

11.
DRAFT COUNCILLOR CAPACITY PROGRAM POLICY

2/B

DS Arrison

Director: Management Services

22 March 2022

(028) 313 8001

1. Executive Summary

The purpose of this report is to recommend to Council the approval of the Draft Council Capacity Program Policy.

2. Service Delivery and Budget Implementation Plan - IGNITE

Directorate: Management Services
Department: Management Services

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

- Remuneration of Public Office Bearers Act, Act 20 of 1998
- Skills Development Act 81 of 1998
- Skills Development Levy Act 28 of 1999
- SAQA Act 58 of 1995
- NQF Act 68 of 2008
- Labour Relations Act, 66 of 1005, Schedule 8 (LRA)
- Local Government Municipality Finance Management Act 56 of 2003 (MFMA)

6. Discussion

The policy outlines the processes associated with the education, training and development of all Councillors of the Overstrand Municipality. The terms "Education, Training and Development and Capacity" covers various forms of learning that take place at diverse sites as well as at specialist and academic institutions. The content of learning covers technical and non-technical fields, capacity building as well as general Councillor training to assist Councillors with their oversight role and function.

7. Financial Implications

Funding provision made in 2021/22 budget

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Draft Councillor Capacity Program Policy

RECOMMENDATION TO THE COUNCIL:

that the Draft Councillor Capacity Program Policy **be approved.**

RESPONSIBLE OFFICIAL :

DS ARRISON

TARGET DATE FOR IMPLEMENTATION :

14 APRIL 2022

OVERSTRAND MUNICIPALITY



DRAFT COUNCILLOR CAPACITY PROGRAM POLICY

MARCH 2022

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1. INTRODUCTION

The Overstrand Municipality is fully committed to the education, training and development of all Councillors within the framework of the financial resources available.

2. LEGAL FRAMEWORK

- Remuneration of Public Office Bearers Act, Act 20 of 1998: Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils
- Skills Development Act 81 of 1998
- Skills Development Levy Act 28 of 1999;
- SAQA Act 58 of 1995
- NQF Act 68 of 2008
- Employment Equity Act, No.55 of 1998
- Employment Equity Act (55/1998): Amendment to the Employment Equity Regulations
- Labour Relations Act, 66 of 1995, Schedule 8 (LRA)
- Employment Equity Act, 55 of 1998 (EEA) in relation to disability
- Local Government Municipal Finance Management Act 56 of 2003 (MFMA)

3. PURPOSE OF THIS POLICY

The purpose of this policy is to outline the processes associated with the education, training and development of all Councillors of the Overstrand Municipality.

4. SCOPE OF THIS POLICY

The terms "Education, Training & Development and Capacity" cover various forms of learning that take place at various sites as well as at professional and academic institutions. The content of learning covers technical and non- technical fields, capacity building as well as general Councillor training to assist Councillors with their oversight role and functions as Councillors.

5. POLICY OBJECTIVES

The objectives of this policy are to ensure that:

- 5.1 The capacity of Councillors to render and drive the rendering of service delivery is promoted.
- 5.2 An integrated strategic approach is adopted in addressing the educational, training and development needs of Councillors;
- 5.3 Areas of Skills shortages amongst Councillors is addresses.
- 5.4 Access to training is facilitated thereby ensuring mobility and progression in the career path of each Councillor;
- 5.5 A culture of life – long learning is created.

6. CORE EDUCATION, TRAINING AND DEVELOPMENT (ETD) PRINCIPLES

The Speaker of Council will promote the following principles in order to achieve the objectives of this policy:

- 6.1 The attainment of stakeholder support for the objectives referred to in paragraph 5.
- 6.2 The alignment of ETD interventions to the strategic objectives of the municipality.
- 6.3 The need for Council investment in human capital.
- 6.5 The assessment of competencies and potential.
- 6.6 The full utilisation of potential career pathing and development.
- 6.7 The alignment of the council's ETD policy with the applicable legislative framework.
- 6.8 The need for an integrated ETD process.
- 6.9 The support and acceptance of responsibility and accountability, including adequate resourcing.
- 6.10 Improving performance and service delivery.

7. PROCESSES

The following processes relative to the satisfaction of the educational, training and development needs of Councillors in terms of this policy should be followed by the Speaker:

- 7.1 The Speaker must undertake an assessment of the competencies of Councillors by means of a potential evaluation, actual work performance and training needs analysis.
- 7.2 The Speaker should conduct a skills audit annually to inform, amongst others, the ETD budget of the municipality.
- 7.3 The Speaker must submit an annual report to the council on identified skills development areas of Councillors;
- 7.4 The Speaker must promote specific development interventions, including but not limited to:
 - 7.4.1 The grant of financial assistance to Councillors by the municipality to allow study towards further relevant qualifications.
 - 7.4.2 The attendance by Councillors of goal – orientated training course.
 - 7.4.3 The participation by Councillors in formal development programmes leading to recognised qualifications.
 - 7.4.4 The undertaking by a Councillor of formal studies through accredited educational institution; and
 - 7.4.5 The participation of Councillors in learnership, mentorships and career counselling sessions.
 - 7.4.6 AET.
- 7.5 The Council's development plan must be included in the WSP to ensure Councillor development to enable Councillors to perform their assigned

duties and promote service delivery adequately and efficiently.

8. EDUCATION, TRAINING AND DEVELOPMENT

To afford Councillors an opportunity to equip themselves with skills, knowledge and expertise that will add value to their functions and the municipality, the Speaker must actively encourage the participation of Councillors in Internal and External training courses and formal studies that are accredited in terms of SAQA/NQF/QCTO specifications and requirements, provided that a Councillor who participates in a training programme shall not:

- 8.1 Be absolved from his or her responsibilities as a Councillor of the municipality; nor
- 8.2 Shall such Councillor be entitled to advance the fact that he or she is undergoing training as a reason for non – compliance with the code of conduct for Councillor contained in schedule 1 to the municipality System Act No.32 of 2000 (code of conduct for Councillors). And particularly the requirement relating to the attendance of meetings; provided that –
- 8.3 A Councillor may, apply for leave of absence in a manner provided for as per section 9 of the Rules of Order for Internal Arrangement in respect of those days which he or she cannot perform his or her function as a Councillor of the municipality on account of his or her formal training commitments.

8.4 Internal training Courses

Subject to budgetary provision, the Speaker will provide or decide for the provision of in – house training courses, subject to the following:

- 8.4.1 Councillors should have ongoing and equitable access to training to equip them with the necessary and relevant skills and knowledge.
- 8.4.2 Training should support/ enhance work performance.
- 8.4.3 Training should be needs driven.

8.5 External training Courses

- 8.5.1 Subject to budgetary provision, financial study assistance may be granted to a Councillor to enable them to attend external training courses in line with the strategic plan prepared for the personal development of Councillors.
- 8.5.2 External courses include congresses, symposia, conferences, workshops, and lectures of all which are referred to below as "short" interventions.
- 8.5.3 Applications for study assistance must be made on an application form to be made available for this purpose and to be submitted to the Speaker for approval.
- 8.5.4 Applications will be evaluated based on the following criteria:

- 8.5.4.1 Whether or not the nature of the short intervention is applicable to the functions and responsibilities of the applicant Councillor

- 8.5.4.2 Whether the training intervention will enhance the performance of the applicant Councillor;
- 8.5.4.3 The need for fair exposure to ensure that all deserving Councillors are afforded an opportunity to be nominated for external training interventions.
- 8.5.4.4 Cost – benefit analysis of prospective training course / training provider to ensure value for money and optimal investment.
- 8.5.4.5 Alignment with the personal development plan of the Councillor concerned. Fees related to the training intervention referred to in this paragraph will only be paid by the municipality upon production of an original invoice submitted by the relevant training services provider which invoice must contain full details of fees claimed.

9. FORMAL STUDIES

- 9.1 Subject to compliance with this policy and budgetary provision, the Speaker may, in conjunction with an ETD committee, grant formal study bursaries to Councillors who have the desire to further their development in line with the council's objectives, the need for specifically identified courses and the career planning and personal development plans of Councillors wishing to apply for a bursary in terms of this policy.
- 9.2 Bursaries may also be granted, in terms of this policy, for training in respect of senior certificate, ABET and advanced qualifications or modules leading to or associated with the award of degrees, diplomas and certificates up to NQF level 8.
- 9.3 Bursaries will only be awarded for part-time studies at recognised tertiary institutions. Campuses that claim to be extensions of foreign training institutions must submit proof of compliance with SAQA/NQF requirements.
- 9.4 Any leadership programme supported by or offered by SALGA shall, for purposes of this policy, also be regarded as a formal training programme.
- 9.5 Applications for bursaries must be made on an application form to be made available for this purpose and be submitted to the Speaker for processing, in terms of this policy.
- 9.6 Councillors must provide full details pertaining to the course they intend pursuing as well as the subjects/ modules of such course, the name of the educational institution which they will intend or at which they will be enrolled as a part – time student, the duration of the course concerned and the cost thereof.
- 9.7 The council shall establish a committee to assist the Speaker with the assessment of applications for bursaries received from Councillors in terms of this policy.

10. BURSARY CONDITIONS

A bursary approved by the ETD Committee in terms of this policy shall be subject to the following conditions:

- 10.1 The study course must comply with the provisions of this policy and be purpose – directed.
- 10.2 The training institution at which the applicant Councillor wishes to study must be approved by the Speaker provided that this condition shall not apply in respect of training courses approved by or sponsored by SALGA;
- 10.3 A bursary is awarded on an academic year and not a financial year basis and then only for such number of academic years as are equal to the duration of the study courses plus one year or for such number of years as may remain until a new council is elected for the municipality in terms of applicable legislation, whichever is the shortest.
- 10.4 A bursary will be subject to available budget
- 10.5 The bursary amount shall be used for the payment of registration, examination, tuition costs, if applicable, and book and study material costs only.
- 10.6 A bursary will only be paid to the educational institution concerned and not directly to the applicant Councillor and then only upon receipt of a detailed account reflecting all costs from such educational institution and proof that the application for the registration by the affected Councillor has been approved.
- 10.7 Before the grant of a bursary to a Councillor in terms of this policy is confirmed, the applicant Councillor shall submit proof to the satisfaction of the Speaker to the effect that he or she is in a financial position to meet any shortfall in study fees as reflected on the account from the educational institution concerned and, in the event of such Councillor not having the required funds; he or she shall not qualify for a bursary in terms of this policy;
- 10.8 In the event of a Councillor who has been granted a bursary in terms of this policy failing to meet the required standard in terms of progress or failing to complete the course of study due to his or her own fault or negligence, then the council reserves the right to claim from such Councillor all amounts paid to an educational institution on his or her behalf and, by accepting a bursary in terms of this policy, such Councillor authorizes the Municipal Manager to deduct all amounts so paid from the monthly allowance paid to him or her by the municipality;
- 10.9 No bursary amount granted in terms of this policy will be disbursed on behalf of a qualifying Councillor before that Councillor has entered into a written agreement with the council accepting the terms and conditions of this policy and the municipal manager has certified funds are available to fund the bursary concerned.
- 10.10 In the Event of the Councillor referred to in this policy being the Speaker of the council, then the functions of the Speaker in terms thereof shall be performed by the Executive Mayor

11. EXAMINATION RESULTS

- 11.1 Councillors will be obliged to submit their examination results to the Speaker who will in turn submit to the Department: Human Resources within one month of receiving the said results failing which it shall be

deemed that the subjects/modules were failed.

12. EFFECTIVE DATE OF THE POLICY

This policy shall take effect on the date of approval thereof by resolution of the council provided that the payment of any bursary in terms thereof shall be dependent upon adequate budgetary provision either in the annual or an adjustments budget approved by the council in terms of the applicable provisions of the municipal Finance Management Act, 2003.