



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
CO-OPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS**

**PMS FUNCTIONALITY ASSESSMENT TOOL FOR 2020/2021 FY
FOR EPHRAIM MOGALE LOCAL MUNICIPALITY**

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DETAILS OF THE MUNICIPALITY

Name of the Municipality: Ephraim Mogale Local Municipality Municipal Code: LIM471
Address of Municipality: 13 Ficus Street, P.O. Box 111, Marble Hall 0450 Category of Municipality (B)
Name of the Mayor: Cllr Mothogwane M.D Telephone Number: 013 261 8407 Fax Number: 013 261 2985
Email: molauidimothogwane@gmail.com

Name of Acting Municipal Manager: Phasha K.L Telephone Number: 013 261 8403 Fax Number: 013 261 2985
Email: kphasha@emogalelm.gov.za

Address of Municipal Website: www.emogalelm.gov.za

I declare that, to the best of my knowledge, all the information provided is accurate and a true reflection of the municipality

Mayor (Signature)

Acting Municipal Manager (Signature)

PMS FUNCTIONALITY ASSESSMENT TOOL

NO.	AUDIT CRITERIA	LEGISLATIVE REQUIREMENTS	YES (What process was followed) NO (Give reasons)	COMMENTS
PART 1	LINKING THE IDP, THE SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP)			
1.1	Does the Municipality have an adopted 2019/2020 Integrated Development Plan (IDP)? Has it been published on the website	Chapter 5 section 25 of the Municipal Systems Act 32, of 2000	Yes	Outlined as per process Plan and approved by Council on the 28/05/2019 and published on the 07/08/2019
1.2	What is the 2019/2020 IDP Rating?		High	
1.3	Did the Municipality have a draft 2020/2021 Integrated Development Plan (IDP)? Has it been tabled to council by the 31 st march?	Chapter 5 section 25 of the Municipal Systems Act 32, of 2000	Yes	Outlined as per process Plan and approved by Council on the 29/03/2019
1.4	Does the Municipality have an adopted 2020/2021 Integrated Development Plan (IDP)? Has it been tabled to council by the 30 th June? Please provide date.	Chapter 5 section 25 of the Municipal Systems Act 32, of 2000	Yes	Outlined as per process Plan and approved by Council on the 07/08/2019 and published on the 06/07/2020
1.5	Which method of public participation and adoption did the municipality use?	Chapter 5 section 25 of the Municipal Systems Act 32, of 2000	Yes	Public Participation meetings were conducted and public were urged to submit comment. Council Adoption
1.6	Has the municipality signed the 2020/2021 Service Delivery Budget and Implementation Plan (SDBIP) within the prescribed legislative date? Has it been published on the website?	Section 53 (1)(c)(ii) of the Municipal Finance Management Act No 56 of 2003; MSA Section 26(h) and Regulation 3 Municipal Planning and Performance Management Regulations of 2001	Yes	It was approved by Council on the 30/07/2020 and published on the 28/07/2020

**PART 2
PERFORMANCE MANAGEMENT SYSTEM POLICY FRAMEWORK**

2.1	Has the municipality developed/reviewed and adopted the Performance Management System Policy Framework?	Section 39 & 40 of the MSA 32 of 2000; Regulation 8 Municipal Planning and Performance Management Regulations (MPPMR) of 2001	Yes	It was approved by Council on the 28/05/2020
2.1.2	Does the municipality have a functional PMS Unit?		Yes	PMS Officer
2.1.3	Who is responsible for the implementation of PMS policy framework? When last was it reviewed?	Section 55 (1)(a)(ii) of the MSA 32 of 2000	Acting Municipal Manager Management Team PMS Officer	It was reviewed on the 28/05/2020
2.1.4	How many people have been appointed in the PMS Unit?	No legislative requirements	01	PMS Officer
2.2	When last was the Performance Management System Policy/ Framework developed/reviewed and adopted by Council, and who was assigned with the responsibility to lead the implementation?	Regulation 8 MPPMR of 2001 and Section 39 (a) and (c) of the MSA 32 of 2000	It was reviewed on the 28/05/2020	Acting Municipal Manager
2.2.1	Were municipal entities and service providers consulted in the development of PMS framework?		No	
2.2.2	Is the municipality using the services of a service provider in the development, implementation and reporting of PMS?		No	

2.2.3	Has the municipality consulted with the local community on the development, review and implementation processes in respect of key performance indicators and performance targets set? If so, what processes or mechanisms were used in involving the communities?	Regulation 13 (1) MPPMR of 2001; Section 42 of the MSA 32 of 2000	Yes	Public Participation meetings were conducted and public were urged to submit comment
PART 3 LINK BETWEEN ORGANISATIONAL AND EMPLOYEE PERFORMANCE MANAGEMENT				
3.1	Signing of Employment Contract			
3.1.1	Did all Senior Manager sign Employment Contract before assumption of duties?	Section 57 of the MSA 32	Yes	Municipal Manager (Suspension) Chief Financial Officer (Vacant) Director Corporate Services (Suspension) Director Planning & Economic Development (Vacant)
3.1.2	Were the contracts submitted to the MEC?	Regulation 4 (5) Municipal Performance Regulation of 2006; MSA 2000	Yes	Director Community Services Director Infrastructure Services
3.2	Is the Performance Agreements aligned to the PMS Policy/Framework, IDP and SDBIP		Yes	All contracts were submitted to the Office of MEC
3.2.1	Have the 2020/2021 performance agreements been signed and submitted by all senior managers? With Annual Performance Plan, Financial Disclosure and Performance Development Plan.	Section 57 of the MSA 32 of 2000 and Chapter 3 of Municipal Performance Regulation of 2006;	Yes	Two 2020/2021 performance agreements were signed
3.2.2	Number of senior managers appointed by the municipality against the total on the structure		04	Municipal Manager (Suspension) Director Corporate Services (Suspension)

					Chief Financial Officer (Vacant)
	Has the municipality conducted: 2018/19 individual annual performance assessments and 2019/2020 individual mid-year assessment		Chapter 3 (28) of Municipal Performance Regulation of 2006; MSA 2000.	Yes	Director Planning & Economic Development (Vacant)
3.2.3	Has PMS being cascaded to non-sec 56 managers?			Yes	Director Infrastructure Services and Director Community Services
3.2.4	If yes, to which level?			Managers below Section 56 managers	
4.1	Does the municipality's PMS have the following components:		MSA and Municipal Planning and Performance Management Regulations of 2001?		
4.1.1.	Defined objectives for its developmental priorities as set out in the IDP and SDBIP?		Section 41 (1)(a) of the MSA 32 of 2000	Yes	Done through the Alignment of IDP and SDBIP
4.1.2.	Key Performance Indicators; that is Input, Output and Outcome Measures?		Regulation 9 MPPMR of 2001; Section 26 (i) of the MSA	Yes	Done through the Alignment of IDP and SDBIP
4.1.3	Set performance targets with regard to each key performance indicator in accordance with MSA and Municipal Planning and Performance Management Regulations of 2001?		Section 41 (1)(b) of the MSA 32 of 2000; Regulation 12 (1) and (2) MPPMR of 2001	Yes	Done through the Alignment of IDP and SDBIP

4.1.4.	Do the indicators include the prescribed 7 General Key Performance indicators?	Section 43 (2) of the MSA 32 of 2000	Yes	Done through the Alignment of IDP and SDBIP
	Does the performance Management System have Early Warning Indicator of under-performance?	Regulation 13 (2)(b)MPPMR of 2001, Section 41 (2) of the MSA 32 of 2000	Yes	Done through the Alignment of IDP and SDBIP
4.1.6.	Mechanisms or interventions for improving performance where targets have not been met?	Regulation 13 (4) MPPMR of 2001; Section 41 (1)(d) of the MSA 32 of 2001	Yes	Done through the Alignment of IDP and SDBIP
4.1.7	Does the performance management system clarify the roles and responsibilities of all role players (i.e. Mayor, EXCO, Council, Municipal Manager, Audit Committees, public etc)?	Chapter 7 (2) (c) MPPMR of 2001	Yes	Done through the Alignment of IDP and SDBIP
4.1.8.	Are there mechanisms in place to monitor, review and refine the PMS based on indicators linked to the IDP and SDBIP?	Regulation 13 MPPMR of 2001; Section 40 of the MSA 32 of 2000	Yes	Done through the Alignment of IDP and SDBIP

**PART 5
LINKING THE IDP, THE SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP) AND REPORTING**

5.1.	Municipal Performance Reporting and reviews:			
5.1.1.	Do the following stakeholders regularly report on their performance against the set targets			
5.1.1.1	Administration	Section 41 (1)(e) of the MSA 32, of 2000	Yes	

5.1.1.2.	Departmental Units (Monthly)	Section 41 (1)(e) of the MSA 32, of 2000	Yes
5.1.1.3.	Management team (Quarterly)		Yes
5.1.1.4.	Accounting Officer to Council (Quarterly)	Regulation 14 MPPMR of 2001; Section 45 (a) of the MSA 32, of 2000	Yes
5.1.2	Political	Section 41 (1)(e) of the MSA 32, of 2000	Yes
5.1.2.1	Committees reporting to the Executive Committee or Mayor	Section 80 of the Municipal Structures Act 117, Of 1998	Yes
5.1.2.2.	Executive Committees to Mayor	Section 80 of the Municipal Structures Act 117, Of 1998	Yes
5.1.2.3	Councillors to communities (Quarterly)	Section 17(2)(e) of the MSA 32, of 2000	Yes
5.1.2.4	MM tables annual report before the municipal Council	Section 127 of the MFMA 35, of 2003	Yes
5.1.2.5	MPAC playing an oversight role and reporting to council on quarterly basis?		Yes
5.1.3	External		
5.1.3.1	Municipal Council submits the 2018/19 annual report (Section 46) to the MEC for Local Government	Section 46 of the MSA 32, of 2000	Yes
5.1.3.2	Reporting to other spheres and agencies of government?	Section 41 (1)(e)(ii) of the MSA 32, of 2000	Yes
PART 6	INTERNAL AUDIT REPORTS		
6.1	Internal Audit Processes:	Regulation 14 MPPMR of 2001	

6.1.1.	Does your municipality have an Internal Audit Unit?	Regulation 14 (a) MPPMR of 2001; Section 165 (1) of the Municipal Finance Management Act, 56 of 2003	Yes	Chief Internal Audit
6.1.2.	Who does the Internal Audit Unit report to?	Regulation 14 (1)(c)(ii) MPPMR of 2001; Section 165 (2)(b) of the Municipal Finance Management Act, 56 of 2003	Audit Committee and Acting Municipal Manager	
6.1.3.	How many people have been appointed in the Internal Audit Unit?	Section 165 (2) of the Municipal Finance Management Act, 56 of 2003; Regulation 14 (1)(c) MPPMR of 2001	01	Chief Internal Audit
6.1.4.	What are the functions for the Internal Audit?	Section 165 (2) of the MFMA, 56 of 2003; Regulation 14 (1)(c) MPPMR of 2001	To provide internal audit services to the municipality and champion the operation clean audit in the municipality	
6.1.5.	Does the internal audit have a risk based audit plan and internal audit programme for each financial year?	Section 165 (2) (a) of the MFMA, 56 of 2003	Yes	
6.1.6.	What are the Internal Audit Processes?	Resolution 14 (1)(a) MPPMR of 2001	Conduct audit and provide feedback to the end-users and internal audit reports are discussed in the internal audit committee meetings	

6.1.7	Does the municipality have records management system for evidence of monthly, quarterly and yearly targets?			yes	
6.1.8	Does the internal auditor, audit reports before submission to council and other stakeholders?			Yes	
PART 7 PERFORMANCE AUDIT COMMITTEES REPORTS					
7.1.	Does the municipality have a Audit/Performance Audit Committee:		Regulation 14 (2)(a) MPPMR of 2001	Yes	
7.1.1.	Who constitutes the committee and what are their area of specialisation/qualifications?		Regulation 14 (2)(a) and (b) MPPMR of 2001	Audit Committee	
7.1.2	Do you have a schedule of committee meetings for the year?		Regulation 14 (3)(a) and (b) MPPMR of 2001	Yes	
7.1.3	How many meetings have been held in the 2019/2020 financial year?		Regulation 14 (3)(a) MPPMR of 2001	06	
7.1.4	What are the roles and responsibilities of the Committee members?		Regulation 4(a) and (b) MPPMR of 2001	To play oversight over the Performance Management Processes in the municipality	
7.1.5	Does the Audit/performance Audit Committee regularly provides an audit report on performance?		Regulation 14 (4)(a)(iii) MPPMR of 2001	Yes	
7.1.6.	Does the Audit/Performance Audit Committee review annual financial statements to provide the council of the municipality		Section 165 (2)(b) of the MFMA 56, of 2003	Yes	
7.1.7.	Do you have a Shared Audit Committee or single Audit Committee?		Regulation 14 (2)(h)(i) of the MPPMR of 2003	Single Audit Committee	

PART 8	AUDITOR-GENERAL REPORT				
8.1.	Auditor-Generals checklist for 2017/18 fy Audit opinions				
8.1.1	What audit opinion did the municipality receive for 2018/19 fy?			Qualified Audit Opinion	
8.1.2.	Has the Auditor-General given the municipality an Audit report on pre-determined objectives?:			Yes	
8.1.2	Performance audit, if yes what is the opinion and how many issues raised?	Section 20(2)(c) of the Public Audit Act; Section 165 (2)(b)(v) of the MFMA 56, of 2003		Qualified 04	
8.1.3	Internal Control Components, if yes how many issues raised?			04	
8.1.4	Has the municipality developed an audit action plan to address the issues raised?			Yes	
PART 9					
ANNUAL PERFORMANCE REPORTING (SECTION 46)					
9.1	Annual Performance Reporting		Section 46 of the Municipal Systems Act 32, of 2000		
9.1.1	Has the section 46 annual performance report been compiled by the municipality against the set targets?		Section 46 (b) of the MSA 32, of 2000	Yes	
9.1.2	Has the annual report been presented to/and adopted by Council?		Section 127 (2) of the MFMA 56, of 2003	Yes	It was adopted by Council on the 24/01/2020
9.1.3	How many indicators did the municipality achieve against the targeted in the SDBIP?			Yes	It was submitted CoGTA, CoGHSTA, Provincial and National Treasury

9.1.4	Has the municipal Council submitted the annual and oversight report to the MEC for Local Government, Treasury and Provincial Legislature?	Section 127 (5)(a)(i) of the MFMA 56, of 2003	Yes	Public Participation was done and also published on the website
9.1.5	Has the annual performance report been presented to the communities and other stakeholders and published on the website?	Section 127 (5)(a)(ii) of the MFMA 56, of 2003	Yes	
9.1.6	Did the municipality publish the section Annual Report, Performance Agreements, IDP/Budget and SDBIP on the website?	Section 75 of the MFMA 56, of 2003; Section 21A(b)	Yes	MPAC public hearing for 2018/19 Annual Report was held on the 22/03/2020
9.1.7	Were the MPAC public hearings held for the annual report?		Yes	
	If yes, please provide dates.		Yes	Adopted by Council on the 24/01/2020
	If no, please provide reasons.			
9.1.8	Was the report adopted by council with or without reservations?		Yes	
9.1.9	Has the section 72 mid-year report been compiled and presented to /and adopted by council?	MFMA section 72	Yes	
9.2	Individual Performance Review			
9.2.1.	Does the municipality have the legislative framework that governs employee performance management	MSA Chapter 6 and MSA Municipal Performance regulation Chapter 3	Yes	
9.2.2.	Are employee performance reviews held quarterly?	MSA Municipal Performance regulation Chapter 3	Yes	
9.2.4.	Who constitutes the moderating committee?		CoGHSTA Mayor	

			Municipal Manager from other municipalities in the district Audit Committee Chairperson	
9.2.5	<p>How does the municipality reward good performance?</p> <p>Has the municipality paid performance bonuses in 2020/2021fy?</p>	MSA 3Section 57 (4b) of the MSA 32 amendment of 2011 and MSA Municipal Performance regulation Chapter	<p>Bonus</p> <p>No</p>	