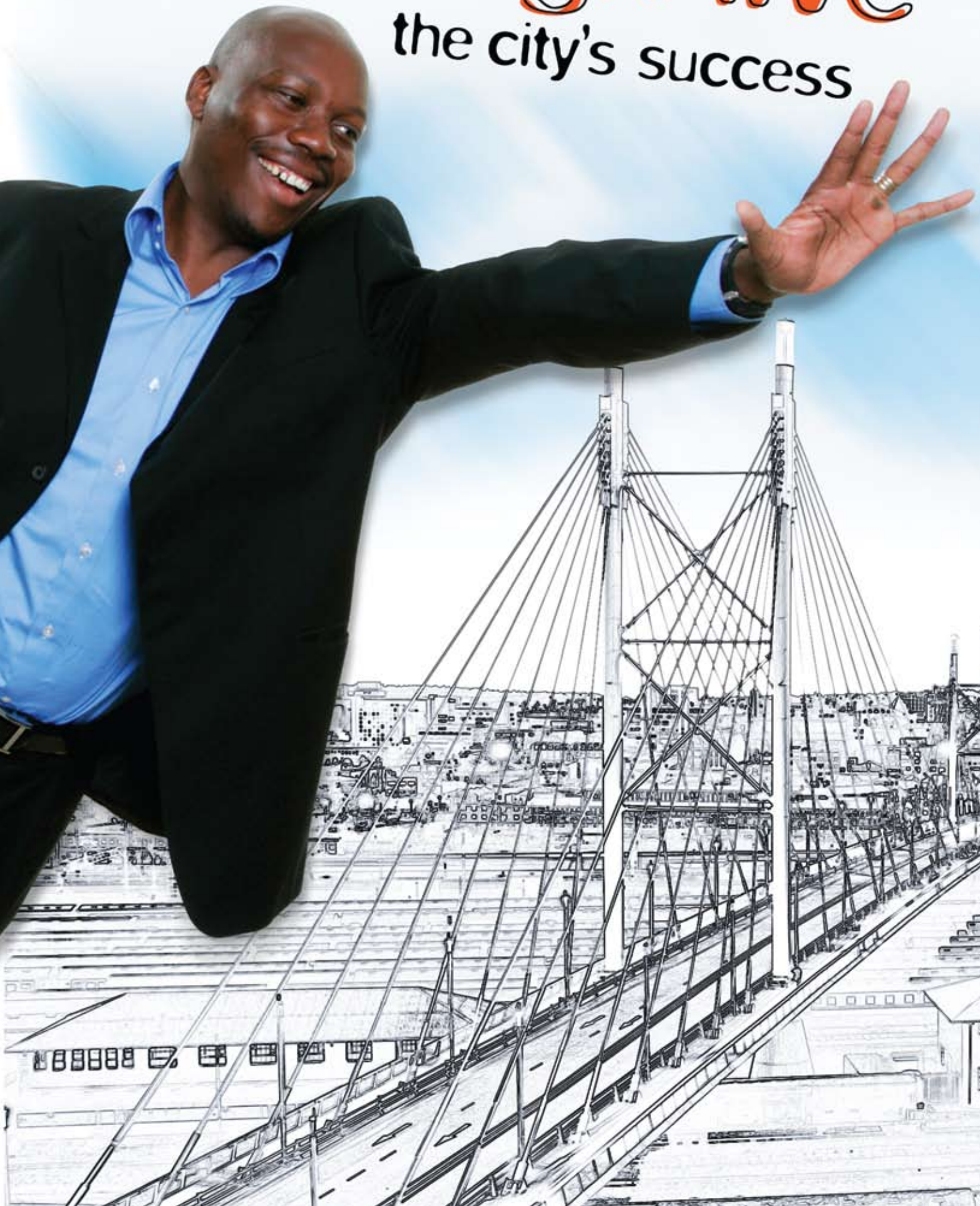


High-five

the city's success



**Governance and
institutional
framework**

Chapter

3



Introduction

In April 2006 the City of Johannesburg approved its new governance and institutional model. The governance model comprises of the Legislature and the Executive. The Legislature is made up of the Speaker of Council, the Council's Chief Whip and Section 79 Portfolio and Standing Committees and the Executive. The Executive consists of the Executive Mayor and Members of the Mayoral Committee (MMCs), as well as the administration, led by the City Manager.

The City's governance model is underpinned by the following key principles:

- Delineation of powers to separate legislative and oversight roles and executive roles and responsibilities;
- Governance and institutional arrangements should deepen democracy, facilitate citizen empowerment and enhance stakeholder participation and involvement;
- Decision-making powers and accountability should be strengthened, clearly defined, allocated and decentralised, where appropriate;
- Expeditious and efficient decision-making should ensure the facilitation of effective governance;
- Institutional structures of the City, such as departments, regions and municipal entities (MEs), to be considered as part of a single group, based on a politically-led strategic and policy perspective; and
- Clear oversight of MEs by the respective core departments.

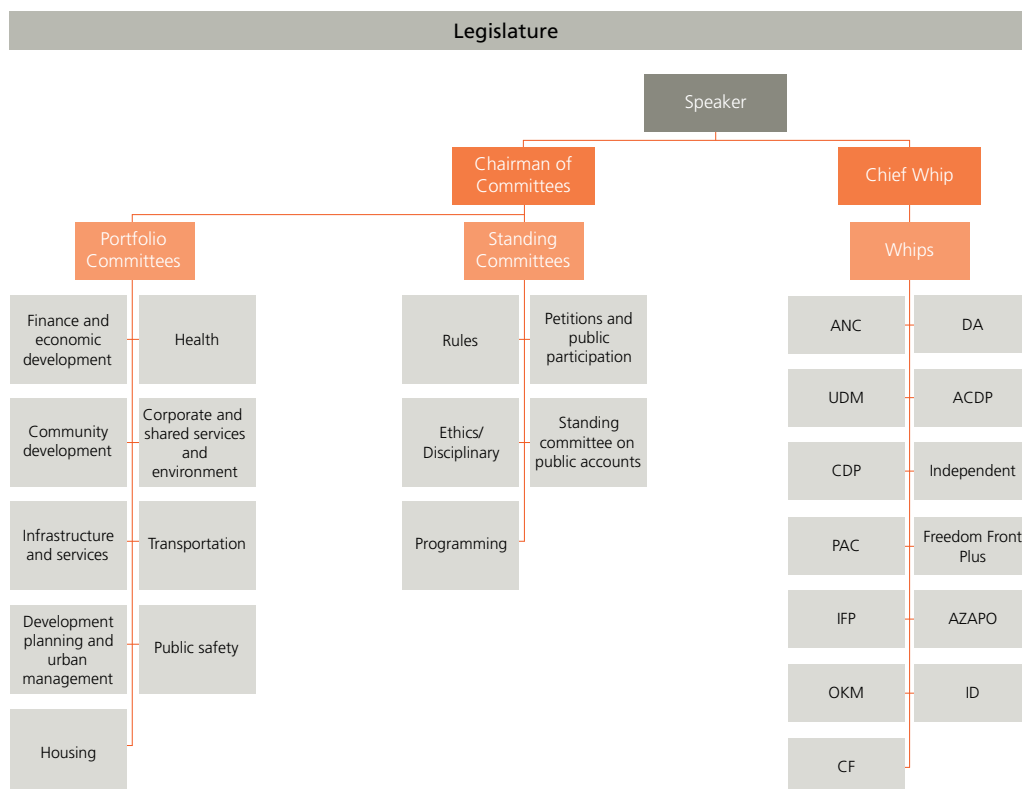
In 2006 the separation of legislative and executive roles delegated executive functions to the Executive Mayor and defined the role of the legislature as that of oversight of the Executive. This function is performed by Council (in plenary), the Municipal Public Accounts Committee and the Section 79 Portfolio Committees, under the chairpersonship of non-executive councillors. These committees monitor and scrutinise the delivery and outputs of the Executive and may request the MMCs or Heads of Department (HoDs) to account for service delivery and performance.

The Council, when meeting in plenary, provides an important platform for meaningful debate on issues that affect and require the attention of the City. It has three essential but interrelated roles pertaining to issues of legislation, oversight and to ensure community and stakeholder participation.

Legislature

Figure 3.1 illustrates the organisational arrangements in relation to the Legislature.

Figure 3.1 Governance and institutional arrangements



The Council's legislative functions include the approval of by-laws, policies, the Integrated Development Plan (IDP), tariffs for rates and service charges and the budget. The Council's role in this respect is to consider reports from the Executive Mayor on each of these functions, to consider public discussions and comment, stimulate debate in multi-party portfolio committees and to provide the public platform for city-wide interaction. On the basis of the comments, the Council is in the position to approve or amend reports or to refer the reports back to the Executive Mayor.

Council seeks to ensure community and stakeholder participation. The Council, led by the Office of the Speaker, has to facilitate community and stakeholder consultation and participation. Individual ward councillors, in conjunction with elected ward committees, play a critical role in facilitating these participatory processes.

Chief Whip

The Council's Chief Whip plays a pivotal role in the overall system of governance to ensure and sustain cohesiveness within the governing party and maintain relationships with other political parties. The main functions of the Chief Whip are to:

- Ensure proper representation of political parties in the various committees;
- Maintain sound relations with the various political parties represented in the Council; and
- Attend to disputes between political parties and build consensus.

Section 79 Portfolio Committees

These committees perform an oversight role by monitoring the delivery and outputs of the Executive. They are entitled to request departments and MMCs to account for their functions. In line with this responsibility, these committees may summon departments to appear before the committee and present any required documentation and information. The Portfolio Committees do not have any delegated decision-making powers.

The specific functions of Portfolio Committees include:

- Reviewing, monitoring and evaluating departmental policies;
- Reviewing plans and budgets;
- Considering quarterly and annual departmental reports;
- Examining the link between the policy (sector plans) and budget (business plans);
- Monitoring the implementation of plans;
- Exploring options to increase value for money, and
- Holding the political executive accountable for performance against policies and City priorities.

Table 3.1 Section 79 Portfolio Committees

Chairperson	Committee
Councillor P Naidoo	Chairperson of Committees
Councillor S Mogase	Finance and economic development
Councillor M Malauzi	Infrastructure and services
Councillor C Seefort	Housing
Councillor P Molekane (acting)	Health
Councillor N Nemanguane	Community development
Councillor B Zondi	Public safety
Councillor S Cowan	Environment
Councillor C Bapela	Transport
Councillor T Mabotia	Development planning and urban management
Councillor S Cowan	Corporate and shared services
Councillor T Phakathi	Economic development
Councillor V Sithole	Soweto development
Councillor R Knight	AMPAC
Councillor B Rajah	Inner City

The Executive Mayor, assisted by the Mayoral Committee, heads the executive arm of the City. The Executive Mayor is at the centre of the system of governance and the executive powers are vested in him by the Council to manage the daily affairs of the City. This means that he has the overarching strategic and political responsibility. The following are the portfolios of Members of Mayoral Committee:

Table 3.2 Mayoral Committee portfolios

Member of the Mayoral Committee	Portfolio
Councillor Bafana Sithole	Community development
Councillor Matshidiso Mfikoe	Corporate and shared services and environment
Councillor Roslynn Greeff	Development planning and urban management
Councillor Oupa Monareng	Economic development
Councillor Parks Tau	Finance
Councillor Bengeza Mthombeni	Health
Councillor Ruby Mathang	Housing
Councillor Christine Walters	Infrastructure and services
Councillor Elginah Ndhlovu	Public safety
Councillor Rehana Moosajee	Transport

Administrative

The City Manager is Mavela AV Dlamini, who is also the accounting officer, as defined by the Municipal Structures Act. The responsibilities of the City Manager include managing the financial affairs and service delivery in the municipality. He is assisted by the Executive management team.

Table 3.3 Executive management team

Name	Position
Mavela AV Dlamini	City manager
Mankodi Moitse	Group chief financial officer
Walter Melato	Acting executive director: Housing
Pilisiwe Twala-Tau	Executive director: Community development
Reuben Denge	Executive director: Corporate and shared services
Jason Ngobeni	Executive director: Economic development
Vicky Shuping	Executive director: Revenue and customer relationship management
Tiaan Ehlers	Acting executive director: Development planning and urban management
Lawrence Boya	Acting executive director: Infrastructure and services
Dr Refik Bismilla	Executive director: Health
Flora Mokgohloa	Executive director: Environment
Lisa Seftel	Executive director: Transportation
Chris Ngcobo	Chief of police: Johannesburg Metropolitan Police Department
Dr Ntombi Gule	Executive head: Emergency Management Services

Municipal Entities (MEs)

A major part of the City's institutional arrangements is the existence of MEs, which are fully-owned companies that operate at an arm's length from the core administration. The 15 MEs are subject to the City's overall strategic and policy direction, while allowing for company boards and management to exercise relative autonomy in the execution of their fiduciary duties and operational responsibilities.

An example of an oversight role of MEs is the MMC and Department of Transportation that oversees the affairs of the Johannesburg Roads Agency (JRA) and Metro Bus. Furthermore, the Shareholder Unit (SHU), located in the Department of Finance, has the following responsibilities in terms of MEs:

- Monitoring enterprise governance, investment performance and business sustainability;
- Exercising the City's shareholder responsibilities;
- Executing a regulatory role; and
- Ensuring compliance with legislation and the City's reporting requirements.

Table 3.4 MEs' management

Name	Municipal Entity
Silas Zimu	City Power
Gerald Dumas	Johannesburg Water
Zami Nkosi	Pikitup
Luther Williamson	Johannesburg City Parks
Stephen van der Spuy	Johannesburg Zoo
Dudu Maseko	Johannesburg Roads Agency
Herman van Laar	Metrobus
Lael Bethlehem	Johannesburg Development Agency
Helen Botes	Johannesburg Property Company
Lindiwe Mhlangu-Kwele	Johannesburg Tourism Company
Alfred Sam	Metropolitan Trading Company
Kgosientso Ramokgopa	Johannesburg Fresh Produce Market
Bernard Jay	Johannesburg Theatre (Johannesburg Civic Theatre)
Maretha Smit	Johannesburg Promusica Theatre (Roodepoort Civic Theatre)
Rory Gallocher	Johannesburg Social Housing Company

The Leader of Executive Business

The Leader of Executive Business provides the interface between the executive and legislative branches. The roles and responsibilities of the Leader of Executive Business are to:

- Represent the executive branch in terms of Council matters and serve as the link between the executive branch and the legislative branch;
- Ensure that executive business is effectively delegated to Council, via the Programming Committee;
- Consult with the Speaker when the Speaker intends calling a special meeting of Council, outside of the scheduled Council meetings;
- Consult with the Speaker for purposes of allocating time for the discussion of matters of public importance on the Council agenda, and
- Determine which matters are referred to the Speaker and thereafter to Section 79 Committees and Council.

Challenges of the new governance model

The challenges of the new governance model include:

- The constraints of local government legislation that have some impact on the Johannesburg model;
- The funding and financing of the model;
- Location, physical space and accommodation for the growing legislature that affect the ability to deliver services;
- Political party funding that distorts the financial support provided for core business, and
- Possible concurrent powers of all three spheres of government.

Opportunities

The following are some of the opportunities that the government model presents:

- Provincial commitment to replicate the model;
- Enhancement of community-based planning and greater integration of community plans in the IDP, and
- Increased responsiveness of the Executive and the administration in general to articulate community needs in the IDP, leading to greater legitimacy of the local democratic process.

Human resources

The City of Johannesburg is committed to an efficient human resources system and has reviewed a number of policies to ensure the effective development of staff. Currently, the City employs 25 204 people, of which 15 157 are employed in the core departments.

Employment equity

The City strives to meet the employment equity targets to comply with the Employment Equity Act and redress past imbalances. Over 80% of Section 57 employees are black (inclusive of African, Asian and Coloured) and 48% of Section 57 employees are female.

Table 3.5 Employment equity targets

	African %	Coloured %	Indian %	White %
Target	74 (EAP)	7,6	2,6	19,8 (EAP)
June 2007	79	5,6	2	13,4
Dec 2007	81,2	5,4	2	11,4
May 2008	81,5	5,3	2	11,2
Dec 2008	83	5	2	10
June 2009	83	5,2	1,8	10

Human resources policy review

All human resources policies were approved by Council on 28 May 2008 and the implementation roll-out plan is in process. The related policies include:

- Career Development Policy;
- Employment Equity (EE) Policy;
- Disability Management Policy;
- Job Evaluation Policy;
- Flexi Time Policy;
- Master Data Management Policy;
- Organisational Structure Development and Maintenance Policy;
- Payroll Management Control Policy;
- Personnel File Archives Policy;
- Remuneration Policy;
- Sexual Harassment Policy;
- Succession Planning Policy;
- Talent Acquisition Policy; and
- Training and Development Policy.

Skills Development

The City also implemented a number of skills development-related projects, which include:

- Implementation of the City's Workplace Skills Plan 2008/09;
- Internships Scheme;

- Learnerships Scheme;
- Bursary Scheme;
- Subsidised Education Scheme;
- National Treasury Minimum Competency-requirement Project; and
- Leadership and Management Development Programme.

The Internships Scheme provides tertiary students with practical learning experience, while the Learnerships Scheme targets unemployed youth from Johannesburg communities. The latter is designed to provide opportunities for theoretical and practical learning, culminating in a nationally recognised qualification. From 2007 to date, 364 internships and 343 learnerships have been awarded.

The City also provides bursaries to youth from communities in Johannesburg. There is an emphasis on developing employees through the Subsidised Education Scheme and 295 bursaries were awarded since 2007. The City implemented a workplace skills plan.

Retention strategy

In response to the ever increasing competition for skills in the market place and the loss of skills by the City and the Municipal Entities (MEs) to other role players in the job market, a group retention scheme, strategy and policy were prioritised. The scope of the programme was adjusted to cover talent management. A report was accordingly submitted to the Mayoral Committee for consideration. The report dealt comprehensively with talent management, inclusive of attraction, recruitment, career growth and development, as well as succession and retention. The intention is to address these issues in an integrated and holistic manner, in line with the recently approved HR policies. The Mayoral Committee resolved that a Talent Management Forum should be established, which includes representation from MEs.

