



Molemole Municipality

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN

THE MOLEMOLÉ MUNICIPALITY

**AS REPRESENTED BY
MUNICIPAL MANAGER**

**MR. M L MOSENA
(EMPLOYER)**

AND

**MS TIYANI CHARLENE FLORAH NKUNA
SENIOR MANAGER: LOCAL ECONOMIC DEVELOPMENT AND PLANNING
(EMPLOYEE)**

FOR THE

FINANCIAL YEAR: 01 MARCH 2021 – 30 JUNE 2021

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Performance Agreement

ENTERED INTO BY AND BETWEEN:

The Molemole Municipality herein represent by **Mr. Maphala Lazarus Mosena** in his capacity as Municipal Manager (hereinafter referred to as the Employer or Senior Manager)

and

Ms Tiyani Charlene Florah Nkuna Senior Manager: Local Economic Development and Planning of the Municipality (hereinafter referred to as the Employee).

WHEREBY IT IS AGREED 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 Acts 32 of 2000 ("the System 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 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.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. Purpose of This Agreement

The Purpose of this Agreement is to -

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- 2.1 Comply with the provisions of Section 57(1)(b),4(A),(4B) and (5) of the Systems Acts as well as the Contract of Employment entered into between the parties;
- 2.2 Specify objectives and targets established for the Employee and to communicate to the Employee the Employer's expectations of the Employee's performance expectations and accountabilities;
- 2.3 Specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 Monitor and measure performance against set targeted outputs;
- 2.5 Use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the Employee for permanent employment and /or to assess whether the Employee has met the performance expectations applicable to his/her job;
- 2.6 Appropriately reward the Employee in accordance with the Employer's performance management policy in the event of outstanding performance; and
- 2.7 Give effect to the Employer's commitment to a performance-orientated relationship with the Employee in attaining equitable and improved service delivery.

3. Commencement and Duration

- 3.1 This Agreement will commence on the 01 March 2021 and will remain in force until **30 June 2021** where after a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the Employee's Contract of Employment should no new Agreement be concluded for whatever reason, notwithstanding 3.1, the provisions of the Agreement shall continue in force until termination of the Employment Contract.

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- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4. *Performance Objectives*

- 4.1 The Performance Plan / SDBIP (Annexure A) sets out-
- 4.1.1 The performance objectives and targets that must be met the Employee; and
 - 4.1.2 The time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the Employer in consultation with the Employee and based on the Integrated Development Plan and the Budget of the Employer, and shall include key objectives; key performance indicators; target dates and weighting
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 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.

5. *Performance Management System*

- 5.1 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.

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5.2 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.

5.3 The Employer will consult the Employee about the specific performance standard that will be included in the Performance Management System as applicable to the Employee.

6. The Employee agrees to participate in the Performance Management and Development System that the Employer adopts

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

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

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

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

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

6.3 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.

KEY PERFORMANCE AREAS (KPA'S)	WEIGHTING
Spatial Rationale	40%
Local Economic Development and Cross-Cutting Initiatives	40%
Good Governance and Public Participation	20%
Total	100%

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6.4 The Competency Framework (CF) will make the other 20% of the Employee's assessment score. The CF as contained in the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers must be used for this purpose. The said Regulations state that there is no hierarchical connotation to the structure and all competencies are essential to the role of a Senior Manager to influence high performance. All competencies must therefore be considered as measurable and critical in assessing the level of a Senior Manager's performance.

6.5 Competency framework structure

LEADING COMPETENCIES		WEIGHTING
Strategic Direction and Leadership	<ul style="list-style-type: none"> • Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organizational Awareness 	10
People Management	<ul style="list-style-type: none"> • Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management 	5
Program and Project Management	<ul style="list-style-type: none"> • Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation 	15
Financial Management	<ul style="list-style-type: none"> • Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring 	10
Change Leadership	<ul style="list-style-type: none"> • Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation 	5
Governance Leadership	<ul style="list-style-type: none"> • Policy Formulation • Risk and Compliance Management • Cooperative Governance 	5
CORE COMPETENCIES		WEIGHTING
Moral competencies		5
Planning and organizing		15
Analysis and innovation		10
Knowledge and Information Management		10
Communication		5
Results and Quality Focus		5
TOTAL		100%

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The competencies that appear in the competency framework are detailed below.

LEADING COMPETENCIES	
Strategic Direction and Leadership	<ul style="list-style-type: none"> • Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organizational Awareness
People Management	<ul style="list-style-type: none"> • Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management
Program and Project Management	<ul style="list-style-type: none"> • Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation
Financial Management	<ul style="list-style-type: none"> • Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring
Change Leadership	<ul style="list-style-type: none"> • Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation
Governance Leadership	<ul style="list-style-type: none"> • Policy Formulation • Risk and Compliance Management • Cooperative Governance
CORE COMPETENCIES	
Moral competencies	
Planning and organizing	
Analysis and innovation	
Knowledge and Information Management	
Communication	
Results and Quality Focus	

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6.6 Competency Descriptions

Cluster		Leading Competencies	
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
<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 byalty and innovation Display a superior level of self-discipline and integrity in actions Integrate various Systems into a collective whole to optimize institutional performance management Uses understanding of competing interests to maneuver Successfully to a win/win outcome

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Cluster	Leading Competencies		
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
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 fulfill the strategic mandate 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Leading Competencies		
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
<ul style="list-style-type: none"> • Initiate projects after approval from higher authorities • Understand procedures of Program and project management methodology, implications and stakeholder involvement • Understand the rationale 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • Understand and conceptualize 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

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Cluster	Leading Competencies		
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
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Leading Competencies		
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
<ul style="list-style-type: none"> • Display an awareness of interventions, and the benefits of transformation initiatives • Able to identify basic needs for change • Identify gaps between the current and desired state • Identify potential risks and challenges to transformation, including resistance to change factors • Participate in change programmes and piloting change interventions • Understands the impact of change interventions on the institution within the broader scope of Local Government 	<ul style="list-style-type: none"> • Perform an analysis of the change impact on 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 institutions strategic objectives and goals 	<ul style="list-style-type: none"> • 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 institutions effectiveness • Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change • Take the lead in impactful change programmes • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Leading Competencies		
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 conceptualization of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 optimizing risk taking decisions within the institution • Actively drive policy formulation within the institution to ensure the achievement of objectives 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Core Competencies		
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
<ul style="list-style-type: none"> 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 local 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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

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Cluster	Core Competencies		
Competency Name	Planning and Organizing		
Competency Definition	Able to plan, prioritize 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
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Core Competencies		
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
<ul style="list-style-type: none"> • Understand the basic operation 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 	<ul style="list-style-type: none"> • Demonstrate logical problem solving 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster	Core Competencies		
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
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

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Cluster		Core Competencies					
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	
<ul style="list-style-type: none"> • 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 		<ul style="list-style-type: none"> • Express ideas to individuals and groups in formal and informal settings in a 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 		<ul style="list-style-type: none"> • 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 Bathe 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 		<ul style="list-style-type: none"> • 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 	

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Cluster	Core Competencies		
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
<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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 and monitoring and measuring success 	<ul style="list-style-type: none"> 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

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7. ***Evaluating Performance***

7.1 The Performance Plan (Annexure A) to this Agreement sets out-

7.1.1 The standards and procedures for evaluating Employee's performance; and

7.1.2 The intervals for the evaluation of the Employee's performance.

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

7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.

7.4 The Employee's performance will be measured in terms of contributions to the goals and strategies set out in the Employer's IDP.

7.5 The annual performance appraisal will involve:

7.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA should be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to *ad hoc* tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator must then be used to add the scores and calculate a final KPA score.

7.5.2 Assessment of competency levels

- (a) Each leading and core competency contained in the Competency Framework must be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each competency.

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(c) The applicable assessment rating calculator must then be used to add the scores and calculate a final CF score.

7.5.3 Overall Rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcomes of the performance appraisal.

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

ACHIEVEMENT LEVEL	TERMINOLOGY	DESCRIPTION
5	Superior / Outstanding Performance	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods. Performance far exceeds the standard expected of an employee at this level. The appraisal indicate that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Agreement and Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Advanced / Performance significantly above expectations	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in depths analyses. 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	Competent / Fully effective	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses. 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 Agreement and Performance Plan.
2	Basic / Not fully effective	Applies basic concepts, methods and understanding of local government operations but requires supervision and development interventions 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 indicate that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Agreement and Performance Plan.
1	Basic /	Does not apply the basic concepts and methods to prove a basic understanding of local government operations and

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ACHIEVEMENT LEVEL	TERMINOLOGY	DESCRIPTION
	Unacceptable Performance	requires extensive supervision and development interventions Performance does not meet the standard expected for the job. The review / assessment indicates that the employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Agreement 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.

7.6 For purpose of evaluating the performance of the Executive Managers (Heads of Department – Section 56 employees), an evaluation panel constituted by the following persons will be established-

- 7.7.1 Municipal Manager;
- 7.7.2 Member of the Audit Committee;
- 7.7.3 Member of the Executive Committee; and
- 7.7.4 Municipal Manager from another Municipality.

8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each Employee in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

- First quarter : 1 July 2020 – 30 September 2020
- Second quarter : 1 October 2020 – 31 December 2020
- Third quarter : 1 January 2021 – 31 March 2021
- Fourth quarter : 1 April 2021 – 30 June 2021

8.2 The Employer shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the Employer's assessment of the Employee's performance.

8.4 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.

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- 8.5 The Employer may amend the provisions of Annexure A whenever the Performance Management System is adopted, implemented, and /or amended as the case may be. In that case the Employee will be fully consulted before any such change is made.

9. DEVELOPMENTAL REQUIREMENTS

The **Personal Development Plan (PDP)** for addressing development gaps is attached as **Annexure B**.

- 9.1 Noting the need to address development gaps in the municipalities, non-compliance with the Circular 60 on Minimum Requirements stipulates the following:
- 9.2 Failure to implement the requirements of the regulations will result in non-compliance with legislation.
- 9.3 If officials have not met the requirements of the regulations including the support provided in this Circular by the due date, Regulation 15 and 18 will immediately apply.
- 9.4 Therefore, the continued employability of affected officials will be impacted upon. MFMA Circular No. 60 Minimum Competency Levels Regulations, Gazette 29967 April 2012.
- 9.5 Whilst the provisions of these regulations will apply consistently across all municipalities and municipal entities from the effective date of enforcement, National treasury will consider, "Special Merit Cases", delayed enforcement of certain provisions for a period of up to eighteen months from 1 January 2013.

10. OBLIGATIONS OF THE EMPLOYER

The Employer shall:

- 10.1 Create an enabling environment to facilitate effective performance by the Employee;
- 10.2 Provide access to skills development and capacity building opportunities;
- 10.3 Work collaboratively with the Employee to solve problems and generate solutions to common problems that may impact on the performance of the Employee;
- 10.4 On the request of the Employee delegates such powers reasonably required by the Employee to enable him/ her to meet the performance objectives and targets established in term of this Agreement; and
- 10.5 Make available to the Employee such resources as the Employee may reasonably require from time to time to assist him/her 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 the powers will have amongst others-

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- 1.1.1 A direct effect on the performance of any of the Employee's functions;
 - 1.1.2 Commit the Employee to implement or to give effect to a decision made by the Employer; and
 - 11.1.4 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 11.1 as soon as is practicable to enable the Employee to take any necessary action without delay.

12. MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the Employee's performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus of 5% to 14% of inclusive annual remuneration package may be paid to the Employee in recognition of outstanding performance.
- 12.3 The Employee will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve (12) months service on the current remuneration package by 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the Employer shall-
- 12.4.1 Provide systematic remedial of development support to assist the Employee to improve his or her performance; and
- 12.4.2 After appropriate performance and 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 or her duties.

A Score of 130% to 149% is awarded a performance bonus ranging from 5% - 9%

Score	Awarded %
130-133	5%
134-137	6%
138-141	7%
142-145	8%
146-149	9%

A score of 150% and above is awarded a performance bonus ranging from 10% to 14%

Score	Awarded %
150-153	10%
154-157	11%
158-161	12%
162-165	13%
166- above	14%

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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 and/ or any other matter provided for, shall be mediated by –
 - 13.1.1 In the case of managers directly accountable to the municipal manager, the Executive Mayor or Mayor within thirty (30) days of receipt of formal dispute from the employee; whose decision shall be final and binding on both parties.
- 13.2 Any dispute about the outcome of employee's performance evaluation, must be mediated by
 - 13.2.1 In the case of managers directly accountable to the municipal manager, a member of the municipal council, provided that such member was not part of the evaluation panel provided for in the sub regulation 27 (4) (e), within 30 days of receipt of formal dispute from the employee; whose decision shall be final and binding on both parties.
- 13.3 In the event that the mediation process contemplated above fails, clause 15 of the Contract of Employment shall apply.

14. GENERAL

- 14.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the Employer.
- 14.2 Nothing in this agreement diminishes the obligations, duties, or accountabilities of the Employee in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives, or other instruments.
- 14.3 This performance agreement must be submitted together with a signed code of conduct and a declaration of interest
- 14.4 The performance assessment results of the Municipal Manager and managers directly accountable to the Municipal Manager must be submitted to the MEC responsible for Cooperative Governance, Human Settlements and Traditional Affairs in Limpopo Province as well as the National Minister responsible for Cooperative governance and Traditional Affairs within fourteen (14) days after the conclusion of the assessment.

Thus done and signed at Mogwadi on this the 17 day of March 2021

AS WITNESSES:

- 1. [Signature]
- 2. _____

[Signature]

EMPLOYEE

AS WITNESSES:

- 1. [Signature]
- 2. _____

[Signature]

EMPLOYER

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INDIVIDUAL PERFORMAN (SDBIP) – ANNEXUI

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SPATIAL PLANNING AND RATIONALE																
Responsive, Accountable, Effective and Efficient Local Government System																
Outcome 9:																
Outputs:																
<ul style="list-style-type: none"> Implement a differentiated approach to municipal financing, Planning and support Improving access to basic services Implementation of the community works programme Actions supportive of human settlement outcome: 																
Key Organizational Strategic Objective																
To enhance conditions for economic growth and job creation																
To manage and coordinate spatial planning within the municipality																
IDP Ref no.	Priority area (IDP)	Key performance indicator	Project Name	Baseline	2020/21 annual target	Reviewed Annual Target	Quarter 1 target	Quarter 2 target	Quarter 3 target	Reviewed Quarter 3 Target	Quarter 4 Target	Reviewed Quarter 4 Target	2020/21 Annual Budget R	Reviewed Annual Budget R	Means of verification	Weight
LED&P-001-2020/21	Spatial Planning	Number of workshops conducted	Spatial Planning awareness	4 x workshops conducted	4x Spatial awareness workshops conducted	None	1 x workshop conducted	1 x workshop conducted	1 x workshop conducted	None	1 x workshops conducted	None	R100 000.00	R150 000	Invites, attendance register, agenda, program, presentations	40%
LED&P-002-2020/21		Number of settlements demarcated	Demarcation of sites	230 Sites demarcated	270 sites demarcated	None	Specific attention and advertisement	Appointment of a service provider	270 sites demarcated	None	Approval of Final layout plan	None	R540 000	R560 000	Advert, Specification, Appointment letter, Layout plan, Approval letter.	

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SPATIAL PLANNING AND RATIONALE																
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LED&P-003-2020/21		Number of Precinct plans compiled	Compilation of Precinct Plan	1 Precinct plan compiled	1 Precinct plan compiled	None	Specification and advertisement	Appointment of service provider	Approval of Draft Precinct plan	None	1 Precinct plan compiled	None	500 000	441 000	Specification, Advertisement letter, Draft Precinct Plan, Final Precinct plan report Council resolution	40%
LED&P-004-2020/21	Spatial Planning	Number of settlements surveyed	Survey of existing settlements	1 settlement surveyed	1 settlement surveyed	None	Specifications and advertisement	Appointment of service provider	Approval of Survey report	None	1 settlement surveyed	None	700 000	None	Specification, Advertisement letter and Draft, and Final Survey reports	

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SPATIAL PLANNING AND RATIONALE																
Responsive, Accountable, Effective and Efficient Local Government System																
Implement a differentiated approach to municipal financing, Planning and support																
<ul style="list-style-type: none"> Improving access to basic services Implementation of the community works programme Actions supportive of human settlement outcome; 																
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To manage and coordinate spatial planning within the municipality																
Key Performance Area (KPA) 1:	Priority area (IDP)	Key performance indicator	Project Name	Baseline	2020/21 annual target	Reviewed Annual Target	Quarter 1 target	Quarter 2 target	Quarter 3 target	Reviewed Quarter 3 Target	Quarter 4 Target	Reviewed Quarter 4 Target	2020/21 Annual Budget	Reviewed Annual Budget	Means of verification	Weight
LED&P-005-2020/21		Number of Sign Boards erected	Erection of Sign Boards	New indicator	30 sign Boards erected	None	Specific alition and advertis ement	Appoint of Service Provider	30 Erection of sign board	None	No Target	None	180 000	None	Approved Specificati on, Advert, Order, Invoice, Deliver Note	40%
LED-006-2020/21	Integrated Development Planning	Number of IDP/Budget reviewed and adopted by Council	Develop ment and Review of IDP/ Budget	2019/20 IDP/ Budget reviewed and adopted by Council	2021/22 IDP/ Budget Reviewe d and adopted by Council	None	No target	No target	No target	None	2021/22 IDP/ Budget Reviewed and adopted by Council	None	201 605.46	None	Attendanc e registers, invites and IDP document, Council Resolution	
LED-007-2020/21		Number of IDP Representative Forums coordinate d	Coordina tion of IDP Representative Forums	3 IDP Representative forums coordinate d	2 IDP Representative Forum meetings coordinate d	None	No target	1 IDP Representative Forum meeting coordinate d	No target	None	1 IDP Representative Forum meeting coordinate d	None	152 878.94	None	Attendanc e Registers, invites and IDP Rep forum reports	

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SPATIAL PLANNING AND-RATIONALE																
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LED-008-2020/21	Integrated Development Planning	Number of strategic planning sessions coordinated	Coordination of Strategic Planning Sessions	4 Strategic planning sessions coordinated	3 Strategic planning sessions coordinated	None	No target	1 Strategic planning session on the 2021/22 IDP/ Budget Status Quo Analysis	1 Strategic planning session on the 2021/22 IDP/ Budget strategies and projects	None	1 Strategic planning session on the finalization of the 2021/22 IDP/ Budget strategies and projects	None	379,289,60	None	Attendance registers, invites, Agenda and IDP document	40%
LED&P-009-20/21	Local Economic Development	Number of LED Forum meetings held	Coordination of LED forum meetings	4x LED forum meetings held	4x LED forum meetings to be held	None	1x LED forum meeting held	1x LED forum meeting held	1x LED forum meeting held	None	1x LED forum meeting held	None	80000	None	Attendance registers, Minutes	
LED&P-010-2020/21		Numbers of SMMEs trained	SMME training and development	20 SMMEs trained	80 SMMEs trained	None	20 SMMEs trained	20 SMMEs trained	20 SMMEs trained	None	20 SMMEs trained	None	560000	None	Specification, advert, Appointment letter, Training	

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SPATIAL PLANNING AND RATIONALE																
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LED&P-011-2020/21	Local Economic Development	Number of Agricultural projects and farmers mentored	Agricultural skills development and mentorship	New indicator	40 Agricultural farmers mentored	None	10 Agricultural farmers mentored	10 Agricultural farmers mentored	10 Agricultural farmers mentored	None	10 Agricultural farmers mentored	None	150 000	None	reports, certificates	40%
LED&P-012-2020/21	Regulated	Percentage of Job opportunities facilitated/coordinated	Job opportunities facilitated/coordinated	100% Job opportunities facilitated/coordinated	100% Job opportunities facilitated/coordinated	None	100% Job opportunities facilitated/coordinated	100% Job opportunities facilitated/coordinated	100% Job opportunities facilitated/coordinated	None	100% Job opportunities facilitated/coordinated	None	Opex	None	Job opportunities report	
LED&P-OP-13-2020/21	Internal Audit	Percentage of internal audit queries addressed	Internal Audit action plan	100%	100%	None	25%	50%	75%	None	100%	None	Opex	None	Updated Internal Audit action plan	20%

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SPATIAL PLANNING AND RATIONALE																
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LED& P-OP-15-2020/21	Risk Management	Percentage of risks resolved within timeframe as specified in the risk register	Risk register	100%	100%	None	100%	100%	100%	None	100%	None	Opex	None	Updated strategic Risk Register	20%
LED& P-OP-16-2020/21	Council Resolutions	Percentage of Council resolutions implemented	Implementation of Council resolutions	100%	100%	None	100%	100%	100%	None	100%	None	Opex	None	Updated Council resolution register	
LED& P-OP-16-2020/21	Audit Committee	Percentage of Audit Committee resolutions implemented	Implementation of Audit Committee resolutions	100%	100%	None	100%	100%	100%	None	100%	None	Opex	None	Updated Audit Committee resolution register	

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SPATIAL PLANNING AND RATIONALE																
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LED&P-OP-17-2020/21	AG action plan	Percentage of AG Action Plan implemented	Implementation of AG Action Plan	100%	100%	None	No Target	No Target	50%	None	100%	None	Opex	None	Updated AG action plan	20%

Signature:  Senior Manager

Date: 17/03/2021

Signature:  Municipal Manager
Date: 17/03/2021

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PERSONAL DEVELOPMENT PLAN (ANNEXURE B)

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PERSONAL DEVELOPMENT PLAN

Name & Surname : Tiyani Nkund
Job Title : Senior Manager LE&P
Employee Number : _____

SKILL / PERFORMANCE GAP	OUTCOME EXPECTED	SUGGESTED TRAINING / DEVELOPMENT ACTIVITY	SUGGESTED MODE OF DELIVERY (Lectures, Online, Distant Learning, Visual)	SUGGESTED TIMEFRAME	WORK OPPORTUNITY CREATED TO PRACTICE SKILL
Municipal Financial Management	Sound Financial Management		Online distance learning	6 months	Municipal Manager
Leadership Development Programme	Senior Management Development Programme		Online distance learning	6 months	

I agree with the objectives as set out in the above Performance and Development Plan and undertake to achieve the objectives as agreed on.

SIGNATURE : [Signature]
 Name of Manager : Nyoni Ukuna
 Date : 17/03/2021

I undertake to support () with the achievement of the above Performance and Development Plan

SIGNATURE : [Signature]
 Name of Reporting : Mr Mosewa
 Date : 17/03/2021

CODE OF CONDUCT (ANNEXURE C)

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**CODE OF CONDUCT FOR
MOLEMOLE LOCAL
MUNICIPAL EMPLOYEES**

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1. Definitions.
2. General Conduct.
3. Commitment to serving the public.
4. Personal gains.
5. Disclosure of benefits.
6. Unauthorized disclosure of information.
7. Undue influence.
8. Rewards, gifts and favors.
9. Council property.
10. Payment arrears.
11. Participation in elections.
12. Sexual Harassment.
13. Reporting duty of staff members.
14. Breaches of Code.

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1. Definitions

In this Code of Conduct "partner" means a person who permanently lives with another person in a manner as if married.

2. General Conduct

A staff member of Molemole Municipality must at all times-

- a. Loyal execute the lawful policies of the municipality
- 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, purpose and objects of section 50 of Municipal System Act of 2000 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;
- e. Act impartially and treat all people, including other employees, equally without favor or prejudice.

3. Commitment to serving the public

A staff member of Molemole Municipality is a public servant in a developmental local system and must accordingly –

- a. Implement the provisions of section 50(2) of Municipal System Act of 2000
- 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 IDP, and as far as possible within the ambit of the employee's job description, seek to implement the objectives set out in the IDP, 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 employee's individual performance appraisal and reward system, if such exists, in order to maximize the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents.

4. Personal Gain

1) A staff member of Molemole Municipality may not -

- a. Use the position or privileges of an employee, or confidential information obtained as an employee, for private gain or to improperly benefit another person;
- b. Take a decision on behalf of Molemole Local Municipality concerning a matter in which that employee or that employee's spouse, partner or business associate, has a direct or indirect personal or private business interest.

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- 2) Except with the prior consent of the council of the Municipality an employee of the Municipality shall not;
- a. be a party to or beneficiary under a contract for-
 - i. the provision of goods or services to Molemole Local Municipality; or
 - ii. the performance of any work for Molemole local Municipality otherwise than as an employee
 - b. obtain a financial interest in any business of Molemole Local Municipality;
 - c. Be engaged in any business, trade or profession other than the work of Molemole Local Municipality.

5. Disclosure of benefits

- 1) An employee of Molemole Local 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 Molemole Local Municipality, must disclose in writing full particulars of the benefit to the council.
- 2) This item does not apply to a benefit which an employee, or a spouse, life partner, business associate or close family member, has or acquires in common with other residents of Molemole Local Municipality.

6. Unauthorized disclosure of information

- 1) An employee of Molemole Local Municipality shall not without permission disclose any privileged or confidential information obtain as an employee of the Municipality to an unauthorized person.
- 2) For the purpose of this item "privileged or confidential information" includes any information -
 - a. Determined by the council, 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
 - 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.

7. Undue Influence

An employee of Molemole Local municipality may not -

- a. Unduly influence or attempt to influence the council of Molemole Local Municipality, or a structure or functionary of the council, or a councilor, 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

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- c. Be involved in a business venture with a councilor without the prior written consent of the council of Molemole Local municipality.

8. Rewards, gifts and favors

- 1) An employee of Molemole Local municipality may not request, solicit or accept any reward, gift or favor for-
 - a. Persuading the council of Molemole Local 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 council;
 - c. Disclosing any privileged or confidential information;
 - d. Doing or not doing anything within that employee's powers or duties.
- 2) An employee must without delay report to a superior official or to the speaker of the council any offer which, if accepted by the employee, would constitute a breach of sub item (1).

9. Council property

An employee of Molemole Local Municipality shall not use, take, acquire, or benefit from any property or asset owned, controlled or managed by the Municipality to which the employee has no right.

10. Payment of arrears

An employee of Molemole Local Municipality may not be in arrears to the Municipality for rates and service charges for a period longer than 3 months, and Molemole Local Municipality shall deduct outstanding amounts from an employee's salary after this period.

11. Participation in elections

An employee of Molemole Local Municipality shall not participate in an election of the council of Molemole Local Municipality other than in an official capacity or pursuant to any constitutional right.

12. Sexual Harassment

An employee of Molemole Local Municipality may not embark on any action amounting to sexual harassment.

13. Reporting duty of employees

Whenever an employee of Molemole Local Municipality has reasonable grounds for believing that there has been a breach of this Code, the employee must without delay report the matter to his immediate supervisor or to the speaker of the council.


14. Breaches of Code

Breaches of this Code must be dealt with in terms of the disciplinary procedures of Molemole Local Municipality envisaged in section 67 (1) (h) of the Municipal Systems Act and or the South African Local Government Bargaining Council's Collective Agreement on Disciplinary Code and Procedures.

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Signature	
Initials and Surname	TCF Nkuna
Designation	Senior Manager

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DECLARATION OF INTEREST (ANNEXURE D)

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FINANCIAL DISCLOSURE FORM

I, the undersigned (surname and initials) Nkuna TCF

(Postal address) P.O. Box 142
Malamulele

(Residential address) House No. 303 Section B Malamulele

(Position held) Senior Manager

(Name of Department) Local Economic Development & Planning

Tel 015 501 2347 Fax _____

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

1. Shares and other financial interests
See information sheet: note ①

Number of shares/Extent of financial interests	Nature	Nominal Value	Name of Company/Entity
50%	Nkuna Town Planners		Nkuna Town Planners
50%	Goods & Services		Ximamari

2. Directorships and partnerships
See information sheet: note ②

Name of corporate entity or partnership	Type of business	Amount of Remuneration
Nkuna Town Planners	Professional Services	company dormant
Ximamari	Goods and Services	Company dormant

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3. Remunerated work outside the public service
Must be sanctioned by your Executing Authority. See information sheet: note ③

Name of Employer	Type of Work	Amount of remuneration
N/A		

Name of Executing Authority _____ Portfolio _____

Signature of Executing Authority _____ Date _____

4. Consultancies and retainerships
See information sheet: note ④

Name of client	Nature	Type of business activity	Value of any benefits received
N/A			

5. Sponsorships
See information sheet: note ⑤

Source of assistance/sponsorship	Description of assistance/sponsorship	Value of assistance/sponsorship
N/A		

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6. Gifts and hospitality from a source other than a family member
See information sheet: note ⑥

Description	Value	Source
N/A		

7. Land and property
See information sheet: note ⑦

Description	Extent	Area	Value
Erf 1172 Xikukwani	1500m ²		R350 000.00


SIGNATURE OF DESIGNATED EMPLOYEE

DATE:

17/03/2021

PLACE:

Mogwadi

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OATH/AFFIRMATION

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

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

Answer Yes

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

Answer No

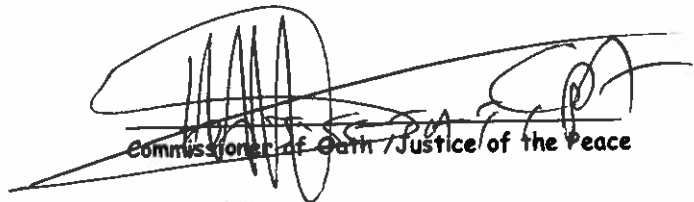
(ii) Do you consider the prescribed oath or affirmation to be binding on your conscience?

Answer Yes

2. I certify that the deponent has acknowledged that she/he 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.

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Commissioner of Oath / Justice of the Peace

Full first names and surname: MACTUENG
SOPHONIA SETATI (Block letters)

Designation (rank) CAPTAIN Ex Officio Republic of South Africa

Street address of institution 182 KECROM STR
MOGWADI

Date 2021.03.17 Place MOGWADI

SUID-AFRIKAANSE POLISIE DIENS
COMMUNITY SERVICES CENTRE
17 -03- 2021
SAPS MOGWADI P. BAG X350
SUID-AFRIKAANSE POLISIE DIENS

CONTENTS NOTED: EXECUTING AUTHORITY

DATE: _____

NOTE:

Remember that a copy of the completed form must be submitted by the EA to the Commission for purposes of recording it in the Register of Designated Employee's Interests.

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NJ