UMZIMVUBU

LOCAL MUNICIPALITY

STANDARD OPERATING PROCEDURE OF UMZIMVUBU LOCAL MUNICIPALITY ON SECRETARIAT SERVICES AND REPORT WRITTING: SOUND GOVERNANCE SECTION: CORPORATE SERVICES DEPARTMENT

UMZIMVUBU LOCAL MUNICIPALITY

PROCEDURE MANUAL OF UMZIMVUBU LOCAL MUNICIPALITY SOUND GOVERNANCE DIVISION: CORPORATE SERVICES DEPARTMENT

1. INTRODUCTION

Sound Governance Secretariat Section is a division within Corporate Services Department [*see attachment as* ***Annexure "A"*** *the municipal organogram for the Sound Governance Secretariat Section*]. Officials in this section are responsible for the compilation of Agendas, editing of items/reports, minute taking and drafting of reports and providing Secretariat services to Council and its committees.

The officials in this section also see to it that the venue is conducive for holding meetings i.e. recording system/devices, lighting, cleanliness and anything that may be required during the time of the meeting. (Overhead projector when required)

2. OBJECTIVES OF THE SECREATRIAT SERVICES IN MEETINGS

(a) To provide a service that enables the Council to run its meetings smoothly. This includes the compilation of the agendas, scheduling of meetings and the distribution of the agendas and minutes to the members.
(b) To compile and implement the adopted ULM year planner which contains all statutory and non-statutory meetings.
(c) Ensure timeous delivery of agendas to Councillors, in line with the ULM Rules And Order of Council.
(d) Provide conducive venues to hold meetings and logistical requirements of the meetings.
(e) Ensure that Council and its Committees operate within the legislative framework as outlined in the Council Rules and Order.

3. FLOW OF WORK

Each department compiles reports for the Management Committee (MANCO) as the first Committee that receives all reports from departments. The said reports are submitted to Sound Governance Secretariat Section electronically to enable the officials in that section to compile the agendas for the intended Committee. It is generally understood that the said reports/items have been forwarded to the respective HoDs and given a go ahead before they being forwarded to Sound Governance. It is generally expected that the Authors of the reports should adhere to the deadline as set by Sound Governance Section to allow time for preparation of the agenda. It is generally expected that the departmental authors of reports would stipulate clearly in the flow of the report that in which committee the item is expected to be tabled.

Sound Governance officials compiles the agenda and after editing the agenda is sent to the sectional manager to release it to the members of the meeting. The agenda is distributed seven days before to the members electronically using the emails as provided by ICT section.

A notice of the meeting is also given to members of the meeting seven days before using bulk SMS services of Vodacom as the service provider used by the institution.

The cellphone numbers used in the bulk SMS are the official numbers that are provided by ICT section for each Councillor and Traditional leader of the institution.

On the day of a meeting, the committee section official is expected to be at the venue thirty (30) minutes before the meeting and ensure that the venue is clean, conducive and ready for the meeting. Members of the meeting are expected to arrive at the venue of the meeting fifteen (15) minutes before the start of the meeting as per Standing Rules and Order of Council.

Members who wish to submit an apology are expected to do such in writing directly to the Chairperson of the meeting at least twenty four (24) Hours before the date of the meeting as per Standing Rules and Orders of Council.

Once the time to start the meeting arrives the official from committee unit is expected to count the quorum which is 50+1 of the members of the committee and inform the chairperson.

4. MINUTE TAKING AND PROCEDURES

ULM is using the executive type of minutes, therefore, minutes must be ***brief,*** concise and precise to enable the reader to understand what transpired in the previous meeting **without providing word-to-word account of what was discussed unless there is a request for a verbatim for those minutes**. Dates of Meetings of ULM Council Committees are published in the Year Planner as approved by ULM Council.

Once the meeting does not quorate the official from committee section is expected to prepare inquorate notes and record members who have arrived for the meeting and signed the attendance register, the proceedings of the inquorate meeting when the chairperson opened and the directive given by the chairperson with regards to the items submitted to be considered by the meeting.

The Committee officials are responsible to take minutes in all Council sub-committees, Management Committee and its sub-Committees and any AdHoc Committee of the Council.

Administrative Assistants officials take minutes in all standing Committees and sub-Committees and forward them to the Admin Officer to do the quality checking and editing who also will forward such minutes to the Assistant Manager to do quality checking of minutes and editing in ensuring quality and synergy in our minutes.

In the Committees such as Council, EXCO, MPAC, and ETHICS, the minutes are taken by the Admin Officer who once is finish taking them they will forwarded to the Assistant Manager to do quality checking and editing to ensure quality.

Minutes should reach the level of the Assistant Manager before the compilation of the agenda of the next sitting of the committee.

4.1 Compilation of Minutes

Minutes remain **Draft** minutes until they are confirmed and signed at the next ordinary meeting. A resolution extract can be requested through Assistant Manager Sound Governance and they can only be taken as authentic once they are signed by the Chairperson of the meeting or the Municipal Manager. Assistant Manager: Sound Governance must do a quality check before minutes can be submitted for confirmation to the next ordinary meeting.

4.2 Decision Inclusiveness

If any member of the meeting decides not to be included by the decision taken by the committee that should be declared up front by such member before the chairperson proceeds to the next item of the agenda so as to allow that to be recorded as such in the minutes.

Any member of the meeting is allowed to request the recordings of the meeting of which he/she is member off but through the committee's chairperson.

4.3 Recording of the Minutes

Secretariat officials are required to ensure that any equipment and accessories that may be needed for the recording of the Minutes is put in place before the meeting start. The checklist should include:-

- Computer recorder
- Digital recorder
- Microphones
- Attendance register
- Extension cords (if necessary)
- Data projector (if necessary)

4.4 Resolution Extracts

The resolution Extract is the resolution extracted from the Draft minutes of an item submitted which was discussed in the meeting, the authenticity of the resolution extract is valid once the extract is signed by the Municipal Manager and its validity is when the draft minutes are not yet confirmed and adopted by the next meeting. Once the draft minutes are confirmed and adopted by the next meeting and signed by the chairperson the resolution extracts ceases to be valid and the signed minutes by the Chairperson of the meeting would be the only valid document that would stay in the archives of the institution.

4.5 Signing of Minutes

At its next ordinary meeting, the Committee/*Council* may amend the draft minutes before confirming them as final. Such changes must be effected in the draft minutes using a laptop after which a hard copy will be printed out and signed by the Chairperson of the meeting. Even if the minutes are confirmed they will remain Draft minutes up until the Chairperson of the meeting has signed them.

4.6 Storage of Minutes

All documents that provide evidence of Council decisions including Agenda and minutes of Council and its structures, must be stored at records and Archive by the respective secretariat official.

This is to ensure that personnel have access to these documents at all times. Storage of hard copy of agendas and minutes should be held in safe custody by the Records management Office.

4.7 Time frames for distribution

The delivery or emailing of the agenda containing the draft minutes for all the ordinary statutory meetings as planned in the year planner of the institution will take place Seven (7) days before the meeting. For special meetings the agenda will be sent within 24 hours of the meeting as per Standing Rules and Orders of Council.

4.8 Procedures related to delivery of the agenda

The preparation, and distribution of the agendae of Council, Sub-Committees and minutes are ongoing, interconnected activities requiring cooperation and team work. The Council Agenda packages are prepared by the Committee Unit under Sound Governance Section and are distributed to members of the Council as stipulated in item 4.6 by emails.

The distribution list and email for Committee agendas includes all members of the Committee; the Municipal Manager as the Municipal Accounting Officer and Heads of Departments and on request, any other Councillor or an external person who has an interest in an item on the agenda through email.

Meetings that which would be held virtually the agenda with the notice of the meeting will also be distributed as per item 4.6 and a link be sent to members via email at least an hour before the meeting.

5. Confidential Items

5.1 Reports considered as classified/confidential

The following are considered classified documents of the Council:

1. Staff appointments and Terms of the Employment contract).
2. Appointment of Section 56/57 Employees(Terms of the contract)
3. Results from training/programs attended or undertaken.
4. Remuneration issues
5. All legal matters
6. Reports on occupational health and safety in the workplace.
7. Industrial relations matters
8. Alienation of land and property
9. Any other issue that the Municipal Manager may decide at his discretion

Confidential items must be presented on a water marked paper. Members of the meeting and Secretariat at Sound Governance in particular and Staff in general are required not to divulge information regarding confidential matters which are marked as Confidential items, and have been discussed in Council Structures. Members of the Public and Members of Media are not allowed to have a copy of any confidential item. Any breach of the above provision will lead to disciplinary enquiry being instituted against the responsible staff member.

In the event that the confidential report/item is discussed, and all officials are asked to leave the chamber, **the tapes are left on record mode for the purpose of compiling minutes and preparation for the next meeting. And or a summary of the resolution taken as the item was discussed In-Committee/In-camera the resolutions of the discussions should be given by the Chairperson or the Accounting officer / any Senior Manager representing Accounting officer in the meeting before the meeting is adjourned for the purposes of compiling minutes. And such item should be reflected in the minutes.**

5.3.2 Top Secret Reports

The top secret reports are items developed and tabled directly in the Council for consideration. These reports are usually discussed in camera/in committee or in a closed session by the Council. The prerogative to request the officials or administration to excuse themselves in the said session resides to the Speaker of the Council and the Municipal Manager.

5.3.3 Confidential Reports

Confidential reports are items that are developed and distributed with the Council agenda but clearly stipulated confidential report. These reports are those that consist of the names of the officials and the health status of individuals contained in the reports ad any report determined by Council Speaker or the municipal Manager that they are confidential. These reports must be identified clearly their confidentiality by putting "Confidentiality watermark" in the body of a report".

6. COMMITTEES SERVICED BY SOUND GOVERNANCE

6.1 MANAGEMENT COMMITTE MEETING

The ***Management Committee (MANCO)*** meetings are held first week of every month and is chaired by the Municipal Manager or the delegated senior official. It is the duty of Sound Governance section to ensure that the MANCO agenda pack is distributed or emailed to all members of the Committee at least three days before the meeting.

After the MANCO meeting, the action issues are circulated to all MANCO members at least Seven (7) days after the meeting. The minutes of the previous meeting will be distributed with the agenda of the next Management Committee meeting for confirmation.

In line with delegated authority to the HODs, items/reports that are operational are implemented after being disposed to the MANCO meeting and those that require a Council resolution either for noting or consideration, proceed to the relevant Standing Committees derived from Chapter 7, Section 155-156 of the Constitution of Republic of South Africa, 1996 as amended and read with Chapter 4 of the Municipal Structures Act 117 of 1998. Should there be any changes in items as advised by MANCO, Committees section in consultation with the author should incorporate those changes before sending that item to the next committee.

The names of Section 80 Committees that Sound Governance is servicing are:-

- Infrastructure and Planning Standing Committee
- Corporate Services Standing Committee;
- Citizen and Community Services Standing Committee;
- Local Economic Development Standing Committee
- Special Programmes and Communications Standing Committee.

The names of Section 79 Committees that Sound Governance is servicing are:

- Municipal Public Accounts Committee (MPAC)
- Audit Committee
- Petitions Committee
- Ethics Committee

All the Internal Audit Committee items should be submitted to the Management Committee by the Internal Audit Unit after which they would be escalated to Audit Committee as per the stipulated flow of the reports after the MANCO has been exposed of those items. The Audit Committee then submits quarterly reports to Council for further consideration.

All items/reports that are submitted by Departments to Sound Governance Division for compilation to the agenda must be submitted before ten (10) working days of the meeting.

6.4 STANDING COMMITTEE MEETINGS

The standing committees are established in terms of the Section 80 Municipal Structures Act 117 of 1998 for effective and efficient performance of the Council's functions. Standing Committee holds a meeting once a month and is chaired by a member of the Executive Committee or the Portfolio Head of the Department. The Standing Committees recommend to the EXCO meeting which in turn resolves all issues delegated to it and submit such reports to Council for **noting.** All reports for approval/consideration by Council from Standing Committee meetings should be exposed to EXCO first which thereafter are referred to Council for **approval/consideration.**

The agenda for all the Standing Committees should be prepared ten (10) days before each meeting. The compilation and editing of the Standing Committee agenda should be done in the first three (3) days and the deliveries/emailing of the package must be made to the members of the Standing Committee seven (7) days before the meeting, in line with the Rules and Order of Council.

In compliance with the Rules and Order of Council, it is a requirement that Sound Governance Section distributes both the previous minutes of the meeting and the agenda items of all the meetings seven (7) days before commencement of the next meeting.

6.5 EXECUTIVE COMMITTEE MEETINGS

The Executive Committee meetings are held once a month and are chaired by the ULM Honorable Mayor. The Executive Committee resolves on matters of which it has a delegated authority on and thereafter refers its items to Council for noting and or consideration. All reports/ items of which EXCO has no Authority to take decision over should be referred to Council for approval. Committees Section should compile an EXCO report to the Hon. Mayor and EXCO Members, outlining all the discussions and comments made on items, two (2) days after the EXCO Meeting.

6.6 COUNCIL MEETINGS

Council meetings are chaired by the Speaker of the Council who, on one of his/her functions is to convene Council meetings and ensures that the Council meets at least once in a quarter. The Speaker, in consultation with the Mayor, Chief Whip of the Council and extended invitation to the Municipal Manager (TROIKA + 1) meet at least once a month. The distribution/emailing of the Council Agenda to members of the Council must comply with the seven (7) days delivery period as stipulated in the Rules and Order of Council.

Venue of Council Meetings

The Umzimvubu Local Municipality is servicing both Mt Ayliff town (Emaxesibeni) and Mt Frere town (Kwa Bhaca) and the Head offices of the municipality reside at Kwa Bhaca town. The prerogative of calling the Council meeting and determine the venue resides to the Council Speaker. The venue is determined by the Council speaker and communicated to the Municipal Manager.

Confidentiality in the Council meetings

This procedure manual will help to cap the leakage of information before the items are tabled to the Council or any other committee for consideration. Confidential item is any report that consists of the names of Councillors/officials and or health status of individuals cited in the report. There are two categories of confidentiality reports that are submitted to the Council committees and Council.

7. REPORT WRITING FORMAT OF UMZIMVUBU LOCAL MUNICIPALITY

7.1. QUALITY OF REPORTS

7.1.1 Formatting

*See the attached template (specimen) as **Annexure "A"***
Any official document which is submitted to a Council / Committee must meet the following requirements:-

- At least 2cm should be allowed at the top of the first Page for the allocation of Agenda Annexure number and Document Number, if necessary.
- Inside margin of at least 2cm for the purpose of back-to-back binding.
- Theme Font (Arial)
- Font Size (12)
- Alignment (Full Justified)
- Spacing (1.0)

7.1.2 File referencing

All reports from departments must contain a file reference number which is obtained from the Records Management Office.

7.2 COMPLIANCE AND REQUIREMENTS OF REPORTS

Reports that do not comply with the requirements in terms of format, context and content will be returned to the Department. Authors and HOD's will be responsible for quality and formatting checks for their respective Departments.
Departmental Authors and HODs will be responsible for quality and format checks for reports from their respective Departments

Please see **Annexure "B"** below the format to be followed by Authors of Reports to be submitted to Sound Governance for compilation of Agendae.

ANNEXURE "A"

GUIDELINES FOR REPORT WRITING AT UMZIMVUBU

The report is written in **Arial** with size **12 Font Size**, **Full justification**; the ruler is set with **2cm** left Indent and **16.5 Right** Indent on the right hand side of the paper.

1. HEADING OF THE REPORT

Without making the heading too long, it should give a clear indication of exactly what the item is about. Leading words indicating the discipline or subject involved should come first, e.g. Staff, Finance, Property Acquisition, Health, Housing, etc.

Examples

(a) Human Resources: Amendment of Conditions of Service.
(b) Environmental Health: Report on Corporate Services Activities for June 2018.
(c) Council Meetings: Determination of dates and times for 2003/4.

2. FILE NUMBER

Below the particulars in Paragraph 1 the file number must be quoted.

Kindly ascertain the correct number of the subject and also ensure that the administration prefix of your office is used. If you are working from the file, please use the file number indicated thereon. If more than one file number is applicable, use all those numbers. If at all uncertain, consult the Head of the Archives/Registry.

Examples

P.16/3/1, GE 5/2/1, L14/4/1 etc. (use new filing index as per system).

3. OFFICE OF ORIGIN AND AUTHOR

At the right-hand side on the top of the report an indication of the administration from which the report originated as well as the official capacity of the author and his/her initials should be given. (No official letter to be used)

Examples

[Author: Manager: Corporate Services/TN/mn]

4. PURPOSE

This is a short summary in one or two sentences of the purpose of the report, i.e. the matter which is submitted for consideration by Council / Executive Committee / Standing Committee. In other words as the author, what do you expect the Council would do with the report.

Examples

(a) For Council to note the report on the appointment of HR officer.
(b) For Council to approve the dates and venues for meetings of the Executive Committee.

5. AUTHORITY

Right at the end of the report, the enabling authority e.g. (Municipal Finance Management Act, Structures Act; Systems Act; Employment Equity Act) in terms of which the matter is being considered, should be quoted. (Most decisions of a municipality are derived from a statutory instrument, unless it is clearly not the case)

Examples

- Section 16 of Act 117/1998 read with section 59 of act 24 of 2000 (Delegation of Authority).
- Labour Relations Act, 1995 (Labour Matters).
- Section 10 of Act 5/2000 (Procurement matters).

[This should not be confused with paragraph 6 below – Paragraph 6 deals with the requirements, while this deals with authority. In cases where the act stipulates so, the authority can lay down certain legal requirements and in such cases the same section will apply in both cases].

6. LEGAL/STATUTORY REQUIREMENTS

In most cases administrative actions are undertaken in terms of some or other act or ordinance which require advertisement, publication in the press or similar action, e.g. sale or acquisition of land, calling for tenders, development planning applications. In this section of the report the author mentions things such as – (e.g.)

- The application for sale of land was advertised in terms of Section 124 of the Municipal Ordinance and no objection was received.

- The occupant was given final notice to pay the rent in terms of his lease before a certain date and did not respond.

- The application for rezoning was advertised in the press and notice given to adjacent owners. Twenty one objections were received.

(This section could also be dealt with after the reasoning, depending upon the requirements of the report)

7. BACKGROUND / REASONING

This is the crux of the report and should adhere to the following principles;

➢ If Council has a policy on this matter the existing policy must be quoted.

ANNEXURE "B"

SPECIMEN FORMAT

CORPORATE SERVICES: REPORT ON APPOINTMENT OF HUMAN RESOURCES OFFICER

[File No.: 3/2/2/2/3]
[Author: Manager: Corporate Services: TMN/mn]
[MANCO: 01 November 2021]
[CS: 12 December 2021]
[EXCO: 28 December 2021]
[COUNCIL: 04 January 2021]

PURPOSE

For the Council to note the appointment of Human Resources Officer.

OR
To submit the report on the appointment human resources officer to Council for noting.

AUTHORITY

(Quote legislation / Authority that authorises you to develop this report)

LEGAL / STATUTORY REQUIREMENTS

Illustrate on what authorises you to write the report, make sure you expand on legislation that you quoted in the authority.

BACKGROUND / REASONING

(Why the position needs to be filled in full, tell us what happened in the history of the position)

SERVICE DELIVERY IMPLICATIONS

(How is the report affecting the service delivery and in terms of SDBIP)

STAFF IMPLICATIONS

(How is this going to affect staff of the municipality; Comments from Human Resources Department to be incorporated here). In this report it will be **none** as the report is coming from Human Resources)

FINANCIAL IMPLICATIONS

(How the appointment is going to affect the budget, is the post budgeted for, show the Vote number and Comments from budget to be included here)

OTHER PARTIES CONSULTED

Are there any parties consulted about the filling of this post. Name the party consulted and include here his or her comments.

ATTACHMENTS

Ensure that the annexures you include in the report are saved as it appears in the report.

RECOMMENDATION

1. The recommendation should be in line with the expectation expressed in the purpose of the report. The recommendation should specify if the report is submitted for noting or for approval by the last structure as stipulated in the flow on the top right of the report.

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