



SALGA
South African Local Government Association

GUIDELINE FOR A REPORT ON STRATEGIC ISSUES TO BRING TO THE ATTENTION OF THE NEWLY ELECTED POLITICAL OFFICE BEARERS

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1 INTRODUCTION

The Constitution establishes the local sphere of government. It confers both the legislative and the executive authority on the municipal council. The objects of local government are set out as follows:

- a) To provide democratic and accountable government for local communities;
- b) To ensure sustainable provision of services to communities;
- c) To promote social and economic development;
- d) To promote a safe and healthy environment; and
- e) To encourage communities and their organizations to become involved in local government matters.

The elected councillors, and in particular the political office bearers, assume responsibility in a municipality to provide leadership for a period of 5 years. It is, therefore, expected that at the end of the term of office a formal political report should be compiled reflecting on how much progress has been made to address the plight of the people and to organise the municipality's administration in order to be appropriately positioned to implement the chosen strategic intervention. This is a broad guideline on how an end of the term report should be done which will serve as a political hand over report to the incoming leadership. The guideline proposes a comprehensive report which includes the Speaker's and the Executive Mayor's / Committee's report.

The reports are in their nature about how much progress has been made and how effective the strategic interventions of the municipality were in addressing the socio – economic and environmental challenges that informed the strategic choice made and being reported on.

4. HAND-OVER REPORT BY THE SPEAKER

4.1 Legislative Basis for the Speaker's Report

The Constitution provides that the municipal council must elect a chairperson. The Local Government: Municipal Structures Act, 1998, (hereinafter referred to as "the Structures Act") provides for the election of a Speaker that is the chairperson of the municipal council. The Speaker is responsible for the legislative arm of the municipality and discipline of the councillors, inside the council chamber and in general. The Speaker is also, working with the with the oversight committees of the municipality, responsible to ensure effective oversight over the executive of the municipality. Section 17 of the Local Government: Municipal Systems Act, 2000 (hereinafter referred to as "the Systems Act") requires that citizen participation in local government affairs must take place through, amongst other mechanisms, also ward committees. The Speaker also provides political oversight over such ward committees and ensures that they are operative.

The mechanisms and procedures established by a council must at least provide for the receipt, processing and consideration of complaints as envisioned in section 95 (f) and (g) of the Systems Act as well with respect to petitions, notification and public comment procedures, public meetings and public hearings.

2.2 The proposed structure of the Speaker's hand over report

It is proposed that the Speaker should at the end of term of office prepare a comprehensive report for the succeeding Speaker, which should be structured in such a manner that it addresses three focus areas:

- a) The state of the municipal council at the beginning of the term of office;
- b) Progress achieved during the term of office and a frank analysis of the attendant political challenges experienced throughout the term;
- c) A frank reflection on the areas where more work needs to be done and if any an outline of strategic interventions proposed for the incoming Speaker.

The report of the Speaker should cover the following aspects:

2.2.1 Political Management

The report should include the following:

- 2.2.1.1 State of the Political Management Committee (TROIKA)
- 2.2.1.2 State of the Council and Council Committees as provided for in terms section 79 including the following:
 - i. Rules and Programming Committee
 - ii. Ethics Committee
 - iii. Municipal Public Accounts Committee
 - iv. Municipal Audit Committee
- 2.2.1.3 Risk management

While an aspect of this in terms of operational risk and implementation of mitigating measures of strategic risks is covered in the report by the Executive, it is proposed that reference to strategic political risks should be made in the report.

2.2.2 Governance and community involvement

As succinctly outlined above, a Municipal Council is fundamental to good governance and deepening of local democracy. It is also fundamental in terms of the constitutional and other legal obligations of the council in general and the speaker in particular. The governance chapter of the Speaker's hand over report therefore should cover the following areas:

- 2.2.2.1 Inclusive governance
 - i. The state of Ward Committees

- ii. A frank analysis of the level and quality of community involvement both in terms of citizenry and community organisations with specific emphasis on :
 - Council meetings
 - Policy development processes
 - The interface between the council and war rooms driven by Offices of Premiers
 - Relations between Ward Councillors and key stakeholders at ward level such as Traditional Councils and Community Development Workers
 - The extent of involvement of the community at project delivery level
 - Relations with District and Local Traditional Councils where such have already been established

2.2.2.2 Constituency work

While in the section above an element of this is covered, it is proposed that in the event where a constituency management approach is being followed by a municipality, the Speaker should frankly reflect on the following:

- i. Overview of the general conduct of councillors in terms of performance levels at the beginning of the term of office;
- ii. A frank analysis of the leadership and capacity challenges experienced during the term and where there are plans to address those challenges the Speaker should share such plans with the incoming leadership;
- ii. A frank analysis of political management challenges in terms of ethics and integrity management.

2.2.2.3 Interface with other spheres of government

It is proposed that the focus of the Speaker's hand over report should focus on key aspects relevant to that office and more specifically:

- i. Where a municipality went through a constitutional intervention, and where political leadership was cited as a challenge, the Speaker should frankly reflect on the intervention and such an analysis and report should cover:
 - Challenges that led to the intervention
 - The process that unfolded and how the municipality worked with provincial and the national sphere of government during the intervention
 - An analysis on the extent to which the intervention was responsive to the real challenges of the municipality
 - A high level analysis of the level of risk – exposure of the municipality to future interventions

- ii. Reflection on the role the municipality played in provincial IGR structures in particular the Provincial Speakers Forum and other similar structures.

2.2.2.4 Political challenges in general

The analysis may guide the incumbent Speaker, given the likely impact of political instability on the municipality in terms of its ability to implement its plans. This may be also a relevant contribution within the overall hand over report by the Mayor as well.

2.2.3 Councillor welfare and support

As Councillor welfare and support are the political responsibility of the Speaker, the report should also address this aspect. It should highlight the policies of the municipality applicable to councillor welfare and support, as well as requirements that councillors have to comply with, such as the declaration of interest. The report should cover areas that the incoming Speaker should be aware off.

5. REPORT BY THE EXECUTIVE MAYOR / COMMITTEE

The Structures Act, Systems Act and Municipal Finance Management Act place the execution of the executive authority to a large extent on the Executive Mayor / Executive Committee and Mayor. The Executive Mayor / Committee should thus report on the executive authority of the municipality.

3.1 The proposed structure of the Executive Mayor's / Committee's hand over political report

It is proposed that the Executive should upon wrapping up of a term of office also prepare a comprehensive report, structured in such a manner that it addresses three aspects:

- a) The state of the municipality in terms of socio – economic development, administration and financial matters and at the beginning of the term of office;
- b) Progress achieved during the term of office and a frank analysis of the attendant political, administrative and financial challenges experienced throughout the term;
- c) A frank reflection on the areas where more work needs to be done and presentation of the proposed strategic approach to address such matters.

The report of the Mayor therefore should cover the following overviews:

5.1.1 State of development

The political hand over report of the Executive Mayor / Executive Committee in terms of the state of development of the municipality should in the main be structured to reflect the following points of analysis

- a) What was the state of development of the municipality at the beginning of the term of office? It is proposed that such a report should present the indices that characterised the state of development in the municipality at the beginning of the term
- b) What were the most pertinent social, economic and environmental challenges that the municipality had to deal with during the term of office? In addressing challenges the report should be clear on those that are in their nature manageable and those that very little to nothing can be done by the municipality other than strategically positioning itself going forward.
- c) A proposed strategic intervention should be presented outlining what the incoming leadership should consider to implement in order to address the identified social, economic and environmental challenges confronting the municipality

The social, economic and environmental analysis of these variables should be presented as a comparative analysis using indicators at the beginning of the term of office and the current prevailing state of development in the municipality. Such a report should cover the following:

- a) Demographic Profile
- b) The state of the local economy
- c) The local environment w.r.t. green spaces
- d) Access to household services in the municipal area
- e) Access to social services and amenities
- f) Development Indicators

To the extent possible the report should offer an analysis of the interface between the grand plan of the municipality and its implementation plans and how these have depart from the aspirations of the people due to budgetary constraints. The focus should be mainly on the IDP.

5.1.2 State of governance

- a) Internal control, support and governance mechanisms
 - Section 80 Committees
 - Other committees such as Budget Steering Committee, Local Labour Forum, Audit Committee
- b) Intergovernmental relations
 - Functionality of IGR structures
 - Relationship with district / local municipality
 - A high level of analysis of the mechanisms in place to interface with the private sector on planning matters

5.1.3 State of the administration

- a) Organisational review
 - Powers and functions assigned to the municipality that are being performed or not performed
 - Powers and functions being performed by the municipality on behalf of other spheres of government
 - Extent of service delivery by the municipality (municipal performance)
- b) State of the administration
 - A high – level state of management and general personnel at the beginning of the term compared to the current prevailing situation
 - The state of legislative compliance of the municipality at the beginning of the term in terms of policies, and internal controls compared to the prevailing situation
 - A high level analysis of the administrative leadership with specific focus on qualifications, skills and competency per directorate

5.1.4 State of municipal finance

- a) Municipal procurement processes
 - Functionality of statutory required committees
- b) State of the municipality's medium term income and expenditure
- c) Expenditure trend analysis
- d) Liabilities
- e) Most recent audit finding