

MOPANI DISTRICT MUNICIPALITY



DRAFT CODE OF CONDUCT

EXECUTIVE MAYOR'S FOREWORD

This Code of Conduct is a crucial component of how the Mopani District Municipality interacts with its constituents and is intended to inform stakeholders about the behaviour that is expected of all IDP Representative Forum members when carrying out their duties, including interacting with constituents and other stakeholders.

The local government environment's legislative framework served as the foundation for the development of this code of conduct. All participants in the IDP Representative Forum are required to abide by it because it serves as guidelines for behaviour and decision-making. In light of this, it should be used responsibly, wisely, and sensibly. The code was created as part of the Mopani District Municipality Intergovernmental Protocol Framework, which also stipulates the behaviour that is seen to be appropriate for IDP Representative Forum members.

The Mopani District Municipality will be more effective and be regarded for its efforts if the IDP Representative Forum upholds good moral standards. If each member is to fulfil their duties with diligence and professionalism and uphold the highest ethical standards of public service, awareness and comprehension of the right application of laws, concepts, and values the objectives of the forum shall be realised.

For our mutual benefit and as part of our contribution to a highly effective, responsible, responsive, and accountable public service within the context of Local government, I commend this code to all members of the IDP Representative Forum. I also encourage conduct and behaviour that is consistent with the guidelines outlined.

Cllr P.J Shayi
Executive Mayor
Mopani District Municipality

1. INTRODUCTION

This Code sets standards of behaviour and conduct that are expected to be upheld by all members of the IDP Representative Forum. For centuries, Codes of Conduct have been used to guide the moral conduct of all types of human endeavours.

In terms of Chapter 4(16) of the Municipal Systems Act 32 “a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance and must for this purpose – encourage, and create conditions for the local community to participate in the affairs of the municipality including – the preparation, implementation and review of its Integrated Development Plan”.

Section 15 (1) (a) of Local Government: Municipal Planning and Performance Regulation (No 796, 2001) states that “In the absence of an appropriate municipal wide structure for community participation, a municipality must establish a forum that will enhance community participation in (i) the drafting and implementation of the municipality’s integrated development plan”. Each municipality should therefore establish a IDP Representative Forum (which is a consultative body of all development institutions, organisations and individuals) as per the criteria of the municipality.

2. CONSTITUTION OF THE IDP REPRESENTATIVE FORUM

The IDP Representative Forum is constituted by a diverse categories of stakeholders with a district – wide constituency or interest across local municipalities in the district. The structures, institutions and individuals who serve in the IDP Representative Forums of the local municipalities in the Mopani District are not eligible to serve in this structure to avoid duplication of representation and biasedness to local issues.

3. PURPOSE OF THE IDP REPRESENTATIVE FORUM

The IDP Representative Forum is the Mopani District Municipality's public consultation forum for the purposes of ensuring that the relevant development stakeholders participate meaningfully in the development, implementation, monitoring, evaluation and review of the Integrated Development Plan (IDP), Budget and Performance Management System (PMS) of the municipality.

4. MEETINGS

The meetings of the IDP Representative. Forum are convened by the Mopani District Municipality, chaired by the Executive Mayor or his/ her delegate. The IDP Representative Forum shall have at least four (4) quarterly meetings to align with the sittings of Council. The

IDP Office shall arrange sectoral and inter sectoral meetings in between the quarterly meetings alluded to above.

An annual programme of IDP Representative Forum meetings will be made available to all members to allow for their participation in the broad planning of their municipal areas. Members of the IDP Representative Forum may also request for sectoral IDP meetings to discuss issues of their interest.

5. FEEDBACK TO CONSTITUENCIES

IDP Representative Forum members (stakeholder representatives) are expected to ensure that they receive mandates, participate effectively in the IDP process and report back to their constituencies on continuous basis. The representatives may be required to submit in written form, proof of their consultative endeavours with their constituencies to the IDP Representative Forum. The submission should be signed by the Chairperson and Secretary of their meetings and should also include the Attendance registers.

The Mopani District Municipality may also attend some meetings of stakeholder organisations and institutions represented in the IDP Representative Forum. Thus members will be encouraged to invite the district to such meetings.

6. DECISION – MAKING

Decision – making in the IDP Representative Forum shall be based on consensus and all efforts shall be made to avoid voting on issues that require strategic debate and collective agreement among members of the IDP Representative Forum. The Mopani District Council, as a publicly elected body of the municipality, has the final decision making powers. However, its decision – making processes shall take into consideration stakeholders inputs and shall strive to harmonise/reconcile conflicting stakeholder’s interests within the broad strategic planning avenues of the IDP process.

7. DISPUTE RESOLUTION & DISSOLUTION

Disputes that may arise in the business of the IDP Representative Forum shall be resolved through dialogue and failure of which shall be referred to either, the IDP Steering Committee, the Municipal Management, the Portfolio Committees, the Mayoral Committee or to Council, depending on the nature of the dispute. Should a dispute not be resolvable through these IDP management channels (be it political or administrative), it will be referred to the MEC for Cooperative Governance, Human Settlements and Traditional Affairs for intervention.

The constitution of the IDP Representative Forum shall be reviewed annually by calling upon stakeholder organisations, institutions and individuals to re-apply for membership to ensure that the forum is continuously representative and responsive to the challenges of the municipality. The Mopani District Council reserves the right to review the IDP Representative Forum if the forum does not play its role effectively as outlined in the Municipal Systems Act, 32/ 2000.

8. GENERAL CONDUCT

The Code of Conduct requires members of the IDP Representative Forum to;

a. Behave honestly and with integrity in the course of being Forum members

Honesty and integrity in our dealings with our constituency and other stakeholders form the fundamental elements of our professional conduct and they pervade all other elements of the Code. Honesty and Ethical behaviour by members of the IDP Representative Forum is essential if the municipality is to maintain its reputation.

b. Act with care and diligence in the course of serving in the IDP Representative Forum

Care and diligence can best be demonstrated through members' commitment to the task at hand and conscientious efforts to produce quality work at all times. In making judgements and decisions all reasonable steps should be taken to ensure that the information on which a decision is based is fairly, balanced and accurate. Members must ensure that they act impartially and without self – interest in advancing planning, implementation and performance management opinions.

c. Treat people with respect and courtesy

This requires that members should treat their constituencies, stakeholders and government officials with respect and courtesy regardless of their position, race, culture, religion, political belief, gender or sexual orientation. The same applies to interrelations of members.

d. Comply with all applicable laws regulating local government affairs

There are many laws, regulations and policies that apply to local government, and these include, among others, The Constitution, the White Paper on Local Government, the Municipal Structures Act. Members are strongly urged to be familiar with Municipal Systems Act and Municipal Finance Management Act 56/ 2003 which govern the community involvement in the Budget and Integrated Development Planning process.

Familiarity with these documents will provide a good sense of what the appropriate action is in the wider municipal context and will further guide members in exercising their judgement in the course of execution of their duties in the IDP Representative Forum as they represent others in the strategic planning, implementation, monitoring, evaluation and annual review of the IDP.

e. Commitment to meetings

Every member should adhere to attendance of meetings as per the invitation. A member skipping three consecutive meetings without written apology will be deemed to have excused himself from membership. If he /she still wants to continue, he could only do so by directing the application to the Executive Mayor, who will give final ruling.

f. No political overtone in meetings

Every member should focus on the development needs of Mopani citizen irrespective of their political affiliation.

g. District-wide minded

While issues will arise from various geographical localities, member must be district-wide minded in approach. “Wardism” will not be encouraged.

h. Observe the general code of ethics

All members must abide by the general code of ethics.

i. Encapsulate the spirit of Batho-Pele

In serving our constituencies members must do so in line with Batho-Pele principles.

9. CONCLUSION

This Code of Conduct broadly captures the spirit of the way members of the IDP Representative Forum (diverse as they may be) must conduct themselves in the business of the IDP Process. It provides a focal point to ensure that everyone knows what to expect from members as public representatives. Constituencies would expect members of the IDP Representative Forum to be independent in the work they do, objective in the opinions they provide, and to be professional in their presentation, conduct and commitment. Therefore, this Code of Conduct can only be meaningful to everyone if those who are governed by it adhere to its prescriptions.

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