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OVERSIGHT REPORT ON THE 2013/14 ANNUAL REPORT

REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE ON IT'S OVERSIGHT ROLE WITH REGARD TO THE 2013/14 DRAFT ANNUAL REPORT

In accordance with the provisions of Section 79 (1) (a) (b) and (c) of the Municipal Structures Act 1998 a municipality may establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers and appoint the members of such committee from among its members.

Furthermore Section 79 (2) of the Municipal Structures Act, 1998 provides the framework and guidelines within which such committees of council shall operate. During the 2009 Association of Public Accounts Committee (APAC) Conference a resolution was taken stating that the Conference supports the establishment of Municipal Public Accounts Committees (MPACs) in each municipality in the country as part of improving financial management and accountability at local level.

Thus in order to enhance, promote and consolidate the oversight role of the Council over the executive, the Department of Cooperative Governance and Traditional Affairs having consulted the National Treasury and SALGA, has instructed that all municipalities establish MPACs. The focus of the MPAC will be to assist Council to hold the executive to account and to ensure the effective and efficient use of municipal resources.

The 2013/14 Draft Annual Report was tabled to Council on the 30th of January 2015 in compliance with Section 127 (2) of the Municipal Finance Management Act, 56 of 2003.

The Municipal Public Accounts Committee is a Section 79 Committee established by Council in terms of Section 79 of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) and populated per Council Resolution 07/09/2014 dated 23 September 2014. The composition of the Committees is as follows:

Composition of the Municipal Public Accounts Committee (MPAC)

Councillor Mr M.A. Sestile (Chairperson

Councillor Mr S. Siko
Councillor Mrs A. Fritz

Councillor Mr C.F. Gronum Councillor Mrs S. Ngalimani

Oversight Committee Support Staff

B.J. Kapp Manager: Corporate Services

V. Mokhothu Section Head: Corporate Services

This Oversight Report is tabled by the Umsobomvu Local Municipality's Public Accounts Committee under the Chairpersonship of Councillor M.A. Sestile.

The Municipal Public Accounts Committee is tasked to review all the activities of the municipality for the period 1st July 2013 to 30th June 2014 and provides guidance in financial matters and assist in maintaining oversight within the broader governance context. Every effort has been made to ensure that the facts are correct and applicable to the mandate of the Municipal Public Accounts Committee.

Chairperson's Foreword

The recent years and especially running up to the 2014 elections, we have seen protest action throughout the country as a regular occurrence in the local government environment we operate in and execute our Constitutional mandate. Umsobomvu Local Municipality (ULM) has been very fortunate as no real protests were recorded during the oversight period. Programmes, projects and actions plans are taken up in our Integrated Development Plan (IDP) to comprehensively address our communities' and citizens' needs and expectations. Our responsibility now is to ensure that these projects, programmes and action plans are sustainable and service delivery are enhanced to ensure that all our citizens' lives are enriched to uplift our communities socially and financially in a sustainable manner.

This year, for the fourth time, ULM subjected its Annual Report to the scrutiny of an Oversight Committee appointed by Council. The Third Council of ULM is the first Council to initiate and complete such a process which is another example of our commitment to outstanding financial and operational performance, oversight and accountability.

As noted in our Oversight Report, ULM's 2013/14 Annual Report contains many positive elements and is a significant improvement over previous years' reports as it complies with the National Treasury guidelines in most areas. But we also note areas of deficiency and challenges that remain to be addressed. We encourage and are ready to support the Mayor and Municipal Manager in continuing ULM's record of continuous improvement by addressing the issues noted in our Report.

All in all, the year under review has been one of steady progress despite the many challenges encountered during the period in overview. Councillors have noticed that the Annual Report is presented in a different format as from the 2013/14 financial year and it is somewhat difficult to unpack the strengths and weaknesses of the municipality.

On behalf of the Councillors serving on the Municipal Public Accounts Committee, I would like to congratulate the Mayor, CIr Nombulelo Lillian Hermans, the Municipal Manager, Mr Amos China Mpela, and his staff for the significant success that is demonstrated by the 2013/14 Annual Report.

On behalf of the Oversight Committee,

at SECTILE

COUNCILLOR M.A. SESTILE

CHAIRPERSON: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

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1. Overview and Process

1.1 Legislative Framework

The Municipal Public Accounts Committee is a Section 79 Committee established by Council in terms of Section 79 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended and populated per Council Resolution 24/08/2011 dated 26 August 2011 and Council Resolution 87/06/2012 dated 20 June 2012 respectively. In accordance with National Treasury's Circular 32, the Umsobomvu Local Municipality (ULM) Council, under the auspices of the Mayor, established an Annual Report Oversight Committee by Council resolution on 26 August 2011. In accordance with that resolution the Committee was constituted and populated with four members – three Councillors. Each Committee member received the following information to guide and inform members of their roles and responsibilities in carrying out their oversight functions:

- (i) The 2013/2014 Annual Report:
- (ii) The Municipal Financial Management Act (MFMA), Pocket Version;
- (iii) National Treasury's Circular 32, The Oversight Report;
- (iv) National Treasury's Circular 11, Annual Report: Guidelines;
- (v) The 2013/2014 Integrated Development Plan (IDP);
- (vi) The 2013/14 Service Delivery and Budget Implementation Plan; and
- (vii) The 2013/2014 ULM Budget document.

1.2 Accountability Framework for Local Government

It is important to have a proper understanding of the responsibility framework for municipalities in order to correctly comprehend the purpose of the Oversight Report as it differs from that of the Annual Report and any other reports required from the municipality. The following table displays the nature of the culpability framework for local government:

Responsible body / individual	Responsible for	Oversight over	Accountable to
Council	Approving policy and budget	Mayor	Community
Mayor	Policy, budgets, outcomes, management of/oversight over Municipal Manager	Municipal Manager	Council
Municipal Manager	Outputs and implementation	Administration	Mayor (Council)
Chief Financial Officer and Senior Managers	Outputs and implementation	Financial management and operational functions	Municipal Manager

The Oversight Report is the final major step in the annual reporting process of a municipality. Section 129 of the Municipal Financial Management Act, 2003 (Act 56 of 2003) hereinafter referred to as the MFMA, requires the Council to consider the annual report of its municipality and to adopt an "Oversight Report" containing the Council's comments on the annual report. The Oversight Report must include a statement whether the Council:

- (i) Has approved the annual report, with or without reservations;
- (ii) Has rejected the annual report.

1.3 Community Participation Process

The Committee scheduled three Public Hearing meetings on the 2nd, 3rd, and 4th March 2103 respectively (minutes of each meeting are attached), to review the results of individual reviews; to attempt to reach consensus on each of the issues raised; and to review responses to the Committee's questions of the Municipal Manager and his staff and the community's input about the Annual Report. Additionally, the Committee solicited other input and comments on the Annual Report by inviting all Councillors to attend the Public Hearings to provide their comments and ask questions about the Annual Report. The community members were invited per official notice published in the local media and on the official notice boards to provide their comments, in writing, and/or by attending public meetings of the Committee.

The Committee also had an opportunity in a formal Council meeting to hear the Auditor General's comments on the Annual Report and on his Audit Report for the period 1 July 2013 to 30 June 2014. The MPAC Committee also invited the Audit Committee to present the Committees with their perspective on the Annual Report,

and to comment specifically on those report findings related to the performance of the Audit Committee.

The 2013/14 Annual Report was made available to the community and other bodies and same was open for inspection at the following places:

Colesberg:

Main Office

Colesberg Library
Mongezi Juda Library

Multi-Purpose Community Centre

Noupoort

Noupoort Administrative Office

Noupoort Library

Norvalspont

Norvalspont Administrative Office

Official Website

www.umsobomvumun.co.za

2. Functions of the MPAC

The functions of the MPAC with regard to oversight are to:

(i) Undertake a review and analysis of the Annual Report.

(ii) Invite, receive and consider inputs from Councillors and Portfolio Committees, on the Annual Report.

(iii) Consider written comments received on the Annual Report from the public consultation process.

(iv) Conduct Public Hearing(s) to allow the local community or any organs of state to make representations on the Annual Report.

(v) Preparation of the draft Oversight Report, taking into consideration the views and inputs of the public, representative(s) of the Auditor General, organs of states, Council's Audit Committee and Councillors.

(vi) Receive and consider Council's Audit Committee views and comments on the annual financial statements and the performance report.

3. Summary of Positive Aspects of the 2013/14 Annual Report

The Committee believes the 2013/14 Annual Report reflects a substantial and positive improvement in ULM's annual planning, budgeting and reporting processes. It is a significant improvement over the 2010/11, 2011/12 and 2013/14 Annual Reports adopted by Council in January 2012, January 2013 and January 2014 respectively. The Report complies with most of the MFMA requirements and with National Treasury's guidelines for annual reports, as contained in Circular 11 issued by National Treasury.

The Committee notes, and commends the ULM management team, for preparing a well-organized and readable document, in the format suggested by National Treasury. It also needs to be mentioned that the current format has been replaced with a new standardised format for all municipalities. The new format has introduced to Council in the 2013/14 financial year and the presentation thereof will

gradually improve once all statistical information has been collected and filled out for all the reporting periods. This comparative information is useful tool in assessing improvement, stagnation or deterioration.

The document's organization is an almost verbatim copy of that prescribed by National Treasury in Circular 11, including the extensive Functional Service Delivery Report as contained in Annexure A of Circular 11. Clearly, a substantial amount of high quality work is reflected in the 2013/14 Annual Report. The Committee notes specifically that most of the information required to be included by the MFMA is included. Specifically, the 2013/14 Annual Report contains the following items:

CHAPTER 1 - MAYOR'S FOREWORD AND EXECUTIVE SUMMARY

Component A: Mayor's Foreword

Component B: Executive Summary

- Municipal Manager's Overview
- Municipal Functions, Population And Environmental Overview
- Service Delivery Overview
- Financial Health Overview
- Organisational Development Overview
- Auditor General Report
- Statutory Annual Report Process

CHAPTER 2 – GOVERNANCE

Component A: Political And Administrative

- Political Governance
- Administrative Governance

Component B: Intergovernmental Relations

Intergovernmental Relations

Component C: Public Accountability And Participation

- Public Meetings
- IDP Participation And Alignment

Component D: Corporate Governance

- Risk Management
- Anti-Corruption And Fraud
- Supply Chain Management
- By-Laws
- Websites
- Public Satisfaction On Municipal Services

CHAPTER 3 - SERVICE DELIVERY PERFORMANCE (PERFORMANCE REPORT PART I)

Component A: Basic Services

- Water Provision
- Waste Water (Sanitation) Provision
- Electricity
- Waste Management (This Section To Include: Refuse Collections, Waste Disposal, Street Cleaning and Recycling)
- Housing
- Free Basic Services and Indigent Support

Component B: Road Transport

- Roads
- Transport (Including Vehicle Licensing & Public Bus Operation)
- Waste Water (Storm-water Drainage)

Component C: Planning and Development

- Planning
- Local Economic Development (Including Tourism and Market Places)

Component D: Community & Social Services

- ▶ Libraries; Archieves; Museums; Galleries; Community Facilities; Other (Theatres, Zoos, Etc)
- Cemetories And Crematoriums
- ▶ Child Care; Aged Care; Social Programmes

Component E: Environmental Protection

- Pollution Control
- Bio-Diversity; Landscape (Incl. Open Spaces); And Other (Eg. Coastal Protection)

Component F: Health

- Clinics
- Ambulance Services
- Health Inspection; Food And Abattoir Licensing And Inspection; Etc

Component G: Security And Safety 125

- Police
- Fire
- Other (Disaster Management, Animal Licencing And Control, Control Of Public Nuisances And Other)

Component H: Sport And Recreation

Sport And Recreation

Component I: Corporate Policy Offices And Other Services

- Executive And Council
- Financial Services
- Human Resource Services
- Information And Communication Technology (Ict) Services
- Property; Legal; Risk Management And Procurement Services

Component J: Miscellaneous

Component K: Organisational Performance Scorecard

<u>CHAPTER 4 – ORGANISATIONAL DEVELOPMENT PERFORMANCE</u> (PERFORMANCE REPORT PART II)

Component A: Introduction To The Municipal Personnel

- ▶ Employee Totals, Turnover And Vacancies
- Component B: Managing The Municipal Workforce
- Policies
- Injuries, Sickness And Suspensions
- Performance Rewards

Component C: Capacitating The Municipal Workforce

Skills Development And Training

Component D: Managing The Workforce Expenditure

Employee Expenditure

CHAPTER 5 – FINANCIAL PERFORMANCE

Component A: Statements of Financial Performance

- Statements Of Financial Performance
- Grants
- Asset Management
- Financial Ratios Based On Key Performance Indicators

Component B: Spending Against Capital Budget

- Capital Expenditure
- Sources Of Finance
- Capital Spending On 5 Largest Projects
- Basic Service And Infrastructure Backlogs Overview

Component C: Cash Flow Management And Investments

- Cash Flow
- Borrowing And Investments
- Public Private Partnerships

Component D: Other Financial Matters

- Supply Chain Management
- GRAP Compliance

CHAPTER 6 – AUDITOR GENERAL AUDIT FINDING

Component A: Auditor-General Opinion of Financial Statements Year 0

- Auditor General Reports Year 0 (Previous Year)
- Component B: Auditor-General Opinion Year 1 (Current Year)
- Auditor General Report Year 1
- Glossary
- Appendices
- Appendix A Councillors; Committee Allocation And Council Attendance
- ❖ Appendix B Committees And Committee Purposes
- ❖ Appendix C –Third Tier Administrative Structure
- Appendix D Functions Of Municipality / Entity
- ❖ Appendix E Ward Reporting
- ❖ Appendix F Ward Information
- ❖ Appendix G Recommendations Of The Municipal Audit Committee Year 1
- Appendix H Long Term Contracts And Public Private Partnerships
- ❖ Appendix I Municipal Entity/ Service Provider Performance Schedule
- ❖ Appendix J Disclosures Of Financial Interests
- Appendix K: Revenue Collection Performance By Vote And By Source
- Appendix K (I): Revenue Collection Performance By Vote
- ❖ Appendix K (Ii): Revenue Collection Performance By Source
- Appendix L: Conditional Grants Received: Excluding Mig.
- ❖ Appendix M: Capital Expenditure New & Upgrade/Renewal Programmes
- ❖ Appendix M (I): Capital Expenditure New Assets Programme
- ❖ Appendix M (Ii): Capital Expenditure Upgrade/Renewal Programme
- ❖ Appendix N Capital Programme By Project Year 1
- Appendix O Capital Programme By Project By Ward Year 1
- Appendix P Service Connection Backlogs At Schools And Clinics
- Appendix Q Service Backlogs Experienced By The Community Where Another Sphere Of Government Is Responsible For Service Provision
- ❖ Appendix R Declaration Of Loans And Grants Made By The Municipality

- ❖ Appendix S Declaration Of Returns Not Made In Due Time Under Mfma S71
- ❖ Appendix T National And Provincial Outcomes For Local Government
- ❖ Volume II: Annual Financial Statements

4. Summary of Representations received from bodies/individuals

The following table reflects the key written representations received from/made by the respective bodies/individuals relating to the contents of the Annual Report:

Representation Submitted by	Key Issues Raised
Councillors	None.
Auditor General	Emphasis of Matters Restatement of corresponding figures. Irregular expenditure. Material losses and impairment. Material inconsistencies in other information included in the annual report. Usefulness of Information in the Annual Performance Report Compliance with Laws and Regulations Budget. Annual financial Statements, performance and Annual Report. Procurement. Internal Control. Leadership. Financial and Performance Management. Governance. Expenditure Management HR Compliance
Audit Committee	None.
Public input at Public Hearings	 Ward committees are not functioning. Complains are raised at Ward Committee level, but nothing is done. Ward Committees that are established do not meet with the result that people do not know who their ward committee members. The CDW's need to be more active in identifying projects to alleviate poverty. Skills development are required for certain skills such as Plumber, Painting boiler maker and electrician etc.
Other spheres of Government	None.

5. Summary of Issues and Concerns with the 2013/14 Annual Report

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ANNUAL REPORT CHECKLIST

Recommended Corrective Action					
Response	The Annual Performance Report, Audited Financial Statement and Report have been included in the Annual report. The Auditor-General Report on the Financial Statements for 2013/14 is unqualified with matters The Financial Statements are prepared in terms of GRAP compliance	N/A	1. The Audit Report is included is attached in the Annual Report. 2. The Audit Report was tabled along with the Annual report. 3. The office of the Auditor-General officially handed over the Report on the 2 nd December 2014 and tabled to Council on the 30 th January 2015.	N/A	The Audit Committee and Performance Audit Committee have submitted their reports respectively.
Questions	Have the financial statements been included? Are the financial statements audited? Have the financial statements been prepared in compliance with applicable accounting standards.	N/A	I. Is the audit report included in the tabled Annual Report? If not, when will the audit report be tabled? 3. What are causes of the delays? What actions are being taken to expedite the report?	N/A	Taking into consideration the audit report and the audit committee comments, is sufficient
For Consideration	Where the municipality has sole or effective control of a municipal entity, consolidated financial statements are required. The AFS are to be in the form as required by the applicable accounting standards. MFMA Circular 18 with annexures, 23 June 2005, provides guidelines on the new accounting standards for municipalities.	The above applies to the AFS of municipal entities.		The above applies to the AFS of municipal entities.	The accounting standards require that notes accompany the statements to provide explanations of issues and
Annual Financial Statements - Section 121(3) & (4) MFMA	121 (3)(a) The annual financial statements (AFS) for the municipality and, if applicable, consolidated statements (with all entities) as submitted to the Auditor-General	121 (3)(a)	121 (3)(b) The Auditor-General's reports on the financial statements of the municipality.	121 (4)(b)	121 (3)(h) Any explanations be necessary to clarify issues

		Recommended Corrective Action			The Corrective Action Report on the matters is attached in the Audit Committee Report
	N/A	Response	The Report is included in the Annual report, Finance Department Section of the Annual Report. A dedicated section has been set up to deal with the collection of arrears and targets have been set. • Debtors Age Analysis is captured in the Financial Statement	N/A	The Annual Audit is unqualified with matters, however, minor management issues were raised and subsequently taken to management for corrective actions to be considered on issues of non-compliance. Refer to Annexure A of the Oversight Draft Report Most of the issues raised in the Management report has been attended to.
explanation of financial issues contained in the notes to the statements?	N/A	Questions	Has an adequate assessment been included? Is there sufficient explanation of the causes of the arrears and of actions to be taken to remedy the situation? Is any other action needed?	N/A	 1. Taking into account the audit report, audit opinion and the views of the audit committee, council should consider: • To what extent does the report indicate serious or minor financial issues? • To what extent are the same issues repeated from previous audits? • Is the action proposed considered to be adequate to
matters reported. Refer also to points below on information in notes to AFS.	The above applies also to the AFS of municipal entities.	For Consideration		The above applies also to the AFS of municipal entities.	The conclusions of the annual audit may be either — - An unqualified audit opinion with or without management issues, which means that the financial statements are acceptable; - A qualified audit opinion setting out reasons for qualification, which means that certain issues need to be addressed before an unqualified
in connection with the financial statements	121 (4)	Annual Financial Statements - Section 121(3) & (4) MFMA continue	121 (3)(e) An assessment by the accounting officer on any arrears on municipal taxes and service charges, including municipal entities	121 (4)(c)	121 (3)(g) Particulars of any corrective action taken or to be taken in response to issues raised in the audit reports

<i>W</i> *	opinion can be achieved; or - The auditor will disclaim the statements and not offer an opinion. In this case there may be serious financial issues to be addressed. The objective of the municipality should be to achieve an unqualified audit opinion.	effectively address the issues raised in the audit report? 2. Has a schedule of action to be taken been included in the annual report with appropriate dates? 3. Has the municipality taken steps to address the issues raised in the Audit Report? 4. Has the Audit Report been forwarded to the MEC?	The Municipality has taken steps ensuring that managers draw a up an action plan to address the issues as raised by the AG report	
121 (4)(e)	The above applies also to the AFS of municipal entities.	N/A	N/A	
121 (3)(i)&(k) Any information as determined by the municipality, entity or its parent municipality	Review all other information contained in the Annual Report.	1. Is the other information Report, relevant and accurate?	The Annual Report has been tabled in Council and has been made public for comment.	
121 (4)(h)	The above applies also to the AFS of municipal entities.	N/A	N/A	
An assessment by the municipal entity's Accounting officer of the entity's performance against any measurable performance objectives set in terms of the service delivery agreement or other agreement between the entity and the Municipality	Agreements between the municipality and its entities for service delivery are to include measurable performance objectives. This will include measures of services delivered to the community, financial targets, expenditure targets etc. The entity's annual report must include an assessment by the accounting officer, of performance against these objectives. In order to show	1. Has the performance met the Expectations of council and the community? 2. Have the performance objectives been met? 3. What explanations have been provided for any nonachievement? 4. What was the impact on the service delivery and xpenditure objectives in the budget?	The Municipality does not have an entity, thus any Performance Agreements with an entity are irrelevant.	

	the linkage between the entity and the municipality, the report of the municipality should also include the performance of entities. Council should comment and draw conclusions on performance and explanations provided.			
121(3)(J) and 121(4)(G) Recommendations of the audit committee in relation to the AFS and audit reports of the municipality and it's entities.	Conclusions on these recommendations and actions required should be incorporated in the oversight report.	Have recommendations of the audit committee in regard to the AFS been adequately addressed by the municipality and/or the entity? What actions need to be taken in terms of these recommendations?	The Audit Committee Reports have been attached.	The Audit Committee will submit a separate report.
Disclosures – Allocations received and made - Section 123 & 125 MFMA	For Consideration	Questions	Response	Recommended Corrective Action
123(1)(a) Allocations received by the municipality from an organ of state, a municipal entity or another municipality.	The AFS must disclose: 1. Details of allocations received from another organ of state in the provincial or national sphere, municipal entity or another municipality. 2. Any other allocation made to the municipality under Section 214(1)(c) of the Constitution. Council should comment and draw conclusions on information and explanations provided.	Have allocations been received by an organ of state, a municipal entity or another municipality disclosed? Does the audit report confirm the correctness of the allocations received in terms of DORA and provincial budgets? Does the audit report or the committee recommend any action?	The disclosure of grants and subsidies in terms of Section 123 of the MFMA, 2003 (Act 56 of 2003) is captured in the AFS. The audit report confirmed all allocations received. No actions were recommended.	
123(1)(a) Allocations made by the municipality to an organ of state, a municipal entity or another	The AFS must disclose: 1. Details of allocations made to another organ of state in the provincial or national sphere, municipal entity or another	Have allocations been made to an organ of state, a municipal entity or another municipality disclosed? Does the audit report	No allocations made Not applicable. The audit report refers to grants in the AFS.	

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And an analysis of the state of	No actions were recommended.					The following amounts owed to	the Municipality has been disclosed:		 Grants received 	disclosed in the Financial	Matters of compliance on	MFMA Exemptions are	outlined	The following were	reported. - Contingent Liabilities	Material irregular,	fruitless or wasteful	expenditure Dataile of irrogular		experiditure is attached		Information on the bank	accounts of the municipality is	captured in the notes to the AFS		·	The comments of the Auditor-	General are captured in the	Auditor-General Report		
confirm the correctness of the	allocations made?	s. Does the audit report of the committee recommend any	action?			Are all the compulsory	disclosures contained in the notes to the Annual Financial	Statements?		Does the audit report confirm that the disclosures have been	made.																				
municipality, in the second se	2. Other information as may be	Dlescribed.	Council should comment and	draw conclusions on information	and explanations provided.	Municipalities and entities are	reminded of the requirement to include, in their annual financial	statements, amounts owed to	them and persistently delayed	beyond 30 days, by national or provincial departments and	public entities.		Other disclosures required;	Contributions to organised local	at year end.		Total amounts paid in audit fees,	races, levies, duties alid pensions and medical aid	contributions and whether there	were amounts outstanding at	year end	Name of bank where accounts	held and year end balances		Summary of mivestiments freigh	Contingent Liabilities Material	irregular, fruitiess of wasteful	expenditure details of	unaumonsed expendingle	particulars of non-compliance with the MFMA	
municipality.	-					125	Orner compulsory disclosures and	information in relation to	outstanding debtors and	creditors of the municipality and entities.																					The state of the s

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Authoritation Aut		Allocations received per vote are captured in the Financial Statements. Expenditure has not been classified by vote.	2. All grants conditions have been complied with.	3. No allocations in terms of DORA were withheld.	4. No action necessary	
		Disclosure on how allocations received have been spent per vote	2. Has the Municipality complied with the conditions of the grants received?	3. Has the Municipality had any allocation per DORA, delayed or withheld?	4. Does the Audit report or Audit Committee recommend any action?	
	The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information	Section 123 of the MFMA and MFMA guidance circular 11, require that the municipality provide information per allocation received per vote and	include: 1. The current year and details of spending on all previous conditional grants, for the previous	two financial years. Information is to be provided per vote. (For example, municipalities must report on all		2. Information stating whether the municipality has complied with the conditions of the grants, allocations in terms of section 214(1)(c)od the Constitution and
		123 (1)(c) - (f) Information in relation to the use of allocations received				

	Recommended Corrective Action	
	Response	1. Salaries and allowances of Councillors, Municipal Manager, CFO and other Senior are disclosed in the AFS.
	Questions	Have the salaries, allowances and benefits paid to Councillors and the Municipal Manager, CFO and Senior Managers been
allocations received from other than another organ of state. Where there is non-compliance are to be provided. 3. Information on whether allocations under the DORA were delayed or withheld and the reasons advanced for this advanced for this proper assessment (and reconciliation) on all national grants received by a municipality. Council should consider this aspect of the audit report and comments by the audit committee on the use of allocations received. The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information.	For Consideration	Information on the following items is to be included in the notes to the annual report and AFS: 1. Salaries, allowances and
	Disclosures— Councillors, Directors and Officials in the notes to the Financial Statements - Section 124 MFMA	124(1) & (2) Information relating to benefits paid by municipality and entity to councillors, directors and officials

	2. All salaries and allowances of Councillors are within the upper limit 3. Councillors arrears for rates are captured in the Financial Statements (Councillor's arrear consumer accounts)	4. No entities. Recommended Response Action	N/A No entities.
		4. Have the salaries, allowances and benefits paid to members of the board of directors, CEO and senior managers of the entity been disclosed?	 Has the performance report been included in the annual report? Have all the performance targets set in the budgets, SDBIP, service agreements etc, been included in the report?
Section 1	benefits of political office bearers, councillors and boards of directors, whether financial or in kind; 2. Any arrears owed by individual councillors to the municipality or entity for rates and services, which at any time were outstanding for more than 90 days, including the names of councillors; 3. Salaries allowances and benefits of the municipal manager, CEO of a municipal entity, CFO	and every senior manager; The comments of the Auditor-General and the views of the audit committee should be used to determine the accuracy and appropriateness of this information For Consideration	Section 46, MSA requires municipalities to submit a performance report reflecting the performance of the municipality and each service provider, a comparison of the performance with targets set for the previous year and measures taken to improve performance.
		Municipal Performance	The annual performance reports of the municipality and entities

																																					CALL COLORS AND
																ξ		N. S.															1. Yes, the recommendation of	the Audit Committee, were	acted upon, for example,	Council had adopted the Audit	Plan and Charter. The
3. Does the performance	evaluation in the annual	report compare actual	performance with	targets expressed in the	budgets and SDBIPP	approved for the	financial year?	4. What actions have been	taken and planned to	improve performance?	5. Is the council satisfied	with actions to improve	performance?	6. Did the targets set in the	budgets, SDBIP agree	with the targets set in	the performance	contracts of the	municipal manager and	each senior manager?	7. Does the report	evaluate the efficiency	of mechanisms applied	to deliver the	performance outcomes?	8. Taking into account the	audit report and opinion	and the views of the	audit committee, is	performance considered	to be efficient and	effective	1. Have the	recommendations of	internal audit been	acted on during the	financial year?
The report must form part of the	annual report. In terms of key	functions or services, how has	each performed? E.g. have	backlogs for water, sanitation	and electricity been reduced?	What are the refuse collection	volumes, library usage statistics	ect? To what extent has	performance achieved targets	set by council? Is the council	satisfied with the performance	levels achieved? Is the	community satisfied with	performance? Has a customer	satisfaction survey been	undertaken and, if so, how do	the results align with the annual	report contents? What were the	outcomes of public consultation	and public hearings? To what	extent have actions planned for	the previous year been carried	over to the financial year	reported upon? Have any	actions planed in the reported	year been carried over to the	current of future years? If so	are any explanations been	provided by the municipal	manager and are these	satisfactory?		Section 45, MSA requires that	the Auditor-General must audit	the results of performance	measurements, as part of the	internal auditing processes and
																																	Audit reports on	performance	-		has ever surrous states from my

impendence of the Auditors reporting directly to the MM has been strengthened. 2. The Auditor-General has made reference to lack of Performance Audit during the period under review.	N/A	N/A
2. Have recommendations by the auditor-general been included in action plans to improve performance in the following year?	Has an assessment been included in the Annual Report on the performance of the municipal entities? Has an assessment been included in the Annual Report on the performance of all contracted service providers?	 Has the entity performed in line with its service delivery agreements? Have the objectives and performance measures of the entity been aligned to the overall strategy of the municipality?
annually.	The annual report of the municipality should provide an assessment of the performance of the municipal entities and all contracted service providers. This is in addition to the separate annual reports of the entities. The report should evaluate the effectiveness of these services and whether alternative mechanisms should be considered. Is the council satisfied with the evaluation and conclusions of the municipality? What other actions are considered necessary to be taken by the accounting officers?	This is the separate report of the municipal entity an should contain details of service delivery agreements with the municipality and the performance measures therein. Council should consider similar issues to that outlined above for municipal performance of municipal entities. To what extent were the objectives and
	Performance of municipal entities and municipal service providers	For municipal entities – an assessment of the entity's performance against any measurable performance objectives set in terms of the service delivery agreement or other agreement between the entity and municipality

per ent str:	performance measures of the			
rep cor on the act act ent ent	entity aligned to the overall strategic objectives of the municipality and its IDP? Is the report of the municipal entity consistent with the conclusions on performance evaluation by the municipality? What specific actions should be taken by the entity and the municipality to improve performance?		<u>:</u> .	
General Information	For Consideration	Questions	Response	Recommended Corrective Action
Relevant information on The municipal entities all i mu or e mu disc det type bos det err terr terr	The municipality should disclose all information relating to the municipal entities under the sole or effective control of the municipality. Information to be disclosed includes names and types of entities, members of the board, addresses and contact details for entities, the purpose of the entity, the functions and services provided, the type and term of service level agreements	Does the annual Report include detailed information on all municipal entities?	N/A	·
The use of any donor Wh funding support pur agr agr agr acc acc acc Ha	What donor funding has the municipality received? Have the purposes and the management agreements for the funding bee properly agreed upon? Have the funds been used in accordance with agreements? Has the use of funds been effective in improving services to the community? What actions need to be taken to improve	1. Has there been disclosure of donor funding received in the Annual Report, if applicable?	No donor funding were received.	

	No PPP's in place	The quarterly performance evaluation of the Municipal Manager and that of Managers reporting directly to the Municipal Managers has been done.	No long term contracts	The Municipality is also considering the purchase of the new Financial System to enhance the performance of the Municipality, but that has been postponed to afford National Treasury an opportunity to evaluate all financial systems.
	 Have details of all PPP's been disclosed in the Annual Report, if applicable? 	1. Is there a high level summary detailing the overall performance of the municipality against its strategic objectives	Have all long term contracts been disclosed?	1. Have significant IT activities been disclosed?
utilisation of the funds?	Information similar to the details of municipal entities should be provided. Council should ensure that all details have been supplied.	This may be a high level summary, in addition to detailed information on performance, which sets out overall performance under the strategic objectives of the municipality. Overall results on the strategic functions and services should be summarised. This should cover all services whether provided by the municipality, entities or external mechanisms. Council may draw conclusions on the overall performance of the municipality. This information may be found in an executive summary section of the annual report or in statistical tables.	Details of all long-term contracts including levels of liability to the municipality should be included, council should ensure all information is correctly supplied.	Details of significant IT activities should be outlined indicating the effectiveness of the IT projects and the quality of IT services. Council should consider how effectively the IT services support and facilitate performance of the municipality
	Agreements, contract and projects under Private-Public-Partnerships	Service delivery performance on key services provided	Information on long-term contracts	Information technology and systems purchases and the effectiveness of these systems in the delivery of services and for ensuring compliance with statutory obligations

		Recommended Corrective Action		
	The Long-Term Capital Plans have been disclosed, especially in the Technical Section. However, a more detailed plan would be included in future to capture backlogs in terms of (MIG) and Department of Energy (DE).	Response	The Supply Chain matters has been disclosed	The Draft Annual Report was tabled to Council 30 January 2015
	1. Has a summary of the long-term capital plans been disclosed?	Questions		 Was the Annual Report tabled by 31 January, as per legislative requirements? Has a schedule for
and whether value for money has been obtained. Details of any future IT proposals should be summarised. Council should comment and draw conclusions	A summary of the long-term capital plans and how these address the backlogs of services in the municipality should be provided. This should include details of types and scale of backlogs, projected cost implications, strategies to address the backlogs and plans proposed and/or approved. The summary here should cross reference to the performance reports in the annual report and also will be highlighted in the coming budgets. Council should consider whether the plans appropriately address the backlogs and are consistent with the strategic policy directions of council and needs of the community.	For Consideration	Certain disclosures on Supply Chain matters are required to be included in the Annual Report.	
	Three year capital plan for addressing infrastructure backlogs in terms of the Municipal Infrastructure Grant (MIG) framework	Other considerations recommended	Supply Chain Management Regulations and Policy	Timing of reports

		·	
Annual Report	A schedule for the adoption of the Oversight Report has been adopted by the Oversight Committee	1. The payment of performance bonuses is subject to the adoption of the Annual and evaluation of managers' performance report by Council. 2. Proper evaluation has been conducted by the Performance Evaluation committee. 3. Approved Performance Report submitted to Council and approved 4. Payments were done in accordance with council and outcome of the Performance Assessment.	
consideration of the report been adopted?	 What mechanisms have been put in place to prepare the oversight report? Has a schedule for its completion and tabling been adopted? 	 Have bonuses been paid based on achievements of agreed outputs and after consideration of the annual report by council? If so has a proper evaluation of performance been undertaken? Was the evaluation approved by council? Does the performance evaluation align and reconcile with the performance reported in the annual report? It not, what reasons have been given for non-reporting of the basis of evaluation in the annual report? 	 Are the payments justified in terms of performance reported in the annual report?
		Refer to Section 57 MSA as amended. Bonuses based on performance may be awarded to a municipal manager of a manager directly accountable to the municipal manager after the end of the financial year and only after an evaluation of performance and approval of such evaluation by the municipal council. Preferably such evaluation should be considered along with the annual report. The basis upon which performance is evaluated for payment of bonuses should be reconciled with the municipal performance reported in the annual report. Conclusions and comments on the evaluation and payment of performance bonuses of council should be included in the oversight report.	
	Oversight Committee or other mechanism	Payment of performance bonuses to municipal officials	

The Committee would like to express its satisfaction with and congratulate management with the unqualified audit report, albeit with emphasis on matters, received from the Auditor General. The Committee concludes that, despite the major achievement of an unqualified audit report that was received from the Auditor General, improvement is still needed in critical areas such as the issues raised by the Auditor General under the heading "Emphasis of Matters". The Committee is of the view that the Management Team should place a high priority on producing an Annual Report in accordance with the MFMA and National Treasury guidelines, and strive to eliminate the emphasis of matters expressed by the Auditor General.

The List of Issues and Concerns with the 2013/14 Annual Report contains the specific items noted by the Committee. Generally, these issues fall into the following categories:

6. Conclusion

The Committee would like to express a word of thanks to the Mayor of the Umsobomvu Council, Councillors, ULM's entire management team, the Auditor General, Audit Committee, MPAC members and the Internal Audit Section, for their support and co-operation in completing this annual report oversight process. The Committee strongly believes that ULM and its citizens will realize substantial and tangible benefits if a similar process is consistently followed in the following years. The Committee is grateful for the opportunity to be of service to ULM and its citizens.

7. Recommended resolution to be adopted by Council, in accordance with MFMA Section 129 (1):

Having performed the following tasks:

- Reviewed and analysed the Draft 2013/14 Annual Report;
- Considered comments and representations received;
- Received and considered Council's Audit Committee's views and comments on the annual financial statements and the performance report; and
- Prepared the draft 2013/14 Oversight Report, taking into consideration the views and inputs from the public, representatives of the Auditor-General, organs of state, Council's Audit Committee, Councillors and the Accounting Officer

The MPAC has pleasure in presenting the Oversight Report to Council to consider the following resolution:

- (i) Council having fully considered the 2013/14 Annual Report of the Umsobomvu Local Municipality for the 2013/14 financial year, adopts the Oversight Report for the 2013/14 financial year;
- (ii) approves the 2013/14 Annual Report without reservations;

- (iii) the rectification of deviations listed in the Financial Improvement Plan Performance Plans be included in the performance plans of the Municipal Manager and Managers directly accountable to the Municipal,
- (iv) The oversight process be continued on an on-going basis by means of the Municipal Public Accounts Committee (MPAC), and that the MPAC perform a quarterly review of progress towards meeting ULM's IDP and budget commitments, preparation of the following year's annual report, implementation of commitments made in response to the prior year's annual report issues, and any other issues as directed by the Council
- (v) the Oversight Report be made public as provided for in terms of Section 129(3) of the Municipal Finance Management Act, 2003 (Act 56 of 2003);
- (vi) the Oversight Report and the final 2013/14 Annual Report be submitted to the Provincial Legislature in accordance with Section 132(2) of the Municipal Finance Management Act, 2003 (Act 56 of 2003).

ANNEXURE A

MINUTES OF THE PUBLIC HEARING OF THE ANNUAL REPORT 2013/14 BY THE MPAC COMMITTEE NORVALSPONT 3 MARCH 2015: VENUE: CLUB HOUSE

1. OPENING AND WELCOME

The Chairperson of the MPAC committee extends a word of welcome to all community members and the members of the community to Member of the community. The Chairperson proceeds by requesting the member of the community to open the meeting with a prayer. Mr Basjan the community member does a prayer and upon conclusion, the chairperson extends a word of appreciation to Mr Basjan and declares the meeting open.

2. ATTENDANCE REGISTER

- 2.1 Councillors present.
- 2.2 As per the attached Attendance Register

It is resolved

That (i) the application of leave of absence submitted by Councillor C. Gronum be noted;

3. <u>2013/14 ANNUAL REPORT</u>

The Chairperson, Clr Sestile briefly discussed the reason for the MPAC meeting. Clr Sestile covered the responsibilities of the MPAC committee as required by MFMA and National Treasury circulars and also highlights the Legal framework of the comparison of the performance of the municipality, each external provider during the year and, the measures that were taken to improve the performance . The Chairperson also made mentioned that every municipality and every municipal entity must prepared an Annual report in accordance with this chapter 6 of the Municipal Systems Act. He further highlighted that the Annual Report promote accountability to the Local Government for the decision made through the year by the municipality or municipal entity. The chairperson tables the Annual report.

The Chairperson highlighted that the Annual Report promotes accountability to the Local Government for the decision made through the year by the municipal entity. After the Chairperson tabled the report he further requests the members of the community to give their inputs on the tabled report.

4. CLOSURE

The Chairperson extends a word of thanks to community members and the member of the MPAC committee. He further thanks the community members for availing themselves when they are requested by the committee. The Chairperson requests member of the community to close the meeting with a prayer and upon conclusion the chairperson declares the meeting close.

MINUTES APPROVED 31 DAY OF MARCH 2015

COUNCILLOR M.A. SESTILE

CHAIRPERSON MPAC

COMMUNITY INPUTS

- 1. Bulk water system the Minister funded with R20 m but now the project has been downscaled to R17 m and the community need clarity on that from the municipality.
- 2. The Norvalspont community requests more projects from the municipality for job creation because most of the people in Norvalspont are unemployed.
- 3. Concern is expressed about the condition of the RDP house in 26 Afrika Street and requests the municipality to look into the matter.

ANNEXURE A

MINUTES OF THE PUBLIC HEARING OF THE ANNUAL REPORT 2013/14 BY THE MPAC COMMITTEE NOUPOORT, 4 MARCH 2015: VENUE: JJ.CLASSEN COMMUNITY HALL

1. OPENING AND WELCOME

The Chairperson of the MPAC committee extends a word of welcome to all community members and the members of the community to Member of the community. The Chairperson proceeds by requesting the member of the community to open the meeting with a prayer. Mr Stofile the community member does a prayer and upon conclusion, the chairperson extends a word of appreciation to Mr Basjan and declares the meeting open.

2. <u>ATTENDANCE REGISTER</u>

- 2.1 Councillors present.
- 2.2 As per the attached Attendance Register

It is resolved

No apologies all councillors and the committee members were present

3. <u>2013/14 ANNUAL REPORT</u>

The Chairperson, Clr Sestile briefly discussed the reason for the MPAC meeting. He covered the responsibilities of the MPAC committee as required by MFMA and National Treasury circulars and also highlights the Legal framework of the comparison of the performance of the municipality, each external provider during the year and, the measures that were taken to improve the performance .The Chairperson also made mentioned that every municipality and every municipal entity must prepared an Annual report in accordance with this chapter 6 of the Municipal Systems Act. He further highlighted that the Annual Report promote accountability to the Local Government for the decision made through the year by the municipality or municipal entity. The chairperson tables the Annual report.

The Chairperson highlighted that the Annual Report promotes accountability to the Local Government for the decision made through the year by the municipal entity. After the Chairperson tables the report he further requests the members of the community to give their inputs on the tabled report.

4. **CLOSURE**

The Chairperson extends a word of thanks to community members and the member of the MPAC committee. He further thanks the community members for availing themselves when they are requested by the committee. The Chairperson requests a member of the community to close the meeting with a prayer and upon conclusion the chairperson declares the meeting close.

MINUTES APPROVED 31 DAY OF MARCH 2015

han, Sean

M.A. SESTILE

CHAIRPERSON: MPAC

COMMUNITY INPUTS

- 1. The community of Noupoort request that the Ward committee must be visible and hold meetings with the community.
- 2. The Housing Officer must go out and visit all those houses that owe the municipality, because some of these houses the parent passed away long time ago but they still receive the Indigent and they are permanently employed. This is causing our municipality not to be the bigger municipality.
- 3. Those houses who were renovated they are damaged the roof are leaking.
- 4. Political interference in employment.

ANNEXURE C

MINUTES OF THE PUBLIC HEARING OF THE ANNUAL REPORT 2013/14 BY THE MPAC COMMITTEE COLESBERG: 5 MARCH 2015 VENUE: COLESBERG CIVIC CENTRE

1. OPENING AND WELCOME

The Chairperson of the MPAC committee extends a word of welcome to all community members and the members of the community to Member of the community. The Chairperson proceeds by requesting Councillor Humphries to open the meeting with a prayer. Councillor Humphries does a prayer and upon conclusion, the chairperson extends a word of appreciation to Mr Booysen and declares the meeting open.

2. ATTENDANCE REGISTER

- 2.1 Councillors present.
- 2.2 As per the attached Attendance Register

Applications for Leave of Absence

None.

3. **2013/14 ANNUAL REPORT**

The Chairperson, Clr Sestile briefly discussed the reason for the MPAC meeting. He covered the responsibilities of the MPAC committee as required by MFMA and National Treasury circulars and also highlights the Legal framework of the comparison of the performance of the municipality, each external provider during the year and, the measures that were taken to improve the performance .The Chairperson also made mentioned that every municipality and every municipal entity must prepared an Annual report in accordance with this chapter 6 of the Municipal Systems Act. He further highlighted that the Annual Report promote accountability to the Local Government for the decision made through the year by the municipality or municipal entity. The chairperson tables the Annual report.

The Chairperson highlighted that the Annual Report promotes accountability to the Local Government for the decision made through the year by the municipal entity. After the Chairperson tables the report he further requests the members of the community to give their inputs on the tabled report.

4. CLOSURE

The Chairperson extends a word of thanks to community members and the member of the MPAC committee. He further thanks the community members for availing themselves when they are requested by the committee. The Chairperson requests a member of the community Mr Z.Tyintyi to close the meeting with a prayer and upon conclusion the chairperson declares the meeting close.

MINUTES APPROVED 31 DAY OF MARCH 2015

M.A. SESTILE

CHAIRPERSON: MPAC

hysenen

COMMUNITY INPUTS

COLESBERG INPUTS ON THE ANNUAL REPORT

- 1. The municipality must appoint the communication officer in order to inform people.
- 2. The municipality is lacking in bringing investors because we don't do proper research. The municipality should also appoint the researcher.
- 3. No lights in Lowryville but it was it budgeted for.
- 4. What is the Council doing about the non performing Ward Committee members, whereas they receive stipend.
- 5. The municipality to appoint a Developer.
- Mayor's Cup must not only concentrate on soccer must also support other sporting disciplines.

ANNEXURE D

UMSOBOMVU

MUNISIPALITEIT

TELEFOON

TELEPHONE

(051) 753 0777/8/9

FAKS

FAX

(051) 753 0574



MUNICIPALITY

KANTOOR VAN DIE MUNISIPALE BESTUURDER OFFICE OF THE MUNICIPAL MANAGER

PRIVAATSAK

PRIVATE BAG

X6

COLESBERG

9795

INVITATION TO SUBMIT COMMENTS ON THE 2013/14 DRAFT ANNUAL REPORT

Notice is hereby given to the general public, interest groups and role-players in terms of Section 21A of the Local Government: Municipal Systems Act, 2000 Act 32 of 200) and Section 127 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) that the Draft Annual Report for the financial year 2013/14 lies open for inspection at the various municipal offices and public Libraries. The public and interest groups are requested to submit written comments on the report to the Municipal Manager on or before 6 March 2015 at close of business. Persons who cannot read or write will be assisted to submit comments.

<u>UITNODIGING OM VOORLEGGINGS IN TE DIEN OP DIE 2013/14 KONSEP JAARVERSLAG</u>

Kennis geskied hiermee aan die publiek in terme van Artikel 21A van die Plaaslike Regering: Wet op Munisipale Sisteme, 2000 (Wet 32 van 2000) en Artikel 127 van die Plaaslike Owerheid: Wet op Munisipale Finansiële Bestuur, 2003 (Wet 56 van 2003) dat die 2013/14 Konsep Jaarverslag ter insae lê by die munisipale kantore en openbare biblioteke. Die publiek en belangegroepe word uitgenooi om skriftelike kommentaar in te dien na die Munisipale Bestuurder oor die verslag voor of op 6

Maart 2015 teen sluit van besigheid. Persone wie nie kan lees of skryf nie sal bystand verleen word om voorleggings te maak.

A.C. MPELA

MUNISIPALE BESTUURDER

Notice No. Kennisgewing Nr 6/2015 Date/ Datum: 26 January/Januarie 2015