



KANNALAND
MUNISIPALITEIT | MUNICIPALITY

WARD COMMITTEE POLICY

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Annexure A – Code of Conduct for Ward Committees

1. PREAMBLE

- 1.1 To ensure meaningful participation in the affairs of the municipality, the South African Constitution and relevant legislative and policy framework encourages the involvement of communities and community organizations in the matters of local government including service delivery;
- 1.2 The Local Government: Municipal Structures Act, No. 117 of 1998 and the Local Government: Municipal Systems Act, No. 32 of 2000 provides the legislative framework for the establishment of Ward Committees;
- 1.3 The objective of a ward committee is to enhance participatory democracy in local government and to play a vital role in improving the interaction between the community, the municipal administration and Council; and
- 1.4 The Local Government: Municipal Structures Act, No. 117 of 1998 (Section 73(3)) requires municipalities that have ward committees to make rules to regulate the procedure that they will follow to elect their ward committee members, with due cognisance of the need to have women and a diversity of needs represented thereon, the circumstances under which members must vacate office, and the frequency of meetings.

2. DEFINITIONS

- 2.1 In this policy, unless the context indicates otherwise
 - 2.1.1 “Council” means the Municipal Council of Kannaland Municipality established by Local Government: Municipal Structures Act, No.117 of 1998 and Provincial Notice no 592 dated 22 November 2000;
 - 2.1.2 “Councillor” means a member of the municipal council;
 - 2.1.3 “Integrated Development Plan (IDP)” means single, inclusive and strategic plan for the development of the Municipality;
 - 2.1.4 “Local community” or “community” in relation to the municipality means that body of people comprising of:
 - The residents of the municipality
 - The rate payers of the municipality

- Any civic organization and non-governmental, or private sector organization or bodies which are involved in local affairs in the municipality;
- 2.1.5 “Municipal Manager” means the person appointed in terms of Section 54A of the Local Government: Municipal Systems Act, No. 32 of 2000;
- 2.1.6 “Municipality” when referred to as an organ of state means municipality as described in Section 2 of the Local Government: Municipal Systems Act, No. 32 of 2000; and when referred to as a geographic area means the municipal area determined in terms of the Local Government: Municipal Demarcation Act, No. 27 of 1998; Page 4 of 14
- 2.1.7 “PR Councillor” means a proportional representative municipal Councillor elected in terms of section 22(1)(a) of the Local Government: Municipal Structures Act, No.117 of 1998 to represent a party on the council of the Municipality
- 2.1.8 “Public participation” means an open, fair and accountable process through which individuals and groups within selected communities can exchange views and influence decision making. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives;
- 2.1.9 “Speaker” means the Speaker of the Council elected in terms of Section 36 of the Local Government: Municipal Structures Act, No. 117 of 1998
- 2.1.10 “Sector” means a determinable sector, subsector or interest group within the ward community and may include a geographic sector
- 2.1.11 “Structures Act” means the Local Government: Municipal Structures Act, No. 117 of 1998, as amended;
- 2.1.12 “Systems Act” means the Local Government: Municipal Systems Act, No. 32 of 2000, as amended.
- 2.1.13 “Ward committee” means a committee of a municipal ward, established in terms of Part 4 of Chapter 4 of the Local Government: Municipal Structures Act, No. 117 of 1998, as amended;

2.1.14 “Ward Councillor” means a Municipal Councillor elected in terms of section 22(1)(b) of the Local Government: Municipal Structures Act, No. 117 of 1998 to represent a ward.

3. LEGISLATIVE FRAMEWORK

3.1 The Constitution of the Republic of South Africa (Act 108 of 1996)

The Constitution (RSA, 1996, section 152 (1)) outlines the objectives of Local Government as follows:

- To provide democratic and accountable government for local communities;
- To ensure the provision of services to communities in a sustainable manner;
- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage the involvement of communities and community organizations in the matters of local government

3.2. The Municipal Structures Act (117 of 1998)

The Act defines the structures of local government and provides for the creation of the first mechanisms of participatory governance in local government through the establishment of a ward committee system. The ward committee system entails the establishment of statutory ward level structures that facilitate the involvement of communities in the affairs of the municipality whose activities and programs must be reported on annually.

Part 4, section 72 of the Structures Act (RSA: 1998) makes provisions for the establishment of ward committees to enhance participatory governance in local government. It prescribes a process of ward committee establishment as follows:

- If a metro or local council decides to have ward committees, it must establish ward committee for each ward in the municipality.

- A ward committee consists of:
 1. The Councillor representing that ward in the council, who must also be the chairperson of the committee; and
 2. Not more than 10 other persons.
- A metro or local council must make rules regulating the procedure to elect ward committee members taking into account the need:
 - 1.
- For women to be equitably represented in a ward committee;
- For a diversity of interests in the ward to be represented;
- The circumstances under which those members must vacate office; and
- The frequency of meetings of ward committees.
- A metro or local council may make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively.

3.3 The Municipal Systems Act (32 of 2000)

The Municipal Systems Act provides for core principles, mechanisms and processes that are necessary to enable municipalities to facilitate and coordinate the social and economic upliftment of local communities (RSA: 2000: 3). Its primary aim is to put people first on the agenda of developmental local government encouraging municipalities to develop a culture of municipal governance and create conditions that are conducive for the community and local stakeholders to participate in civic matters. More importantly, the Act provides that members of the public have a right to:

- Contribute to the decision-making processes of the municipality.
- To be informed of the decisions of the Municipal Council affecting their rights, property and reasonable expectations; and
- To demand that proceedings of the Municipal Council be open to the public.
Furthermore

Chapter 4, Section 16 of the Act (RSA: 2000), a municipality must:

- Develop the culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose encourage, and create conditions for the local community to participate in the affairs of the municipality;
- The preparation, implementation and review of its integrated development plan;
- The establishment, implementation and review of its performance management system. •
- The monitoring and review of its performance, including the outcomes and impact of such performance; •
- The preparation of its budget; and strategic decisions relating to the provision of municipal services; • Contribute to building the capacity of the local community to enable it to participate in the affairs of the municipality.

According to Section 21 – which is more specific- the municipality is mandated to:

- Communicate through the media to the local community in the local newspaper or newspapers in the area;
- By means of radio broadcast covering the area of the municipality; and
- That such communication must be in the official languages determined by the Council, having regard to language preferences and usage within its area.

4. OBJECTIVES OF WARD COMMITTEES

4.1. Ward committees have an important role to play in bridging the gap between the municipality, its Council and the community. They primarily have a representative role as there are difficulties with entrusting ward committees with an implementation role. The risk is that it may position them as being in competition with council delivery programmes, thus compromising their neutral representative and monitoring function.

The other challenge is the accountability of resources, which would require further sets of systems and procedures.

4.2. However, there is plenty of room for giving ward committees more discretion in the way funds are utilized and how projects are implemented within the ward. This can be done by reforming the budgeting system within municipalities. The main objectives of ward committees are summarized below:

- Create formal unbiased communication channels and co-operative partnerships between the municipality and the community within a ward;
- Ensure contact between the Municipality and the community through the use and payment of services;
- Create harmonious relationships between the residents of a ward, Ward Councilor, geographic diverse community and the municipality;
- Facilitate public participation in the process of the development, review and implementation management of the IDP of the municipality;
- Act as an advisory body on council policies and matters affecting communities in the ward;
- Serve in an officially recognized and specialized participatory structure in the municipality;
- Make recommendations on matters affecting the ward to the Ward Councillor or the local council, the Executive Committee and the Mayor;
- Serve as a constructive mobilizing agent for community action; and
- Monitor the implementation of ward plans, programmes and ward discretionary funds (note that control of funds and implementation rests with council).

4.3 The work of ward committees must be aimed at the following outcomes:

- Enhance participatory democracy;
- Participate in neighborhood and ward-based planning,

- Encouraging communities to take charge of their livelihood; •
- Assist municipality in service delivery improvement,
- Assist in the economic empowerment of communities;
- Enhance local democracy and accountability;
- Enhance social cohesion, nation building and integration of communities across class, race, culture and religion; and
- • Assist in civic education e.g., rights and responsibilities etc.

5. FUNCTIONS OF WARD COMMITTEES

- a) A Ward Committee may make recommendations on any matter affecting its ward to the Ward Councillor, or through the Ward Councillor, to the Local Council, the Executive Committee, or the Executive Mayor.
- b) A Ward Committee may have such duties and powers as may be delegated to it by the local Council of Kannaland Municipality in terms of Section 59 of the Municipality System Act.
- c) The following represents duties and powers that may be delegate to Ward Committees by the Kannaland Municipality:
 - i. To serve as an official specialised participatory structure in the municipality;
 - ii. To create formal unbiased communication channels as well as co-operative partnership between the community and the Council. This may be achieved as follows:
 - Advise and make recommendations to the Ward Councillor on matters affecting the ward;
 - Assist the Ward Councillor in identifying challenges and needs of residents;
 - Disseminate information in the ward concerning municipal affairs such as the budget, integrated development planning, performance management system (PMS), service delivery options and municipal properties;
 - Receive queries and complaints from residents concerning municipal service delivery, communicate it via the Ward Councillor to the Executive Management and provide feedback to the community on their response;

- Ensure constructive and harmonious interaction between the municipality and community through the use and co-ordination of ward residents' meetings and other community development forums; and
 - Interact with other forums and organizations on matters affecting the ward.
- d) To serve as a mobilizing agent for community action within the ward. This may be achieved as follows:
- i. Attending to all matters that affect and benefit the community;
 - ii. Acting in the best interest of the community;
 - iii. Ensure the active participation of the community in:
 - Service payment campaigns;
 - The integrated development plan (IDP) process;
 - The municipality's budgetary process;
 - Decisions about the provision of municipal services; and
 - Decisions about by-laws.
 - iv. Mark out and chair zonal meetings.
- e) No executive powers may be delegate to Ward Committee member;
- f) A Ward Committee may express dissatisfaction in writing to the speaker on the nonperformance of a Ward Councillor.
- g) A Ward Committee may, subject to available capacity and resources, conduct an annual satisfaction survey in order to assist the committee in the execution of its functions and powers. The satisfaction survey should be administered in the ward by Ward Committee members under the supervision of the Ward Councillor and with the administrative support of the municipality.

6. MEMBERSHIP

- 6.1. A ward committee consists of the Ward Councillor and not more than ten (10) other persons elected to represent organizations/sectors or geographic blocks residents within the boundaries of the particular ward
- 6.2. The Ward Councillor must be the chairperson of the ward committee;
- 6.3. In the absence of a Ward Councillor, a Councillor must be nominated by the Speaker to act as a chairperson of the ward committee;
- 6.4. The members represented in a ward committee can be elected based on sectoral model (organization/sector) or geographic (block) model or a combination of both models to accommodate the circumstances and dynamics in that particular ward;

6.5. The election of ward committee members described in 6.4 above must take into account the following:

- For women and youth to be equitably represented in a ward with a minimum of three (3) women and two (2) young people per ward committee;
- For diversity of interest in the ward to be represented;

6.6. No individual representation will be allowed in a ward committee;

6.7. A person to be elected to represent a sector/block interest in a ward committee must:

- Be a registered voter in that ward and their name/s must appear on the voters' roll of that particular ward;
- Not be a member of the Municipal Council or employee of Kannaland Municipality – whether employed permanently or on a contract employment with Kannaland Municipality;
- Not be a Community Development Worker (CDW) or employed by another sphere of government;
- Not have been indebted with the municipality for a period longer than three (3) calendar months, with the exception that proof can be provided that necessary arrangements have been made to settle the debt and continue to remain in good standing for the duration of the term of office;
- Not have been convicted of an offence and sentenced for a period of more than twelve (12) months;

6.8. Close family members (husband, wife, parent) may not serve on the same ward committee

6.9. The Code of Conduct for ward committee members will be applicable to all ward committee members during their term of office

7. PROCEDURE FOR ELECTION OF WARD COMMITTEES

7.1. The municipality will establish ward committees across all the four (4) wards of the municipal area.

7.2. Ward committees will be elected within hundred and twenty (120) calendar days calculated from the day on which the Independent Electoral Commission (IEC) declared the results of the Local Government elections

- 7.3. The Municipal Manager will advertise a notice for the establishment of ward committees in all respective wards of the municipality in the local newspapers and utilize other appropriate means of communication to invite nominations from organizations, sectors and geographical areas to participate in the ward committee elections.
- 7.4. Members of the public will be given at least two (two) weeks within which to nominate their preferred candidates and the nomination forms will be made available at various strategic points including libraries, community halls etc.
- 7.4. A proportional number of no less than 5 (five) representatives from legitimate organizations/bodies (which are deemed to be inter alia community based organizations and non-governmental organizations, but specifically excludes private businesses and industries) may be nominated to serve on ward committees.
- 7.6. The election meetings will be conducted by the municipal public participation officials appointed by the Municipal Manager, with support from the Department of Local Government and the Independent Electoral Commission (IEC);
- 7.7. No political principal/s (i.e. Ward Councillor/s, the Speaker or PR Councillors) will be permitted to oversee the election of ward committees. This includes among other chairing or facilitating the election and nomination of ward committee members prior to and during the elections processes;
- 7.8. The following rules shall apply during the election of a ward committee:
- Upon receipt of nominations from the various wards, the Municipal Manager will determine venues and dates for the holding of ward committee elections;
 - Voting for members of a ward committee will take place by way of a ballot paper developed by the administration with the assistance of the IEC;
 - Voting for ward committee members will be based on the nominations received and no further nominations will be allowed after the closing date which would have been determined by the Municipal Manager;

- Only members of the public whose names appear on the voters' roll of that particular ward may be granted access into the election venue and be allowed to participate in the election of ward committees;
- No community meetings will be held for the election of ward committee meetings. Members of the public eligible to participate in the election of ward committees in terms of paragraph 6.7 above will be allowed to walk in and cast their vote after which they may decide to remain at the venue for the announcement of the election results;
- The nominees will also be permitted to observe the voting process should they so decide;
- A "one man, one vote" principle will apply during the voting process. To this end, a person may only vote for one person irrespective of how many nominated persons appear on the ballot paper
- In cases where no nomination was received for a particular sector/block, the Municipal Manager may grant permission for the re-opening of nomination for that particular sector/block;
- However, if only one nomination was received for a particular sector/block and there was one vacancy to be filled, there will be no need for a voting to take place and the nominated person will be deemed duly elected as a ward committee member of that ward;
- In cases where there is a tie, this will be decided by a flip of a coin. However, the "loser" in that instance will be co-opted into the ward committee if the "winner" for whatever reason/s ceases to be a ward committee member during the term. The flipping of a coin to determine the "winner" will have to be done in the presence of the nominees.
- The election results for the establishment of ward committees must be reported officially to the Council by the Municipal Administration.

8. TERM OF OFFICE

The term of office shall coincide with the term of the Municipal Council.

9. MEETINGS OF WARD COMMITTEES

Frequency of meetings

- A ward committee must meet at least once a month, except for period(s) when Council is in recess.
- The ward committee members will be obliged to:
 - attend possible training and capacity building programmes and be present for the duration of such training and capacity building programmes;
 - attend and / or participate in other relevant official municipal forums (i.e. Kannaland) and from other spheres of government and to be present for the duration of such meetings;
- The Ward Councillor will chair all the ward committee meetings;
- In the absence of the Ward Councillor at an official Ward Committee meeting, the Speaker may appoint any of the Ward Councillors within the Municipality to chair the meeting;
- All meetings of the committee must be open to the public;
- A member of the public who is not a member of the committee may address a committee with the permission of the Chairperson;
- The Code of Conduct for ward committee members, attached as ANNEXURE A hereto, will be applicable to members of the committee.
- If a member of the Committee or member of the public contravenes any stipulation in the Code of Conduct for ward committee members;
- The Chairperson shall direct such member of the committee or member of the public to conduct himself or herself properly and, if speaking, to discontinue his or her speech;
- In the event of a disregard of the directions of the Chairman, the Chairman may direct such member of the Committee or member of the public to excuse themselves from the venue of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed from there;
- No items from the agenda of the political structures of the municipality marked confidential by the Municipal Manager may be discussed at a ward committee meeting

Quorum of ward committee meetings

- A quorum of a committee is 50%=1 (i.e. should consists of at least 5 members;

- If a member has a direct or indirect financial interest in any matter serving before the committee, unless that interest is the same as any other person in the ward, such member must recuse himself/herself from such discussion;
- If a member has a direct or indirect personal interest in a matter serving before a committee, unless that interest is the same as any other person in the ward, such person shall recuse himself/herself from such discussion;
- In the event that the Ward Councillor must recuse himself/herself from discussion of an item at the committee, the Speaker must arrange with another Ward Councillor to chair the meeting during such recusal.

Ward Councillor Report-Back Meetings

Public meetings are mainly held in order:

- i) To register the concerns and inputs of the community regarding service delivery, general development of the community, disaster management and any other municipal concern the community may have;
- ii) . To report back to the public on issues that affects it.
- ii) Ward or public meetings should be chaired by the Ward Councillor.
- iii) A ward Councillor may delegate in writing the chairing of the meeting in his / her absence to a proportional representation Councillor or any member of the Ward Committee.
- iv) Public meetings are not political platform and Ward Committee members and the public should refrain from making party political statement, campaigning and canvassing.
- v) An attendance register should be kept.

10. FILLING OF VACANCIES

- 9.1. Vacancies will be filled from the replacement list available from the previous election of ward committees by the municipal administration in consultation with the Ward Councillor
- 9.2. In the absence of such a list, the administration will consult the relevant sector/block with the view of opening nominations for the filling of the vacant post;
- 9.3. The filling of the vacant post will be concluded and confirmed within three (3) months after the vacancy has occurred.

11. TERMINATION OF MEMBERSHIP

The following may serve as sufficient motivation to terminate the membership of a Ward Committee member:

- A. Death;
- B. Resignation;
- C. Relocation from ward;
- D. Election to position of Councillor;
- E. Failure to attend three consecutive meetings of the Ward Committee without apology;
- F. Proven involvement in corruption;
- G. Failure to adhere to meeting procedures or misconduct during Ward Committee meetings;
- H. Not submitting priorities with the mandate of the community;
- I. Being involved in proven activities that that undermine the Council or Ward Councillor's authority;
- J. Dismissed in accordance with a resolution of the Ward Committee or by the Executive Committee of the Council in consultation with the Ward Councillor and the Speaker or designated political functionary;
- K. Ceases to be a member of the organization he/she represent;
- L. Is insolvent or declared mentally incompetent by a competent court.

12. CRITERIA FOR THE PAYMENT OF OUT-OF-POCKET EXPENSES

No remuneration is to be paid to Ward Committee members, but the Municipality may budget annually for out of pocket expenses of members of Ward Committees and that the Municipal Council may determine the criteria for and the calculations for these out of pocket expenses.

- a) The Municipality can provide a stipend as determined by council's approval to ten members of each Ward Committee in the Municipality as set out in the division of Revenue Bill when provision has been made for it by National Treasury for Ward Committee operations.
- b) A monthly Ward Committee meeting between Ward Councillors' and Ward Committee members need to take place and the attendance register and minutes of this

meeting need to reach the Ward Committee Office before the 25th of each month for the payment of the determined stipend to the Ward Committee members who attended the monthly meeting.

- Monthly/bi-monthly sector meetings need to be attended.
- Capacity building and training programmes for Ward Committee members need to be attended.
- Ward Committee members need to assist/ensure to it that the Ward Councillor has quarterly community report-back meetings which will be stipulated in the scheduled for Ward Committees.

13. DEVELOPMENT OF WARD COMMITTEE OPERATIONAL PLANS (WCOPs)

- The Ward Councillor will in consultation with ward committee members develop and review the Ward Committee Operational Plans (WCOPs) on an annual basis;
- The WCOPs entails a list of activities, campaigns and projects that ward committee members will implement during a particular financial year and these include scheduled ward committee meetings, capacity building and training of ward committee members, community awareness campaigns on services, community safety, payment of rates and services etc.,
- The WCOPs should be completed annually before the end of the Municipal Financial Year (i.e. June) and signed off by the Ward Councillor;
- Once approved and signed off by the Ward Councillor, the WCOPs will be sent to the Department of Local Government for advice and guidance; and
- The Department will review the WCOPs and provide inputs/comments, if necessary.

14. ADMINISTRATIVE SUPPORT

Administrative support will be given to ward committees will entail among other:

- Coordinate and support ward committee activities in the ward – raising community awareness on the roles and responsibilities of ward committees;
- To identify or arrange central meeting places in the ward where communities have access to information and where ward committees can meet;
- Developing and providing capacity building and training programmes for ward committees on a regular basis;

- In consultation with the Ward Councillor, submit matters emanating from ward committees to Council or its Committees as the case maybe;
- Ensure that proper administrative processes are in place for the timeous payment of the Out of Pocket Expenses;
- The administration shall forward necessary documentation to the ward committee in all statutory prescribed public participatory matters or to the Ward Councillor with instructions to consult with the ward committee.

15. ROLE OF THE SPEAKER

As a custodian of ward committees, the Speaker is responsible for the following:

- Coordinate the functions of the municipality insofar as ward committees are concerned and ensure that ward committees are fully functional;
- Oversee compliance to and implementation of policy and that all stakeholders play their roles as prescribed herein;
- Ensure that Ward Councillors call their scheduled ward committee and Ward Councillor Community Report Back meetings in line with policy;
- Table a quarterly report to the Municipal Council on the functionality of ward committees within the Municipality
- Ensure that specific issues raised by ward committee members during ward committee meetings find expression on the agenda of the Council and are escalated to the administration for resolution
- Meet regularly with the ward committees to ensure appropriate communication with the communities through ward committees;
- Ensure that representations made through the ward committees and ward councillors are channeled to the appropriate structures/functionaries for further attention/information;
- Ensure administrative support is provided to ward committees

16. ROLE OF THE WARD COUNCILLOR

- Is the chairperson of the ward committee;
- Has a duty and an obligation to call ward committee meetings and notifying members;\

- Ensure that feedback is provided to ward committee members on service delivery issues/concerns raised in previous meetings;
- After consultation with the Speaker and administration, he/she must ensure that a schedule of ward committee meetings is approved by the Speaker including ward committee meetings, Block/Sector meetings and special meetings and that attendance registers are kept and forwarded to the Office of the Speaker and administration;
- Handles queries and complaints in the ward;
- Resolves disputes and makes referrals of unresolved disputes to the municipality;
- Is fully involved in all community activities;
- Ensures that all minutes taken by the ward committee are formalized and submitted to the office of the Speaker for presentation at the Council at an interval determined by the Speaker;
- Submits a progress report to the Office of the Speaker and administration on a quarterly basis for a review of the performance of the committee indicating major achievements and areas of failure; and
- Implements any corrective measures to ensure effective and efficient performance of the Committee as suggested by the Office of the Speaker.

17 DESPUTE RESOLUTION

In the event of a dispute among ward committee members and the Ward Councilor, the Municipal Manger in consultation with the Speake will follow the procedures below:

- Seek consensus on how the matter should be resolved through mediation between the parties in dispute in collaboration with the Ward Councillor
- If necessary, get the ward committee members involved in the process and ensure fairness and transparency;

Sanctions for misconduct:

- Any sanction that is imposed for misconduct will be intended to deter future repetition of that behavior;
- Such sanctions must be informed by the seriousness of the offence;
- Sanctions will be generally applied by issuing of a written warning and then final written warning, except in cases of misconduct which would constitute grounds for immediate

dismissal or suspension without payor the immediate imposition of a final written warning;

- A written warning will remain valid and on the record for a period of six months from the day of imposition;
- A suspension without the payment of an Out of Pocket Expenses will be considered as more serious than a final written warning;
- As a guideline, a ward committee member may be dismissed on first occasion for, inter alia:
- Intimidation, fighting or assault of any other member;
- Theft and unauthorized possession or malicious damage to the municipal or council property;
- Being under the influence of drugs and alcohol during meetings;
- Ant act of gross negligence which may put the municipality and council into disrepute;
- Wrongful or malicious disclosure of privileged or confidential information;
- Any act of bribery or corruption; and
- Any act which may seriously impact on the image and reputation of the Municipality or Council

18. DISSOLUTION OF WARD COMMITTEES

The Municipal Council may dissolve a ward committee if the committee fails to fulfil its mandate and objectives. The following may serve as an indication that a committee may exceed its functions and fails to fulfil its object:

- When it fails to meet three consecutive times;
- When there are proven cases of maladministration, fraud, corruption or any serious malpractice that has occurred or there is reason to believe that it is occurring in a committee.

There should be due notice before a council proceeds to dissolve a ward committee.

ANNEXTURE A

KANNALAND MUNICIPALITY'S CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS

PREAMBLE

All Ward Committee members are required and expected to abide by this Code of Conduct, which compels them to serve the interest of the sector or block that they represent, and to serve the community at large.

Ward Committee members serve on the Ward Committee voluntarily as a resource to the Ward Councilor, who is elected to champion the developmental needs of their community in the Kannaland Municipal. The key function of ward committee is to represent the interest of the sector or blocks in the ward committee. More importantly, ward committee members are expected to report regularly to their respective sectors/blocks by obtaining inputs and mandates from their sectors to advise the Ward Councilor.

1. General conduct of Ward Committee Members

(a) A Ward Committee member must:

- Perform his or her functions within the ward committee with integrity, credibility and in a transparent manner;
- Act in the best interest of the community in consultation with the Ward Councillor, always maintain the interest of the sector or block he or she is representing. (iii)
- Conduct himself or herself within the framework provided for in the White Paper on Transforming the Public Service, also called "Batho Pele" – People First.

(b) As such, Ward Committee Members must always strive to:

- Involve their sector or block in consultative processes regarding municipal governance;
- Ensure that their sector or block has access to information pertaining to municipal projects and programmes including the minutes of ward committee meetings;
- Act in a transparent manner and share information on the operation of the Ward Committee;

- A ward committee member must always conduct him or herself in such a manner that he/she does not bring ward committee and/or the municipal council into disrepute.
- A ward committee member who has a direct or indirect financial interest in any matter serving before a Ward Committee must recuse him or herself from such discussion, unless that interest is the same as that of any other person in the ward.

2. Meetings of the Ward Committee

All ward committee members must:

- attend all meetings of the ward committees, including scheduled or special meetings where necessary;
- May not miss ward committee meetings, except in cases where prior written notice of such absence has been shared with the Ward Councillor;
- Notify the Ward Councillor if he or she cannot to attend a meeting and highlight the reasons for the inability to attend;
- Constantly consult with his or her sector or block prior to each ward committee meeting, so that issues tabled at these meetings are informed by input from the broader sector/block
- Provide regular feedback to his/her sector or block on matters raised during ward committee meetings as well as on other municipal matters.

3. Breaches of the Code of Conduct

- The following actions will constitute a breach of the Code of Conduct:
- Fails to attend the three (3) consecutive meetings without a valid reason or apology;
- Fails to represent his or her constituency adequately by providing regular feedback;
- Does not account or report to his or her constituency;
- Brings the ward committee into disrepute by among other things:
 - Attending ward committee meetings under the influence of alcohol or any banned substance;
 - Disrupt the ward committee meeting by not following the procedure of meeting;
 - Interferes with administration or obstructing a municipal official from performing his or her official duties or any activities approved or sanctioned by the municipal council; and
 - Is in arrears of municipal services for not longer than 3 months.

4. Procedure for breach of the Code of Conduct

- The Speaker, as the custodian of ward committee – in consultation with the Ward Councilor, must investigate the matter and make findings on any alleged breach of the code of conduct by a ward committee member;
- The investigation conducted by the Speaker must providing giving the ward committee member an opportunity to state his / her case;
- The finding and recommendation of the Speaker must be reported to the Council;
- The Council must consider the finding and recommendation of the Speaker and thereafter make a determination regarding an appropriate sanction.
- The Council has the delegated authority to terminate a ward committee member's membership for a reason set out in this policy and after the procedure set out above has been followed;
- The date of termination of a ward committee member's membership for a breach of this Code of Conduct for Ward Committee Members shall be the date of the Council's decision;
- Any disciplinary steps which include the investigation by the Speaker for the breach of the code of conduct must be concluded within 30 (thirty) days after the Speaker became aware of such breach.