



UMZIMVUBU
— LOCAL MUNICIPALITY —

ICT CELLPHONE POLICY

Cellphone Policy

MUNICIPAL CELLPHONE POLICY

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1.PURPOSE

The purpose of this policy is to regulate the procurement for, and use of cell phones by, councillors and staff of the Municipality.

2.PROVISION OF CELLPHONES BY THE MUNICIPALITY FOR PERMANENT USE

- 2.1 Councillors, fixed term performance based contract employees and permanent employees as determined by the user department's HOD of the Municipality (such councillors and staff being referred to as "recipients") will be provided with cell phones (such cell phones being referred to as "provided cell phones") at the expense of the Municipality, which shall also pay the monthly rental and other fixed costs associated therewith, and shall also pay usage or airtime charges up to the total amounts stated.
- 2.2 Provided cell phones remain the property of the municipality, and must be returned by recipients to the Municipality on demand by the Municipal Manager, or when a councillor ceases to serve as such or when a staff member ceases to be employed by the Municipality.
- 2.3 If any provided cell phone is lost or stolen, that fact must be reported immediately by the recipient to the Municipal Manager and the South African Police Service.
- 2.4 Recipients must at all times take due care of provided cell phones.
- 2.5 If any provided cell phone is damaged or requires servicing, the recipient shall immediately deliver the cell phone to the Corporate Services Department who, subject to the provisions of this policy, shall take such steps as may be necessary to have same repaired or serviced.
- 2.6 If any provided cell phone is lost, stolen or damaged beyond repair, the Corporate Services Department shall, subject to the provisions of this policy, take such steps as may be necessary to have same replaced.

- 2.7 If any provided cell phone is damaged, lost or stolen due to the negligence or deliberate act of the recipient, the Municipal Manager may require the recipient to pay the cost of repairing or replacing the cell phone, and the Municipal Manager shall not be obliged to repair or replace same until the recipient pays such cost.
- 2.8 If any provided cell phone requires repairs, servicing or replacement, the Corporate Services Department may issue an issued cell phone referred to in section 3 below to the recipient for temporary use pending the completion of servicing, repairs or replacement, provided that such issued cell phone is not required for the purpose contemplated in section 3.
- 2.9 The Corporate Servicers Department shall keep a register of provided cell phones provided to recipients under this section, which register shall state:
- 2.9.1 The name and designation of each recipient;
 - 2.9.2 The date on which the cell phone was issued to the recipient;
 - 2.9.3 The make, model and serial number of the cell phone;
 - 2.9.4 Whether and when the cell phone was returned for repairs or servicing, and when same was thereafter returned to the recipient;
 - 2.9.5 Whether and when the cell phone was lost, stolen or damaged beyond repair, and the circumstances surrounding such loss, theft or damage;
 - 2.9.6 Whether, when, and the circumstances under which the cell phone was returned to the municipality;
 - 2.9.7 Whether and when such cell phone is scrapped or otherwise disposed of.
- 2.10 Whenever a provided cell phone is provided to a recipient, the recipient shall be required to sign an acknowledgment of receipt in a form approved by the Municipal Manager, which acknowledgment shall also state that the recipient understands and agrees to abide by the provisions of this policy and agrees to abide by the terms of any contract for the procurement of the cell phone in question insofar as they apply to him or her.

3. ISSUING OF CELL PHONES FOR AD HOC USE

- 3.1 The Municipality may obtain cell phones for ad hoc use by staff who do not require cell phones for permanent use but only for temporary, specific purposes (such cell phones being referred to as "issued cell phones").
- 3.2 The Corporate Services shall keep a register of issued cell phones, which register shall state:
- 3.2.1 the make, model, serial number and date of acquisition of each such cell phone;
 - 3.2.2 the name of the person to whom it is issued for temporary purposes, the date of such issue and the date on which it is returned;
 - 3.2.3 whether and when any such cell phone was lost, stolen or damaged, and the circumstances of such loss, theft or damage;
 - 3.2.4 whether and when such cell phone is scrapped or otherwise disposed of.
- 3.3 Only the Municipal Manager or a person delegated by the Municipal Manager may authorise the use of an issued cell phone under this section. The Municipal Manager or his delegate may stipulate conditions and limitations subject to which such cell phone may be used.
- 3.4 The provisions of sections 2.3 and 2.4 shall apply *mutatis mutandis* to any issued cell phone and to any person to whom an issued cell phone is issued under section 3.
- 3.5 Save in circumstances contemplated in section 2.8, no cell phone may be issued under section 3 to any person to whom a cell phone is provided under section 2.
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4. PROCUREMENT OF CELL PHONES AND RELATED SERVICES

4.1 A "municipal cell phone" shall mean a cell phone obtained by the Municipality for purposes of section 2 or section 3.

4.2 Contracts for the procurement of municipal cell phones and for the provision of airtime, insurance and related services may be entered into only in accordance with the Municipality's Supply Chain Management Policy.

4.3 Subject to the Municipality's Supply Chain Management Policy, service providers, network operators and cell phone manufacturers shall as far as possible be standardised.

4.4 Air time for municipal cell phones may be obtained only on a contract basis, and shall not be obtained on a "pay-as-you-go" basis.

4.5 A contract for the acquisition and use of a municipal cell phone must provide that an itemized bill will be issued each month for airtime used on that cell phone.

4.6 Each municipal cell phone must be insured either by the relevant service provider or by an insurance company appointed by the municipality.

4.7 Councilors will be covered under death insurance cover from Vodacom which will cost an extra R6.00 taken from the cellphone allowance

4.8 Provision of 3g data cards use due to the Covid-19 pandemic will be recommended by HODs and Manager corporate Services for the Accounting officer to approve.

4.9 Council contracts should be aligned to council term of office. i.e. negotiate with cellphone service provider to restructure contract to 2 and half years.

5. USE OF MUNICIPAL CELL PHONES

- 5.1 Municipal cell phones may be used only for official municipal business. The use of Municipal cell phones for private matters of any kind whatsoever is strictly prohibited.
- 5.2 No international calls may be made from any municipal cell phone.
- 5.3 Any person who fails to comply with the provisions of 5.1 and 5.2 shall be liable to reimburse the municipality for the costs of the calls made in contravention thereof, and shall also be liable to disciplinary action.
- 5.4 Itemised bills for each municipal cell phone will be obtained each month. A copy of each such bill shall be made available by the Corporate Services Department to the recipient of the provided cell phone concerned.
- 5.5 Recipients of provided cell phones are expected to keep such phones switched on at all reasonable times so as to ensure that they are contactable.
- 5.6 The maximum amount of the usage or airtime charges which the municipality shall pay for each recipient in each month should not be exceeded. If any recipient exceeds this amount, he or she shall be liable to reimburse the Municipality for the excess; provided that if the Municipal Manager is satisfied that the excess was necessarily incurred in the course of municipal business, he may approve the payment by the municipality of the excess up to an amount not exceeding two hundred rands (R200.00) in any month; provided further that the Executive Committee of the Municipality may approve the payment for a Councillor of the Municipality for the excess over and above the said amount if it is satisfied that such excess was necessarily incurred in the course of municipal business.
- 5.7 If any recipient incurs usage or airtime charges in any month which are less than the maximum amount, the shortfall may be carried over to a subsequent month only with the permission of the Municipal Manager, and then only if doing so does not involve any additional charge or cost being levied on the Municipality.

6. USE OF PRIVATE CELL PHONES

6.1 The Municipal Manager may authorise a councillor or staff member to whom a cell phone has not been provided under sections 2 or 3 to use his or her personal cell phone for business purposes, subject to such limitations (including as to costs) and conditions as the Municipal Manager may deem fit.

6.2 Only a cell phone for which air time is provided on a contract basis and for which an itemised bill is provided may be used for purposes of this section.

6.3 A person who is authorised to use his or her personal cell phone under section 6.1 shall be entitled to claim reimbursement from the municipality only for the costs (as billed to such person) incurred in making actual calls for business purposes accordance with the limitations and conditions contemplated in 6.1. The Municipality shall not be liable to pay any portion of such person's fixed cell phone costs or other operating costs. The maximum amount which may be claimed each month hereunder (which shall in any event be subject to any limitation imposed by the Municipal Manager under 6.1) shall not exceed the amount stipulated in the Council resolution or in the Council upper limits circular from the MEC.

6.3 Claims for the reimbursement of the costs of such calls shall be made as follows: 6.3.1 Any such claim must be submitted to Corporate Services;

6.3.2 The claim must be made in the form approved by the Municipal Manager, and must be accompanied by a copy of the cell phone airtime bill issued to person concerned, on which the calls for which the claim is made are clearly highlighted;

6.3.3 The claim must be signed by the claimant as well as by the Municipal Manager and the head of the relevant department;

6.3.4 If the claim is in order, the claimant should be reimbursed within ten (10) days of submitting the claim.

6.4 No person shall be entitled to be reimbursed for the costs of calls made on his or her private cell phone unless he or she has been authorised to use such cell phone under this section.

6.5 A recipient to whom a cell phone has been provided in terms of section 2 shall not be authorised to use his or her private cell phone for business purposes and be reimbursed for such use unless the provided cell phone has been lost or stolen or is undergoing repairs or servicing and no replacement phone has been provided to him or her.

6.6 Cell phones will be on a contract basis as follows:

6.6.1 Mayor determined by CogTA

6.6.2 Speaker determined by CogTA

6.6.3 Executive committee determined by CogTA

6.6.4 Councilors determined by CogTA

6.6.5 Traditional Leaders U-choose R550 Determined by Council

6.6.6 Municipal Manager Red VIP (Unlimited)

6.6.7 HODs Red Select Top up plus (Unlimited) Determine by Accounting Officer.

6.6.8 Managers top-up R1000 Determine by Determine by Accounting Officer

6.6.9 Specialist Posts/Supervisors top-up R550 Determine by Accounting Officer

On termination of employment of cellphone holders, a contract can be transferred to affected cellphone holder on Accounting Officers approval.

7. ADMINISTRATION OF POLICY

The Municipal Manage shall be responsible for the administration and enforcement of this policy, provided that he may delegate any of his functions hereunder to any member or members of staff of the Municipality.

8. APPLICATION OF THIS POLICY

- 8.1 This policy will apply to all Municipal Councilors and fixed term and Performance based contracts employees of the Municipality.

9. COMMENCEMENT OF THE POLICY

- The policy will come into effect on the date signed by ICT Governance Champion

9.1. INTERPRETATION OF THE POLICY

- All words contained in this policy shall have the ordinary meaning attached thereto, unless the definition or context indicates otherwise
- Any dispute on interpretation of this policy shall be declared in writing by any party concerned.
- The Municipal Manager shall give a final interpretation of this policy in case of written dispute.
- If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council.

9.2. PERMANENT/TEMPORAL WAIVER OR SUSPENSION OF THE POLICY

- This policy may be partly or wholly waived or suspended by the ICT Governance Champion on temporary or permanent basis however the Municipal Manager/Council may under circumstances of emergency temporarily waive this policy subject to reporting of such waiver or suspension to Council

9.3 COMPLIANCE AND ENFORCEMENT

- Senior management is required to ensure that internal audit mechanisms exist to monitor and measure compliance with this policy.
 - Failure to comply with this policy may result in disciplinary action, which may include termination of employment.
 - Any conduct that interferes with the normal and proper operation of the municipality's IT systems, which adversely affects the ability of other users to use those IT systems, or which is harmful or offensive to other users, shall constitute violation of approved IT policies.
- The municipality management reserves the right to revoke the privileges of any user at any time.

10. AMENDMENT AND/OR ABOLITION OF THIS POLICY

This policy may be amended or repealed by ICT Governance Champion /Council as it may deem necessary and is reviewed annually

Document Owner and Approval

The Municipality is the owner of this document. The Executive Management of the Municipality is responsible for ensuring that this policy document is reviewed regularly to ensure that it remains relevant to the organisation.

This document was approved by the Executive Management and is issued on a version controlled basis under the signature of the ICT Governance Champion.

APPROVAL OF THE POLICY


The Municipal Council has approved this policy and amendments thereof.

AUTHENTICATION

The amendments of the policy and or the new policy was adopted by the Council on the 29-01-2021.....


As per Council Resolution number ULMC: 359/2020/2021.....

Signed off



Mr. G.P.T. Nota

Municipal Manager



Cllr. N.F Ngonyolo

Speaker of the Council

