MOQHAKA MUNICIPALITY

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

THE MOQHAKA MUNICIPALITY

HEREIN REPRESENTED BY THE EXECUTIVE MAYOR

CLLR. E M Mokatsane

(ID 6610025693086)

(herein and after referred to as Employer)

AND

ADV. MOTSOAHAE MATTHEWS MOFOKENG

(ID 7202035787089)

ACTING MUNICIPAL MANAGER

(herein and after referred to as Employee)

FOR THE FINANCIAL YEAR

Period 1 December 2022 – 28 February 2023

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THE PARTIES HEREBY AGREE AS FOLLOWS:

1. INTRODUCTION

1.1 The Employer has entered into a contract of employment with the Employee in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The Employer and the Employee are hereinafter referred to as "the Parties".

1.2 Section 57(1) (b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an Annual Performance Agreement.

1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the Employee to a set of outcomes that will secure Local Government policy goals as defined in the municipal Integrated Development Plan.

2. INTERPRETATION AND DEFINITION

2.1 In this Agreement, unless the context indicates otherwise–

2.1.1 an expression, which denotes any gender, includes the other genders, a natural person includes a judicial person and vice versa, and the singular includes the plural and vice versa;

2.1.2 clause headings are for convenience only and will not be used in its interpretation, and the following expressions bear the meanings assigned to them and cognate expressions bear corresponding meanings–

"agreement"	means this Performance Agreement and all the Appendices hereto;
"Employee"	means Adv. M M Mofokeng the Acting Municipal Manager of Moqhaka Local Municipality;
"Employer"	means the Moqhaka Local Municipality as represented by the Executive Mayor, Cllr E M Mokatsane;
"MEC"	means the Member of the Free State Executive Council responsible for local government;

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"MFMA"	means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
"Municipality"	means the Moqhaka Local Municipality, established in terms of Structures Act;
"parties"	means the Municipality and the Employee;
"Regulations"	means the Local Government: Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, promulgated in the Government Gazette as Regulation Notice 805 on 1 August 2006 read together with the Local Government Regulations on Appointment and Conditions of Employment of Senior Managers, promulgated in the Government Gazette as Regulation Notice 37245 on 17 January 2014;
"Structures Act"	means the Local Government: Municipal Structures Act, 2000 (Act No.117 of 1998); and
"Systems Act"	means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and the Regulations promulgated in terms of the Act;

2.1.3 words and expressions defined in any sub-clause, for the purpose of the clause of which that sub-clause forms part, bear the meaning assigned to such words and expressions in that sub-clause; and

2.1.4 this agreement is governed by and construed in accordance with the laws of the Republic of South Africa.

3. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to:

3.1 Comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act, and the Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers (2006) as amended by the Regulations on Appointment and Conditions of Employment of Senior Managers (2014), as well as the Contract of Employment entered into between the parties;

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3.2 Specify objectives and targets defined and agreed with the Employee and to communicate to the Employee the Employer's expectations of the Employee's performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the Employer;

3.3 Specify accountabilities as set out in the Performance Plan which is appended to this agreement as ANNEXURE A;

3.4 Monitor and measure performance against set targeted outputs;

3.5 Use the Performance Agreement and Performance Plan as the basis to assess whether the Employee has met the performance expectations applicable to his job; and

3.6 Give effect to the Employer's commitment to a performance-orientated relationship with the Employee in attaining equitable and improved service delivery.

4. COMMENCEMENT AND DURATION

4.1 This Agreement will commence on 1 December 2022 and will remain in force until 28 February 2023 where after a new Performance Agreement together with its Performance Plan and Performance Development Plan shall be concluded between the parties for the next financial year.

4.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement that replaces this Agreement by not later than the 31st July of each successive financial year.

4.3 This Agreement will terminate on the termination of the Employee's contract of employment for any reason.

4.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.

4.5 If at any time during the validity of this Agreement the work environment alters, whether because of government or council decisions or otherwise, to the extent

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that the contents of this Agreement are no longer appropriate, the contents must immediately be revised.

4.6 Any significant amendments or deviations must take cognisance of the requirements of sections 34 and 42 of the Systems Act, and regulation 4(5) of the 2014 Regulations.

5. PERFORMANCE OBJECTIVES

5.1 The Performance Plan is attached as **ANNEXURE A**, and sets out:

5.1.1 The performance objectives and targets that must be met by the Employee; and

5.1.2 The time frames within which those performance objectives and targets must be met.

5.2 The performance objectives reflected in **ANNEXURE A** are set by the Employer in consultation with the Employee and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the Employer, and shall include key performance indicators, units of measure, details of evidence that must be provided to show that the indicator has been achieved, target dates and weightings which show the relative importance of key performance indicators to one another.

5.3 The Employee's performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the Employer's Integrated Development Plan.

6. PERFORMANCE MANAGEMENT SYSTEM

6.1 The Employee agrees to participate in the performance management system that the Employer adopts or introduces for the Employer, management and municipal staff of the Employer.

6.2 The Employee accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the Employer, management, and municipal staff to perform to the standards required.

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6.3 The Employer will consult the Employee about the specific performance standards that will be included in the performance management system as applicable to the Employee.

6.4 The Employee undertakes to actively focus on the promotion and implementation of the KPA's (including special projects relevant to the Employee's responsibilities) within the local government framework.

6.5 The criteria upon which the performance of the Employee shall be assessed shall consist of two components, both of which are contained in this Performance Agreement.

6.5.1 The Employee must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and Competencies respectively.

6.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.5.3 KPA's covering the main areas of work will account for 80% and Competencies will account for 20% of the final assessment.

6.6 The Employee's assessment will be based on his performance in terms of the outputs/outcomes (performance indicators) identified as per attached Performance Plan **(ANNEXURE A)**, which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the Employer and Employee. The competencies will make up the other 20% of the Employee's assessment score.

KEY PERFORMANCE AREA	No.	WEIGHT
Good Governance, Public Participation	22	80%
Municipal Transformation and Institutional Development	1	5%
Basic Service Delivery	2	15%
Total		100%

6.7 The competency framework as set out in the Regulations on Appointment and Conditions of Employment of Senior Managers (17 January 2014) consists of six leading competencies which comprise twenty driving competencies that communicate what is expected for effective performance in local government,

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and six core competencies that act as drivers to ensure that the leading competencies are executed at an optimal level.

LEADING COMPETENCIES	DRIVING COMPETENCIES	WEIGHT
1. Strategic Direction and Leadership	• Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organisational Awareness	8.35
2. People Management	• Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management	8.33
3. Program and Project Management	• Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation	8.33
4. Financial Management	• Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring	8.33
5. Change Leadership	• Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation	8.33
6. Governance Leadership	• Policy Formulation • Risk and Compliance Management • Cooperative Governance	8.33
CORE COMPETENCIES		
7. Moral Competence		8.33
8. Planning and Organising		8.35
9. Analysis and Innovation		8.33
10. Knowledge and Information Management		8.33
11. Communication		8.33
12. Results and Quality Focus		8.33
Total		**100**

6.8 There is no hierarchical connotation to the competencies, and all are essential to the role of a senior manager to influence high performance. All competencies will therefore be considered as measurable and critical in assessing the level of the Employees performance.

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7. PERFORMANCE ASSESSMENT

7.1 The Employee's performance will be measured in terms of contributions to the goals and strategies set out in the Employer's Integrated Development Plan (IDP)

7.2 The Employee will submit his self-assessment to the Employer prior to the formal assessment;

7.3 Performance assessments will entail:

7.3.1 Assessment of the achievement of results as outlined in the performance plan **(ANNEXURE A)**:

7.3.1.1 Each KPI shall be assessed according to the extent to which the specified standards or performance targets have been met and with due regard to ad-hoc tasks that had to be performed under the KPI.

7.3.1.2 The assessment of the performance of the Employee will be based on the following rating scale for KPI's:

Rating	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Plan.

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Rating	Terminology	Description
1	Unacceptable performance	Performance does not meet the standard expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Plan. The Employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.

7.3.1.3 The rating will then be multiplied by the weighting to calculate the final score;

7.3.1.4 An overall rating will be calculated based on the total of the individual ratings calculated above.

7.3.1.5 In the instance where the employee could not perform due to reasons outside the control of the employer and employee, the KPI will not be considered during the evaluation. The employee should provide sufficient evidence in such instances; and

7.3.2 Assessment of competencies

7.3.2.1 Each competency shall be assessed according to the extent to which the specified standards for the required proficiency level have been met;

7.3.2.2 The assessment of the performance of the Employee will be based on the following rating scale for Competencies:

Rating	Achievement level	Description
2	Basic	Applies basic concepts, methods, and understanding of local government operations, but requires supervision and development intervention
3	Competent	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses
4	Advanced	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in- depth analyses

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5	Superior	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods

7.3.2.3 The rating will then be multiplied by the weighting to calculate the final score. Each competency shall carry an equal weighting;

7.3.2.4 A full description of achievement levels per competency is attached as **ANNEXURE B**.

7.3.3 Overall rating

7.3.3.1 An overall rating is calculated by combining the rating from 7.3.1 and 7.3.2 above. Such overall rating represents the outcome of the performance appraisal.

7.4 For purposes of appraising the performance of the Employee, an evaluation panel constituted of the following persons will be established, as mutually agreed upon:[1]

7.4.1 Executive Mayor;

7.4.2 Chairperson of the audit committee;

7.4.3 Member of the mayoral or executive committee;

7.4.4 Mayor and/or municipal manager from another municipality; and

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each Employee in relation to his performance agreement shall be reviewed on the following dates:

[1] Regulation 27(4)(d) of the Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006. Published Under Government Notice R805 in *Government Gazette* 29089 of 1 August 2006 as amended.

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Quarter	Review Period	Review to be completed by
1	July – September 2022	December 2022 (informal assessment by Executive Mayor)
2	October – December 2022	March 2023 (Mid-year Panel Assessment)
3	January – March 2023	June 2023 (informal assessment by Executive Mayor)
4	April – June 2023	September 2023 (Year-end Panel Assessment)

8.2 Despite the establishment of agreed intervals for evaluation, the Employer may in addition review the Employee's performance at any stage while the contract of employment remains in force;

8.3 Performance reviews in the first and third quarter may be verbal if performance is deemed to be satisfactory by the Executive Mayor. In the event of unsatisfactory performance, a panel evaluation shall be convened.

8.4 The Employer shall keep a record of the mid-year, year-end and any other assessment meetings where a panel evaluation is convened;

8.5 Performance feedback shall be based on the Employer's assessment of the Employee's performance;

8.6 The Employer will be entitled to review and make reasonable changes to the provisions of **ANNEXURE A** from time to time for operational reasons. The Employee will be fully consulted before any such change is made; and

8.7 The Employer may amend the provisions of **ANNEXURE A** whenever the performance management system is adopted, implemented and/or amended. In that case, the Employee will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

9.1 Personal growth and development needs identified during any performance appraisal discussion must be documented in a Personal Development Plan, in the format set out in **Annexure C,** as well as the actions agreed to and implementation must take place within set time frames;

9.2 The Personal Development Plan (PDP) for addressing developmental gaps must be developed, if deemed necessary in individual cases in consultation with the employee, the Portfolio Councillor and the Executive Mayor.

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10. OBLIGATIONS OF THE EMPLOYER

10.1 The Employer shall-

10.1.1 Create an enabling environment to facilitate effective performance by the employee;

10.1.2 Provide access to skills development and capacity building opportunities;

10.1.3 Work collaboratively with the Employee to solve problems and generate solutions to common problems that may impact on the performance of the Employee;

10.1.4 On the request of the Employee delegate such powers reasonably required by the Employee to enable him to meet the performance objectives and targets established in terms of this Agreement; and

10.1.5 Make available to the Employee such resources as the Employee may reasonable require from time to time assisting him to meet the performance objectives and targets established in terms of this Agreement.

11. CONSULTATION

11.1 The Employer agrees to consult the Employee timeously where the exercising of powers will have amongst others-

11.1.1 A direct effect on the performance of any of the Employee's functions;

11.1.2 Commit the Employee to implement or to give effect to a decision made by the Employer; and

11.1.3 A substantial financial effect on the Employer.

11.2 The Employer agrees to inform the Employee of the outcome of any decisions taken pursuant to the exercise of powers contemplated in clause 11.1 as soon as is practical to enable the Employee to take any necessary action.

12. MANAGEMENT OF ASSESSMENT OUTCOMES

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12.1 Where the employer is, at any time during the employee's employment, not satisfied with the manager's performance in respect of any matter dealt with in this Agreement, the employer will give notice to the employee to attend a meeting.

12.2 The employee will have the opportunity at the meeting to satisfy the employer in respect of the measures being taken to ensure that his performance becomes satisfactory and any programme, including any dates, for implementing these measures.

12.3 Where there is a dispute or difference as to the performance of the employee under this Agreement, the parties will confer with a view to resolve the dispute or difference.

12.4 In the case of unacceptable performance, the employer shall –

12.4.1 Provide systematic remedial or developmental support to assist the Employee to improve his performance; and

12.4.2 After appropriate performance counselling and having provided the necessary guidance and/or support as well as reasonable time for improvement in performance, the Employer may consider steps to terminate the contract of employment of the Employee on grounds of unfitness or incapacity to carry out his duties

13. DISPUTE RESOLUTION

13.1 Any disputes about the nature of the employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment must be mediated by the MEC for Local Government in the Province or a person designated by him/her within 30 days of receipt of a formal dispute from the employee. The decision of the MEC or his designate shall be final and binding on both parties.

13.2 Any disputes about the outcomes of the employee's performance evaluation must be mediated by the MEC for Local Government in the Province or a person designated by him/her within 30 days of receipt of a formal dispute from the employee. The decision of the MEC or his designate shall be final and binding on both parties.

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14. GENERAL

14.1 The contents of this agreement and the outcome of any review conducted in terms of **ANNEXURE A** must be made available to the public by the Employer in accordance with the Municipal Finance Management Act, 2003 and Section 46 of the Municipal Systems Act 32 of 2000.

14.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the Employee in terms of his contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other legal instruments.

14.3 The performance assessment results of the Municipal Manager must be submitted to the Member of the Executive Council responsible for local government in the Free State as well as the National Minister responsible for local government, within fourteen days after the conclusion of the assessment.

Thus done and signed at Kroonstad on this the 4 day of January 2023.

AS WITNESSES:

1. _____

_____
ACTING MUNICIPAL MANAGER

2. _____

PERFORMANCE AGREEMENT: ACTING MUNICIPAL MANAGER 2022/23

Thus done and signed at Kroonstad on this the 4 day of January 2023.

AS WITNESSES:

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ANNEXURE A: PERFORMANCE PLAN

i. The Performance Plan sets out the performance objectives and targets which are based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the Employer, and includes key performance indicators, units of measure, details of evidence that must be provided to show that the indicator has been achieved, target dates and weightings which show the relative importance of key performance indicators to one another.

ii. The employee's assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators) identified as per the performance plan which are linked to the National KPA's, which constitute 80% of the overall assessment result as per the weightings agreed to between the employer and employee.

iii. The performance management system automatically rates performance in terms of the key performance indicators as follows which correlates with the rating referred to in 6.3.1.

Category	Rating	Explanation
KPI's Not Met/ Unacceptable performance	1	Performance does not meet the standard expected for the job. The review/assessment indicates that they employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the PA and Performance Plan. The employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.
KPI's Almost Met / Not fully effective	2	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the PA and Performance Plan.
KPI's Met / Fully effective	3	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the PA and Performance Plan.
KPI's Well Met / Performance significantly above expectations	4	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
KPI's Extremely Well Met / Outstanding Performance	5	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the PA and Performance plan and maintained this in all areas of responsibility throughout the year.

KEY PERFORMANCE INDICATORS AND TARGETS

Directorate	TL KPI REF	Municipal Strategy	KPA	KPI	Calculation	KPI Owner	Baseline	Annual Target	Q1	Q2	Q3	Q4
Office of MM	TL 20	To ensure that the customer care policy is approved and implemented.	Good Governance and Public Participation	Complete a customer satisfaction survey by end of March and submit report with recommendations to Council	Number of surveys conducted and Number of reports submitted to council	Director Technical Services	0	1	0	0	0	1
Office of MM	TL 21	To ensure that the customer care policy is approved and implemented.	Good Governance and Public Participation	% of customer complaints handled within 24 hrs.	Number of complaints received/Number of complaints resolved within 24 hours	Municipal Manager	90%	80%	80%	80%	80*%	80%
Office of MM	TL 22	To facilitate the optimal functioning of Council.	Good Governance and Public Participation	Annual Report tabled in council on or before 31 Jan annually	Date annual report tabled	Manager PMS	31-Jan	31 Jan	0	0	31 Jan	0
Office of MM	TL 23	To facilitate the optimal functioning of Council.	Basic Service Delivery	Annual review of IDP completed before the end of May annually	Date annual review completed	IDP Manager	30-May	30 May	0	0	0	30 May
Office of MM	TL24	To facilitate the optimal functioning of Council.	Municipal Transformation and Institutional Development.	% of Council Resolutions implemented within prescribed timeframe stipulated on resolution register	Number of council resolutions implemented within time frame divided by total Number of resolutions	Municipal Manager	85%	85%	85%	85%	85%	85%
Office of MM	TL 25	To facilitate the optimal functioning of	Good Governance and Public	IDP Process plan adopted by Council	Process plan approved by Council	IDP Manager	31 Aug	31 Aug	31 Aug	0	0	0

Directorate	TL KPI REF	Municipal Strategy	KPA	KPI	Calculation	KPI Owner	Baseline	Annual Target	Q1	Q2	Q3	Q4
		Council.	Participation									
Office of MM	TL26	To facilitate the optimal functioning of Council.	Basic Service Delivery	IDP Completed/revie wed and adopted by Council	Date IDP adopted by Council	IDP Manager	30 June	30 June	0	0	0	30 June
Office of MM	TL 27	Develop and monitor repeat findings register to address repeat AG findings.	Good Governance and Public Participation	Reduce repeat AG audit findings by 50% in the first year.	Number of resolved repeat findings/by total number of repeat findings	Manager Internal Audit	50%	60%	0	0	30%	30%
Office of MM	TL 28	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Implementation of the approved audit action plan.	Numbers of audit issues attend to by management as per the audit action plan.	Manager Internal Audit	74%	100%	0	0	50%	
Office of MM	TL 29	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Develop a risk-based audit plan with an internal audit plan (RBAP) (MFMA - Section 165(2)(a)) and submit to the Audit Committee by 15 Aug annually	RBAP with internal audit programme submitted to the Audit Committee by 15 August annually.	Manager Internal Audit	27 Oct	15 Aug	15 Aug	0	0	0
Office of MM	TL 30	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Number of audit committee meetings held per annum	Sum of audit committee meetings held	Manager Internal Audit	4	4	1	1	1	

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Directorate	TL KPI REF	Municipal Strategy	KPA	KPI	Calculation	KPI Owner	Baseline	Annual Target	Q1	Q2	Q3	Q4
Office of MM	TL 31	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Internal Audit charter reviewed and completed annually (reviewed charters must be approved by the Audit Committee before the end of June annually)	Date IA Charter approved	Manager Internal Audit	0	30 June	0	0	0	30 June
Office of MM	TL 32	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Audit action plan developed to address AG Findings and submitted to council for approval on or before 31 Jan annually	Date Audit action plan submitted to council for approval	Manager Internal Audit	31 Jan	31 Jan	0	0	31 Jan	0
Office of MM	TL 33	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Number of internal audit reports produced	Sum of IA reports produced	Manager Internal Audit		18	4	4	4	6
Office of MM	TL 34	To ensure a fully functional Audit Unit.	Good Governance and Public Participation	Number of performance audits undertaken	Sum of performance audits	Manager Internal Audit	2	2	0	1	0	1
Office of MM	TL 35	Develop and monitor repeat findings register to address repeat AG findings.	Good Governance and Public Participation	Reduce repeat AG audit findings by 50% in the first year.	Number of resolved repeat findings/by total number of repeat findings	Manager Internal Audit	NEW KPI	60%	0	0	30%	30%
Office of MM	T36	To ensure a fully functional	Good Governance and Public	Implementation of the approved audit action plan.	Percentage of audit issues attended to by	Manager Internal Audit	NEW KPI	100%	0	0	50%	50%

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Directorate	TL KPI REF	Municipal Strategy	KPA	KPI	Calculation	KPI Owner	Baseline	Annual Target	Q1	Q2	Q3	Q4
		Audit Unit.	Participation		management as per action plan.							
Office of MM	TL 37	To facilitate the optimal functioning of Council.	Good Governance and Public Participation	Approval of the SDBIP before the legislative deadline	Date SDBIP approved by EM	Manager PMS	1 X Approved SDBIP per annum	1 X Approved SDBIP per annum	1 X Approved SDBIP per annum	0	0	0
Office of MM	TL 38	To facilitate the optimal functioning of Council.	Good Governance and Public Participation	Submit quarterly reports to council on the actual performance in terms of the Top Layer SDBIP	Number of SDBIP Top Layer performance reports submitted to council	Manager PMS	4	4	1	1	1	1
Office of MM	TL 39	To facilitate the optimal functioning of Council.	Good Governance and Public Participation	Submit the previous financial year annual report at the end of Aug annually	Date Annual Report submitted	Manager PMS	31 Aug	31 Aug	31 Aug	0	0	0
Office of MM	TL 40	To facilitate the optimal functioning of Council.	Good Governance and Public Participation	Annual Review of PMS by the end of 30 June annually	Date PMS Framework approved	Manager PMS	New KPI	30 June	0	0	0	30 June
Office of MM	TL 41	To ensure that an effective and efficient risk management function is established.	Good Governance and Public Participation	Risk register compiled and updated quarterly and approved by MM	Sum of Risk register quarterly updates	Chief Risk Officer	4l	4	1	1	1	1
Office of MM	TL 42	To ensure that an effective and efficient risk management function is established.	Good Governance and Public Participation	Number of RMC meetings held	Sum of RMC meetings held	Chief Risk Officer	3l	4	1	1	1	1

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Directorate	TL KPI REF	Municipal Strategy	KPA	KPI	Calculation	KPI Owner	Baseline	Annual Target	Q1	Q2	Q3	Q4
Office of MM	TL 43	To ensure that an effective and efficient risk management function is established.	Good Governance and Public Participation	Approved fraud prevention and anti-corruption strategy annually reviewed on or before 30 June	Date plan approved	Chief Risk Officer	30 June	30 June	0	0	0	30 June
Office of MM	TL 44	To ensure that an effective and efficient risk management function is established.	Good Governance and Public Participation	Risk management strategy, that includes fraud prevention plan, and policy reviewed and approved on or before 30 June annually	Date risk register approved	Chief Risk Officer	30 June	30 June	0	0	0	30 June
Office of MM	TL 45	To ensure that functional ward committees are established.	Good Governance and Public Participation	Number of quarterly interactions held with relevant municipal and community stakeholders (business, religious, etc.)	Sum of events held	Manager Office of the Speaker	New KPI	4	1	1	1	1

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ANNEXURE B: COMPETENCY DESCRIPTIONS

COMPETENCY DESCRIPTIONS (ANNEXURE B)

1. Leading Competencies Cluster

Competency Name	**Strategic Direction and Leadership**		
Competency Definition	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Understand institutional and departmental strategic objectives, but lacks the ability to inspire others to achieve set mandate • Describe how specific tasks link to institutional strategies but has limited influence in directing strategy • Has a basic understanding of institutional performance management, but lacks the ability to integrate systems into a collective whole • Demonstrate a basic understanding of key decision- makers	• Give direction to a team in realising the institution's strategic mandate and set objectives • Has a positive impact and influence on the morale, engagement and participation of team members • Develop actions plans to execute and guide strategy implementation • Assist in defining performance measures to monitor the progress and effectiveness of the institution • Displays an awareness of institutional structures and political factors • Effectively communicate barriers to execution to relevant parties • Provide guidance to all stakeholders in the achievement of the strategic mandate • Understand the aim and objectives of the institution and relate it to own work	• Evaluate all activities to determine value and alignment to strategic intent • Display in-depth knowledge and understanding of strategic planning • Align strategy and goals across all functional areas • Actively define performance measures to monitor the progress and effectiveness of the institution • Consistently challenge strategic plans to ensure relevance • Understand institutional structures and political factors, and the consequences of actions • Empower others to follow strategic direction and deal with complex situations • Guide the institution through complex and ambiguous concern • Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances	• Structure and position the institution to local government priorities • Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework • Hold self- accountable for strategy execution and results • Provide impact and influence through building and maintaining strategic relationships • Create an environment that facilitates loyalty and innovation Display a superior level of self-discipline and integrity in actions • Integrate various systems into a collective whole to optimise institutional performance management • Uses understanding of competing interests to manoeuvre successfully to a win/win outcome

Competency Name	People Management		
Competency Definition	Effectively manage, inspire and encourage people, respect diversity, optimise talent and build and nurture relationships in order to achieve institutional objectives		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Participate in team goal-setting and problem solving • Interact and collaborate with people of diverse backgrounds • Aware of guidelines for employee development, but requires support in implementing development initiatives	• Seek opportunities to increase team contribution and responsibility • Respect and support the diverse nature of others and be aware of the benefits of a diverse approach • Effectively delegate tasks and empower others to increase contribution and execute functions optimally • Apply relevant employee legislation fairly and consistently • Facilitate team goal-setting and problem-solving • Effectively identify capacity requirements to fulfil the strategic mandate	• Identify ineffective team and work processes and recommend remedial interventions • Recognise and reward effective and desired behaviour • Provide mentoring and guidance to others in order to increase personal effectiveness • Identify development and learning needs within the team • Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism • Inspire a culture of performance excellence by giving positive and constructive feedback to the team • Achieve agreement or consensus in adversarial environments • Lead and unite diverse teams across divisions to achieve institutional objectives	• Develop and incorporate best practice people management processes, approaches and tools across the institution • Foster a culture of discipline, responsibility and accountability • Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution • Develop comprehensive integrated strategies and approaches to human capital development and management • Actively identify trends and predict capacity requirements to facilitate unified transition and performance management

M.M.

M.D

Competency Name	**Program and Project Management**		
Competency Definition	Able to understand program and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Initiate projects after approval from higher authorities • Understand procedures of program and project management methodology, implications and stakeholder involvement • Understand the rational of projects in relation to the institution's strategic objectives • Document and communicate factors and risk associated with own work • Use results and approaches of successful project implementation as guide	• Establish broad stakeholder involvement and communicate the project status and key milestones • Define the roles and responsibilities of the project team and create clarity around expectations • Find a balance between project deadline and the quality of deliverables • Identify appropriate project resources to facilitate the effective completion of the deliverables • Comply with statutory requirements and apply policies in a consistent manner • Monitor progress and use of resources and make needed adjustments to timelines, steps, and resource allocation	• Manage multiple programs and balance priorities and conflicts according to institutional goals • Apply effective risk management strategies through impact assessment and resource requirements • Modify project scope and budget when required without compromising the quality and objectives of the project • Involve top-level authorities and relevant stakeholders in seeking project buy-in • Identify and apply contemporary project management methodology • Influence and motivate project team to deliver exceptional results • Monitor policy implementation and apply procedures to manage risks	• Understand and conceptualise the long-term implications of desired project outcomes • Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives • Consider and initiate projects that focus on achievement of the long-term objectives • Influence people in positions of authority to implement outcomes of projects • Lead and direct translation of policy into workable actions plans • Ensures that programs are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed

M.M.
MF
MD

Competency Name	**Financial Management**		
Competency Definition	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Understand basic financial concepts and methods as they relate to institutional processes and activities • Display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems • Understand the importance of financial accountability • Understand the importance of asset control	• Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate • Assess, identify and manage financial risks • Assume a cost- saving approach to financial management • Prepare financial reports based on specified formats • Consider and understand the financial implications of decisions and suggestions • Ensure that delegation and instructions as required by National Treasury guidelines are reviewed and updated • Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget	• Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility • Prepare budgets that are aligned to the strategic objectives of the institution • Address complex budgeting and financial management concerns • Put systems and processes in place to enhance the quality and integrity of financial management practices • Advise on policies and procedures regarding asset control • Promote National Treasury's regulatory framework for Financial Management	• Develop planning tools to assist in evaluating and monitoring future expenditure trends • Set budget frameworks for the institution • Set strategic direction for the institution on expenditure and other financial processes • Build and nurture partnerships to improve financial management and achieve financial savings • Actively identify and implement new methods to improve asset control • Display professionalism in dealing with financial data and processes

MF & M.M. MM

Competency Name	Change Leadership		
Competency Definition	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Display an awareness of change interventions, and the benefits of transformation initiatives • Able to identify basic needs for change • Identify gaps between the current and desired state • Identify potential risk and challenges to transformation, including resistance to change factors • Participate in change programs and piloting change interventions • Understand the impact of change interventions on the institution within the broader scope of Local government	• Perform an analysis of the change impact on the social, political and economic environment • Maintain calm and focus during change • Able to assist team members during change and keep them focused on the deliverables • Volunteer to lead change efforts outside of own work team • Able to gain buy-in and approval for change from relevant stakeholders • Identify change readiness levels and assist in resolving resistance to change factors • Design change interventions that are aligned with the institution's strategic objectives and goals	• Actively monitor change impact and results and convey progress to relevant stakeholders • Secure buy-in and sponsorship for change initiatives • Continuously evaluate change strategy and design and introduce new approaches to enhance the institution's effectiveness • Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change • Take the lead in impactful change programs • Benchmark change interventions against best change practices • Understand the impact and psychology of change, and put remedial interventions in place to facilitate effective transformation • Take calculated risk and seek new ideas from best practice scenarios, and identify the potential for implementation	• Sponsor change agents and create a network of change leaders who support the interventions • Actively adapt current structures and processes to incorporate the change interventions • Mentor and guide team members on the effects of change, resistance factors and how to integrate change • Motivate and inspire others around change initiatives

MF M.M. M.D

Competency Name	**Governance Leadership**		
Competency Definition	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such requirements • Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders • Provide input into policy formulation	• Display a thorough understanding of governance and risk and compliance factors and implement plans to address these • Demonstrate understanding of the techniques and processes for optimising risk taking decisions within the institution • Actively drive policy formulation within the institution to ensure the achievement of objectives	• Able to link risk initiatives into key institutional objectives and drivers • Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles • Apply risk control methodology and approaches to prevent and reduce risk that impede on the achievement of institutional objectives • Demonstrate a thorough understanding of risk retention plans • Identify and implement comprehensive risk management systems and processes • Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement	• Demonstrate a high level of commitment in complying with governance requirements • Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative framework • Able to advise Local Government on risk management strategies, best practice interventions and compliance management • Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government • Able to shape, direct and drive the formulation of policies on a macro level

2. Core Competencies Cluster

Competency Name	Moral Competence		
Competency Definition	Able to identify moral triggers, apply reasoning that promotes honesty and integrity and consistently display behaviour that reflects moral competence		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Realise the impact of acting with integrity, but requires guidance and development in implementing principles • Follow the basic rules and regulations of the institution • Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent	• Conduct self in alignment with the values of Local Government and the institution • Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver • Actively report fraudulent activity and corruption within local government • Understand and honour the confidential nature of matters without seeking personal gain • Able to deal with situations of conflict of interest promptly and in the best interest of local government	• Identify, develop, and apply measures of self-correction • Able to gain trust and respect through aligning actions with commitments • Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders • Present values, beliefs and ideas that are congruent with the institution's rules and regulations • Takes an active stance against corruption and dishonesty when noted • Actively promote the value of the institution to internal and external stakeholders • Able to work in unity with a team and not seek personal gain • Apply universal moral principles consistently to achieve moral decisions	• Create an environment conducive of moral practices • Actively develop and implement measures to combat fraud and corruption • Set integrity standards and shared accountability measures across the institution to support the objectives of local government • Take responsibility for own actions and decisions, even if the consequences are unfavourable

Competency Name	**Planning and Organising**		
Competency Definition	Able to plan, prioritise and organise information and resources effectively to ensure the quality of service delivery and build efficient contingency plans to manage risk		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Able to follow basic plans and organise tasks around set objectives • Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans • Able to follow existing plans and ensure that objectives are met • Focus on short- term objectives in developing plans and actions • Arrange information and resources required for a task, but require further structure and organisation	• Actively and appropriately organise information and resources required for a task • Recognise the urgency and importance of tasks • Balance short and long-term plans and goals and incorporate into the team's performance objectives • Schedule tasks to ensure they are performed within budget and with efficient use of time and resources • Measures progress and monitor performance results	• Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation • Identify in advance required stages and actions to complete tasks and projects • Schedule realistic timelines, objectives and milestones for tasks and projects • Produce clear, detailed and comprehensive plans to achieve institutional objectives • Identify possible risk factors and design and implement appropriate contingency plans • Adapt plans in light of changing circumstances • Prioritise tasks and projects according to their relevant urgency and importance	• Focus on broad strategies and initiatives when developing plans and actions • Able to project and forecast short, medium and long term requirements of the institution and local government • Translate policy into relevant projects to facilitate the achievement of institutional objectives

M.M
M.A

Competency Name	**Analysis and Innovation**		
Competency Definition	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Understand the basic operation problem solving of analysis, but lack detail and thoroughness • Able to balance independent analysis with requesting assistance from others • Recommend new ways to perform tasks within own function • Propose simple remedial interventions that marginally challenges the status quo • Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking	• Demonstrate Logical techniques and approaches and provide rationale for recommendations • Demonstrate objectivity, insight, and thoroughness when analysing problems • Able to break down complex problems into manageable parts and identify solutions • Consult internal and external stakeholders on opportunities to improve processes and service delivery • Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders • Continuously identify opportunities to enhance internal processes • Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention	• Coaches team members on analytical and innovative approaches and techniques • Engage with appropriate individuals in analysing and resolving complex problems • Identify solutions on various areas in the institution • Formulate and implement new ideas throughout the institution • Able to gain approval and buy- in for proposed interventions from relevant stakeholders • Identify trends and best practices in process and service delivery and propose institutional application • Continuously engage in research to identify client needs	• Demonstrate complex analytical and problem solving approaches and techniques • Create an environment conducive to analytical and fact-based problem-solving • Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence • Create an environment that fosters innovative thinking and follows a learning organisation approach • Be a thought leader on innovative customer service delivery, and process optimisation • Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences

M.M
M.D

Competency Name	**Knowledge and Information Management**		
Competency Definition	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Collect, categorise and track relevant information required for specific tasks and projects • Analyse and interpret information to draw conclusions • Seek new sources of information to increase the knowledge base • Regularly share information and knowledge with internal stakeholders and team members	• Use appropriate information systems and technology to manage institutional knowledge and information sharing • Evaluate data from various sources and use information effectively to influence decisions and provide solutions • Actively create mechanisms and structures for sharing of information • Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency	• Effectively predict future information and knowledge management requirements and systems • Develop standards and processes to meet future knowledge management needs • Share and promote best-practice knowledge management across various institutions • Establish accurate measures and monitoring systems for knowledge and information management • Create a culture conducive of learning and knowledge sharing • Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches	• Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information • Establish partnerships across local government to facilitate knowledge management • Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach • Recognise and exploit knowledge points in interactions with internal and external stakeholders

Competency Name	**Communication**		
Competency Definition	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Demonstrate an understanding for communication levers and tools appropriate for the audience, but requires guidance in utilising such tools • Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration • Disseminate and convey information and knowledge adequately	• Express ideas to individuals and groups in formal and informal settings in an manner that is interesting and motivating • Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs • Adapt communication content and style to suit the audience and facilitate optimal information transfer • Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders • Compile clear, focused, concise and well-structured written documents	• Effectively communicate high-risk and sensitive matters to relevant stakeholders • Develop a well-defined communication strategy • Balance political perspectives with institutional needs when communicating viewpoints on complex issues • Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Batho Pele principles • Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution • Able to communicate with the media with high levels of moral competence and discipline	• Regarded as a specialist in negotiations and representing the institution • Able to inspire and motivate others through positive communication that is impactful and relevant • Creates an environment conducive to transparent and productive communication and critical and appreciative conversations • Able to coordinate negotiations at different levels within local government and externally

Competency Name	Results and Quality Focus		
Competency Definition	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives		
ACHIEVEMENT LEVELS			
BASIC	**COMPETENT**	**ADVANCED**	**SUPERIOR**
• Understand quality of work but requires guidance in attending to important matters • Show a basic commitment to achieving the correct results • Produce the minimum level of results required in the role • Produce outcomes that is of a good standard • Focus on the quantity of output but requires development in incorporating the quality of work • Produce quality work in general circumstances, but fails to meet expectation when under pressure	• Focus on high- priority actions and does not become distracted by lower-priority activities • Display firm commitment and pride in achieving the correct results • Set quality standards and design processes and tasks around achieving set standards • Produce output of high quality • Able to balance the quantity and quality of results in order to achieve objectives • Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed	• Consistently verify own standards and outcomes to ensure quality output • Focus on the end result and avoids being distracted • Demonstrate a determined and committed approach to achieving results and quality standards • Follow task and projects through to completion • Set challenging goals and objectives to self and team and display commitment to achieving expectations • Maintain a focus on quality outputs when placed under pressure • Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution	• Coach and guide others to exceed quality standards and results • Develop challenging, client-focused goals and sets high standards for personal performance • Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required • Work with team to set ambitious and challenging team goals, communicating long-and short-term expectations • Take appropriate risks to accomplish goals • Overcome setbacks and adjust action plans to realise goals • Focus people on critical activities that yield a high impact

ANNEXURE C: PERSONAL DEVELOPMENT PLAN: Adv. MM Mofokeng

Explanatory Notes to the Personal Development Plan

Background

This Personal Development Plan (PDP) is drafted in terms of Section 8 and 9 of the Performance Agreement entered into annually between the Moqhaka Municipality (Employer) and the Acting Municipal Manager (Employee Adv MM Mofokeng).

The aim of the compilation of this Personal Development Plan is to identify, prioritise and implement training needs.

The Local Government: Municipal Systems Act: Guidelines: Generic Senior Management Competency Framework and Occupational Competency Profiles provide comprehensive information on the relevance of the PDP process.

Application

This is the PDP for the financial year 01 December 2022 to 28 February 2023.

Agreement

The Employer acknowledges and agrees that the Employee is fully qualified and skilled to perform the current requirements of employment. But in the spirit of continuous learning and building experiences the Employer will support the Employee in the following endeavours during this period:

Personal Development Plan of: **Adv. M M Mofokeng** M. MM

Compiled on (Date): _____

1. Skills / Performance Gap	2. Outcomes Expected[2]	3. Suggested training and/or development activity	4. Suggested mode of delivery	5. Suggested Time Frames	6. Work opportunity created to practice skill/development area	7. Support Person

_____

FINANCIAL DISCLOSURE FORM

2022/23 FINANCIAL YEAR

ADV. MOTSOAHAE MATTHEWS MOFOKENG
(ID 7202035787089)
ACTING MUNICIPAL MANAGER

M.M.

I, the undersigned (surname and initials)
3 De Kroon, Woodlands Hills, Bloemfontein
(Postal address)

(Residential address)
SAME AS POSTAL

(Position held) Acting Municipal Manager
In Moqhaka Local Municipality

Tel: 060 982 6245 Fax: mzwakhemafolenga2@gmail.com

Hereby certify that the following information is complete and correct to the best of my knowledge:

1. **Shares and other financial interests (Not bank accounts with financial institutions)**
   See information sheet: note (1)

Number of shares/ Extent of financial interests	Nature	Nominal Value	Name of Company/ Entity
100% Tshiu Tseo Stationery	Supply (Stationery)	(zero) R00-00	Tshiu Tseo Stationery
Down Touch 100% Liquors & Chesa Nyama	Liquor & Food	R 40 000	Down Touch Liquor Stores & Chesa Nyama
~~50%~~			

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2. **Directorships and partnerships**

See information sheet: note (2)

Name of corporate entity, partnership or firm	Type of business	Amount of Remuneration/ Income
Tshin Tseo Stationery	Stationery Supply	R0-00 (Zero)
Down Tocych		
Liquors Store	Liquors Food	R30000/R50000
Ehegangama		

3. **Remunerated work outside the Municipality**

See information sheet: note (3)

Name of Employer	Type of Work	Amount of remuneration/ Income
NONE	—	—

Employee/~~Council~~: M. M. Mofolong

Employee

Signature by ~~Council~~ M. M.: M. M. Date: 29/7/2022

mj M. M.

4. Consultancies and retainerships

See information sheet: note (4)

Name of Client	Nature	Type of business activity	Value of any benefits received

5. Sponsorships

See information sheet: note (5)

Source of assistance/ sponsorship	Description of assistance/ Sponsorship	Value of assistance/ sponsorship

6. Gifts and hospitality from a source other than a family member

See information sheet: note (6)

Description	Value	Source

M. M.

7. Land and property

See information sheet: note (7)

Description	Extent	Area	Value

M. M.

Signature of Employee

Date: 26/07/2022

mj M. M.

OATH/ AFFIRMATION

1. I certify that before administering the oath/ affirmation I asked the deponent the following questions and wrote down her answers in her presence:

   (a) Do you know and understand the contents of the declaration?

   Answer Yes

   (b) Do you have any objection to taking the prescribed oath or affirmation?

   Answer No

   (c) Do you consider the prescribed oath or affirmation to be binding on your conscience?

   Answer Yes

2. I certify that the deponent has acknowledged that she knows and understands the contents of this declaration. The deponent utters the following words: "I swear that the contents of this declaration are true, so help me God" / "I truly affirm that the contents of the declaration are true". The signature/ mark of the deponent is affixed to the declaration in my presence.

mj M.M.

I certify that this document is a true copy of the original which was examined by me and that, from my observations, the original has not been altered in any manner.

SIGNATURE
Commissioner of Oaths - Lucyiano Roy Visagie
Designation: Professional Accountant (SA) : 31599
Date: 26 July 2022
Municipal Buildings. Hill Street. Kroonstad

Commissioner of Oath/ Justice of the Peace

Full first names and surname: Roy Visagie

(Block letters)

Designation (rank) Professional Accountant Ex Officio Republic of South Africa

Street address of institution Moqhaka LM, Hill Rd, Kroonstad

CONTENTS NOTED: EXECUTIVE MAYOR

DATE: 04/08/22.

M. M.

INFORMATION SHEET FOR THE FINANCIAL DISCLOSURE FORM

The following notes is a guide to assist with completing the attached Financial Disclosure form (Appendix C):

NOTE 1

Shares and other financial interests

Designated employees are required to disclose the following details with regard to shares and other financial interests held in any private or public company or any other corporate entity recognized by law:

- The number, nature and nominal value of shares of any type;
- The nature and value of any other financial interests held in any private or public company or any other corporate entity; and
- The name of that entity.

NOTE 2

Directorships and partnerships

Designated employees are required to disclose the following details with regard to directorships and partnerships:

- The name and type of business activity of the corporate entity or partnership/s; and
- The amount of any remuneration received for such directorship or partnership/s.

Directorship includes any occupied position of director or alternative director, or by whatever name the position is designated.

Partnership is a legal relationship arising out of a contract between two or more persons with the object of making and sharing profits.

NOTE 3

Remunerated work outside the public service (All remunerated employment must be sanctioned prior to the work being done.)

Designated employees are required to disclose the following details with regard to remunerated work outside the public service.

- The type of work;
- The name and type of business activity of the employer; and

M.M. M.M.

- The amount of the remuneration received for such work.

Remuneration means the receipt of benefits in cash or kind.

Work means rendering a service for which the person receives remuneration.

NOTE 4

Consultancies and retainerships

Designated employees are required to disclose the following details with regard to consultancies and retainerships:

- The nature of the consultancy or retainership of any kind;
- The name and type of business activity, of the client concerned; and
- The value of any benefits received for such consultancy or retainerships.

NOTE 5

Sponsorships

Designated employees are required to disclose the following details with regard to sponsorships:

- The source and description of direct financial sponsorship or assistance; and
- The value of the sponsorship or assistance.

NOTE 6

Gifts and hospitality from a source other than a family member

Designated employees are required to disclose the following details with regard to gifts and hospitality:

- A description and the value and source of a gift with a value in excess of R350;
- A description and the value of gifts from a single source which cumulatively exceed the value of R350 in the relevant 12 month period; and
- Hospitality intended as a gift in kind.

Designated employees must disclose any material advantage that they received from any source e.g. any discount prices or rates that are not available to the general public.

All personal gifts within the family and hospitality of a traditional or cultural nature need not be disclosed.

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SCHEDULE 2

LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000

CODE OF CONDUCT FOR MUNICIPAL STAFF MEMBERS

Definitions

1. In this Schedule "partner" means a person who permanently lives with another person in a manner as if married.

General conduct

2. A staff member of a municipality must at all times— (a) loyally execute the lawful policies of the municipal council; (b) perform the functions of office in good faith, diligently, honestly and in a transparent manner; (c) act in such a way that the spirit, purport and objects of section 50 are promoted; (d) act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised; and (e) act impartially and treat all people, including other staff members equally without favour or prejudice.

Commitment to serving the public interest

3. A staff member of a municipality is a public servant in a developmental local system, and must accordingly—

(a) implement the provisions of section 50(2); (b) foster a culture of commitment to serving the public and a collective sense of responsibility for performance in terms of standards and „targets; (c) promote and seek to implement the basic values and principles of public administration described in section 195 (1) of the Constitution; (d) obtain copies of or information about the municipality's integrated development plan, and as far as possible within the ambit of the staff member's job description, seek to implement the objectives set out in the integrated development plan, and achieve the performance targets set for each performance indicator; (e) participate in the overall performance management system for the municipality, as well as the staff member's individual performance appraisal and reward system, if such exists, in order to maximise the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents. . Personal gain

4. (1) A staff member of a municipality may not— (a) use the position or privileges of a staff member or confidential information obtained as a staff member for private gain or to improperly benefit another person: or (b) take a decision on behalf of the municipality concerning a matter in which that staff member or that staff member's spouse partner or business associate, has a direct or indirect personal or private business interest. (2) Except with the prior consent of the council of a municipality a staff member of the municipality may not— (a) be a party to a contract for— (i) the provision of goods or services to the municipality; or (ii) the performance of any work for the municipality otherwise than as a staff member; (b) obtain a financial interest in any business of the municipality; or (c) be engaged in any business, trade or profession other than the work of the municipality.

Disclosure of benefits

5. (1) A staff member of" a municipality who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose in writing full particulars of the benefit to the council. (2) This item does not apply to a benefit which a staff member, or a spouse, partner business associate or close family member, has or acquires in common with all other residents of the municipality.

Unauthorised disclosure of information

6. (1) A staff member of a municipality may not without permission disclose any privileged or confidential information obtained as a staff member of the municipality to an unauthorised person. (2) For the purpose of this item "privileged or confidential information" includes any information— (a) determined by the municipal council or any structure or functionary of the municipality to be privileged or confidential; (b) discussed in closed session by the council or a committee of the council; (c) disclosure of which would violate a person"s right to privacy; or (d) declared to be privileged, confidential or secret in terms of any law. (3) This item does not derogate from a person"s right of access to information in terms of national legislation. . Undue influence

7. A staff member of a municipality may not- (a) unduly influence or attempt to influence the council of the municipality or a structure or functionary of the council, or a council, with a view to obtaining any appointment, promotion, privilege, advantage or benefit or for a family member, friend or associate; (b) mislead or attempt to mislead the council, or a structure or functionary of the council, in its consideration of any matter: or (c) be involved in a business venture with a councilor without the prior written consent of the council of the municipality.

Rewards, gifts and favours

8. (I) A staff member of a municipality may not request, solicit or accept any reward gift or favour for- (a) persuading the council of the municipality or any structure or functionary of the council, with regard to the exercise of any power or the performance of any duty; (b) making a representation to the council, or any structure or functionary of the council; (c) disclosing any privileged or confidential information: or (d) doing or not doing anything within that staff member"s powers or duties (2) A staff member must without delay report to o superior official or to the speaker or the council any offer which, if accepted by the staff member will constitute a breach of sub-item (1).

Council property

9. A staff member of a municipality may not use, take, acquire, or benefit from any property or asset owned, controlled or managed by the municipality to which that staff member has no right.

Payment of arrears

10. A staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 3 months, and a municipality may deduct any outstanding amounts from a staff member's salary after this period.

Participation in elections

11. A staff member of a municipality may not participate in an election of the council of the municipality, other than in an official capacity or pursuant to any constitutional right.

Sexual harassment

12. A staff member of a municipality may not embark on any action amounting to sexual harassment.

Reporting duty of staff members

13. Whenever a staff member of a municipality has reasonable grounds for believing that there has been a breach of this Code, the staff member must without delay report the matter to a superior officer or to the speaker of the council.

Breaches of Code

14. Breaches of this Code must be dealt with in terms of the disciplinary procedures of the municipality envisaged in section 67(l)(h) of this Act

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ADV MM MOFOKENG
ACTING MUNICIPAL MANAGER

26/07/22

DATE

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CLLR E M MOKATSANE
EXECUTIVE MAYOR

27/07/22.

DATE