

ITEM 9/7 DRAFT COUNCILLORS' CAPACITY BUILDING PROGRAMME POLICY
DATE : 05/07/2024
AGENDA: COUNCIL MEETING: 31/07/2024

REPORT: EXECUTIVE MAYOR

1. PURPOSE

To present the Draft Councillor's Capacity Building Programme Policy for approval.

2. BACKGROUND

The Municipality has identified the need to train and capacitate the Councillors to be able to perform their duties of oversight diligently. Councillors are leaders and decision makers in Municipal governance and as such it is imperative that they are well vested in the environment that they are operating in. The adoption of this policy will provide an important framework that will enable the Municipality on how to deal with the training and development issues of the Councillors.

3. DISCUSSIONS

The Municipality aims to use the policy to achieve the following objectives:

- Enhance the capacity of Councillors to ensure that they can perform their functions diligently.
- The Municipality adopt an integrated strategic approach in addressing the educational, training and development needs of Councillors.
- Promote the mobility and progression in the career path of each Councillor by facilitating access to training.
- Address the areas of skills shortages amongst Councillors by the Municipality.
- Promote a culture of lifelong learning amongst the Councillors.

4. STAKEHOLDERS CONSULTED

Management

5. LEGAL IMPLICATIONS

Compliance with:

- Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils No. 49142. Municipal Finance Management Act No. 56 of 2003.
- Skills Development Act No. 81 of 1998.
- South African Qualifications Authority Act No. 58 of 1995.

6. FINANCIAL IMPLICATIONS

Training budget for skills development will be utilised for purpose of implementing this policy.

7. STAFF IMPLICATIONS

None

8. ANNEXURE/S

Draft Councillors Capacity Building Programme Policy

9. RECOMMENDATIONS

It is therefore recommended that:

1. The Draft Councillors Capacity Building Programme Policy be accepted and approved for implementation.

(FOR RESOLUTION)

Minutes : Council Meeting - 31/07/2024

The Executive Mayor, Cllr Mbiwe proposed that the matter be resolved as follows and was seconded by MMC Koalane.

RESOLVED:

1. The Draft Councillors Capacity Building Programme Policy be accepted and approved for implementation.

Comments:

Cllr Coetzee wanted to be clarified what would happen if payment has been made for a Councillor and the Councillor is removed. He indicated that the policy must reflect a recovery clause under such circumstances. He also wanted clarity if the funds for training would come from applications for Mandatory and Discretionary Grants from SETA, if such training as been included in the Skills Development Plan. Also how are Councillors going to be identified for training.

Cllr Mokoakoe raised a concern in respect of the fees provided for as it is very low in comparison to the actual fees for the various categories of qualifications. He also indicated that the Qualifications should be aligned to NQF Levels and not just be stipulated as the Degree.

The Executive Mayor indicated that these figures were determined as a contribution towards the studies and where the training requires more

funds, the Councillor should counter-fund the training. She also indicated that implementation will be through the office of the Speaker.

SETSOTO LOCAL MUNICIPALITY



COUNCILLOR'S CAPACITY BUILDING PROGRAMME POLICY

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1. INTRODUCTION

Setso Local Municipality is fully committed to the education, training and development of all Councillors within the framework of the available financial resources. The Councillors are leaders and decision makers in Municipal governance, and it is imperative that they are well vested with the environment that they operate in. This includes policy and legislations that regulates Municipal functioning, development local government and responsive leadership. The capacitation of the Councillors will assist them to be able to discharge their responsibilities and assist the institution broadly to be able to meet its institutional objectives as it will be led by the well capacitated leadership.

2. LEGAL FRAMEWORK

- Remuneration of Public Office Bearer's Act No. 20 of 1998
- Municipal Structures Act No. 117 of 1998
- Municipal Finance Management Act No. 56 of 2003
- Municipal Systems Act No. 32 of 2000
- Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils No. 49142
- Skills Development Act No. 81 of 1998
- Skills Development Levy Act No. 28 of 1999
- South African Qualifications Authority Act No. 58 of 1995
- National Qualifications Framework Act No. 68 of 2008

3. PURPOSE OF THE POLICY

The purpose of the policy is to outline the processes that relates to the education, training and development of all the Councillors of the Setso Local Municipality.

4. SCOPE OF APPLICATION

This policy applies to all serving Councillors of the Municipality. The terms 'Education, Training & Development as well as Capacity' covers various forms of learning that take place at various sites as well as professional and academic institutions. The content of learning covers technical and non-technical fields, capacity building as well as general

Councillor training to assist Councillors with their oversight role and to enable them to perform their functions diligently.

5. POLICY OBJECTIVES

The objectives of this policy are to ensure that:

- The capacity of Councillors is enhanced to ensure that they can perform their functions diligently.
- The Municipality adopt an integrated strategic approach in addressing the educational, training and development needs of Councillors.
- Mobility and progression in the career path of each Councillor is promoted by facilitating access to training.
- The Municipality addresses areas of skills shortages amongst Councillors.
- A culture of lifelong learning is created and promoted.

6. EDUCATION, TRAINING AND DEVELOPMENT PRINCIPLES

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

- The attainment of stakeholder's support for the objectives referred to in paragraph 5.
- The alignment of ETD interventions to the strategic objectives of the Municipality.
- The need for Council investment in human capital.
- The assessment of competencies and potential of Councillors.
- The full utilization of potential career pathing and development.
- The alignment of the Council's ETD policy with the applicable legislative framework.
- The need for an integrated ETD process.
- The support and acceptance of responsibility and accountability including adequate resourcing.
- Improving performance and service delivery.

7. PROCESSES

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

- The office of the Speaker in collaboration with the Skills Development Facilitator must undertake the competencies of Councillors by means of a potential evaluation, actual work performance and training needs analysis.
- The office of the Speaker in collaboration with the Skills Development Facilitator should conduct a skills audit annually to inform amongst others the ETD budget of the Municipality.
- The Speaker must submit an annual report to the Council on identified development areas of Councillors.
- The Speaker must promote specific development interventions including but not limited to the following:
 - The granting of financial assistance to Councillors by the Municipality to allow study towards further relevant qualifications.
 - The attendance by Councillors of goal orientated training course.
 - The participation by Councillors in formal development programmes leading recognized formal qualifications.
 - The participation of Councillors in learnerships, mentorships and career counselling sessions.
 - The Council's development plan must be included in the WSP to ensure Councillor development to enable Councillors to perform their assigned responsibilities and promote adequate and efficient service delivery.

8. EDUCATION, TRAINING AND DEVELOPMENT

Its purpose is to afford the Councillors an opportunity to equip themselves with skills, knowledge and expertise that will enable them to add value to their functions and the Municipality. The Speaker must actively encourage the participation of Councillors in internal and external training courses and formal studies that are accredited in terms of

SAQA/NQF/QCTO specifications and requirements, provided that a Councillor who participates in training programmes shall not:

Be absolved from his or her responsibilities as a Councillor of the Municipality nor shall such Councillor be entitled to advance the fact that he or she is undergoing training as a reason for non-compliance with the Code of Conduct for Regulations for Councillors as per Local Government Municipal Structures Act No. 117 of 1998 and particular the requirement related to the attendance of meetings provided that:

- A Councillor may apply for leave of absence in a manner provided for in the Free State Standard Rules and Orders in respect of those days which he or she cannot perform his or her functions as a Councillor of the Municipality on account of his or her formal training commitments.

8.1 Internal Training Courses

Subject to the budgetary provisions the Municipality will make provision for an inhouse training courses subject to the following:

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

8.2 External Training Courses

- Subject to the budgetary provisions, financial study assistance may be granted to a Councillor to enable them to attend external training courses in line with the strategic plan prepared for the personal development of Councillors.
- External courses include congresses, symposia, conferences, workshops and lectures of all which are referred to below as 'short' interventions.
- Applications for study assistance must be made on the prescribed form available for this purpose and to be submitted to the Speaker for approval.
- Applications will be evaluated based on the following criteria:
- Whether or not the nature of the short intervention is applicable to the functions and responsibilities of the applicant Councillor.

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

9. FORMAL STUDIES

Subject to compliance with this policy and budgetary provision, the Speaker may grant approval for formal study bursaries to Councillors who have the desire to further their development in line with the Municipality's objectives, the need for specifically identified courses and the career planning and personal development plans of Councillors wishing to apply for a bursary in terms of this policy.

- Bursaries may be granted in terms of this policy for training in respect of senior certificate, ABET and advanced qualifications or modules leading to or associated with the award of degrees, diplomas and certificates up to NQF level 10.
- Bursaries will only be awarded for part time studies at recognized PUBLIC tertiary institutions.
- Any leadership programme supported by or offered by SALGA shall for purposes of this policy also be regarded as a formal training programme.
- Applications for bursaries must be made on the applicable application form and be submitted to the Speaker for processing in terms of this policy.
- Councillors must provide full details pertaining to the course they intend pursuing as well as the subjects / modules of such course, the name of the educational institution which they will intend or at which they will be enrolled as part time student, the duration of the course concerned and the costs thereof.

10. BURSARY CONDITIONS

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

- The study course must comply with the provisions of this policy and be purpose directed.
- The training institution at which the applicant Councillor wishes to study must be approved by the Speaker provided that this condition shall not apply in training courses approved by or sponsored by SALGA.
- A bursary is awarded on an academic year and not a financial year basis and then only for such number of academic years as are equal to the duration of the study course plus one year or such number of years as may remain until a new Council is elected for the Municipality in terms of the applicable legislation, whichever is the shortest.
- A bursary will be subject to the availability of funds.
- A bursary amount shall be used for the payment of registration, examination, tuition costs if applicable and book and material costs only.
- A bursary shall only be paid to the educational institution concerned and not directly to the applicant Councillor and then only upon receipt of a detailed account reflecting all costs from such educational institution and proof that the application for the registration by the affected Councillor has been approved.
- Before the grant of a bursary to a Councillor in terms of this policy is confirmed, the applicant Councillor shall submit proof to the satisfaction of the Speaker to the effect that he or she is in a financial position to meet any shortfall in study fees as reflected on the account from the educational institution concerned and in an event of such a Councillor not having the required funds he or she shall not qualify for a bursary in terms of this policy.
- In an event of a Councillor who has been granted a bursary in terms of this policy failing to meet the required standard in terms of progress or failing to complete the course of study due to his or her own fault or negligence then the Municipality reserves the right to claim from such a Councillor all the amounts paid to an educational institution on his or her behalf and by accepting a bursary in terms of

this policy such Councillor authorizes the Municipal Manager to deduct all amounts so paid from the monthly allowance paid to him or her by the Municipality.

- No bursary amount granted in terms of this policy will be disbursed on behalf of a qualifying Councillor before that Councillor has entered into a written agreement with the Municipality accepting the terms and conditions of this policy and the Municipal Manager through the Chief Financial Officer has certified that funds are available to fund the bursary concerned.
- In the event of a Councillor referred to in this policy being the Speaker of the Council then the functions of the Speaker in terms thereof shall be performed by the Executive Mayor.

11. MAXIMUM FEES PAYABLE

The maximum fees payable for a course or a qualification shall be structured as follows:

Short Courses and Certificates.....	R15 000.00
Diploma and National Diploma.....	R25 000.00
Bachelor's Degrees.....	R35 000.00
Honours Degrees.....	R45 000.00
Master's Degrees.....	R65 000.00
PhD Degrees.....	R85 000.00

12. EXAMINATION RESULTS

Councillors will be obliged to submit their examination results to the Speaker who will in turn submit them to the Skills Development Facilitator in the Human Resources Development division in the Department of Corporate Services within one month of receiving them and failing which it shall be deemed that the subject / modules were failed.

13. EFFECTIVE DATE OF THE POLICY

This policy shall take effect on the date of the approval thereof by the resolution of Council provided that the payment of any bursary in terms thereof shall be dependent upon

adequate budgetary provision either in the annual or an adjustment budget approved by the Council in terms of the applicable provisions of the Municipal Finance Management Act.