



GREATER GIYANI MUNICIPALITY

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Telecommunications Policy

Reviewed : CR113 – 27/05/22 SP
Council Resolution: CR113 – 27/05/22 SP

Object

To provide guidelines on the allocation of cell phone allowances, telephone allowances and other related matters incidental thereto; and
To provide control measures and consequence management in case of violation of the policy.

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1. DEFINITIONS

- (a) **“Annual Financial Year”** means a municipal financial year
- (b) **“Councilor”** means a member of a municipal council.
- (c) **“Municipality”** means to the Greater Giyani Municipality.
- (d) **“Municipal Manager”** means a person appointed in terms of Section 54A of Municipal Structures Act
- (e) **“Mayor”** means a Mayor elected in terms of section 48 of the Municipal Structures Act 117 of 1998.
- (f) **“Speaker”** means a councillor elected in terms of section 36 of the Municipal Structures Act 117 of 1998 to be the chairperson of municipal council as envisaged in section 160 (1) (b) of the Constitution.
- (g) **“Executive Committee”** means an executive committee established in terms of section 43 of the Municipal Structures Act 117 of 1998.
- (h) **“Head of Department”** means a person appointed in terms of Section 56 of the Municipal Systems Act and who is the Head of Department within Greater Giyani Municipality.
- (i) **“Official”** means an employee appointed by Greater Giyani Municipality in terms of its Recruitment policy.
- (j) **“SAPS”** means the South African Police Services

2. PREAMBLE

Whereas there are strategic posts within the council and members of council whose responsibilities need cell phones and land lines telephones; and

Whereas the provision of cell phones allowances for councilors and council Senior Managers should be in line with applicable legislations and determination of upper limits;

This policy seeks to guide the provision of telecommunications tools of trade to Councilors and officials.

3. OBJECTIVES OF POLICY

- (a) To provide guidelines on the allocation of cell phone and telephone allowances and other related matters thereto.
- (b) To provide control measures and consequence management in case of violation of the policy.

4. LEGISLATIVE REQUIREMENT

- (a) Constitution of the Republic of South Africa, 1996
- (b) Municipality Finance Management Act, Act 56 of 2003
- (c) Local government municipal Systems Act 32/2000: Local Government: Regulations on appointment and conditions of employment of senior managers. Regulation No 37245 dated 17 January 2014.
- (d) MFMA Budget Circulars

- (e) Local Government: Municipal Structures Act, 1998
- (f) Remunerative of public bearers Act, Act No. 20 of 1998
- (g) Electronic Communication and Transaction Act
- (h) Telecommunications Amendment Act
- (i) ICASA Act

5. ALLOCATION OF CELL PHONE AND TELEPHONE ALLOWANCES FOR MEMBERS OF COUNCIL.

(1) Cell Phones

- (a) The Councillors automatically qualify for cell phones allowances in terms of the Public Officer Bearers Act 20 of 1998 and Determination of Upper Limit, Salaries, Allowances and Benefits of Different Members of Municipal Council which is issued from time to time by the Minister responsible for Local Government.
- (b) The amount allocated for allowances for council members shall be in line with the Regulation as stated above.
- (c) The cell phone allowances for councillors is apportioned and form part of their monthly allowances in monetary terms.

(2) Telephones

- (a) Mayor, Speaker, Chief Whip, MPAC Chairperson, Full time, part-time EXCO members and Chair of Chairs must be allocated a telephone pin codes for use in the performance of their official duties as follows: -

	CATEGORY	AMOUNT
(i)	Mayor	Open line
(ii)	Speaker	R650-00
(iii)	Chief Whip	R650-00
(iv)	MPAC Chairperson	R500-00
(v)	Chair of Chairs	R500.00
(vi)	Full Time EXCO members	R500-00
(vii)	Part-time EXCO Members	R400-00

- (b) Councillors are expected to exercise reasonable discretion in using land line telephones.
- (c) Telephone Pin codes must be allocated to the above members of council and that soft-locking shall be applied in order to limit the usage of telephone thereof.

6. ALLOCATION OF CELL PHONE ALLOWANCES FOR MUNICIPAL OFFICIALS.

(1) Cell Phones

- (a) The Municipal Manager and Section 56 Managers qualify for allocation of cell phones in terms of Municipal Regulations on Appointment and Conditions of Employment of Senior Managers.

- (b) The municipality will allocate a monthly cell phone allowance amount to all officials who qualify as per this policy to their salaries.
- (c) Officials who qualify should after receiving a letter informing them that they qualify for the allowance make arrangement with a cell phone service provider of their choice in order to have a cell phone.
- (d) An official must register a cell phone number with the municipality and such a number shall henceforth be regarded as an official number.
- (e) An official with a cell phone allowance must be available on the number if required for official communication.
- (f) An official with a cell phone allowance must return the official missed calls within a reasonable time after the missed call/s, whenever possible a courtesy SMS or Whatsapp should be sent to the person who called to indicate that one is still busy and the time at which a returned call will be made.
- (g) The municipality will not incur any costs regarding any contract which individual official may have entered into with the service providers and the municipality should not be a party to such agreement or service level agreement
- (h) In case of employees on salary level 4 and below, the cell phone allowance shall be withdrawn in case an official initiate or elect on his/her own will to be transferred to another position within the municipality which by its nature does not require a cellphone allowance. However, in case the initiative of transfer is by the municipality then the municipality is obliged to continue paying the allowance of such transferred employee.

(2) The monthly cell phone allocations

- (a) The monthly cell phone allocations for qualifying municipal officials shall be as follows:-

(i) Municipal Manager	R 2000.00.
(ii) Directors	R 1 500.00.
(iii) Divisional Managers	R 1000.00.
(iv) Salary Level 4	R 800.00.
(v) Employees Levels 5 and below	R600.00.

- (b) Officials from Level 4 and below may be provided with cell phone allowances according to the nature of their work and the Municipal Manager must approve the application on recommendation by the Head of Department considering the following:-

- (i) The job description of the specific position requires a degree of mobility.
- (ii) The use of alternative communication methods should be impractical or impossible for certain critical periods of time.

7. ALLOCATION OF CELL PHONE ALLOWANCES TO SPECIAL CATEGORY OF MUNICIPAL OFFICIALS

- (a) For officials which council had previously taken a resolution to allocate them cell phones allowances of **R758** per month, due to reasons which were presented to

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- (d) The following officials should be allocated R500-00 per month given the nature of their duties which are either direct to service delivery, communication or secretariat work that requires intensive coordination:
- (i) Communication (Spokesperson role) & Event Management
 - (ii) Secretaries / PA`s
 - (iii) Council Secretary

9. GENERAL CONDITIONS ON TELEPHONE ALLOWANCE OF OFFICIALS

- (a) Sharing of telephone Pin codes is not allowed at all.
- (b) Anyone who wants to change the Pin Code should do so through a written request to the Director Corporate Services.
- (c) The municipality shall soft-lock the telephone pins to limit the usage of telephones by officials.
- (d) Subject thereto that telephone records be regarded as confidential information and not disclosed to third parties to alleviate liability as regard to the violation of the privacy of individual employees.

10. CONSEQUENCE MANAGEMENT

- (a) A failure by a municipal official allocated a cell phone allowance to register a number with the municipality and failure to submit a copy of the contract or service level agreement will constitute a violation of the policy.
- (b) An official may then be requested to submit a formal written reasons on why the Municipal Manager may not withdraw the allowance and failure to do so, the municipal manager may withdraw the allowance.
- (c) Sharing of the pin code by either a member of council or municipal official is a contravention of the policy, therefore in case of a member of council, the Speaker shall commission the Ethics Committee or any council committee which he/she deems competent to investigate the matter and of which based on the recommendation of such a committee the Speaker may impose a sanction recommended by the committee. However in case of a municipal official the municipal manager may withdraw the allowance.
- (d) Any member of council or official who is proved to have intentional or negligently contravened the provision of this policy shall be subjected to disciplinary provision on determination of the Speaker on councillors and or municipal manager in case of officials.

11. OPERATION OF THE POLICY

This policy shall come into operation on the 1st of July 2018 after the approval by Greater Giyani Council in conjunction with the transitional clause thereof.

12. INTERPRETATION OF THE POLICY

- (a) In the event of any inconsistency between this policy and the Constitution of the Republic or any government legislations or government regulation.
- (b) The Constitution of the Republic, legislation or regulation shall prevail.

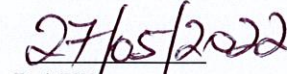
13.REVIEW

This policy shall be reviewed by council every five years and when the need arises.

Signed by

The Mayor: Cllr. Zitha T.
SURNAME & INITIALS


SIGNATURE


DATE

COUNCIL RESOLUTION: CR113 – 27/05/22 SP

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