

UMSOBOMVU

MUNICIPALITY



FAMILY RESPONSIBILITY POLICY

Summary of policy

	Family responsibility
	Human Resources
	To outline the procedure, requirements and guidelines for family responsibility leave
	Management responsibility
	Employee responsibility
	Legislative framework
	Responsibilities
	Requirements
	Procedures
	Administration
	Prove of relationships
	Personal files
	Categories
	Sickness
	Death
	Certificates
	Annual leave cycle

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DEFINING KEY CONCEPTS

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3. EMPLOYEES RESPONSIBILITY
4. LEGISLATIVE FRAMEWORK
5. GUIDELINE AND PROCEDURE
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APPROVAL

DEFINING KEY CONCEPTS

Staff

People in the service of an organisation

Sickness in terms of the legislative framework

Serious illness that requires intensive care by a spouse or parent

Death


Passing away of spouse or child or child in case of foster parent

Bereavement

Time of mourning after death

Annual leave cycle

An annual leave cycle means the period of twelve (12) months employment with the same employer immediately following an employee's commencement of employment or following the completion of that employee's existing leave cycle.



Research clearly indicates that personal problems such as sickness or death of a close family member influences work performance. It is a well known fact that the work situation can not be isolated from the personal life of an employee. Umsobomvu Municipality acknowledge this and are therefore willing to assist employees with such personal problems and adhere to prescriptions as stipulated in the Law on Labour Relations (Act no 66 of 1995).



Management has the following responsibilities regarding this policy:

- 2.1 Applying the law as prescribed by the Labour Relations Act (1995)
- 2.2 Monitoring any misuse by employees
- 2.3 Accurate and sound administration of the policy
- 2.4 Emphatic orientation to personal problems



Employees have the following responsibilities:

- 3.1 Keep management informed at all times
- 3.2 Do not misuse benefit in any circumstances
- 3.3 Provide accurate and valid proof of their leave application
- 3.4 Inform management about marriages, births and adopting children to keep personal files dated



The procedures were guided by the Labour Relations Act (1995).

Exclusions are the following:

A person do not qualify for family responsibility leave as a result of own sickness and /or psychological manifestations of any terminal sickness and/or trauma event experienced. Normal sick leave as prescribed is applicable in such a case.



5.1 Who qualifies?

Family responsibility leave applies to an employee who has been in employment with an employer for longer than four (4) months, and who work at least four days per week for the municipality.

5.2 When granted

An employer shall grant an employee during each annual leave cycle at the request of an employee a total of five (5) days paid leave, which the employee is entitled to take, either when;

- The employee's child is born;
- The employee's child is sick;
- The employee's spouse or life partner is sick

In the event of death of:

- The employee's spouse or life partner; or
- The employee's parent, adoptive parent, grandparent, child, adoptive child, grandchild or sibling

5.3 Requirements

Before paying an employee for leave in terms of this policy, the employer may require reasonable proof of an event for which the leave was required.

The municipality will require the following proof in respect of applications for family leave responsibility-

Event	Proof required	When applied	Medical requirement
Death of immediate family member	Death certificate Proof that deceased is immediate family member	Within 5 working days of returning to work	
Illness of spouse, Life partner or child	Proof of marital relationship if employer request (optional) Proof of parenthood if employer request (optional) These information should be available on the Personal file of the employee	Within 5 working days of returning from this leave	Patient must have been hospitalized for at least 1 day or medical certificate of doctor must be provided
Birth of child	Birth certificate Medical certificate specifying hospitalization of mother	Within 5 working days returning from this leave	

5.4 Procedure

- 5.4.1 Requests for family responsibility leave must be in writing on the Municipalities leave application form, which must be authorized by the Section 57 Manager or the formally appointed Acting Section 57 Manager. The Municipal Manager must approve if the former is not available.
- 5.4.2 Once authorized, the original leave application form must be filed on the employee's personal file and the duplicate returned to the employee.
- 5.4.3 An employee's unused entitlement to leave in terms of this policy lapses at the end of the annual leave cycle in which it accrues.
- 5.4.4 Employees who have used all their family responsibility leave may, subject to the approval of the manager, apply to:
- Use available leave
 - Use unpaid leave



	For approval
	For implementation
	For information
	For discussion

Recommended:	Municipal Manager:
	Date:
Supported:	Union:
	Date:
	Union:
	Date:
Approved:	<u>Council</u>	
	Signature Mayor:
	Date:

UMSOBOMVU MUNICIPALITY (NC072)

(NOUPOORT,COLESBERG,NOVALSPONT)

FINANCIAL CODE AND BYLAWS

In terms of the provisions and guidelines laid down by the Systems– and Municipal Finance Management Acts, a Municipality must adopt a Financial Code and By–Laws to be utilized as a policy framework.

1. RESPONSIBLE AND ACCOUNTABILITY

In terms of Section 55(2) of the Systems Act, the Municipal Manager is responsible and accountable for:–

- a) All income and expenditure of the Municipality;
- b) All assets and the discharge of all liabilities of the Municipality,
and
- c) Proper and diligent compliance with the Municipal Finance Management Legislation.

In terms of Section 27(1) of the Municipal Management Act, the Municipal Manager of a Municipality is the Accounting Officer of the Municipality.

2. MUNICIPAL BUDGET AND TREASURY OFFICE

In terms of Section 3591) of the Municipal Finance Management Act, a Municipality must have a budget and treasury office.

In terms of Section 35(2) of the abovementioned Act, the budget and treasury office consist of:-

“A Chief Financial Officer, who must be an official of the Municipality, designated by the Municipal Manager to be administratively in charge of budgeting and treasury functions, as well as allocated staff to perform these functions.”

3. COMPETENCE TO INCUR DEBT

A Municipality may incur debt only in accordance with the provisions of Chapter 5, Section 22–26 of the Municipal Finance Management Act.

In terms of Section 22(2) a Municipality may incur short term debt only to bridge:

- a) Shortfalls within a financial year in anticipation of specific and realistic anticipated income to be received, or
- b) Capital needs in anticipation of funds derived from specific and enforceable grants or long term debt commitments.

In terms of Section 22(3) a Municipality must pay off short term debt within a year and may not renew or refinance its short term debt.

In terms of Section 22(5) a Municipality may only incur long term debt for purposes of capital investment in property, plant and equipment. Such investment may include finance and professional costs directly related to such investment.

3.1 Conditions which debt may be incurred

In terms of Section 23 of the Municipal Finance Management Act, debt may be incurred, provided that:-

- a) the debt is denominated in Rand;

- b) the debt is approved by the Council;
- c) the debt is published 14 days prior to the meeting of the Council, stating the amount of debt, the purpose for which the debt is to be incurred and any security to be provided, and invite written public comment to the draft resolution;
- d) the Municipal Manager to provide to the Council an information statement, setting out the purpose, total cost of credit over the repayment period, repayment terms, and particulars of security prior to the adoption of a resolution;
- e) the meeting of the Council to be open to the public;
- f) the provisions of Section 24(4) have been complied with.

4. MUNICIPAL REVENUE

In terms of Chapter 3, Section 7-12 of the Municipal Finance Management Act, every Municipality must establish a Revenue Fund into which all money received must be promptly paid into, including grants in terms of the Division of Revenue Act and by the Province.

In terms of Section 8, the Municipal Manager is accountable for the Municipality's Revenue Fund and may not delegate the duties to another person, except to the Municipal Finance Officer.

In terms of Section 9 of the Act, only the Municipal Manager or an official acting on the written authority of the Municipal Manager, may withdraw money or authorize the withdrawal of money from the Municipality's Revenue Fund and may do so only:-

- a) to provide funds that have been authorized in terms of an appropriation contained in the approved budget of the Council;
- b) to refund moneys incorrectly paid into the Fund;

- c) to refund deposit paid by users and consumers of municipal services;
- d) payments in form of (b) above, must be tabled to the Council, not later than two months after the payment has been made;
- e) payments made in terms of (a) and (d) above, not substantiated by written proof, will be dealt with as unauthorized expenditure.

4.1 Banking, cash management and investments

In terms of Section 11 of the Municipal Finance Management Act, a Municipality must establish appropriate and effective cash management and banking arrangements in accordance with a framework prescribed by National Treasury.

A bank account may not be opened abroad or with a bank not registered in terms of the Banks Act 94 of 1990.

In terms of Section 12 of the Act, a Municipality must establish appropriate arrangements in accordance with the permission of the National Treasury Framework for the investment of money not immediately required.

5. MUNICIPAL BUDGET

In terms of Chapter 4, Section 13–21 of the Municipal Finance Management Act, a Municipal Council must, for each financial year by way of an annual budget appropriate money from its Revenue Fund for the requirements of the Municipality.

5.1 Annual Budgets

In terms of Section 14(1) the annual budget:–

- a) must be in accordance with a prescribed format;
- b) must be balanced;
- c) may not exceed the growth factor determined by national Treasury.

5.2 Contents of Budget

In terms of Section 14(2) the annual budget must contain:–

- a) estimates of all revenue expected to be received;
- b) estimates of expenditure broken down per vote;
- c) estimates of interest and debt servicing charges and repayment on loans;
- d) estimates of capital expenditure and projected financial implications for future years;
- e) proposals for financing any anticipated deficit relating to short term borrowing;
- f) an indication of intentions regarding borrowing;
- g)
 - i) the projected revenue for the previous financial year
 - ii) expenditure for that financial year per vote
 - iii) borrowing for that financial year, and
 - iv) funding flow to municipal entities.
- h) the actual –
 - i) revenue for the year preceding the previous financial year
 - ii) expenditure for that financial year per vote
 - iii) borrowing for that financial year, and

iv) funding flow to municipal entities.

j) any other information as may be prescribed, including multi-year budget information.

5.3 In terms of Section 14(3) of the Act, the Municipal Manager must submit measurable objectives for each vote in the budget, when the budget is tabled.

5.4 Budget Process

In terms of Section 15(1) of the Act, the Councillor responsible for financial matters must at least 4 months before the start of each financial year, prepare a draft annual budget;

- a) allow the public access to the draft budget by making it available at the administrative offices and submit written comments and representations to the Municipality, and
- b) table the draft budget in the Municipal Council for discussion and public hearings.

In terms of Section 15(4) of the Act, the Councillor responsible for financial matters, as soon as the Council discussion and public hearings referred to above have been completed –

- i) prepare a budget for the financial year, taking into account
 - a) the considerations of the public hearings on the draft budget;
 - b) any public comment and representations received, and

- c) any recommendations of the National Treasury on the draft budget and any guidelines and policy statements issued by National Treasury, and
- d) table the budget in the Council for approval.

In terms of Section 15(5) of the Act, the Councillor responsible for financial matters must manage the budget process in such a way that the budget is tabled in the Council at least 30 days before the start of the financial year.

5.4.1 Approval of annual budgets

In terms of Section 16(1) of the Act, the budget is approved by a decision taken by the supporting vote of the majority of the number of the Council.

In terms of Section 16(2) of the Act, that if a Council fails to pass a budget by majority vote, the Council must reconsider and again vote on the budget or an amended version thereof within 14 days of the meeting that failed to approve the budget.

If a Council again fails to pass a budget by majority vote, funds may for the requirements of the Municipality be withdrawn from the revenue fund in accordance with Section 17 of the Act, which states that the approval of the M.E.C. for Local Government, in consultation with the M.E.C. for Finance in the Province be sought, until the budget is passed.

6. ACCOUNTING OFFICER'S RESPONSIBILITIES AND BUDGET CONTROL

In terms of Chapter 6, Sections 29–32 of the Municipal Finance Management Act, the Accounting Officer must:–

- a) ensure that the Municipality has and maintains:–

- i) effective, efficient and transparent systems of financial and risk management and internal control;**
 - ii) a system of internal audit;**
 - iii) an appropriated procurement and provisioning system which is fair, equitable, transparent, competitive and cost effective;**
 - iv) a system of properly evaluating all major capital projects prior to a final decision on the project.**
- b) must keep full and proper records of the financial affairs of the Municipality in accordance with the prescribed norms and standards;**
- c) must take effective and appropriate steps to:–**
 - i) collect all money due to the Municipality through a credit control and debt policy and by-laws giving effect to the policy;**
 - ii) prevent fraud and corruption and unauthorized expenditure;**
 - iii) manage working capital efficiently and economically.**
- d) Must without delay report all losses to the S.A.P.S. and Auditor-General;**
- e) Manage, safeguard and maintain all assets and liabilities of the Municipality;**
- f) Must comply with any tax, levy, duty, pension and audit commitments as may be required by legislation;**

- g) Must settle all contractual obligations and pay all money owed;**
- h) Must take effective and appropriate disciplinary steps against any official who contravenes or fails to comply with the provisions of the Act, commits an act which indemnifies the financial management and internal control systems and makes or permits an unauthorized expenditure.**

6.1 Budget Control

In terms of Section 30 of the Municipal Finance Management Act, the Accounting Officer is responsible for ensuring that:–

- a) expenditure is in accordance with the budget;**
- b) effective and appropriate steps are taken to prevent:–**
 - i) overspending of the budget;**
 - ii) under collection of revenue due, and**
 - iii) unauthorized expenditure.**

The Accounting Officer must submit within 15 days of the end of each month to the Councillor responsible for financial matters:

- a)**
 - i) information on actual revenue and expenditure for that month;**
 - ii) a projection of expected expenditure and revenue collection for the remainder of the financial year, and**

- iii) an explanation of any material variances and steps taken to ensure that the projected expenditure and revenue remain within the budget.
- b) report to the Councillor responsible for financial matters any impending:–
 - i) under collection of revenue due;
 - ii) shortfall in budgeted revenue;
 - iii) overspending of the Municipality's budget, and
 - iv) any appropriate steps to be taken.
- c) The Councillor responsible for financial matters must table in the Council any statements and reports from the Municipal Manager at the first Council Meeting held after receipt of the statement or report.

6.2 Veriment between votes in budget

In terms of Section 31 of the Municipal Finance Management Act, the Accounting Officer may utilize a saving in the amount appropriated under a vote in a budget toward the defrayment of excess expenditure under another vote in the same budget, unless the Municipal Council directs otherwise, and the Accounting Officer must report in the Council the prescribed particulars concerning the utilization of a saving.

6.3 Submission of information

The Accounting Officer must submit to the National Treasury, Provincial Treasury or Auditor-General such information as may be required from time to time.

If the Accounting Officer is unable to submit such information, the inability together with reasons, must

promptly be reported to the Municipal Council or state organs.

7. FINANCIAL STATEMENT AND AUDITING

In terms of Chapter 9 and Section 48 of the Municipal Finance Management Act, the Accounting Officer of a Municipality -

- i) must prepare financial statements for each year in accordance with generally recognized accounting practices;
- ii) submit these financial statements to the Auditor-General for auditing, two months after the end of the financial year, and
- iii) within 1 month of receiving, the Auditor-General's audit report must table in the Municipal Council, an annual report on the activities of the Municipality, a copy of the financial statements and audit report, and submit copies to National and Provincial Treasuries;
- iv) representatives of the Auditor-General etc. are entitled to attend and to speak at a meeting of the Council, at which the financial statements and audit reports are tabled or discussed;
- v) the Municipal Manager must give written notice of such meetings to the Auditor-General and relevant departments of province, and submit copies of the minutes of these meetings to the Auditor-General and relevant Provincial departments;
- vi) the audit report and financial statements must be made public when tabled in the Municipal Council;
- vii) in terms of Section 53 of the Municipal Finance Management Act, the accounts, annual financial statements and financial management must be audited by the Auditor-General, as required by Section 188 of the Constitution, and is performed in terms of the Auditor-General Act 12 of 1995.

UMSOBOMVU MUNICIPALITY (NC072)

(NOUPOORT,COLESBERG,NOVALSPONT)

FINANCIAL POLICY

As prescribed by legislation, a Municipality must have a financial policy to enable the Accounting Officer to fulfill his/her duties and to be included in the Accounting Policy of the Council.

1. MUNICIPAL DEBT BORROWING

That the function of incurring debt be the responsibility of the Municipal Manager as Accounting Officer or the official delegated the powers and duties by the Accounting Officer, in terms of Section 33(1) of the Municipal Finance Management Act.

The competence pertaining to incurring debt in terms of Section 22 and conditions laid down in terms of Section 23 and 24 of the Act must be adhered to.

Internal borrowing from the Council Asset Financing Fund (AFF) should be approved at the budget meeting and no further approval by the Council is necessary.

The incurrence of long term debt must be approved by the Council prior to the investment in property, plant and equipment. The survey obtained for long term debt must be credited to the Council's External Finance Fund (EFF) and only debited with advances from and to the service, receiving the finance to obtain property, plant and equipment.

The levy from borrowing should be advertised.

2. CAPITAL AND OPERATING EXPENSES – RECOGNITION

In terms of the guidelines of the General Accepted Municipal Accounting Practices (GAMAP), expenses should be recognized when the cost is incurred and not when the payment is made. Other than operating and capital expenses is immediately recognized if no further economic benefit or potential service provision is procured.

3. REVENUE RECOGNITION

Revenue from rates is recognized annually and monthly on the date on which payment falls due. Service charges for electricity, water, sewerage and refuse are similarly recognized. Revenue from other charges are recognized when payment is received.

4. ANNUAL BUDGETS

The annual Municipal Budget must be prepared in terms of Chapter 4 of the Municipal Finance Management Act.

The annual budget must be in the prescribed format. The budget must balance and may not exceed the growth factor as determined by the National Treasury.

The annual budget must contain the provisions of Section 14(2) of the abovementioned Act.

The Municipal Manager must submit measurable objectives for each vote in the budget when the annual budget is tabled in the Municipal Council. The Councillor responsible for financial matters must manage the budget process and table it in the Council at least 30 days before the start of the financial year.

The annual budget must be passed by the Council before the start of the financial year to which it relates.

The budget must be approved by a supporting vote of a majority of the members of the Council.

In terms of Section 22(1)(c) of the Systems Act, the Integrated Development Plan of the Municipality forms the policy framework and general basis on which annual budgets must be based.

5. VERIMENT BETWEEN VOTES IN A BUDGET

The Accounting Officer may utilize a saving in the amount appropriated under a vote towards the defrayment of excess expenditure under another vote in the same budget, unless the Municipal Council directs otherwise, in terms of Section 31(1) of the Municipal Finance Management Act.

The Accounting Officer must table in the Council a report containing the prescribed particulars concerning the utilization of a saving.

6. INTERNAL AUDIT

In terms of Section 29(a) i & ii of the Municipal Finance Management Act, the Municipal Manager must ensure and maintain a system of internal audit and effective, efficient and transparent systems of financial and risk management and internal control.

7. CONTROL OVER MATERIALS AND STOCK

That a centralized material and stock division be established, managed by a chief Buyer/Stock Controller. The Chief Buyer/Stock Controller will be responsible for annual and periodic stock-takings and proper control over purchases and issues of material and stock.

Half-yearly tenders must be invited i.r.o. materials and stock and that at least three quotations be call for items, not being kept in stock. No purchases will take place unless an official order has been issued by the Chief Buyer/Stock Controller or his assignee. All orders to be signed by at least two officials of which one must be a senior staff member.

A requisition must be issued before any material or stock may be issued from the stores, and must be signed by at least two officials of which one must be a senior staff member.

8. TENDERS AND CONTRACTS

In terms of Section 29(a)(iii) of the Municipal Finance Management Act, the Accounting Officer is empowered and required to perform this function as a general responsibility to ensure and maintain an appropriate procurement and provisioning system which are fair, equitable, transparent, competitive and cost-effective.

This change necessitates a major change in current procedures and the redefining of the role of tender committees and the role of Councils in procurement.

Tenders and contracts will be dealt with in terms of the Council's preferential procurement policy as from 1 July 2001. the requirements of the Preferential Procurement Policy Framework Act must be adhered to.

9. PAYMENT OF CREDITORS

In terms of Section 9(1) of the Municipal Finance Management Act, only the Municipal Manager of a municipality or an official of the municipality acting on the written authority of the Municipal Manager may withdraw money or authorize the withdrawal of money from the Municipality's Revenue Fund and may do so only –

- a) to provide funds that have been authorized in terms of a appropriation contained in a budget approved by the Municipal Council;
- b) to refund money incorrectly paid in the Fund, or
- c) to refund deposits paid by users and consumers of municipal services, and to benefit from discount allowed by creditors as stipulated in the tender document.

A Chief or Senior Accountant must manage and control this section on written instruction to comply with this financial policy.

All expenditure vouchers and invoices must be stamped "PAID" when a cheque is issued to prevent a duplicate payment of the same invoices.

10. ACCOUNTABILITY AND COST EFFECTIVE BOOKKEEPING

In terms of Section 55(2) of the Municipal Systems Act 32 of 2000 the Municipal Manager is the Accounting Officer and responsible and accountable for:–

- a) all income and expenditure of the Municipality;
- b) all assets and the discharge of all liabilities of the Municipality, and
- c) proper and diligent compliance with the Municipal Finance Management legislation. Competent personnel must be appointed by the Council to ensure and maintain on accountable and cost effective financial management system.

11. PERSONNEL RECORDS AND PAYMENTS

Personnel records i.e. leave, overtime, etc. and personal particulars should be maintained and controlled by the Human Resources

division and the treasury shall make payments to personnel on their instructions. Payments of salaries and wages should be done on the last Friday of the month except during December which date shall be determined by the Municipal Manager. All leave records and forms shall be signed by the Municipal Manager or his assignee instructed in writing.

12. REVENUE COLLECTION AND CONTROL

All revenue must be deposited the following day into the Council's Revenue Fund. All income received through the mail must be recorded in a remittance-through-the-post-register, only for this purpose.

The register must contain the date received, name of drawer, cheque or postal order number, date of cheque, amount, receipt number and date of receipt. All revenue must be receipted the same day received, including direct deposits into the Council's Revenue Fund. The receipt counters must be closed by an independent employee, not the cashier, after the close of day and the cashier must hand all monthly received to the person at close of day. That person, when satisfied that the cash received balanced with the receipts issued prepare a bank deposit slip and lock the money in the safe for banking the next day. A money box locked and sealed will be used for all cash deposits in transit and should be transported to the bank by a Security Firm contracted by the Council. A Chief or Senior Accountant will be in charge of the revenue section of the Council who will be responsible to maintain proper control over this division.

To enhance this division a direct communications link with the bank must be established to enable the Accountant to have proper control of cash flows and to speed up the bank reconciliation process.

13. SECURITY OF FIXED AND MOVABLE ASSETS

The Municipal Manager in terms of Section 55(2) (b) of the Municipal Systems Act is responsible and accountable for all assets and the discharge of all liabilities of the Municipality. In terms of G.A.M.A.P. all assets must be recorded in an assets register and the following must be reflected in the register:–

In the respect of infrastructure, community assets, heritage assets, plant and equipment:

- (a) The date of acquisition;
- (b) Description of the asset;
- (c) Location of the asset;
- (d) Identification number of the asset;
- (e) Original cost;
- (f) Accumulative depreciation;
- (g) Method and rate of depreciation;
- (h) Source of finance.

In respect of land and buildings:

- (a) Title deed number/plot number;
- (b) Original cost;
- (c) Revalued amount;
- (d) Address;
- (e) Accumulated depreciation if depreciated;
- (f) Sources of finance.

A physical count of all movable assets must be done annually and the fixed assets register updated accordingly.

Inventory lists must be kept of all loose assets and must be recorded in the asset register at no cost for balance–sheet purposes but the original purchase cost should be reflected in the register. All employees handling loose assets of the Council must sign for it and a copy handed to him/her stating his responsibility to look after it and when found cost be held responsible for the replacement cost of the asset.

A physical count must be conducted on an annual basis and all surpluses and shortages found must be reported to the Council for adjustments before the closing of the financial year-end. The assets register must comply with the requirements of G.A.M.A.P.

14. INSURANCE RISKS

All fixed and movable assets of the Council must be insured against all risks with an Insurance Company through the Council's Insurance Brokers to ensure that assets are not under insured. The Council will once every 5 years invite tenders and appoint Insurance Brokers.

15. INVESTMENTS

All surplus revenue not immediately required must be invested at a registered investment institution. The investment portfolio must be spread and not more than 25% of the available funds should be invested at any one institution to safeguard the capital of the Council. Quotations must be invited and the Municipal Manager will have delegated authority to invest the funds at the best rates available on the date of investment complying with the abovementioned criteria.

16. SAFE-GUARDING OF FACE VALUE DOCUMENTS

The Municipal Manager must ensure that all face value documents of the Council be safeguarded and a proper register be kept to control the stocks on hand. A physical count must be conducted at year end and the register be signed by a Senior Official. All issues must be signed for on receipt.

17. REPORTING TO THE COUNCIL

Urgent attention on all financial matters must be done at each Council meeting and the Accounting Officer is responsible to ensure that all reporting is done on time.