



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

REPORT TO COUNCIL

DATE: 8 DECEMBER 2022

- 1 ITEM NUMBER: **C 81/12/22**
- 2 REPORT TO COMMUNICATE THE OUTCOME OF THE PERFORMANCE ASSESSMENT CONDUCTED FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE FOR THE 2021/2022 FINANCIAL YEAR

VERSLAG OM DIE UITSLAG VAN DIE PRESTASIEBEOORDELING VAN DIE MUNISIPALE KOMITEE OOR OPENBARE REKENINGE VIR DIE 2021/2022-BOEKJAAR MEE TE DEEL

INGXELO EMALUNGA NESIPHUMO SOVAVANYO LWENDLELA YOKUSEBENZA OLUTHE LWAQHUTYWA YIKOMITI KAMASIPALA ENGEE-AKHAWUNTI ZOLUNTU KUMNYAKA-MALI WAMA-2021/2022

- 3 **RECOMMENDATION FROM THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: 11 NOVEMBER 2022 (MPAC 08/11/22)**

Cllr Southgate referred to paragraph 4.5 (*Performance Assessment Way Forward*) of the report on the agenda and highlighted the following:

A consideration should be given to include information on MPAC's activities in the City's media releases to the public and / or other publications.

Cllr Witbooi was not satisfied with some of the ratings.

Ms A Moolman (Internal Audit) explained the ratings as reflected in Annexure A attached to the report on the agenda.

It is **RECOMMENDED** that the results of the Municipal Public Accounts Committee's self- and stakeholders' assessment for the year ended 30 June 2022 be noted and that the actions identified to address the areas of improvement, be approved.

ISINDULULO SEKOMITI KAMASIPALA EJONGENE NEE-AKHAWUNTI ZOLUNTU: 11 EYENKANGA 2022 (MPAC 08/11/22)

KUNDULULWE ukuba makuqwalaselwe iziphumo zokuzivavanya zeKomiti

kaMasipala engee-Akhawunti zoLuntu kunye novavanyo lwabo bachaphazelekayo zonyaka ophela ngowama30 kweyeSilimela 2022 kwaye kuphunyezwe amanyathelo aza kuthatyathwa ukujongana neenkalo zophuculo.

AANBEVELING VAN DIE MUNISIPALE KOMITEE OOR OPENBARE REKENINGE: 11 NOVEMBER 2022 (MPAC 08/11/22)

Daar word **AANBEVEEL** dat daar kennis geneem word van die uitslag van die munisipale komitee oor openbare rekeninge se self- en belanghebbende-assessering vir die jaar geëindig 30 Junie 2022 en dat die optrede geïdentifiseer om die areas vir verbetering aan te spreek, goedgekeur word.

yagyah
adams

Digitally signed by
yagyah adams
Date: 2022.11.30 19:10:18
+02'00'

- RECOMMENDED
- REFUSED
- REFERRED BACK

**CHAIRPERSON: MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE: CLLR Y ADAMS**

DATE _____

Ald. F Purchase

- APPROVED

SPEAKER

COMMENTS:

DATE 01/12/2022

SIGNATURE Ald Felicity Purchase Digitally signed by
Ald. Felicity Purchase
Date: 2022.12.01 14:30:05
+02'00'



REPORT TO MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
COUNCIL

1 ITEM NUMBER **MPAC 08/11/22**

2 SUBJECT

REPORT TO COMMUNICATE THE OUTCOME OF THE PERFORMANCE ASSESSMENT CONDUCTED FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE FOR THE 2021/2022 FINANCIAL YEAR

ONDERWERP

VERSLAG OM DIE UITSLAG VAN DIE PRESTASIEBEOORDELING VAN DIE MUNISIPALE KOMITEE OOR OPENBARE REKENINGE VIR DIE 2021/2022-BOEKJAAR MEE TE DEEL

ISIHLOKO

INGXELO EMALUNGA NESIPHUMO SOVAVANYO LWENDLELA YOKUSEBENZA OLUTHE LWAQHUTYWA YIKOMITI KAMASIPALA ENGEE-AKHAWUNTI ZOLUNTU KUMNYAKA-MALI WAMA-2021/2022

LSU M2200

3 DELEGATED AUTHORITY

In terms of the Municipal Public Accounts Committee's Terms of Reference, approved by Council on 27 January 2022 C 24/01/22):

"9.1 MPAC must assess and evaluate its performance and achievements in line with its responsibilities in the Terms of Reference, on an annual basis through a process of self-evaluation and evaluation by stakeholders of the committee's activities.

9.2 The findings of the performance-assessment must be presented to council.

9.5 The effectiveness and efficiency of MPAC will be monitored by council annually, via the Speaker."

This report is FOR CONSIDERATION BY

- Committee name:** Municipal Public Accounts Committee
- The Executive Mayor together with the Mayoral Committee (MAYCO)
- Council

4 DISCUSSION

4.1 Background

The Terms of Reference of the Municipal Public Accounts Committee (MPAC) requires an annual assessment of MPAC's performance, in line with its responsibilities in the Terms of Reference, by the MPAC members and their stakeholders. The findings of the assessment are presented to Council and, if the assessment highlights a need for improvement to the role, operational processes or membership of the MPAC, the Chairperson should take action to ensure that such improvements are implemented after approval by Council.

MPAC's stakeholders, as defined in the Standard Operating Procedure approved by the Speaker on 8 September 2015, are the Speaker, and a sample of three Party Whips, three Subcouncil Chairpersons and three Portfolio Chairpersons who represent Council.

This report presents a consolidation of the assessment outcomes.

4.2 Evaluation Criteria

The evaluation criteria used in these assessments were based on the duties and responsibilities of MPAC in terms of Council's System of Delegations and the approved Terms of Reference.

4.3 Performance Evaluation Ratings

The assessment templates required the respondents to rate various performance statements on a scale of 1 to 5:

- 1 – The respondent rates the performance statement as **Poor**
- 2 – The respondent rates the performance statement as **Fair**
- 3 – The respondent rates the performance statement as **Good**
- 4 – The respondent rates the performance statement as **Very Good**
- 5 – The respondent rates the performance statement as **Excellent**

Respondents were also requested to rate MPAC's overall performance on a scale ranging from Poor to Excellent.

4.4 Evaluation Process Outcome

Feedback was received from five of the ten stakeholders and eleven of the thirteen MPAC members which equates to a **70% response rate**.

The overall assessment outcome from all respondents is **Excellent**, based on an average calculation.

ANNEXURE A contains the detail of the areas requiring improvement, namely where:

- (a) an overall average score of less than 3 was obtained; or
- (b) an individual assessor scored a performance statement less than 3.

ANNEXURES B and C contains a summary of responses received from the stakeholders and MPAC members respectively.

4.5 Performance Assessment Way Forward

The average score for all of the performance statements were above 3. However two statements were given individual scores of 2, and these will be forwarded to Council for approval as per paragraph 9.3 of MPAC's Terms of Reference:

| Area of Improvement | MPAC's Comments and Proposed Actions |
|---|--|
| (a) MPAC ensure awareness by Council and the public on the financial and performance challenges of the City and its entities (MPAC ToR 1.6) | A consideration should be given to include information on MPAC's activities in the City's media releases to the public and/ or other publications. |
| (b) MPAC considers inputs from the Audit and Performance Audit Committee during its oversight role (MPAC ToR 8.3.2) | Annually, the Audit and Performance Audit Committee submits a report to the MPAC meeting during the oversight process and this forms part of the Oversight Report. |

- 4.6** Financial Implications None Opex Capex
- Capex: New Projects
 - Capex: Existing projects requiring additional funding
 - Capex: Existing projects with no additional funding requirements

4.7 Policy and Strategy Yes No

4.8 Legislative Vetting Yes No

4.9 Legal Implications Yes No

4.10 Staff Implications Yes No

4.11 Risk Implications Yes The risks for approving and/or not approving the recommendations are listed below.

No Report is for decision and has no risk implications.

No Report is for noting only and has no risk implications.

4.12 POPIA Compliance Yes It is confirmed that the report has been checked and considered for POPIA compliance

5 RECOMMENDATIONS

Not delegated: for decision by Council

It is **RECOMMENDED** that:

- (a) The Municipal Public Accounts Committee **NOTES** the results of the self- and stakeholders' assessment for the year ended 30 June 2022 and the actions identified to address the areas of improvement and identifies additional actions, if necessary, for approval by Council.
- (b) Council **NOTES** the results of the Municipal Public Accounts self- and stakeholders' assessment and approves the actions identified to address the areas of improvement.

AANBEVELINGS

Nie gedelegeer nie: vir besluitneming deur die Raad:

Daar word **AANBEVEEL** dat:

- (a) Die munisipale komitee oor openbare rekeninge **KENNIS NEEM** van die uitslae van die self- en belanghebbersassessering vir die jaar geëindig 30 Junie 2022 en die aksies geïdentifiseer vir die hantering van die gebiede wat verbetering verg, en bykomende aksies, indien nodig, vir goedkeuring deur die Raad identifiseer.
- (b) Die Raad van die uitslae van die munisipale komitee oor openbare rekeninge se selfen belanghebbersassessering **KENNIS NEEM** en die aksies geïdentifiseer vir die hantering van die gebiede wat verbetering verg, goedkeur

IZINDULULO

Azigunyaziswanga: isiqqibo seseBhunga:

KUNDULULWE ukuba:

- (a) IKomiti kaMasipala engee-Akhawunti zoLuntu **MAYIQWALASELE** iziphumo zokuzivavanya novavanyo lwabo bachaphazelekayo zonyaka ophele ngowama-30 kweyeSilimela 2022 kunye namanyathelo athatyathiweyo ukujongana neenkalo zophuculo kunye namanyathelo awomngezelelweyo, ukuba kuyimfuneko, ukuze ziphunyezwe liBhunga.
- (b) IBhunga **MALIQWALASELE** iziphumo zokuzivavanya zeKomiti kaMasipala engee-Akhawunti zoLuntu novavanyo lwabo bachaphazelekayo kwaye liphumeze amanyathelo aza kuthatyathwa ukujongana neenkalo zophuculo.

ANNEXURES

- ANNEXURE A: Areas Requiring Improvement
- ANNEXURE B: Stakeholder Assessment Outcomes
- ANNEXURE C: Self-Assessment Outcomes

FOR FURTHER DETAILS CONTACT

| | | | |
|--------------------|---|----------------|------------------------------------|
| NAME (AUTHOR) | Antoinette Moolman | CONTACT NUMBER | 021 400 9297 / 082 397 0810 |
| E-MAIL ADDRESS | AntoinetteRene.Moolman@capetown.gov.za | | |
| DIRECTORATE | Office of the City Manager | FILE REF NO | 2/9/1/2 |
| SIGNATURE (AUTHOR) |  <p>Digitally signed by Antoinette Moolman Date: 2022.11.03 17:19:37 +02'00'</p> | | |

MPAC CHAIRPERSON


| |
|---|
|  <p>Digitally signed by yagyah adams Date: 2022.11.04 08:16:29 +02'00'</p> |
|---|

COMMENT:

The MPAC Chairperson's signature represents support for the report content and confirms POPIA compliance

LEGAL COMPLIANCE

- REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.
- NON-COMPLIANT

| |
|---|
| <p>Joan- Mari Holt</p>  <p>Digitally signed by Joan-Mari Holt Date: 2022.11.07 10:03:03 +02'00'</p> |
|---|

COMMENT:

Certified as legally compliant based on the contents of the report.

AREAS REQUIRING IMPROVEMENT**A. STAKEHOLDER ASSESSMENT OUTCOME**

(a) Overall Rating: **Excellent**

(b) All the items received an average score of more than **3** from the stakeholders.

B. SELF-ASSESSMENT OUTCOME

(a) Overall Rating: **Excellent**

(b) All the items received an average score of more than **3**

(c) The following items received an individual score of less than **3** from an MPAC member(s).

| Q | PERFORMANCE STATEMENT | RATING |
|----------|---|---------------|
| 11 | MPAC ensure awareness by Council and the public on the financial and performance challenges of the City and its entities (MPAC ToR 1.6) | 2 |
| 13 | MPAC considers inputs from the Audit and Performance Audit Committee during its oversight role (MPAC ToR 8.3.2) | 2 |

C: OVERALL ASSESSMENT

Calculated Overall Rating: **Excellent**

STAKEHOLDER ASSESSMENT

| CRITERIA | | STAKEHOLDER 1 | STAKEHOLDER 2 | STAKEHOLDER 3 | STAKEHOLDER 4 | STAKEHOLDER 5 | STAKEHOLDER 6 | STAKEHOLDER 7 | STAKEHOLDER 8 | STAKEHOLDER 9 | STAKEHOLDER 10 | AVERAGE |
|---|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|-----------|
| OVERSIGHT | | | | | | | | | | | | |
| 1 | The work performed by the MPAC enables Council to timeously adopt an Oversight Report, which includes recommendations for improving efficiency, effectiveness and economy in the financial sphere of the City [Council's System of Delegation Part 20(1)(1)] | 3 | 3 | 5 | 4 | 4 | N/A | N/A | N/A | N/A | N/A | 3.8 |
| UNAUTHORISED, IRREGULAR AND FRUITLESS & WASTEFUL EXPENDITURE | | | | | | | | | | | | |
| 2 | Council is advised by the work performed by the MPAC on investigations related to sections 32 of the MFMA [Council's System of Delegation Part 20(1)(2)]. | 4 | 3 | 3 | 5 | 5 | N/A | N/A | N/A | N/A | N/A | 4.0 |
| GENERAL | | | | | | | | | | | | |
| 3 | The work performed by MPAC has promoted good governance, transparency and accountability [MPAC Terms of Reference 5.16] | 4 | 3 | 4 | 4 | 5 | N/A | N/A | N/A | N/A | N/A | 3.8 |
| 4 | The activities of MPAC are depicted in the Council's System of Delegations and MPAC Terms of Reference and are achieved via the approved Annual Oversight Work Plan with quarterly reporting to Council on accomplishments [MPAC Terms of Reference 6.11]. | 4 | 3 | 5 | 5 | 4 | N/A | N/A | N/A | N/A | N/A | 4.4 |
| OVERALL RATING | | Excellent | Good | Excellent | Excellent | Excellent | N/A | N/A | N/A | N/A | N/A | Excellent |

SELF-ASSESSMENT

| CRITERIA | | CLLR 1 | CLLR 2 | CLLR 3 | CLLR 4 | CLLR 5 | CLLR 6 | CLLR 7 | CLLR 8 | CLLR 9 | CLLR 10 | CLLR 11 | CLLR 12 | CLLR 13 | AVERAGE |
|-----------------|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|---------|------------|
| GENERAL | | | | | | | | | | | | | | | |
| 1 | MPAC conducts its affairs in a non-party political manner which maximises the effectiveness of the Committee. | 5 | 4 | 5 | 5 | 5 | 3 | 4 | 5 | 5 | 4 | 5 | N/A | N/A | 4.5 |
| 2 | As a member of MPAC I am aware, understand and adhere to the MPAC delegations and Terms of Reference. | 5 | 4 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 5 | 5 | N/A | N/A | 4.7 |
| 3 | MPAC members have access to all relevant information, persons and process to evaluate, direct and supervise investigations to fulfil its mandate (MPAC ToR 2.3) | 5 | 5 | 5 | 3 | 5 | 3 | 3 | 3 | 5 | 5 | 4 | N/A | N/A | 4.2 |
| 4 | MPAC members have been appointed by Council resolution (MPAC ToR 4.2.1) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 5 | 5 | N/A | N/A | 4.8 |
| 5 | MPAC members have the necessary experience and expertise to perform their oversight role (MPAC ToR 4.2.2) | 5 | 4 | 5 | 3 | 4 | 5 | N/A | 4 | 5 | 5 | 4 | N/A | N/A | 4.4 |
| 6 | MPAC plans and achieves the approved Annual Oversight Work Plan (MPAC ToR 5.2) | 5 | 5 | 5 | 4 | 5 | 5 | 4 | 4 | 5 | 4 | 5 | N/A | N/A | 4.6 |
| 7 | As a member of MPAC member, I promote the Committee as a governance structure of the City that enhances good governance, transparency and accountability (MPAC ToR 5.16) | 5 | 5 | 5 | 5 | 5 | 5 | 4 | 5 | 5 | 5 | 4 | N/A | N/A | 4.8 |
| MEETINGS | | | | | | | | | | | | | | | |
| 8 | All MPAC members prepare and contribute to meeting discussions and activities and/or request information from applicable MPAC resources (MPAC ToR 5.9) | 5 | N/A | 4 | 4 | 4 | 5 | 4 | 4 | 5 | 4 | 4 | N/A | N/A | 4.3 |
| 9 | MPAC conducts meetings in terms of the Rules of Order of Council (MPAC ToR 7.1) | 5 | 5 | 5 | 4 | 5 | 5 | 4 | 5 | 5 | N/A | 5 | N/A | N/A | 4.8 |
| 10 | All members of MPAC attend the scheduled meetings of MPAC and the Task Teams (MPAC ToR 7.3.1 and 7.3.2) | 5 | 3 | 5 | 4 | 5 | 5 | 4 | 4 | 5 | 4 | 4 | N/A | N/A | 4.4 |

| CRITERIA | | CLLR 1 | CLLR 2 | CLLR 3 | CLLR 4 | CLLR 5 | CLLR 6 | CLLR 7 | CLLR 8 | CLLR 9 | CLLR 10 | CLLR 11 | CLLR 12 | CLLR 13 | AVERAGE |
|-----------------------------------|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|---------|---------|
| ROLES AND RESPONSIBILITIES | | | | | | | | | | | | | | | |
| 11 | MPAC ensure awareness by Council and the public on the financial and performance challenges of the City and its entities (MPAC ToR 1.6) | 5 | 4 | 4 | 3 | 4 | 5 | 2 | 3 | 5 | 4 | 4 | N/A | N/A | 3.9 |
| 12 | MPAC reviews the City's Annual Report, including the Auditor-General of South Africa's report on the City's Annual Financial Statements and advises Council on the recoverability of any unauthorised, irregular or fruitless and wasteful expenditure (MPAC ToR 2.2) | 5 | 4 | 5 | 5 | 5 | 5 | 3 | 4 | 5 | 5 | 4 | N/A | N/A | 4.5 |
| 13 | MPAC considers inputs from the Audit and Performance Audit Committee during its oversight role (MPAC ToR 8.3.2) | 5 | 2 | 5 | 5 | 4 | 5 | 3 | 4 | 5 | 4 | 5 | N/A | N/A | 4.3 |
| 14 | MPAC effectively evaluates, directs and supervises investigations into matters within the scope of its roles and responsibilities as per Council resolution or referred by the City Manager (MPAC ToR 2.1) | 5 | 5 | 5 | 5 | 4 | 5 | 3 | 4 | 5 | 5 | 4 | N/A | N/A | 4.5 |
| REPORTING | | | | | | | | | | | | | | | |
| 15 | MPAC reports in respect of completed Task Team investigations, including recommendations for control improvements, are submitted to Council (MPAC ToR 5.24) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 4 | 5 | N/A | N/A | 4.7 |
| 16 | MPAC submits a mandatory Oversight Report to Council, after review and scrutiny of the Integrated Annual Report, with an appropriate recommendation to Council for resolution (MPAC ToR 6.1.1.2) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 3 | 5 | 5 | 4 | N/A | N/A | 4.5 |
| 17 | MPAC reports to Council quarterly on its activities and outcomes (MPAC ToR 6.11) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 5 | 4 | N/A | N/A | 4.7 |
| 18 | MPAC's performance is monitored annually by Council (MPAC ToR 9.5) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 4 | 5 | 5 | 5 | N/A | N/A | 4.7 |

| CRITERIA | | CLLR 1 | CLLR 2 | CLLR 3 | CLLR 4 | CLLR 5 | CLLR 6 | CLLR 7 | CLLR 8 | CLLR 9 | CLLR 10 | CLLR 11 | CLLR 12 | CLLR 13 | AVERAGE |
|-----------------------|--|-----------|-----------|-----------|-----------|-----------|-----------|--------|-----------|-----------|-----------|-----------|---------|---------|-----------|
| 19 | An MPAC Annual Report is submitted to Council and included in the City's Integrated Annual Report (MPAC ToR 6.5) | 5 | 5 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 5 | 5 | N/A | N/A | 4.8 |
| FOLLOW-UP | | | | | | | | | | | | | | | |
| 20 | MPAC ensured that corrective action has been taken in respect of the comments and resolutions of MPAC during the oversight reporting process (MPAC ToR 5.15) | 5 | 3 | 5 | 5 | 5 | 5 | 3 | 5 | 5 | 5 | 3 | N/A | N/A | 4.5 |
| OVERALL RATING | | Excellent | Very Good | Excellent | Very Good | Excellent | Excellent | Good | Very Good | Excellent | Excellent | Excellent | N/A | N/A | Excellent |

Legend

Rating Criteria

- 1= Poor
- 2= Fair
- 3= Good
- 4= Very Good
- 5= Excellent
- N/A= No Response Received

Scoring of Overall Rating

- 1= Poor
- 2= Fair
- 3= Good
- 4= Excellent
- N/A= No Response Received