and the other a document prepared for a strategic work session.

A strategic work session, involving some 30 middle and senior managers from Department, as well as trade union representatives and organisation development experts was held on 16 October 2002. During this work session the ideas contained in this planwere debated and refined.

The final stage of the planning process involve dthe preparation of detailed Directoratebusinessplansinsupport of the Strategic departmental Plan.

# PartB:ProgrammeandSub -ProgrammePlans

# 10. StrategicGoalsandObjectives

TableB1belowoutlinesthe strategicobjectivesforeachoftheDepartmental Goals.

# TableB1:StrategicObjectivesoftheDepartmentofLocalGovernment: WesternCape

# Goal I: Providing sound administrative and financial support to an effective Department

#### StrategicObjectives:

- 1. EnsureanefficientadministrativesupportservicetotheMinister
- 2. Ensureefficientadministrative supportservices for the Department
- 3. ConductlTauditanddevelopappropriatestrategy
- 4. ImplementthePFMAsuccessfully
- 5. Ensuresoundfinancialmanagementandadministration
- 6. RestructuretheDepartment

#### GoallI:ShapingProvincialstrategyinrespectoflocalgovernment:

#### StrategicObjectives:

- 1. Shape/focusonprovincialstrategyrelocalgovernment
- 2. Establishpolicyframeworkf orclarificationofdivisionofpowersandfunctionsbetween provincialandlocalgovernment
- 3. Facilitaterefiningofprovincialstrategiesre.·IDP's,Economicdevelopmentandspatial development

#### GoallII:Providingleadershipinbuildingdevelopmentallo calgovernment

#### StrategicObjectives:

- 1. Conceptualized evelopmental local government
- 2. Compileaprovincialdevelopmentallocalgovernmentpolicyandprogrammes
- 3. Continuetrainingcourseindevelopmentallocalgovernment
- 4. Promotethealignmentofprovincialbud gets,projects,programmesandprioritieswith IDP's
- 5. AssistmunicipalitieswiththereviewingofIDP's
- 6. AdjustcurrentprogrammesintermsofnewDepartmentalstrategy
- 7. Co-ordinatetheURP
- 8. Co-ordinatethelSRDP
- 9. Promotepara digmshiftfromhardcoreservicedeliverytowardscreatinganenabling environmentforsustainabledevelopment
- 10. Concludethefinaltransformationphase
- 11. Researchmattersemanatingfromthedepartmentalstrategicplan
- 12. Co-ordinatetheLocalEconomicDevelopmen t(LED)programmes
- 13. Supportmunicipalitieswithpublicparticipation
- 14. Co-ordinateanddrivespecificcommunityfocusedmatters

### GoalIV: Ensuring local government sustain ability

#### StrategicObjectives:

- 1. Monitormunicipalsustainabilityandviability
- 2. Monitortheimplementationoffreebasicservices
- 3. Assistmunicipalitiesbydevelopingafreebasicservicespolicyasguidelines
- 4. Co-ordinatetheimplementationofmanagementsupportprogrammes
- 5. Co-ordinatemunicipaltraininginitiatives
- 6. Facilitatethedevelopment of Provincial KPI's formunicipal performance management system
- 7. Developframeworkformunicipalcapacitybuilding
- 8. Createcapacitytoexecuteinterventionsintermsofsection139oftheConstitution
- 9. Complywiththepresentmunicipalpropertytaxationpres cripts
- 10. Monitorqualityandcompliancewithpresentmunicipalpropertytaxation
- 11. FacilitatetheimplementationoftheproposednewActonpropertytaxation
- 12. Monitorqualityandcompliancewithproposednewmunicipalpropertytaxation
- 13. Developaprovincialappr oachinrespectofdeterminationofsustainabilityofnew services/projectsbymunicipalities
- 14. DevelopandexecuteCMIPcapacitybuildinginitiatives
- 15. Providesupporttomunicipalitiesinrespectofprojectpreparation

#### GoalV:Facilitatingco -operativego vernment

#### StrategicObjectives:

- InitiateastructureforregularpoliticalandtechnicalinteractionwiththeCityofCape Town
- 2. Maintainandpromoteandrefinethefunctioningofexistingintergovernmentalfora,i.e. ProvincialAdvisoryForum(PAF),PAF TechnicalandDistrictAdvisoryForum
- 3. Co-ordinate provincial departmental participation in intergovernmental forums
- 4. Arrangeannualjointconferencewithallthreespheresofgovernment
- 5. EstablishandpromotetheDepartmentasprincipleprovincialliaisonst ructurein relationtointergovernmentalrelationswithlocalgovernment
- 6. Defineroledefinitionandco -operationprotocolwithWECLOGA
- 7. Initiateprotocolforlocalgovernmentrelationsbetweenprovinces

#### GoalVI:Enablinglegislativeclarity

#### StrategicObj ectives:

- 1. Supportmunicipalities by monitoring compliance with legislative prescripts recouncillor affairs
- 2. Maintaintheinstitutionalintegrityofmunicipalities
- 3. PurgetheMunicipalOrdinanceno20of1974
- 4. DevelopaWesternCapelocalgovernmentact
- Auditprovincialordinanceswiththeviewtodevelopnewprovinciallegislationwhere theneedexists
- 6. Provideguidancetomunicipalitiesregardingby -laws
- 7. Provideexpertadviceservicetomunicipalities
- 8. BeofservicetotheDepartmentbywayofaresourcecentr eforlegislation

### GoalVII: Facilitating constructive management of the political dynamics

#### StrategicObjectives:

- Developframeworkforamorestructured,regularandvigorousinteractionwiththe ExcoofWECLOGA
- 2. Developascheduledprogrammeofinterac tion,informationsharingandcapacity buildingwiththeStandingCommitteeofLocalGovernmentAffairs
- 3. Developprotocolforco -operationbetweenandinsupportofdistrictandlocalmayors
- 4. Facilitateapoliticalprotocolonthesupportofdevelopment

#### GoalVIII:Buildingappropriateorganizationalskillsandcapabilities

#### StrategicObjectives:

- 1. Developandatt ractskilledprofessionalsthatcanplayaleadingroleinthemunicipal policydevelopmentarena
- 2. Establishawelldeveloped, effective and representative personnel corps
- 3. Reviewandrestructureorganizationalestablishment

# GoallX:Creatingeffectivehum anresourceandfinancialmanagementcapacity forthedepartment

#### StrategicObjectives:

- 1. Developandmaintainlogisticalsupportsystems
- 2. DevelopandfacilitateaHIV/AIDSprogramme
- 3. Establishandmaintaineffectivesupplychainmanagement
- 4. Ensuretheestab lishmentofacompetentfinancialcomponent

# GoalX:FacilitateandsupportthecreationofaneffectiveDisasterManagement system

#### StrategicObjectives:

- 1. Createaneffectiveprovincial disastermanagement capability
- 2. Establishcontractualservicedelive ryinterfacewithmunicipalitiesinrespectofdisaster management
- 3. Facilitate provincial wideco operation in the field of disaster management
- 4. Monitorandpromotethedevelopmentofanacceptablefirebrigadeservice
- 5. Facilitatecontractualservicedelive ryinterfaceamongstmunicipalitiesinrespectoffire brigadeserviceswhereapplicable
- 6. Facilitateprovincial -wideco -operationinthefieldoffirebrigadeservices
- 7. Fosterprovincial relations with the Institutes of disasterman agement and fire brigades

TableB2:Measurableobjectives,PerformancemeasuresandTargets

Programme1:Administration Subprogramme1.1:OfficeoftheMinister								
Aim:ToconducttheoverallmanagementoftheMinistry								
Measurable	Outputs		Performance	measures		Systemusedto monitorprogress		
Objectives		Cost2003/04	Quantity	Quality	Timelines			
Toensurean efficient administrative supportserviceto theMinister	Achievedgoalsof executiveauthority	Personnel and administration costs	Numberof goalsachieved	The administrative support functionswill supportthe Ministerto ensurethat provincial goalsaremet	Continuous	ProvincialCabinet		
	ninistration 2:CorporateServices overallmanagementoftheDepa	artmentandensur	eeffectivear	ndefficientadminis	stration			
Measurable	Outputs		Performance	measures		Systemusedto		
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress		
Toensurean efficient administrative supportserviceto theDepartment	Cabinetsubm issionsthat complywithnewguideline	Personnel and administration costs	Numberof Cabinet submissions	Compliance with prescripts	Continuous	Departmental Management Committee		
·	Effectiveadministrative supportservice		N/A	Effective administration	Continuous			
	Satisfactoryresolved		Numberof	Satisfactory	Continuous			

	representations		representations	resolved		
	Appropriatepolicies		Numberof policies	Appropriate policies	Continuous	
	Defensibledecisions		N/A	Defensible decisions	Continuous	
Developand attractskilled professionalsthat canplaya leadingroleinthe	Internalandexternal bursaries	R200000	Numberof Internaland external bursaries	Qualified Candidates	February 2004	Departmental Management Committee
municipalpolicy development arena	Trainedcandidates		Numberof trained candidates	Qualified candidates		
ToconductIT auditanddevelop appropriate strategy	Analysisreport Appropriatestrategy Businessplantoaddress gaps	R200000	1Report 1Strategy 1Busine ssplan	Effectiveand efficientIT technology whichmeets theneedsof the Department	Continuous	Departmental Management Committee
Toreviewand restructure organizational establishment	Restructured establishment	Personnel and administration costs	1staf fstructure	Organisatio- nalstructure thatwillmeet the challengesof thestrategic planand budget	May2004	Departmental Management Committee
Toestablisha welldeveloped,	Awelldevelopedand effectivepers onnelcorps	Personnel and	Numberof postsfilled	Postswillbe filledwith	Continuous	Departmental Management

effectiveand representative personnelcorps		administration costs		incumbents thatwillmeet the requirements oftheposts		Committee
Todevelopand maintainlogistical supportsystems	Effectivelogisticalsupport systems	Personnel and administration costs	1Effective logistical support systems	Support systemwill meetthe requirements ofthe strategicplan andbudget	March2004	Departmental Management Committee
Todevelopand facilitatea HIV/AIDS programme	Successfullyfunctioning programme	R180000	1Successfully functioning programme	Provincial success indicators	March2004	Departmental Management Committee
Toestablishand maintained effectivesupply chain management	Cost-effectiveproc urement ofgoodsandservices Efficientprovisioningof stocksandgoods	Personnel and administration costs	1Effective supplychain management system	Supplychain management systemwill meetthe requirements ofprescripts	March2004	Departmental Management Committee
Toimplementthe PFMA successfully	Soundfinancial administration	Personnel and administration costs	1Sound financial administration	Compliance with normative measures	Continuous	Departmental Management Committee
Toensurethe establishment of acompetent financial component	Competentfinancial component	Personnel and administration costs	1Competent financial component	Financial component thatwillmeet the requirements of the	March2004	Departmental Management Committee

				Department, itsstrategic planand prescripts		
Toensuresound financial managementand administration	Soundfinancial managementand administration	Personnel and administration costs	Soundfinancial management	Unqualified auditreports	Continuous	Departmental Management Committee
Programme1:Adn						

Subprogramme1.3:Restructuring
Aim:Toprovidefortherestructuringofthedepartment

Measurable	Output		Performancemeasures				
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress	
Torestructurethe	Redesigned	Personnel	1Redesigned	Restructured	March2004	Departmental	
Department	departmentalstructure	costs	departmental	departmental		Management	
			structure	structurethat		Committee	
	Are -alignedand			willmeetthe			
	resourceddepartment			requirements			
				ofthe			
				strategicplan			
				andbudg et			

## Programme2:Localgovernmentinstitutionalservices Subprogramme2.1:Legislationandadministration Aim:Toprovidelegislativeclarityandinstitutionalservicestomunicipalities

Strategic	Output		Performance	emeasures		Systemusedto
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress
Support municipalitiesby monitoring compliancewith legislative prescriptsre councilloraffairs	Municipalitiesthatcomply	Personnel and administration costs	Numberof councils complying	Strict adherenceto thelawand judicious decision making	Continuous	ReportsoftheAuditor - generalandquarterly returns
Maintainthe institutional integrityof municipalities	Municipalitiesthatfunction effectively	Personnel and administration costs	30 Municipalities thatfunction effectively	Compliance withlegal prescripts	Continuous	ReportsoftheAuditor - generalandquarterly returns
Createcapacity toexecute interventionsin termsofsection 139ofthe Constitution	Abusinessplanforthe establishmentofcapacity toexecutesection139 interventions	Personnel and administration costs	Numberof successful interventions	Workableand affordable interventions	March2004	Departmental Management Committee
Provideexpert adviceserviceto municipalities	Anacceptableadvice serviceongeneralaffairs ofcouncils	Personnel and administration costs	Numberof requestsfor advice	Advicetobe inlinewith legal prescriptsand practically orientated	Continuous	Departmental Management Committee

Developa WesternCape localgovernment act	Actionplanwith framework,processesto befollowedand timeframestobeadhered toforalocalgovernment act	R500000	1Actionplan	Thorough research, comprehensiv econsultation andclarityto implement	March2004	Departmental Management Committee
Purgethe Municipal Ordinanceno20 of1974	Provincialactwithoutthe sectionsthatareobsolete orinconflictwiththe Constitution	R200000	1Provincialact	Actinline withthe Constitution	March2004	Departmental Management Committee
Provideguidance tomunicipalities regardingby -laws	Acceptableadviceservice onbylawsto municipalities	Personnel and administration costs	Numberof requestsfor guidance	Guidanceto beinlinewit h newlocal government dispensation	Continuous	Departmental Management Committee
Auditprovincial ordinanceswith theviewtodeve - lopnewprovincial legislationwhere theneedexists	Frameworkfordraft contemporaryprovincial ordinances/acts	R100000	Numberof contemporary provincial government Acts	Thorough researchand consultation	March2004	Departmental Management Committee
Tobeofservice totheDepartment bywayofa resourcecentre forlegislation	Apracticalandeffective resourcecentre	Personnel and administration costs	1Resource centre	Correctinter - pretationof laws,govern - mentand provincial notices.To ensure timeous inputswhen commentsare required	Continuous	Departmental Management Committee

## Programme3:Developmentallocalgovern ment Subprogramme3.1:Developmentallocalgovernment Aim:Topromotetheimplementationofdevelopmentlocalgovernment

Measurable	Output		Performance	measures		Systemusedto
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress
Establishpolicy frameworkfor clarificationof	Memorandumof agreement(MOU)	R500000	30MOU's	Improved clarity	June2003	TrilateralTaskTeam, ProvincialCabinet, ProvincialAdvisory
divisionofpowers andfunctions between	Apositionpaper		1Position paper	Improved relationships	MAY2003	ForumandProvincial AdvisoryForum (Technical)
provincialand localgovernment	Aprovincialframework		1provincial framework	Certaintyon future assignments	August 2003	
	Functionspecific agreements		Numberof agreements	Improved service delivery.	March2004	
Conceptualize developmental localgovernment	Aguidetodevelopmental localgovernment	Personnel and administration costs	1Guide	Improved understanding ofconcept	September 2003	Departmental Management Committee
Compileaprovin - cialdevelopmen - tallocalgovern - mentpolicyand programmes	Acoherentprovincial policyandframeworkfor departmentalprogrammes	R230000	1provincial policyand framework	Improved understanding ofconcept	March2004	Departmental Management Committee

Continuetraining coursein developmental localgovernment	Atrainingcourseinline withdepartmentalstrategy ondevelopmentallocal government	R50000	1Training Course	Improved implementationofdeve - lopmental localgovern - ment	March2004	Departmental Management Committee
Topromotethe alignmentof provincialbud - gets,projects, programmesand prioritieswith IDP's	Establishedprocessto alignmunicipalIDP'sand provincialbudgets	Personnel and administration costs	Numberof aligned provincial budgets	Improved financial efficiencyand service delivery	March2004	IDPassessment Committeeand Departmental Management Committee
Toassist municipalities withthereviewing ofIDP's	Reviewedandimproved IDP's	Personnel and administration costs	Numberof reviewedIDP's	ImprovedIDP implementation	March2004	IDPassessment Committeeand Departmental Management Committee
Toadjustcurrent programmesin termsofnew Departmental strategy	Adjustedprogrammes	Personnel and administration costs	Numberof adjusted programmes	Improved service deliveryto local government	September 2003	Departmental Management Committee
Co-ordinatethe URP	Participatingprovincial departmentsintheURP	R50000	Numberof provincial departments participating	Improved implementationofthe programme	March2004	UrbanrenewalForum andDepartmental Management Committee
	Provincialpolicy framework	R50000	1policy framework			

Co-ordinatethe ISRDP	Participatingprovincial departmentsin theISRDP	R50000	Numberof provincial departments participating	Improved implementationofthe programme	March2004	IDTTandDepartmental Management Committee
	Provincialpolicy framework	R50000	1policy framework			
Promote paradigmshift from hardcore servicedelivery towardscreating anenabling environmentfor sustainable development	Informationsessions/ workshopstopromoteand achieveparadigmshifts  Municipaleconomic	Personnel and administration costs	Numberof information sessions/ workshopsto promoteand achieve paradigmshifts  Numberof	Enhancement ofenabling environment	March2004	Departmental Management Committee
	developmentprofiles		municipal economic development profilesdrafted			
Co-ordinate municipaltraining initiatives	Amenuoftraining programmesbasedon analysedneeds	R50000	Needsanalysis oftraining needs	Moreefficient and capacitated municipal	June2003	TechnicalTraining Committeeand Departmental Management
	Aninauguralmunicipal executiveprogramme	R350000	1municipal executive programme	staff	July2003 August	Committee
	Aninauguraltraining programmeforwoman managers	R100000	1training programmefor women		2003	

	Arepeatofthetraining courseformunicipal managers	R60000	managers  1Training course		December 2003 March2004	
	Aninauguralmiddle managementtraining course	R200000	1Trainin g course		Walch2004	
	Externalbursaryforone qualifyingcandidate	R50000				
Facilitatethe developmentof ProvincialKPI's	ProvincialKPI'sfor municipalperformance	Personnel and administration	Numberof KPI'sdevelop	Improved performance andreporting	June2003	IDPAssessment Committee
formunicipal performance management system	Aproposedguidelinefora reportingformatby municipalities	costs	1guideline document	and opening	July2 003	PAFandPAFTECH
oyoto	Aformatforreportingby thedepartment		1formatfor reporting		August 2003	NationalDepartmentof ProvincialandLocal Government
	Timeousannualreportto provinciallegislatureand nationalMinister		Annualreportto legislature		December 2003	Provinciallegislature andNCOP
	Aconso lidated,relevant andsubjectspecificdata base		1database		Continuous	Departmental Management Committee

Develop frameworkfor municipal capacitybuilding	Aframeworkreflecting principles,KPI'sand programmes	Personnel and administration costs	1Framework	Improved municipal capacity	March2004	Departmental management Committee
Maintainand promoteand refinethefunc - tioningofexisting intergovernmental fora,i.e.Provin - cialAdvisory Forum(PAF), PAFTechnical andDistrict AdvisoryForum	Robustattendanceofand participationinexisting fora	Personnel andadmini - strationcosts	Numberofrole - players attendingand participating	Improved functioningof theforums	March2004	PAF,PAFTECH, Departmental Management Committeeand Ministry
Facilitaterefining ofprovincial strategiesre. IDP's, Economic developmentand spatialdevelop - ment	Accessedandadjusted strategies	Personnel andadmini - strationcosts	Numberof strategies accessedand/ oradjusted	Improvement ofprovincial strategies	March2004	IDPassessment Committee Departmental Management Committeeand
Toconcludethe finaltransfor - mationphase	Adjustedfunctions	Personnel andadmin i- strationcosts	Numberof adjusted functions	Improved service delivery	March2004	MunicipalDemarcation Boardand Departmental Management Committee

### Programme3:Developmentallocalgovernment Subprogramme3.2:Valuations

Aim:Tocomply,monitorcom pliancebymunicipalities,ofpresentpropertytaxationlegislationandtorespondtorepresentationson municipaltaxationfromratepayersandmunicipalities

Measurable	Outputs		Performance	measures		Systemusedto
Objectives		Cost2003/ 04	Quantity	Quality	Timelines	monitorprogress
Tocomplywiththe presentmunicipal propertytaxation prescripts	Listofprovincial compliance responsibilities and validation of compliance	Personnel and administration costs	1List	Improved compliance	March2004	Reportso ftheAuditor - generalandquarterly returns
Monitorqualityand compliancewith presentmunicipal propertytaxation	Complying municipalities	Personnel and administration costs	Numberof municipalities complying  Numberof representa- tionsresponded to	Improved monitoring and compliance Improved response	Continuous	ReportsoftheAuditor - generalandquarterly returns
Tofacilitatethe implementationof theproposednew Actonproperty taxation	Apresentationbasedon analysis  PresentationWorkshops andinformation sessions	Personnel andadmini - strationcosts	1presentation  Numberof workshopsand information sessions	Smooth implementation	March2004	Departmental management Committee

Monitorqualityand compliancewith proposednew municipalpro perty taxation	Complying municipalities	Personnel andadmini - strationcosts	Numberof municipalities complying	Improved monitoring andcom - pliance	Continuous	ReportsoftheAuditor - generalandquarterly returns
Programme3 : Dev	 elopmentallocalgovernm∈	e nt				
Subprogramme3.4:	Communityfocusedmatte	ers				
Aim:Toresearchmatte	ersemanatingfromthedepar	rtmentalstrategic	olanandtoco	-ordinateanddr	ivespecificcom	munityfocusedmatters
Measurable	Outputs		Performance	emeasures		Systemusedto
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress
Toresearchmatters emanatingfromthe departmental strategicplan Toco -ordinatethe LocalEconomic Development(LED)	Researchresults  Synergyofpurpose  MonitoredLEDprojects	Personnel andadmini - strationcosts  Personnel andadmini - strationcosts	Numberof researchpro - jectsidentified/ completed Numberof programmes withsynergyof	Useful research results  Improved economic situation	March2004  March2004	Departmental management Committee  Departmental management Committee
programmes	Aguidaliaaanublia	Dargangal	purpose  2visitsper project	Improved	March 2004	Denovimental
Support municipalitieswith publicparticipation	Aguidelineonpublic participation  Assistancetoidentified municipalities	Personnel andadmini - strationcosts	1Guideline document 5municipalities assisted	Improved public participation	March2004	Departmental management Committee
Toco -ordinateand drivespecificcom - munityfocused matters	Co-ordinatedand managedprojects	Personnel andadmini - strationcosts	Numberof projects	Improvedco - ordination	March2004	Departmental management Committee

# Programme4:Localgovernmentmonitoringandsupport Subprogramme4.1:Evaluationandassistance Aim:Tomonitortheviabilityofmunicipalitiesandtoimplementsupportprogrammes

Measurable	Outputs		Performance	measures		Systemusedto
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress
Tomonitor municipal sustainabilityand viability	Anmonitoringtool  Amaintaineddatabase basedonfocused specifictop icsbasedon informationsuppliedby themonitoringtool	R200000	1Monitoring tool Maintaineddata base	Improved monitoring andreporting	March2004	ReportstoHeadof Departmentand MinisterforLocal Government ReportsoftheAuditor - generalandquar terly returns
Tomonitorthe implementationof freebasicservices	Sixmonthlyreport	Personnel andadmini - strationcosts	2Sixmonthly reports	Improved service deliveryto indigents	October 2003and March2004	ReportstoHeadof Departmentand Minister forLocal Government ReportsoftheAuditor - generalandquarterly returns
Toassist municipalitiesby developingafree basicservicespolicy asguidelines	Aguidelineonthe implementationoffree basicservices	R200000	Guideline document	Improved service deliveryto indigentsand more sustainable implementa- tionoffree basicservices	January 2003	ReportstoHeadof Departmentand MinisterforLocal Government

Co-ordinatethe implementationof managementsup - portprogrammes	Approvedprovincial businessplan	Personnel andadmini - strationcosts	1Businessplan	Improved cashflowand service deliveryof municipality	April2003	MunicipalSteering Committeesand ProvincialSteering Committee
	Managementsupport programmes	R15100000 (National Conditional Grant)	8management support programmes	типогранц	October 2003	Monthlyandquarterly progressreportsto nationalDepartmentof ProvincialandLocal
	Functioningmunicipal steeringcommittees		8municipal steering committees		November 2003	Government
	Functioningprovincial steeringcommittee		1Provincial steering committee		June2003, September 2003, November 2003,March 2004	
Developaprovincial approachinrespect ofdeterminationof sustainabilityofnew services/projectsby municipalities	Municipalitiesutilising longtermfinancial planningtool	Personnel and administration costs	Numberof municipalities utilisinglong termfinancial planningtool	Theextentto which councils utilisesthe tool	Continuous	Quarterlyreporting throughProjectviability
a.mo.pa.mos	Municipalitiesassisted withMunicipalservice partnerships		Numberof municipalities assisted		Continuous	
	Apositionpaperon municipalservice partnerships	R50000	Positionpaper		September 2003	

## Programme4:LocalGov ernmentmonitoringandsupport Subprogramme4.2:Infrastructurecapacitation Aim:Tosupportmunicipalitieswiththeimplementationandmaintenanceofinfrastructureprojects

Measurable	Output		Performancemeasures				
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorpro gress	
Todevelopand executeCMIP capacitybuilding initiatives	Capacitatedprovincial andmunicipalofficials	R5614000 (National conditional grant)	Numberof capacitated provincialand municipal officials	Successfully executed projectsand maintained municipal assets	Continuous	Monthlyandquarterly reportstoHOD, Ministryandnational	
Toprovidesupport tomunicipalitiesin respectofproject preparation	Businessandmaster plans	R350000	Numbero f municipal businessplans	Improved businessand masterplans toenhance, performance inconstruc - tionand expenditure	Continuous	Departmental management Committee	

## Programme5:Co -operativegovernance Subprogramme5.1:Facilitationservices Aim:To promoteexcellentco -operativegovernance

Measurable	Outputs		Performance	measures		Systemusedto	
Objectives		Cost2003/04	Quantity	Quality	Timelines	monitorprogress	
Shape/focuson provincialstrate - gyrelocal government	Provincialsummit  Acoheren tprovinciallocal governmentstrategy	R150000	1summit Strategy	Uniformityof approachby provincial departments visavis municipalities	July/August 2003	Departmental management Committee	
Initiateastructure forregularpoliti - calandtechnical interactionwith theCityofCape Town	Functioningstructure	R10000	1functioning structure	Synergyin Cityand provincial planningand budgeting ("DieKaap watgroei")	August/ September 2003	Departmental management Committee	
Co-ordinate provincialdepar t- mentalparticipa - tionininter - governmental forums	Participatingdepartments	Personnel andadmini - strationcosts	Numberof departments participating	Extentto whichparti - cipationtakes place	Continuous	Departmental management Committee	
Arrangeannual jointconference withallthree spheresof government	Successfulannual conference	R100000	1conference	Extentto whichconfe - renceisatten - ded	October 2003	Departmental management Committee	

Establishand promotethe Departmentas principleprovin - cialliaisonstruc - tureinrelationto intergovernmental relationswith localgovernment	Departmentestablishedas principleliaisonstructurein respectofintergovern - mentalrelationswithlocal government	Personnel and administration costs	N/A	Theextentto whichthe Department fulfilitsliaison function	Continuous	Departmental management Committee
Defineroledefini - tionandco - operationprotocol withWECLOGA	Amutuallyaccepted protocol	R10000	1Protocol	Extenttot which protocolis adheredto	July/ August 2003	Departmental management Committeeand Ministry
Initiateprotocol forlocalgovern - mentrelations betweenpro - vinces	Amutuallyaccepted protocol	R20000	1Protocol	Extenttot which protocolis used	October 2003	Departmental Management Committee
Developframe - workformorefor amorestructu - red,regularand vigorousinter - actionwiththe Excoof WECLOGA	Amutuallyaccepted framework Interactioncontacts	R10000	1framework  Numberof interaction contacts	Extentto which interaction addsvalueto relationships	March2004	Departmental Management Committee

Developa scheduled programmeof	Ascheduledprogramme forinteraction	Personnel andadmini - strationcosts	1Scheduled programme	Extentto whichvalueis addedtothe	March2004	Departmental management Committee
interaction, information sharingand capacitybuilding withtheStanding Committeeof LocalGovern -	Informationsessions  Capacitybuilding workshops		Numberof information sessions  Numberof capacity building	relationship betweenthe Department andthe Standing Committee		
mentAffairs	A	D40000	workshops	Forteratte	A	DAE DAETEOU
Developprotocol forco -operation betweenandin supportofdistrict andlocalmayors	Amutuallyaccepted protocol  Relaxedrelationship betweendistrictandlocal	R10000	1Pro tocol	Extentto which protocolis usedand adheredto	April	PAF,PAFTECH Departmental management Committeeand Ministry
Facilitateapoliti -	Mayors	Personnel	1Protocol	Extentto	May2004	Donartmontal
calprotocolon thesupportof development	Anacceptedprotocol withinwhichdevelopment canbefacilitated	and administration costs	TFTOLOCOI	which adherenceto protocol stimulates development	iviay2004	Departmental management Committeeand Ministry

Programme6:DisasterManagement
Subprogramme6.1:Prevention,mitigation,preparednessandreco nstruction
Aim:TocreateaneffectivedisastermanagementsystemfortheProvinceandsupportandpromotethedevelopmentofanacceptablefire brigadeservice

Measurable	Outputs		Performance	measures		Systemusedto
Objectives		Cost	Quantity	Quality	Timelines	monitorprogress
Createaneffective provincialdisaster management capability	Compliancewith legislativeprescripts  Functioningand effectivestructures	Personnel andadmini - strationcosts	Levelof compliancewith legislative prescripts  Levelof functioningand effectivenessof present structures	Improved compliance and effectiveness	March2004	DisasterManagement AdvisoryForumand Departmental management Committee
Establish contractualservice deliveryinterface withmunicipalitiesin respectofdisaster management	Servicesdelivery agreements	Personnel andadmini - strationcosts	Numberof agreements concluded	Improved service delivery	March2004	DisasterManagement AdvisoryForumand Departmental management Committee
Facilitateprovincia I- wideco -operationin thefieldofdisaster management	Co-operationinthefield ofdisastermanagement	Personnel andadmini - strationcosts	Levelofco - operationinthe fieldofdisaster management	Improvedco - operationin disaster management	March2004	DisasterManagement AdvisoryForumand Departmental management Committee

Monitorandpro - motethedevelop - mentofanaccep -	Annualreportonstate offirebrigadeservices	Personnel andadmini - strationcosts	Annualreport	Improved monitoring	March2004	Categoryofauthorized persons
tablefirebrigade service	Adjustmentoffire fightingfunction betweendistrict and localmunicipalities		Numberof adjustments	Improvedfire fighting service	September 2003	MunicipalDemarcation Board
Facilitatecont ractual servicedelivery interfaceamongst municipalitiesin respectoffire brigadeservices whereapplicable	Contractualservice deliveryagreements	Personnel andadmini - strationcosts	Numberof agreements concluded	Improved service delivery	March2004	ProvincialFireBrigade AdvisoryForumand Departmental management Committee
Facilitateprovincial - wideco -operationin thefieldoffire brigadeservices	Establishedandco - ordinatedProvincialFire BrigadeAdvisoryForum	Personnel andadmini - strationc osts	Numberof meetings	Improvedco - operation	March2004	ProvincialFireBrigade AdvisoryForumand Departmental management Committee
Fosterprovincial relationswiththe Institutesofdisaster managementand firebrigades	Membershipofand participation in Institute's activities	Personnel andadmini - strationcosts	Numberof members	Improvedstaff capacity	March2004	DisasterManagement Instituteofsouthern Africa SouthAfrican EmergencyServices Institute
						FireProtection Association

#### 11. Medium-termrevenues

#### 11.1SUMMARYOFREVENUE:

R000	2000/01 Actual	2001/02 Actual	2002/03 Estimate	2003/04 VOTED	2004/05 MTEF	2005/06 MTEF
Equitable share	13742	18517	26054	39826	40878	42980
Conditional grants	6216	11062	39053	24021	22810	3738
Other	0	0	4	6	13	0
Total revenue	19958	29579	65111	63853	63701	46718

11.2Departmentalrevenuecollection:

R000	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06
	Actual	Actual	Estimate	VOTED	MTEF	MTEF
Current						
revenue						
Taxrevenues						
Non-t ax						
revenue						
Capital						
revenue						
Other						
revenue			4	6	13	
(Parking)			7	· ·	13	
Departmental						
revenue			4	6	13	

#### 11.3 Conditionalgrants

Thedepartmentreceivestwoconditionalgrants, the Local Government Capacity Building Fund Grant and the Consolidated Mu Infrastructure Programme Grant from the national Department of Provincial and Local Government. The Local Government Capacity BuildingFundGrantisnowapartlyconsolidatedgrantandincludesthe former local government support grant as well as the CMIP capacity building portion, which previously formed part of the CMIP grant. The CMIPgrant, nowonits own, is to cover the administrative costs of the Department relating to the management of the CMIP. The Local Government Capacity Building Fund Grant must be utilised to implement management support programmes at identified munici palities and to initiate training programmes with regard to CMIP infrastructure. For both these grants the Department must submit business plans to the national Departm ent of Provincial and Local Government.

#### 11.4 Co-ordination,co -operationandoutsourcingplans

#### 11.4.1 Interdepartmentallinkages

DepartmentaredeliveringprogrammesonbehalfofthenationalDepartment ofProvincialandLocalGovernment,someinre lationtoschedule5grants(in terms of the Division of Revenue Act); including the local government capacity building fund grant, CMIP and LED funds, as well as other programmessuchasURPandISRDP.

The Department has links with every Provincial Depa rtment in relation to their municipal interface. Particularly strong links exist in relation to those depart - ments that have agency/contractual service relationships with local government. The Department leads a tri - lateral task team towards regulari - zingandre solving service relations with municipalities.

The Department also co -ordinated the IDP interface between Provincial Departments and Municipalities and leads a multi -Departmental team in IDP reviews.

No direct financial linkages do however exis t, with the notable exception of cooperation between the Provincial Treasury and the Department in relation to the monitoring of Municipal Finances.

#### 11.4.2 Local Government linkages

#### 11.4.2.1 CityofCapeTown

A key element of this Plan is the establish ment of a formal and regular interface with the City of Cape Town to strengthen the current technical and political measures already in place. The key financial link over and above the distribution support of scheduled grants relates to the resolution of payment for and finalizing of contracts for the rendering of services on behalf of the Province by municipalities

#### 11.4.2.2 DistrictandLocalMunicipalities

Through notices in terms of the Municipal Structures Act a series of structures has been created at both a district level for inter -municipal coordination and provincial level for regular inter -governmental contact with municipalities. These structures are mirrored by technical commit - tees that function in support. These structures are respectively called DistrictAdvisoryForums(DAF) and the Provincial AdvisoryForum(PAF). Thekeyfinancial link over and above the distribution support of scheduled grants relates to the resolution of payment for and finalizing of contracts for the rendering of services on behalf of the Province by municipalities

#### 11.5 Publicentities

None

#### 11.6 Public, private partnerships

None

### 11.7 Strategiestoaddressauditqueries

Auditqueriesareaddressedwithin14daysofreceipt.

#### 11.8 ImplementationofPFMA

AChi efFinancialOfficer(CFO)fortheDepartmentwillbeappointedas soonaspossible,butcurrentlytheCFOoftheDepartmentofHousing is rendering a agency service to assist the Accounting Officer in his responsibilitiesassetoutinpart 2ofChapter5 ofthePFMA.

#### PARTC:BACKGROUNDINFORMATION

#### C1 Evaluation of current implementation performance

The **transformation of local government** as provided for in National legislationformedalargepartoftheagendaduring2002/03. The department played an important facilitating and supporting role through interpretation, advice and the distribution of guiding documents and draft policies. Formal liaison structures played a very important role in this process. The Provincial Advisory Forum (political) and the supporting technical structure were fully utilised for this purpose. Transformation question naires served as a useful tool to keep up to speed and plan support initiatives

**Developmental Local Government** was promoted through a training programmewhic hwasdevelopedandpresented with the co -operation of the School of Public and Development Management at the University of Stellenbosch. Thirty five officials of municipalities attended this programme. The use of the main tool for developmental local go vernment, namely the Integrated Development Plan (IDP), was promoted through continued technical and financial support. All IDP's were completed, and this placed the Western Cape in the forefront as far asperformance in this field goes.

Co-ordination of the Integrated Sustainable Rural Development Programme (ISRDP) (Central Karoo as node) and the Urban Renewal Programme (URP), with Khayelitshaand Mitchell's 'Plainas nodes, on behalf of the national Department of Provincial and Local Government, became the responsibility of this department as mandated by Cabinet. A new political champion for these endeavours in the Province; the new Premier, also came on board during theyear. The ISRDP node kicked of fwith 16 anchor projects funded to the tune of R42 ,9 million. During July, two anchor projects were identified for the URP nodes, namely the development of the Central Business Districts of Khayelitshaand Mitchell's 'Plain respectively.

A **traininginitiative** forseniormunicipalofficialswithregardt oadministrative law, project management and diversity management in co -operation with the CapeAdministrativeAcademyturnedouttobeahugesuccess. Twenty eight officials attended this course. Other training initiatives focused on provision of infrastructure and financial management.

Thelongstandingdilemmawiththe **futureofKaratara** and environs received alotofattention and adealwas brokered by the department where by Knysna municipality took responsibility for service delivery. This augers well for the future.

The **viabilityof municipalities** was monitored on an ongoing basis and four reports were submitted to the Minister of Local Government. Eleven management support programmes were implemented at municipalities in distress; with very positive results.

Intheinterestof legislativeclarity atboththeprovincialandlocalspheresof government, and to give full effect to the constitutional mandate of the Province, the basis for provincial legislation has been laid by way of comprehensive constitutional research by constitutional experts. The Determination of Types of Municipalities Act, 2000 was amended by the Provincial Legislature so as to include the executive mayoral system. A potential crisis with the possible invalidity of the We stern Cape Valuation Ordinance, 1993, was averted through co -operation with the City of Cape Town and the national Department and the subsequent amendment of the Local Government Municipal Structures Act; 1998. Inputs were made towards various drafts of national legislation not only in writing but also by means of active participation in the relevant provincial and national portfolio committees.

On **disastermanagement** the Universities of the Free State and Cape Town were appointed to do a risk and vulner ability assessment in the Province to identify high risk areas. Financial support to the value of R1,7 million was given to the City of Cape Townforthe period from December 2002 to March 2003 to keep a firefighting helicopter on standby during the summ er.

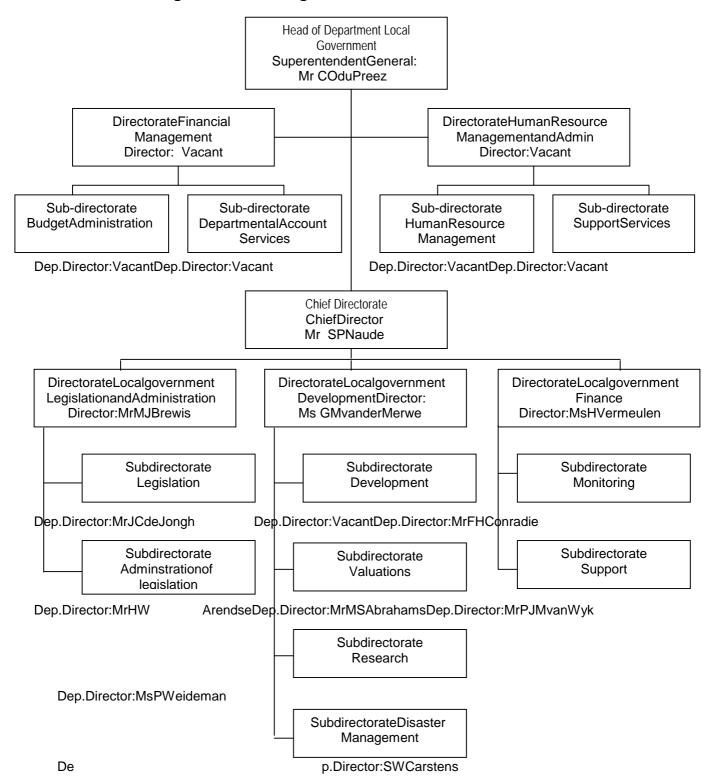
A computer based management support system has been developed and rolledoutatallmunicipalitiestoenhancedisastermanagementinthefield.In addition, financial support was provided to four municipalities to finance nine fire-fighting trolleys for informal settlements as part of a co -operation agreement with a municipality in Bavaria, Germany. This is a pilottotes the viability of this type of approach.

The **Consolidated Municipal Infrastructure Programme** (CMIP) was implemented with great success in the year under review. A total amount of R134 million will have been utilised up to 31 March 2003. Counterfunding to the value of R52 million by municipalities represents the highest figure achieved by any province in the country.

#### C2Organisat ionalinformationandtheinstitutionalenvironment

The Department is in a state of flux and will only be stabilised as soon as its organisational structure based on its strategic plan is finalised and appropriately filled with officials who have the requestive ired skills. In the meanwhile the organisational design as set out below in C2.1 will be the crutch through this interimperiod.

#### C2.1 Organisationaldesign



#### C2.2 Delegations

All delegations are in place and are on record. These delegations relateto: -

- (1) Finance;
- (2) HumanResourceManagement;
- (3) Procurement;

Monitoring and management of delegations are done by the Chief FinancialOfficer,InternalaswellasExternalAuditors.

### C2.3 Capitalinvestment,maintenanceandassetmanagement N/A

#### C2.3.1 Capitalinvestmentplan

N/A

#### C2.4 ITsystems

#### Acquisitionofinformationtechnology

All computer systems and management information in systems that enablethedepartment to monitor and fulfilits core functions are taken up in the Master Systems Plan (MSP) of the previous Department. This MSP is updated regularly taking into account changes in need, budgetary constraints, changing environment, etc. This plan was compiled and is adjusted in collaboration with the Chief Directorate: Information Technology (Department of Provincial Administration) and approved by the Central Information Technology Committee (CITCOM).

#### **Expansionofinformati ontechnology**

Any expansion of the computer systems and management information systems is done in collaboration with the Chief Directorate: Information Technology (Department of Provincial Administration) and approved by CITCOM.

#### **C2.5** Performancemanageme ntsystem

The department applies the Staff Performance Management System for all staff including Senior Management Service (SMS) members as developed by the Department of Public Service Administration (DPSA) and adapted by the Provincial Government Wester n Cape (PGWC).

The system is based on a performance appraisal having pre -set and agreed objectives and outcomes. The system makes provision for four appraisal interviews per year and an incentive scheme based on prescribed guidelines.

#### C2.6 Financialmana gement

All staff members were introduced to the new financial legislation by means of information sessions by the Provincial Treasury, applicable documentation and training sessions in order to ensure that they have a background knowledge of the norms an distandards of the Public Finance Management Act (PFMA), the National Treasury Regulations (NTR's) and the Provincial Treasury Instructions (PTI's). All newly appointed staff will, in future, also undergo similar training and personnel will also be nomina ted for courses presented by the Provincial Treasury. Structured departmental information sessions were also introduced in the middle of the financial year.

The Chief Financial Officer (CFO) of the Department of Housing currently assist the Accounting Officer in his responsibilities as set out inpart 2 of Chapter 5 of the PFMA.

Regular reporting is done to the Provincial Treasury to ensure that the Department is on track with the implementation of the PFMA. The centralised Internal Audit Component of the Provincial Administration also monitors the implementation of the PFMA in the Department.

Financial delegations in terms of part 3 of Chapter 5 of the PFMA, as well as in terms of the new NTR's (9 April 2001) and PTI's were updated and issued during the financial year.

Financial processes and procedures in respect of the Treasury Instructions and the Exchequer Act have been adapted and issued in terms of the PFMA, NTR's and PTI's. As the need arises, new procedures are developed and issued in terms of the new legislation/regulations.

An amended Fraud Prevention Plan was implemented on 30 June 2001 interms of the Public Finance Management Act, 1999 (Act No1 of 1999) (asamended) and has a sobjective that:

- (a) the policies, procedures, rules, r egulations and other govern ment prescripts, including human resources policies be strictly adheredto;
- (b) the disciplinary code and procedures be applied and supervisors be trained in the application of the process thereof;
- (c) the prescribed internal Control measures within policies, proce dures, rules, regulations and other official prescripts be applied and adhered to;

- (d) a risk management plan be implemented in liaison with the InternalAuditUnitofProvincialAdministration:WesternCape;
- (e) structuredprogrammeofongoingriskassessmentbeintroduced andmaintained:
- (f) a Fraud Prevention Committee be established with terms of referenceassetoutinappendix4ofthePlan;
- (g) the code of ethics and business conducts, as well as the Code of Conduct for the Public Service be respected and applied by allofficials;
- (h) theFraudPolicyandResponsePlanbesupportedandadhered to and that officials foster a culture of zero tolerance to corruption,fraud,theftandmal -administrationbyallindividuals;
- (i) record be kept in respect of all allegations of fraud, as well as lossesordamages suffered through criminal or possible criminal acts or omissions. In this regard officials were made aware of the Fraud Line 080 -122-6545;
- (j) physicalsecuritybetightened.Officialsagainbemadeawareof theSearchPolicy;
- (k) an awareness campaign be lodged, firstly by means of educationalworkshopsandsecondlybytheuseofposters,and
- (I) ongoingmaintenanceandreviewofthePlan bedone.

The Plan was developed by the Internal Audit component of the Province.

#### C2.7 Internalaudit

#### Legalrequirements

The Public Finance Management Act, 1999, was implemented with effectfrom1 stofApril2000,andSection38(1)(a)requiresacco unting officersto"....ensureaneffective,efficientandtransparentsystemof financialandriskmanagementandinternalcontrol,aswellasasystem of internal audit under the control and direction of an audit committee....".

TreasuryInstruction3.1 .11(a)requirestheauditcommitteetoevaluate the financial statements of the department for reasonability and accuracy, and to report on the effectiveness of internal controls of the department.

#### Managementresponsibility

Theaccountingofficerisr esponsibleforguidingdepartmentalstrategy, majorplansofaction,riskpolicies,annualbudgetsandbusinessplans, monitoring departmental performance and establishing best managementpractices.

#### AuditCommitteeresponsibility

The Provincial Admin istration of the Western Cape has a centralized Audit Committee and internal audit component. The Audit Committee has adopted a written charter that sets out the scope of their activities and authorities. During the first year of implementation the audit committee have addressed their responsibilities in terms of the charter.

The activities of the Internal Audit component are mandated, although it is not adequately resourced to audit all the high risk areas in the department.

The work performed by the internal audit component, which complies with the requirements of the Institute of Internal Auditors to audit both thead equacyand effectiveness of internal controls.

#### Riskmanagementandinternalcontrolmechanisms

The control framework is designed to provide reasonable assurance regarding the achievement of departmental objectives in the following categories:

- □ The maintenance of proper accounting records and the reliability of financialinformationusedwithinthedepartment;
- Compliancewithapplicabl elaws, regulations and codes of conduct;
- The detection and minimization of significant risks associated with fraud,potentialliabilityandloss,includingthesafeguardingofassets;
- Managingpotentialconflictsofinterestofmanagement; and
- The effect iveness of operations. The key internal control procedures could be summarized as follows:

#### Riskmanagement

A risk model was prepared for the department indicating high -level risks that will impact on achieving objectives. Further developments included the breakdown of the risk model onto processes of corporate

governance, risk management and control. The process level risk modelwillbecompletedduringthenewfinancialyear.

#### Informationandcommunication

The department has a comprehensive process of annual budgets and detailed monthly reporting. The accounting officer and his management team review the annual budget and actual expenses on a continuous basis.

#### Monitoringprocesses

The system of internal control is continually monitored and who here necessary modified. The departments systems are designed to provide reasonable assurance that assets are safeguarded and transactions are executed in accordance with management's authorisation. Monitoring processes include management review and testing by internal auditors. Testing of financial transactions are performed by the external auditors.

#### Compliance

The department maintains a system of compliance auditing with relevant laws, regulations and policies, and with the code of conduct. A frau d prevention plan was developed and implemented during the 2001/02 financial year. The internal auditors assess the effectiveness of internal controls independently and recommend improvements.

#### Overalleffectiveness

The effectiveness of internal contro I systems within the department is subject to inherent limitations, including the possibility of human error and deliberate overriding controls. It is thus recognised that internal control systems can only provide reasonable assurance against any materialmisstatement and loss.

Managementmaintainsadequateaccountingrecords, although effective management information is not consistently available to ensure the achievement of objectives. Management continues to maintain systems of internal control throu gharegular and pro-active process of auditing and correction.

#### C2.8 ImplementationofPFMA

### ACTIONPLANFORTHEIMPLEMENTATIONOFTHEPUBLICFINANCE MANAGEMENTACT,1999

### Keyperformancemeasure(KPM):Compliancewithnormsand standards

#### **TEN(10)I MMEDIATESTEPS**

- (1) EstablisheffectivesupportstructuresfortheCFOassoonas possible.
- (2) In-yearmanagement, monitoring and reporting
- (3) Completingdepartmentalimplementationplans.
- (4) Compliancewithexistinginternalcontrols(NationalTrea sury) Regulations,ProvincialTreasuryDirectivesandDepartmental FinanceInstructions).
- (5) Improveplanningandcontroloftransfers.
- (6) Controlsuspenseaccounts.
- (7) Delegationsofresponsibilitiestorelevantofficialsandtrain themonthedeleg ations.
- (8) Clearupauditqueries.
- (9) Finalisefinancialstatementsby31May2003for2002/2003 financialyear.
- (10) EnsureoversightoverPublicEntitiesasprescribedbythe PFMA,1999.

#### <u>APPENDIXA</u>

#### <u>Glossaryofacronyms</u>

IDP IntegratedDevelopmentP lanning

LED LocalEconomicDevelopment

URP UrbanRenewalProgram

ISRDP IntegratedSustainableRuralDevelopmentProgram

MSP ManagementSupportProgramme

CMIP ConsolidatedMunicipalInfrastructureProgramme

IGR IntergovernmentalRelations

PGWC ProvincialGovernmentWesternCape

DLG DepartmentofLocalGovernment

DPLG DepartmentofProvincialandLocalGovernment

MIG MunicipalInfrastructureGrant

PAF ProvincialAdvisoryForum

PAFTECH ProvincialAdvisoryForumTechnicalCommittee

DAF DistrictAdvis oryForum