



**REPORT TO MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
COUNCIL**

1 ITEM NUMBER MPAC 06/10/24

2 SUBJECT

REPORT TO COMMUNICATE THE OUTCOME OF THE PERFORMANCE ASSESSMENT CONDUCTED FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE FOR THE 2023/24 FINANCIAL YEAR

ONDERWERP

VERSLAG OM DIE UITSLAG VAN DIE PRESTASIEBEOORDELING VAN DIE MUNISIPALE KOMITEE OOR OPENBARE REKENINGE VIR DIE 2023/24-BOEKJAAR MEE TE DEEL

ISIHLOKO

INGXELO EMALUNGA NESIPHUMO SOVAVANYO LWENDLELA YOKUSEBENZA OLUTHE LWAQHUTYWA YIKOMITI KAMASIPALA ENGEE-AKHAWUNTI ZOLUNTU KUMNYAKA-MALI WAMA-2023/24

LSU M2200

3 DELEGATED AUTHORITY

In terms of the Municipal Public Accounts Committee's (MPAC's) Terms of Reference (ToR), approved by Council on 27 July 2023 (C 35/07/23):

"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 tabled by the Speaker in council.

9.3 Where the self-assessment highlights a need for improvement to the role, operational processes or membership of MPAC, the Chairperson should take action to ensure that such improvements, upon approval by council, are implemented.

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

This report is FOR NOTING BY

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

4 DISCUSSION

4.1 Background

MPAC’s ToR requires an annual assessment of MPAC’s performance by the MPAC members and their stakeholders, in line with the responsibilities in the ToR. 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, 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 ToR.

4.3 Performance Evaluation Ratings

The assessment template 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

The assessments were circulated to 10 stakeholders and 12 MPAC members. One MPAC member retired on 29 February 2024.

Details	30 June 2024		30 June 2023	
	Stakeholders	MPAC Members	Stakeholders	MPAC Members
Responses Received	9	11	4	9
	90%	92%	40%	75%
Average Score	4.4	4.6	4.9	4.6
Overall Assessment Outcome	Excellent	Excellent	Excellent	Excellent

Refer to **Annexures A and B** for a summary of the responses received from the stakeholders and MPAC members.

4.5 Performance Assessment Way Forward

The average score for all of the performance statements were above 3, and no statements were given individual scores below 3. No further action is required.

- 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 this report and the content of the annexures have 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 2024.
- (b) Council **NOTES** the results of the Municipal Public Accounts self- and stakeholders' assessment.

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 2024.
- (b) Die Raad van die uitslae van die munisipale komitee oor openbare rekeninge se self- en belanghebbersassessering **KENNIS NEEM**.

IZINDULULO

Azigunyaziswanga: isiqqibo seseBhunga:

KUNDULULWE ukuba:

- (a) IKomiti kaMasipala engee-Akhawunti zoLuntu **MAYIQWALASELE** iziphumo zokuzivavanya novavanyo lwabo bachaphazelekayo zonyaka ophele ngowama30 kweyeSilimela 2024.
- (b) IBhunga **MALIQWALASELE** iziphumo zokuzivavanya novavanyo lwabo bachaphazelekayo zeKomiti kaMasipala engee-Akhawunti zoLuntu.

ANNEXURES

ANNEXURE A: Stakeholder Assessment Outcomes

ANNEXURE B: 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)			

MPAC CHAIRPERSON

NAME	<u>CLLR YAGYAH ADAMS</u>	COMMENT:	_____
DATE	_____		_____
SIGNATURE			_____

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

NAME	_____	COMMENT:	_____
DATE	_____		_____
SIGNATURE			_____

For information.

STAKEHOLDER ASSESSMENT

CRITERIA		STAKEHOLDER 1	STAKEHOLDER 2	STAKEHOLDER 3	STAKEHOLDER 4	STAKEHOLDER 5	STAKEHOLDER 6	STAKEHOLDER 7	STAKEHOLDER 8	STAKEHOLDER 9	AVERAGE	COMMENT
OVERSIGHT												
1.	The work performed by the Municipal Public Accounts Committee (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 22(1)(1)].	4	4	4	4	4	4	5	4	4	4.1	<ul style="list-style-type: none"> ▪ MPAC has acted swiftly, and as a result, has gained the capacity to handle additional items that require its legislative oversight. ▪ They are responsive, provide Council with good recommendations in order to bring about strong administration and governance. ▪ Council indeed receives reports of this nature however, sometimes MPAC reports are added to the Council agenda late leaving Councillors with not a lot of time to prepare and practice oversight. ▪ All work that I have seen or heard of has been good. However, just like all PC's on Council, we must always endeavour to do better.
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 22(1)(2)].	5	5	4	5	5	4	5	3	4	4.4	<ul style="list-style-type: none"> ▪ Council receives documents on time. ▪ Yes, Council is well informed of MPAC's investigations. ▪ Done timeously. ▪ Excellent is indeed advised on in this regard. ▪ We are always well informed and thoroughly.

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CRITERIA	STAKEHOLDER 1	STAKEHOLDER 2	STAKEHOLDER 3	STAKEHOLDER 4	STAKEHOLDER 5	STAKEHOLDER 6	STAKEHOLDER 7	STAKEHOLDER 8	STAKEHOLDER 9	AVERAGE	COMMENT		
GENERAL													
3.	The work performed by MPAC has promoted good governance, transparency and accountability [MPAC ToR 5.16].		4	5	4	5	5	4	5	4	5	4.6	<ul style="list-style-type: none"> ▪ Council receives clean audits. ▪ MPAC's work has fostered good governance, transparency, and accountability, while also promoting sound fiscal management and compliance. ▪ Work performance has assisted in the City obtaining clean audits. ▪ Excellent in transparency.
4.	MPAC's activities are achieved via the approved Annual Oversight Work Plan with quarterly reporting to Council [MPAC ToR 6.11].		5	5	4	5	5	4	5	4	5	4.7	<ul style="list-style-type: none"> ▪ In compliance all the time. This is correct yes. ▪ Agree.
OVERALL RATING: EXCELLENT (4.4)			4.5	4.8	4.0	4.8	4.8	4.0	5.0	3.8	4.5	4.4	
			Excellent	Excellent	Very Good	Excellent	Excellent	Very Good	Excellent	Very Good	Excellent		

LEGEND:

0.0 - 1.0	= Poor
1.1 - 2.0	= Fair
2.1 - 3.0	= Good
3.1 - 4.0	= Very Good
4.1 - 5.0	= 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	AVERAGE	COMMENTS
GENERAL														
1.	MPAC conducts its affairs in a non-party political manner which maximises the effectiveness of the Committee.	5	3		5	3	5	5	5	5	3	5	4.4	<ul style="list-style-type: none"> There are more and more political comments and viewpoints from members from the various political parties. I am not aware of political interference with investigations from any councillors attending TTs and personally not involved in playing politics.
2.	As a member of MPAC I am aware, understand and adhere to the MPAC delegations and Terms of Reference.	5	5	5	5	5	5	5	5	5	5	5	5.0	<ul style="list-style-type: none"> Yes, I follow the delegations and ToR.
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)	4	3	5	5	3	4	5	5	5	3	3	4.1	<ul style="list-style-type: none"> Officials do not share all relevant information during investigation at all times. Not all departmental management and officials report the problems that lead to an investigation on an honest, open manner. That causes cases to be referred back for more information and causes unnecessary delays with investigations.
4.	MPAC members have the necessary experience and expertise to perform their oversight role (MPAC ToR 4.2.3)	4	5	4	5	4	4	5	5	5	2	4	4.3	<ul style="list-style-type: none"> Change in membership often means that new members take some time to get up to speed. From time to time when new members join, the long standing members do their utmost best to

CRITERIA		CLLR 1	CLLR 2	CLLR 3	CLLR 4	CLLR 5	CLLR 6	CLLR 7	CLLR 8	CLLR 9	CLLR 10	CLLR 11	AVERAGE	COMMENTS
														assist new councillors to get acquainted with the MPAC investigations and reporting process.
5.	MPAC plans and achieves the approved Annual Oversight Work Plan (MPAC ToR 5.2)	5	5	5	5	5	5	5	5	5	2	5	4.7	<ul style="list-style-type: none"> It's done every year.
6.	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 5.17)	5	5	5	5	5	5	5	5	5	3	5	4.8	<ul style="list-style-type: none"> I always attend every meeting or am a member of every IT to be up to date with every investigation and outcome to support MPAC with the governance structure of the City as a good governed, transparent, accountable City.
MEETINGS														
7.	All MPAC members prepare and contribute to meeting discussions and activities and/or request information from applicable MPAC resources (MPAC ToR 5.9)	5	3	4	4	5	4	5	5	4	3	4	4.2	<ul style="list-style-type: none"> Based on participation it appears that members are not always fully prepared. Members are normally prepared to attend the meetings and follow the Code of Conduct Rules of Order governing the meetings of council and committees.
8.	MPAC conducts meetings in terms of the Rules of Order of Council (MPAC ToR 7.1)	5	3	4	5	4	5	5	5	5	4	5	4.5	<ul style="list-style-type: none"> The opinions and inputs of all members are not respected and allowed at all times. Agree.
9.	All members of MPAC attend the scheduled meetings of MPAC and the Task Teams (MPAC ToR 7.3.1 and 7.3.2)	4	4	4	5	5	4	5	5	4	3	5	4.4	<ul style="list-style-type: none"> There are some times members are absent without the required approval from the office of the Chief Whip and/or official notifications. I follow the rules as stated.
ROLES AND RESPONSIBILITIES														

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CRITERIA		CLLR 1	CLLR 2	CLLR 3	CLLR 4	CLLR 5	CLLR 6	CLLR 7	CLLR 8	CLLR 9	CLLR 10	CLLR 11	AVERAGE	COMMENTS
10.	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	3	5	4	5	4	5	5	5	2	3	4.2	<ul style="list-style-type: none"> ▪ Not enough awareness is created. If that was the case then PCs will pay more attention to contracts/ services provided. ▪ Council is being made aware by the submission of quarterly and other reports. Awareness of the public and even some cllrs are limited. ▪ We ensure awareness by Council through all councillors attending MPAC training, but do not inform the public of the financial and performance challenges of the City. We need to be proactive with the challenges experienced. Public hears of the financial and other problems for the first time when it is leaked to journalists.
11.	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	4	5	5	5	3	3	4.5	<ul style="list-style-type: none"> ▪ Only a few members of MPAC work through the whole document and submits questions. ▪ We can better perform on recoverability because the MFMA and policies regulating expenditure is in place. All officials must be kept accountable for any wrongdoings or not following correct procedures. We were informed that all executive directors, managers, SCM officials and professionals, project managers, project owners, etc. are trained and therefor they must be kept accountable for losses.

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CRITERIA		CLLR 1	CLLR 2	CLLR 3	CLLR 4	CLLR 5	CLLR 6	CLLR 7	CLLR 8	CLLR 9	CLLR 10	CLLR 11	AVERAGE	COMMENTS
12.	MPAC considers inputs from the Audit and Performance Audit Committee during its oversight role (MPAC ToR 8.3.2)	5	5	4	4	5	5	5	5	5	3	5	4.6	<ul style="list-style-type: none"> More attention needs to be given to the detail of the reports. Reports are often submitted just for noting. In accordance with ToR.
13.	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	4	5	5	5	5	5	5	3	5	4.7	<ul style="list-style-type: none"> The adopted processes and procedures for the investigation are effective. In accordance with ToR.
REPORTING														
14.	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	5	5	5	4	5	4.9	<ul style="list-style-type: none"> In accordance with ToR.
15.	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 6.1.2.2)	5	5	4	5	5	5	5	5	5	3	5	4.7	<ul style="list-style-type: none"> In accordance with ToR.
16.	MPAC reports to Council quarterly on its activities and outcomes (MPAC ToR 6.10)	5	5	5	5		5	5	5	5	3	5	4.8	<ul style="list-style-type: none"> In accordance with ToR. Reports are submitted timeously.
17.	MPAC's performance is monitored annually by Council (MPAC ToR 9.5)	5	5	5	5		5	5	5	5	3	5	4.8	<ul style="list-style-type: none"> In accordance with ToR.
18.	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	5	5	3	5	4.8	<ul style="list-style-type: none"> In accordance with ToR.
FOLLOW-UP														

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CRITERIA		CLLR 1	CLLR 2	CLLR 3	CLLR 4	CLLR 5	CLLR 6	CLLR 7	CLLR 8	CLLR 9	CLLR 10	CLLR 11	AVERAGE	COMMENTS
19.	MPAC ensured that corrective action has been taken in respect of the comments and resolutions of MPAC during the oversight reporting process (MPAC ToR 5.16)	5	3	3	5		5	5	5	5	2	5	4.3	<ul style="list-style-type: none"> ▪ MPAC is only mandated to follow-up on matters and recommendations related to MPAC's TOR and other matters are referred to the relevant PCs. ▪ In accordance with ToR.
OVERALL RATING: EXCELLENT (4.6)		4.8	4.3	4.5	4.8	4.6	4.7	5.0	5.0	4.9	3.0	4.6	4.6	
		Excellent	Good											

LEGEND:

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