

# ETHEKWINI MUNICIPALITY



## COUNCILLOR SUPPORT POLICY

Date of Adoption: 25 MAY 2015

## 1. Preamble

1.1. The Council of a Municipality has the right to govern on its own initiative the local government affairs of its community, subject to national and provincial legislation as provided for in the Constitution.

1.2. In order to achieve the objectives of the council, Councillors are expected to perform duties which are necessary or appropriate to achieve such objectives and as such, are entitled to access support as described in this policy and relevant legislation.

1.3. This policy must be read in conjunction with applicable legislation such as, but not limited to the–

(a) The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

(b) Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

(c) Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);  
and

(d) Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998):  
Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils, including other relevant Council policies as amended or adopted from time to time.

## 2. Purpose

The purpose of this policy is to regulate support offered to Councillors so as to:

(a) stipulate facilities, resources and support which Council considers necessary or appropriate to provide to Councillors in the performance of their duties as Councillors;

(b) specify Councillors' entitlements to professional development support and related matters;

(c) identify Councillors' entitlements for reimbursement of reasonable out-of-pocket expenses incurred while performing official duties; and

(d) outline Councillors' entitlements to receive reasonable *bona fide* expenses associated with performing the duties of a Councillor paid on their behalf.

### **3. Problem Statement**

3.1. The provision of facilities, resources and other support to Councillors, and the expenses paid to, or reimbursed for, Councillors must be on an equitable basis for all Councillors concerned to facilitate the proper discharge of their duties as Councillors.

3.2. This policy is not intended to prescribe for every possible situation that may arise and where one should arise that is not adequately covered by this policy, it will be referred to either the Speaker of the Council or to Council for determination.

3.3. The facilities, resources and other support offered to Councillors shall be subject to the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils issued in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998).

3.4. All resources provided must be used in line with the Code of Conduct for Councillors.

3.5. This policy was drafted in consultation with the Municipality's Legal and Compliance Unit, and must be approved by Council.

## 4. Policy rules

### 4.1. Definitions

In this Policy, unless the context indicates otherwise–

**“benefit”** In terms of this policy means tools of trade stipulated other than salaries and allowances;

**“communications equipment”** includes:

- (a) Fixed communication equipment such as land line telephone, fax machine, internet connections and associated hardware and software; and
- (b) Portable communication equipment such as laptop computer, wireless internet connection and associated hardware and software;

**“Councillor”** means a member of the eThekweni municipal council;

**“expenses”** includes:

- (a) expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and
- (b) expenses incurred by Council for or on behalf of a Councillor;

**“Municipality”** means the eThekweni Municipality, a category A municipality as envisaged in terms of section 155(1) of the Constitution of South Africa and established in terms of provincial Notice No. 343 of 2000 (KZN);

**“official duties”** means those activities performed by a councillor, as part of, or an extension of, regular official responsibilities;

**“the Act”** means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**“this policy”** means the Councillor Support Policy; and

**“tools of trade”** means the resources or enabling facilities provided by a municipal council to a councillor to enable effective and efficient fulfilment of his or her duties in the most cost effective manner, and at all times remain the assets of the municipality.

## 4.2. General

- (a) Councillor salaries and allowances are determined in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998).
- (b) Councillors’ duties and activities which are considered to be necessary or appropriate for the purposes of achieving the objectives of Council include–
  - (i) attending ordinary and special council meetings, meetings of Committees of Council, formal briefing sessions and civic or ceremonial functions convened by the Council or the Mayor;
  - (ii) attending meetings or workshops scheduled by the Council or the Mayor;
  - (iii) attending community meetings, ward meetings and ward committee meetings;
  - (iv) participating in site inspection or meetings relevant to a matter which is, or is anticipated to be, the subject of a decision of Council.
  - (v) participating in delegations or commissions to which the Councillor has been duly appointed as a representative of Council;
  - (vi) attending meetings or functions as the nominated representative of Council or the Mayor;

(vii) attending meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed as a Council delegate or the nominated representative of Council;

(viii) meeting with Officials or any other person to discuss matters relating to the Municipality, subject to clause 11 of schedule 1 to the Municipal Systems Act (2000)(Act No.32 of 2000); and

(ix) attending conferences, seminars, training or professional development courses as an attendee or speaker, which:

(aa) contribute to the development of personal and professional skills and knowledge, which are necessary for the performance of the duties of a Councillor;

(bb) are consistent with Council's objectives;

(cc) will cover or present material with application, importance, or relevance to current or future issues faced by the Council; and

(dd) are within the Councillors Annual Financial Allocation or approved annual budget provision for conferences and seminars.

#### **4.3. Travelling Expenses and Costs Outside of the eThekweni Municipal Jurisdiction**

(a) While discharging official duties, a Councillor is–

(i) subject to approval in advance by Council or the Speaker, entitled to be paid or reimbursed travel expenses and other related costs reasonably necessary for the discharge of a Councillor's duties, in terms of the Council travel policy, to destinations outside of the Municipality's jurisdiction but within South Africa; and

(ii) subject to approval in advance by Council, entitled to be paid or reimbursed travel expenses and other related costs reasonably necessary for the discharge of a Councillor's duties, for travel to destinations outside South Africa.

(b) Councillors undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a Councillor must ensure that all costs incurred for private purposes are clearly delineated and that appropriate records including pre-departure itineraries are maintained, and are submitted to the Office of the Speaker, after each travel.

#### **4.4. Communication Equipment, Expenses, Costs and Replacement**

(a) The following shall apply in respect of communication equipment:

(i) Councillors shall be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as Councillors, which at a minimum will include:

- (aa) a landline facility and a World Call Card;
- (bb) a laptop computer and/or tablet;
- (cc) access to a fax/copier/printer; and
- (dd) an internet connection which includes one sim card and one modem.

(b) The modem mentioned above shall be replaced once should it get lost or damaged, however any subsequent loss or damage will result in the modem being replaced at the cost of the Councillor concerned.

(c) The make, model, specification and replacement of any communications equipment, including the associated contracts or plans, shall be at the discretion of the City Manager or his delegate.

(d) Council will meet the reasonable purchase, installation, maintenance and service, connection, subscription, rental and usage costs for all communications equipment provided by Council in terms of this policy.

(e) Council will only meet the reasonable costs of one internet connection for each Councillor, except where additional short term connections are required to facilitate travel or where the connection is necessary or appropriate for the purposes of achieving the objectives of Council.

(f) Council provided communications equipment is to be used for Council related business activities only; however, it is acknowledged that on occasion, reasonable personal use may be made of the communications equipment.

(g) Exceeding prescribed allocation amounts for data and telephone as per existing contracts shall be for the account of the Councillor concerned.

(h) Council will review Councillors' communications equipment and may update equipment at-

- (i) the commencement of each electoral term; and
- (ii) any stage during the electoral term where Council believes an update is appropriate.

(i) All communications equipment mentioned above shall remain the property of eThekweni Municipality and noted on its asset register, however Councillors may be provided with the opportunity to purchase such equipment at the end of their term of office in accordance with any relevant Council Policies.

#### **4.5. Conferences, Seminars, Training, Professional Development and Capacity Building**

(a) For authorised conferences and seminars Councillors are entitled to be paid or reimbursed the cost of attending Council recognised and approved conferences, seminars, training and professional development courses within the scope of this policy including:

- (i) registration fees;
- (ii) accommodation costs and expenses; and
- (iii) reasonable costs and expenses for meals and refreshments.

(b) Upon the commencement of each electoral term, a purpose-designed induction program will be provided to all Councillors.

(c) Council will also provide access as part of Councillors Capacity Development Plan, to the following professional development programs/initiatives:

- (i) meeting procedures;
- (ii) chairing of meetings;
- (iii) governance training;
- (iv) financial training; and
- (v) any other related training.

#### **4.6. Representing Council**

(a) Where Council appoints Councillors to represent it on a number of specific organisations, such Councillors or their substitutes attending regular meetings of these organisations and any special events, shall be entitled to be reimbursed reasonable, bona fide costs.

(b) Where Council has not appointed a representative to a particular organisation or group, and Council receives an official invitation seeking Council representation at an event, Councillors attending shall be entitled to be paid or reimbursed by Council, reasonable bona fide costs associated with representing Council at the event if Council, or the Speaker in consultation with the Mayor, have determined that official representation is considered necessary or appropriate to support the business or representational needs of Council.

#### **4.7. Stationery and Cleaning Materials for Councillors**

(a) Council shall provide Councillors on a quarterly basis with standard stationery equipment and consumables held or obtained generally for the organisation's requirements, from the Councillor Support Section.

(b) Councillors occupying offices, without cleaning services, shall be entitled to cleaning material, also issued on a quarterly basis.

(c) Stationery equipment and consumables include, but is not necessarily limited, to paper, writing implements, diaries, writing pads, envelopes and the like.

(d) Written requests for stationery shall be made by Councillors, to the Councillor Support Section.

(e) Distribution of such stationery shall be at quarterly intervals, and will be physically collected from Councillor Support Section.

#### **4.8. Miscellaneous Support**

(a) Council business documents such as Agendas and other Council information will be couriered to Councillors' place of residence weekly or as and when required.

(b) Councillors will be allocated office space within the eThekweni Municipal Area, as per the Councillor's written request, addressed to the Speaker, and lease agreements shall be concluded by the Municipality's Real Estate Department. Councillors are not allowed to negotiate directly with prospective landlords.

(c) The equipment provided in Councillors Offices shall be at the discretion of the Speaker.

(d) Designated parking for Councillors vehicles will be provided at Council offices.

(e) Council shall provide Councillors with personalised business cards and identity badges for use while on Council business- the design of which shall be in line with the Municipality's Communication, Branding and Marketing Policy.

(f) Where Council meetings, functions or events are held at times that extend through normal meal times, Council will provide suitable meals for Councillors.

(g) The identity badges provided to Councillors in terms of paragraph (e) must be worn by Councillors at all times whilst on Council premises.

#### **4.9. Mayoral/ Office Bearers Fleet**

(a) The Mayor, Deputy Mayor and Speaker shall have access to fully maintained vehicles (including the costs associated with servicing, fuel and insurance, which will be incurred by Council, through City Fleet Unit.

(b) These vehicles shall be available for use by the abovementioned Office Bearers in the discharge of their duties as Office Bearers and Councillors during their term of office.

#### **4.10. Support at Ward Meetings**

(a) An annual budget provision will be made, subject to annual review as part of the Council budget approval process, for the ward Councillors' reasonable costs associated with the hiring of venues for quarterly report -back ward meetings.

(b) Organisational support by officials in Ward Community Meetings will be provided as and when required.

### **5. Procedure**

#### **5.1 Councillors Travelling Expenses and Costs Outside of the eThekweni Municipal Jurisdiction**

(a) A travel authorisation request for a Councillor with a recommendation from a Committee, is forwarded to the Speaker, and once approved, it's sent to the Councillor Support section for actioning.

(b) The signed letter granting authority for a Councillor to travel is sent to the Travel Office to make necessary bookings.

(c) Councillor Support will indicate to the Travel Office preferred flight times and, on occasions, preferred accommodation.

(d) After the Travel Office has confirmed the booking, the necessary information such as flights and accommodation will be communicated to the Councillor Support Section, who in turn will forward the itinerary to the Councillor travelling.

(e) Subsistence and Travel allowance will also be processed at the Travel Office.

(f) In the event that a Councillor is to be reimbursed for costs incurred during the official business travel, upon return an original copy of the invoice will be submitted to the Office of the Speaker to be processed.

(g) Reimbursements shall be paid with Councillor's salary for the particular month.

## **5.2 Communication Equipment, Expenses, Costs and Replacement**

(a) Councillors will sign off for on all communications equipment they received.

(b) In the event of the modem being lost, the Councillor will report in writing to the Office of the Speaker of the loss and request for a replacement.

(c) In the event that equipment is lost or needs to be replaced the following is required from the Councillor:-

### **5.2.1 Lost and Replacement of Laptop, Sim Cards or Modem**

(a) The Councillor has to report and submit an affidavit from SAPS (South African police services) to the Office of the Speaker and register a case, within 24 hours on the incident.

(b) The submitted affidavit will be attached to a council insurance claim form, signed by the Deputy Head: Office of the Speaker and forwarded to the Council's Insurance Claim Department. This has to be done within a month of the laptop being stolen.

(c) Once the Insurance Claim Department has processed the claim, a claim number is submitted to the Office of the Speaker. A pro forma is completed, signed by the Deputy Head Speaker's Office and sent to the Information Technology (IT) Department.

(d) The process takes up to three (3) months to get a new replacement laptop.

(e) The laptop is then bar coded, configured and is handed back to the respective Councillor.

### **5.2.1 To report a faulty telephone lines, world call cards**

(a) In the event that Councillors experience problems with either, their office telephone lines or world calls cards, this is to be reported to the Councillor Support section.

(b) Written requests for fixing telephones and world call cards must be forwarded to the Councillor Support Section.

### **5.3 Conferences, Seminars, Training, Professional Development and Capacity Building**

All claims and reimbursements will be processed as per the procedure laid down in 5.1 above

### **5.4 Representing Council**

All claims and reimbursements will be processed as per the procedure laid down in 5.1 above

### **5.5 Stationary and Cleaning Material for Councillors**

(a) Councillors shall be notified by an sms once the quarterly stationery allocation is ready for collection.

(b) Councillors shall sign for all items collected.

## **5.6 Miscellaneous Support**

(a) The following is provided by the Office of the Speaker to ensure that Councillors hold their constituency meetings:

- (i) 500 seater marquee and chairs
- (ii) sound system
- (iii) toilets
- (iv) pamphlets for the meeting

(b) In the event that a Councillor requires support in planning for a report back meeting, the following shall apply:

- (i) The councillor has to send a request through an email or a signed letter requesting support with services to have a community meeting to the Office of the Speaker.
- (ii) Once authorised, the Councillor Support section shall follow the necessary Supply Chain processes to acquire the services on behalf of the Councillor.
- (iii) On the day of the meeting staff from the Councillor Support Section must attend the meeting to ensure that the service providers delivered, and must take minutes of the meeting and the attendance register.

(c) A Councillor occupying Council owned offices must submit a written request for any repairs that require attention in their respective offices.

(d) All maintenance or repairs requests are forwarded to Council's Architectural Department from the Councillor Support Section.

## **6. Policy review**

This policy must be reviewed by Council on an annual basis.