



**PERFORMANCE AGREEMENT**

**MADE AND ENTERED INTO BY AND BETWEEN:**

**THE MUNICIPALITY OF MATJHABENG  
AS REPRESENTED BY THE MUNICIPAL MANAGER**

**T PIETERSEN**

**AND**

**K MALOKA**

**THE EMPLOYEE OF THE MUNICIPALITY  
DIRECTOR: COMMUNITY SERVICES**

**FOR THE**

**FINANCIAL YEAR: 1 JULY 2009 - 30 JUNE 2010**

## **PERFORMANCE AGREEMENT**

### **ENTERED INTO BY AND BETWEEN**

**The Municipality of Matjhabeng herein represented by T PIETERSEN in his capacity as Municipal Manager (hereinafter referred to as the Employer)**

**And**

**K MALOKA, an Employee of the Municipality of Matjhabeng (hereinafter referred to as the Employee).**

### **WHEREBY IT IS AGREED AS FOLLOWS:**

#### **1. INTRODUCTION**

- 1.1 The Employer has entered into a contract of employment with the Employee in terms of section 57(1) (a) of the Local Government: Municipal Systems Act 32 of 2000 (“the Systems Act”). The Employer and the Employee are hereinafter referred as “the Parties”.
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the Employee to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

#### **2. PURPOSE OF THIS AGREEMENT**

- 2.1 Comply with the provisions of Section 57(1)(b),(4A) and (5) of the Systems Act as well as the Contract of Employment entered into between the parties;
- 2.2 Specify objectives and targets established for the Employee and to communicate to the Employee the Employer’s expectations of the Employee’s performance expectations and accountabilities;

- 2.3 Specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.4 Monitor and measure performance against set targeted outputs;
- 2.5 Use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the Employee for permanent employment and/or to assess whether the Employee has met the performance expectations applicable to his/her job;
- 2.6 Appropriately reward the Employee in accordance with the Employer's performance management policy in the event of outstanding performance; and
- 2.7 Give effect to the Employer's commitment to a performance-orientated relationship with the Employee in attaining equitable and improved service delivery.

### **3. DELIVERY**

- 3.1 This Agreement will commence on the 01 July 2009 and will remain in force until 30 June 2010 where after a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the Employee's contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

#### **4. PERFORMANCE OBJECTIVES**

- 4.1 The Performance Plan (Annexure A) sets out –
  - 4.1.1 The performance objectives and targets that must be met by the Employee; and
  - 4.1.2 The time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the Employer in consultation with the Employee and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the Employer, and shall include key objectives; key performance indicators; target dates and weightings.
- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The Employee's performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the Employer's Integrated Development Plan.

#### **5. PERFORMANCE MANAGEMENT SYSTEM**

- 5.1 The Employee agrees to participate in the performance management system that the Employer adopts or introduces for the Employer, management and municipal staff of the Employer.
- 5.2 The Employee accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the Employer, management and municipal staff to perform to the standards required.
- 5.3 The Employer will consult with the Employee about the specific performance standards that will be included in the performance management system as applicable to the Employee.

**6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS.**

- 6.1 The Employee undertakes to actively focus towards the promotion and implementation of the Key Performance Areas KPA's (including special projects relevant to the employee's responsibilities) within the local government framework.
- 6.2 The criteria upon which the performance of the Employee shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
  - 6.2.1 The Employee must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and the Core Managerial Competencies (CCR's) respectively.
  - 6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
  - 6.2.3 KPA's covering the main areas of work will account for 80% and CCR's will account for 20% of the final assessment.
- 6.3 The Employee's assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the Employer and Employee:

<b>Kpa No</b>	<b>Key Performance Area</b>	<b>Weight</b>
<b>1</b>	Effective management of Public Safety and Security Service services in order to ensure effective Law Enforcement, Fire and Rescue and Security service are rendered to the community of Matjhabeng	
<b>2</b>	Effective management of provision and maintenance of parks and open spaces in order to ensure that adequate public and recreational facilities are available to the communities	
<b>3</b>	Effective management of Matjhabeng's Fleet to ensure availability of high quality, maintained vehicles	
<b>4</b>	Effective management of Matjhabeng's Libraries to ensure availability and updated information to the community	
<b>5</b>	Efficient management of solid waste removal services for domestic and businesses within Matjhabeng	
<b>6</b>	Effective management of the Departmental Budget	
<b>7</b>	Effective management of the Departmental Staff	

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6.4 The CCR's will make up the other 20% of the Employee's assessment score. CCR's that are deemed to be most critical for the Employee's specific job are reflected in the list below as agreed to between the Employer and Employee:

CCR No	Core Competency Requirement	Weight
<b>Core Managerial Competencies</b>		
1	Strategic Capability	
2	Programme and Project Management	
3	Financial Management	
4	Change Management	
5	Knowledge Management	
6	Service Delivery Innovation	
7	Problem Solving and Analytical Thinking	
8	People and Diversity Management	
9	Client Orientation and Customer Focus	
10	Communication	
11	Accountability and Ethical Conduct	
12	Policy Conceptualisation and implementation	
13	Mediation skills	
14	Advanced negotiation skills	
15	Advanced influencing skills	
16	Partnership and Stakeholder Relations	
17	Supply Chain Management	
	<b>Total (Cannot exceed 100%)</b>	<b>100</b>

**COMPETENCY FRAMEWORK**

**Competency 1: Strategic Capability and Leadership**

**Definition:** Must be able to provide a vision, set the direction for the municipality and inspire others in order to deliver on the municipality’s mandate.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>Understands the municipality’s strategic initiatives, but weak in inspiring others to achieve the set objectives;</li> <li>describes how specific tasks link to municipality’s strategies, but experiences difficulty in putting the links into practice;</li> <li>aligns and prioritises own action plans to municipality’s strategies but has limited influence in determining the strategic direction;</li> <li>demonstrates commitment through actions, and</li> <li>requires support for defining performance measures to evaluate the success of strategies.</li> </ul>	<ul style="list-style-type: none"> <li>Gives direction to team in realising the municipality’s strategic objectives;</li> <li>impacts positively on management team morale, sense of belonging and participation;</li> <li>develops action plans to execute strategic initiatives;</li> <li>assists in defining performance measures to evaluate the success of strategies;</li> <li>identifies and communicates obstacles to executing specific strategies;</li> <li>supports stakeholders in achieving their goals;</li> <li>inspires staff with own behaviour - “walks, the talk”;</li> <li>manages and takes calculated risks;</li> <li>communicates strategic plan to the municipality, and</li> <li>utilises strategic planning methods and tools.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluates all activities to determine value added and alignment with the municipality’s strategic goals;</li> <li>displays and contributes in-depth knowledge to strategic planning at the municipal level;</li> <li>ensures alignment of strategies across various functional areas to the municipality strategy;</li> <li>defines performance measures to evaluate the success of municipality’s strategy;</li> <li>monitors and reviews strategic plans consistently and takes corrective action to keep plans on track in light of new challenges in the environment;</li> <li>promotes municipality’s mission and vision to all relevant stakeholders;</li> <li>empowers others to deal with complex and ambiguous situations;</li> </ul>	<ul style="list-style-type: none"> <li>Structures and positions the municipality to Government priorities;</li> <li>develops and implements strategies for the municipality utilising in-depth knowledge of customers and clients, the conventions, changing trends, processes and constitutional framework of the government;</li> <li>holds self accountable for executing the strategy;</li> <li>builds and maintains a wide network of internal and external relationships to gain confidence, trust and respect from others;</li> <li>sought out as a leader who can motivate others to achieve a common goal;</li> <li>creates loyalty, comradeship and a municipal environment that permits innovative thinking, and</li> <li>develops strategic planning methods and tools.</li> </ul>

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PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
		<ul style="list-style-type: none"> <li>• achieves agreement or consensus in an adversarial environment;</li> <li>• guides the municipality through complexity and uncertainty of vision;</li> <li>• leads and unites diverse workgroups across municipal departments to achieve municipality objectives, and</li> <li>• develops and implements risk management.</li> </ul>	

**Competency 2: Programme and Project Management**

**Definition:** Must be able to plan, manage, monitor and evaluate specific activities in order to ensure that policies are implemented and that Local Government objectives are achieved.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Commences project after council approval;</li> <li>• understands procedures of project management, its implications and the importance of stakeholder involvement;</li> <li>• understands the outcome of the project in relation to municipality's goals;</li> <li>• possesses basic project management skills;</li> <li>• documents and communicates issues and risks associated with own work;</li> <li>• uses results of other successfully completed projects as points of reference; and</li> <li>• applies existing policies in own field of work.</li> </ul>	<ul style="list-style-type: none"> <li>• Establishes broad stakeholder involvement and communicates the project status and key milestones;</li> <li>• defines roles and responsibilities for project team members and clearly communicates expectations;</li> <li>• balances quality of work with deadlines and budget;</li> <li>• monitors service level agreements with contractors;</li> <li>• provides advice and guidance on policies; and</li> <li>• complies with statutory requirements and apply policies consistently.</li> </ul>	<ul style="list-style-type: none"> <li>• Monitors the management of multiple projects and balances priorities and conflicts between projects based on broader organisational goals;</li> <li>• monitors the management of risks across multiple projects by examining total resource requirements and assessing impact of projects on the day-to-day operations;</li> <li>• modifies project approach and budget without compromising the quality of outcomes and the desired results;</li> <li>• involves top-level political authority and other relevant stakeholders in the buy-in process;</li> <li>• motivates and coaches project teams to achieve highest project results; and</li> <li>• monitors policy implementation and puts in place procedures to manage risks.</li> </ul>	<ul style="list-style-type: none"> <li>• Conceptualises the long term effects of the desired outcomes of project;</li> <li>• initiates several projects after conducting strategic analyses of organisation on the micro and macro levels;</li> <li>• persuades political heads to adopt and implement results/outcomes of project;</li> <li>• initiates projects that lead to the achievement of the long-term strategic objectives of the organisation;</li> <li>• sponsors multiple projects by allocating resources and supports the goals of these projects; and</li> <li>• leads and coordinates the translation of policy into action plans.</li> </ul>

**Competency 3: Financial Management**

**Definition:** Must be able to comply with requirements for the accounting officer of the municipality as prescribed in the Municipal Finance Management Act No 56 of 2003

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Articulates basic financial concepts and techniques as they relate to municipal processes and tasks (e.g. performance budgeting and value for money);</li> <li>• is familiar with the different sources of financial data, reporting mechanisms and financial processes and systems;</li> <li>• understands importance of financial accountability;</li> <li>• understands the necessity for asset control;</li> <li>• recognises key expenditure and financial accounting and reporting concepts;</li> <li>• performs key financial management processes (expenditure, accounting and reporting) with guidance / direction;</li> <li>• tracks and measures actual expenditure against budget; and</li> <li>• understands the role of an audit function.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrates knowledge of general concepts of financial planning, budgeting and forecasting and how they interrelate;</li> <li>• manages, monitors and assess financial risk;</li> <li>• continuously looks for new opportunities to obtain and save funds;</li> <li>• ensures the preparation of the financial reports based on prescribed format;</li> <li>• understands and weighs up financial implications of propositions;</li> <li>• ensures the control assets according to prescribed policies and procedures;</li> <li>• understands, analyses and monitors financial reports;</li> <li>• allocates resources to established goals and objectives;</li> <li>• manage expenditure in relation to cash flow projections;</li> <li>• ensures effective utilisation of financial resources;</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures key planning, budgeting and forecasting processes and is able to answer questions in relation to the municipality's budget;</li> <li>• ensures the management of the financial planning, forecasting and reporting processes;</li> <li>• ensures the preparation of budgets that are aligned to the strategic objectives of the municipality's Integrated Development Plan (IDP);</li> <li>• addresses complex budgeting and financial management issues;</li> <li>• ensures the formulation of long term financial plans and resource allocations;</li> <li>• ensures the development and implementation of systems, procedures and processes in order to improve financial management;</li> <li>• advise on policies and procedures regarding asset control;</li> </ul>	<ul style="list-style-type: none"> <li>• Develops planning tools that assist with evaluating and monitoring future expenditure trends;</li> <li>• ensures and monitors the setting of budgeting guidelines for the municipality;</li> <li>• sets strategic direction for the organisation / department in relation to expenditure and other financial processes;</li> <li>• ensures the identification and implementation of partnerships and explores other avenues to achieve financial savings and improved service delivery;</li> <li>• ensures the identification and implementation of new techniques to improve asset control;</li> <li>• evaluates financial impact of strategic decisions across the organisation;</li> </ul>

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<b>PROFICIENCY LEVELS</b>			
<b>BASIC</b>	<b>COMPETENT</b>	<b>ADVANCED</b>	<b>EXPERT</b>
	<ul style="list-style-type: none"> <li>• develops corrective measures / actions to ensure alignment of budget to financial resources; and</li> <li>• makes realistic projections in routine reports.</li> </ul>	<ul style="list-style-type: none"> <li>• dynamically allocates resources according to internal and external objectives;</li> <li>• ensure the development of Expenditure Key Performance Indicators (KPIs);</li> <li>• succeeds in achieving maximum results with limited resources;</li> <li>• assists others with financial accounting \ reporting tasks; and</li> <li>• analyse projections in reports.</li> </ul>	<ul style="list-style-type: none"> <li>• ensures the development of long-term plans, performance measures and budgets that are aligned with strategic objectives; and</li> <li>• possesses financial acumen and understanding and runs the finances according to sound principles.</li> </ul>

**Competency 4: Change Management**

**Definition:** Must be able to initiate and support municipal transformation and change in order to implement new initiatives successfully and deliver on service delivery commitments.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>Communicates status, benefits and issues relating to change;</li> <li>identifies gaps between the current and the desired situation and reasons for resistance to change;</li> <li>accepts and successfully performs a supporting role in the change effort;</li> <li>identifies the need for change;</li> <li>participates in change programmes and piloting of change initiatives; and</li> <li>understands the impact of change initiatives on the municipality within the broader political and social context.</li> </ul>	<ul style="list-style-type: none"> <li>Performs analysis to determine the impact of changes in the social, political and economic environment;</li> <li>keeps self and others calm and focused during times of change or ambiguity;</li> <li>initiates, supports and encourages new ideas;</li> <li>volunteers to lead change efforts outside of own work team;</li> <li>consults and persuades all the relevant stakeholders of the need for change;</li> <li>proactively seeks new opportunities for change;</li> <li>identifies and assists in resolving resistance to change with stakeholders; and</li> <li>designs activities to enable change that are aligned to the municipality objectives.</li> </ul>	<ul style="list-style-type: none"> <li>Monitors results of change;</li> <li>secures buy-in and sponsorship for change efforts;</li> <li>ensures the design, development, evaluation and continuous improvement of the overall change strategy after wide consultation with the relevant stakeholders;</li> <li>customises and applies approaches to facilitate change;</li> <li>capitalises on relationships with various stakeholders in establishing strategic alliances in facilitating change efforts;</li> <li>ensures the implementation of major change programmes;</li> <li>benchmarks change initiatives and strategies against best practice;</li> <li>exhibits sensitivity to dynamics within the municipality which affect how quickly change is accepted;</li> </ul>	<ul style="list-style-type: none"> <li>Sponsors “change agents” (responsible for implementing the change) and creates a network of leaders who support and own the change;</li> <li>adapts current infrastructure to change initiatives;</li> <li>mentors others on the leadership of change;</li> <li>viewed as a thought leader in change management; and</li> <li>inspires change that has impact even wider than the municipality.</li> </ul>

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PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
		<ul style="list-style-type: none"> <li>• takes calculated risks and is constantly seeking new ideas from leading edge organisations and external sources;</li> <li>• defines outcomes and measurement criteria for change programmes; and</li> <li>• creates innovative ways of reinforcing change, rewarding change acceptance and discouraging change resistance.</li> </ul>	

**Competency 5: Knowledge Management**

**Definition:** Must be able to promote the generation and sharing of knowledge and learning in order to enhance the collective knowledge of the municipality.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Collects, categorises and tracks relevant information required for specific tasks and projects;</li> <li>• analyses and interprets information to draw conclusions;</li> <li>• seeks new sources of information to increase own knowledge base; and</li> <li>• shares information and knowledge with co-workers.</li> </ul>	<ul style="list-style-type: none"> <li>• Uses appropriate information systems to manage municipal knowledge;</li> <li>• uses modern technology to stay abreast of world trends and information;</li> <li>• evaluates information from multiple sources and uses information to influence decisions;</li> <li>• creates mechanisms and structures for sharing of knowledge in the municipality;</li> <li>• uses libraries, researchers, knowledge specialists and other knowledge bases appropriately to improve municipality's efficiency;</li> <li>• promotes the importance of knowledge sharing within own area;</li> <li>• adapts and integrates information from multiple sources to create innovative knowledge management solutions; and</li> <li>• nurtures a knowledge-enabling environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Anticipates future knowledge management requirements and systems;</li> <li>• ensures the development of standards and processes to meet future knowledge management requirements;</li> <li>• shares and promotes best practices across the local government sector;</li> <li>• ensures the monitoring and measurement of knowledge management capability in municipality;</li> <li>• creates a culture of a learning organisation; and</li> <li>• holds motivational sessions with colleagues to share information and new ideas.</li> </ul>	<ul style="list-style-type: none"> <li>• Consulted by others for expert knowledge management capability;</li> <li>• creates and supports a vision and culture where staff feel empowered to seek and share knowledge;</li> <li>• establishes partnerships across municipal boundaries to facilitate knowledge management;</li> <li>• recognises and exploits knowledge nodes in interactions with clients;</li> <li>• strives to ensure that there is a correlation between the municipality and the knowledge strategies; and</li> <li>• works across municipalities to identify and share critical knowledge.</li> </ul>

**Competency 6: Service Delivery Innovation (SDI)**

**Definition:** Must be able to explore and implement new ways of delivering services that contribute to the improvement of municipal processes in order to achieve municipal goals.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Recommends new ways of performing tasks within the municipality;</li> <li>• identifies and seeks potential sources of new ideas and approaches to enhance service delivery;</li> <li>• proposes simple remedial solutions to simple service delivery orientated problems; and</li> <li>• listens to the ideas and perspectives of others and explores opportunities to enhance these ideas.</li> </ul>	<ul style="list-style-type: none"> <li>• Consults clients and stakeholders on ways to improve the delivery of services;</li> <li>• communicates the benefits of service delivery improvement opportunities to stakeholders;</li> <li>• identifies internal process improvement opportunities;</li> <li>• identifies and analyses opportunities where innovative ideas can lead to improved service delivery;</li> <li>• creates mechanisms to encourage innovation and creativity within functional area and across the organisation; and</li> <li>• identifies innovative service delivery options for the municipality.</li> </ul>	<ul style="list-style-type: none"> <li>• Formulates and implements new ideas throughout the organisation;</li> <li>• ensures buy-in from key stakeholders;</li> <li>• consults and utilises international best practices on SDI;</li> <li>• ensure the alignment of the SDI initiatives with the latest technology;</li> <li>• researches needs of clients;</li> <li>• identifies the need for section 78 investigations in terms of the Municipal Systems Act;</li> <li>• ensures service delivery mechanisms are innovative and fully comply with the Municipal Systems Act and the Municipal Finance Management Act; and</li> <li>• inspires service providers to improve delivery of services.</li> </ul>	<ul style="list-style-type: none"> <li>• Creates and supports a non-threatening environment where individuals feel empowered to come forward with new and unconventional ideas;</li> <li>• plays an active role in international seminars / workshops / conferences on SDI;</li> <li>• highly regarded by the private, the public and the international community on SDI; and</li> <li>• integrates processes, policies and structures across the organisation to achieve improved efficiency and effectiveness on SDI.</li> </ul>

**Competency 7: Problem Solving and Analysis**

**Definition:** Must be able to systematically identify, analyse and resolve existing and anticipated problems in order to reach optimum solutions in a timely manner.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Understands the basic steps in problem solving and analysis and solves basic problems using municipal guidelines;</li> <li>• identifies when to solve problems independently and when to consult others for resolution beyond own authority;</li> <li>• participates actively and constructively in problem solving discussions; and</li> <li>• identifies and documents issues associated with problems.</li> </ul>	<ul style="list-style-type: none"> <li>• Explains potential impact of problems to own working environment;</li> <li>• demonstrates logical problem solving approach and provides rationale for proposed solutions;</li> <li>• determines root causes of problems and evaluates whether solutions address root causes;</li> <li>• demonstrates objectivity, thoroughness, insightfulness, and probing behaviours when approaching problems; and</li> <li>• demonstrates the ability to break down complex problems into manageable parts and identify solutions.</li> </ul>	<ul style="list-style-type: none"> <li>• Coaches others on the analytical techniques and problem solving methods;</li> <li>• anticipates organisational problems and strategises to counteract potential impact;</li> <li>• involves the appropriate people, to resolve complex, inter-departmental problems;</li> <li>• generates various solutions / options and contingency plans for problems;</li> <li>• identifies the impact of solutions on multiple areas within the municipality; and</li> <li>• develops contingency measures and explores various problem solving options.</li> </ul>	<ul style="list-style-type: none"> <li>• Designs complex problem solving tools and methods;</li> <li>• establishes and fosters an environment which encourages analytical and fact-based problem solving;</li> <li>• puts preventative measures in place to ensure that problems do not recur in the future;</li> <li>• identifies, solves and monitors unique issues or problems that have total organisational impact in consultation with the stakeholders;</li> <li>• sought after by other municipalities as a thought leader in problem solving; and</li> <li>• establishes completely new approaches to solving complex inter-departmental problems.</li> </ul>

**Competency 8: People and Diversity Management**

**Definition:** Must be able to manage and encourage people, optimise their outputs and effectively manage relationships in order to achieve the municipality’s goals.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Participates in team goal setting and problem solving;</li> <li>• interacts and collaborates with diverse groups of people;</li> <li>• understands team strengths, weaknesses and preferences; and</li> <li>• is aware of the appropriate steps and guidelines for employee development and feedback, but not yet fully able to implement these.</li> </ul>	<ul style="list-style-type: none"> <li>• Seeks opportunities to increase personal contribution &amp; level of responsibility;</li> <li>• supports and respects the individuality of others and recognises the benefits of diversity of ideas and approaches;</li> <li>• delegates and empowers others to increase contribution and level of responsibility;</li> <li>• applies labour and employment legislation and regulations consistently;</li> <li>• facilitates team goal setting and problem solving;</li> <li>• recognises individuals and teams and provides developmental feedback in accordance with performance management principles;</li> <li>• adheres to internal and national standards with regards to human resource practices;</li> <li>• identifies competencies required and suitable resources for specific tasks;</li> </ul>	<ul style="list-style-type: none"> <li>• Analyses ineffective team and work processes and recommends improvement;</li> <li>• recognises and rewards desired behaviours and results;</li> <li>• mentors and counsels others;</li> <li>• addresses balance between individual career expectations and organisational needs;</li> <li>• considers developmental needs of personnel when building teams and assigning tasks;</li> <li>• establishes an environment in which personnel can maximise their potential;</li> <li>• guides others on managing people;</li> <li>• inspires a culture of performance excellence by giving positive and constructive feedback to the team;</li> <li>• creates links among various individuals and teams and instills a common sense of identity towards the achievement of goals by various team members and stakeholders;</li> </ul>	<ul style="list-style-type: none"> <li>• Develops and incorporates best practice people management processes, approaches and tools across the organisation;</li> <li>• creates processes to ensure accountability for people management and development;</li> <li>• exceeds set goals for employment equity and affirmative action;</li> <li>• has a reputation as a leader in fostering professional growth;</li> <li>• sought after as a mentor;</li> <li>• develops comprehensive, integrated strategies and approaches to managing human resources;</li> <li>• develops systems and processes to recruit and retain high quality staff; and</li> <li>• adapts leadership style to different people, cultures and situations.</li> </ul>

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<b>PROFICIENCY LEVELS</b>			
<b>BASIC</b>	<b>COMPETENT</b>	<b>ADVANCED</b>	<b>EXPERT</b>
	<ul style="list-style-type: none"> <li>• displays personal interest in the well-being of colleagues;</li> <li>• able to manage own time as well as time of colleagues and other stakeholders; and</li> <li>• manages conflict through a participatory approach.</li> </ul>	<ul style="list-style-type: none"> <li>• shares knowledge of the big picture to help others understand their role; and</li> <li>• creates a culture of continuous learning and development.</li> </ul>	

**Competency 9: Client Orientation and Customer Focus**

**Definition:** Must be willing and able to deliver services effectively and efficiently in order to put the spirit of customer service (Batho Pele) into practice.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>• Acknowledges customers rights;</li> <li>• applies customer knowledge to improve own organisation or department;</li> <li>• maintains good relationship with customers and understands their priorities;</li> <li>• redirects queries to the most appropriate person / solution provider and follows through to ensure customer needs are met; and</li> <li>• understands and complies with the content and requirements of chapter 4 of the Municipal Systems Act.</li> </ul>	<ul style="list-style-type: none"> <li>• Develops clear and implementable service delivery improvement programmes;</li> <li>• identifies opportunities to exceed the expectations of customers;</li> <li>• ensures the design of internal work processes to improve customer service;</li> <li>• adds value to the organisation by providing exemplary customer service;</li> <li>• applies customer rights in own work environment;</li> <li>• fully complies with the chapter 4 requirements of the Municipal Systems Act; and</li> <li>• finds innovative ways to include participation in the preparation of the IDP.</li> </ul>	<ul style="list-style-type: none"> <li>• Coaches others about the importance and application of customer and client knowledge;</li> <li>• fosters an environment in which customer satisfaction is valued and delivered;</li> <li>• addresses and resolves high-risk, high-profile stakeholder issues; and</li> <li>• takes advantage of opportunities to learn about stakeholders and brings this information to own functional area.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures the coordination of the implementation of service delivery improvements within budget, time, quality and targets set by the municipality;</li> <li>• establishes guidelines to balance cost-consciousness and service delivery;</li> <li>• establishes the municipality's strategic direction for managing services towards stakeholders;</li> <li>• demands broad and deeper knowledge of clients and customers to ensure better service delivery; and</li> <li>• utilises long term, collaborative and strategic relationships with clients and customers to better service delivery.</li> </ul>

**Competency 10: Communication**

**Definition:** Must be able to exchange information and ideas in a clear and concise manner appropriate for the audience in order to explain, persuade, convince and influence others to achieve the desired outcomes.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>Shows understanding for communication tools appropriate for the audience but needs assistance in utilising them;</li> <li>expresses ideas in a clear and coherent manner but not always taking into account the needs of the audience; and</li> <li>assimilates information reasonably well.</li> </ul>	<ul style="list-style-type: none"> <li>Expresses ideas to individuals and groups both in formal and informal settings in an interesting and motivating way;</li> <li>receptive to alternative viewpoints;</li> <li>adapts communication content and style according to the audience including managing body language effectively;</li> <li>delivers messages in a manner that gains support, commitment and agreement;</li> <li>writes complex documents that are clear and well structured;</li> <li>communicates controversial, sensitive messages to stakeholders tactfully;</li> <li>listens well and is receptive; and</li> <li>encourages participation and mutual understanding.</li> </ul>	<ul style="list-style-type: none"> <li>Communicates high risk sensitive matters to all relevant stakeholders;</li> <li>develops well defined communication strategy;</li> <li>balances political views with organisational needs when communicating differing viewpoints on complex issues;</li> <li>steers negotiations around complex issues and arrives at a win / win situation;</li> <li>markets and promotes the municipality to external stakeholders; and</li> <li>communicates with the media without compromising the integrity of the municipality.</li> </ul>	<ul style="list-style-type: none"> <li>Is sought after to lead negotiations and represent the municipality;</li> <li>inspires people with use of language;</li> <li>creates an environment that is conducive to productive communication; and</li> <li>coordinates negotiations at different levels within the municipality and externally.</li> </ul>

**Competency 11: Accountability and Ethical Conduct**

**Definition:** Must be able to display and build the highest standards of ethical and moral conduct in order to promote confidence and trust in the Public Service.

PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
<ul style="list-style-type: none"> <li>Realises the implications of not speaking and acting with integrity, but needs guidance in implementing these principles;</li> <li>follows through on commitments under supervision; and</li> <li>follows the rules and regulations of the organisation.</li> </ul>	<ul style="list-style-type: none"> <li>Conducts self in accordance with organisational values;</li> <li>admits own mistakes and weaknesses and seeks help from others where unable to deliver;</li> <li>reports fraud, corruption, nepotism and maladministration;</li> <li>honours the confidentiality of matters and does not use it for personal gain or the gain of others;</li> <li>deals promptly, and in the interest of the state, with situations where conflict of interest arises;</li> <li>establishes trust and shows confidence in others;</li> <li>treats all employees with equal respect;</li> <li>takes responsibility for own actions;</li> <li>undertakes roles and responsibilities in a sincere and honest manner;</li> </ul>	<ul style="list-style-type: none"> <li>Develops and applies self-corrective measures;</li> <li>makes proposals and recommendations in a way that wins the trust and support of others;</li> <li>promotes transparent and accountable administration;</li> <li>presents ideas and beliefs in a manner which is consistent with the rules and regulations of the organisation / department;</li> <li>acts decisively against corrupt and dishonest conduct;</li> <li>promotes the values and beliefs of the organisation internally and externally;</li> <li>co-operates with others and works as a team and not for personal benefit; and</li> <li>oversee the acceptance of responsibility and accountability in the organisation.</li> </ul>	<ul style="list-style-type: none"> <li>Creates an environment where integrity, honesty and accountability flourishes;</li> <li>develops and implements anti-corruption measures;</li> <li>is widely recognised as an expert in fighting fraud, corruption and other acts of dishonesty;</li> <li>sets shared accountabilities and integrity standards across the organisation in support of organisational objectives;</li> <li>is fully responsible for own actions even if it reflects negatively on self or organisation; and</li> <li>creates a culture of accountability.</li> </ul>

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PROFICIENCY LEVELS			
BASIC	COMPETENT	ADVANCED	EXPERT
	<ul style="list-style-type: none"> <li>• uses work time for municipal matters and not for personal matters; and</li> <li>• shares information openly, whilst respecting the principle of confidentiality.</li> </ul>		

## **7. PERFORMANCE EVALUATIONS**

- 7.1 The Performance Plan (Annexure A) to this Agreement sets out –
  - 7.1.1 The standards and procedures for evaluating the Employee's performance; and
  - 7.1.2 The intervals for the evaluation of the Employee's performance.
- 7.2 Despite the establishment of agreed intervals for evaluation, the Employer may in addition review the Employee's performance at any stage while the contract of employment remains in force.
- 7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.
- 7.4 The Employee's performance will be measured in terms of contributions to the goals and strategies set out in the Employer's Integrated Development Plan (IDP).
- 7.5 The annual performance appraisal will involve:
  - 7.5.1 Assessment of the achievement of results as outlined in the performance plan:
    - 7.5.1.1. Each KPA should be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
    - 7.5.1.2. An indicative rating on the five-point scale should be provided for each KPA.
    - 7.5.1.3. The applicable assessment rating calculator (refer to paragraph 7.5.3 below) must then be used to add the scores and calculate a final KPA score.

7.5.2 Assessment of the CCR's

7.5.2.1. Each CCR should be assessed according to the extent to which the specified standards have been met.

7.5.2.2. An indicative rating on the five-point scale should be provided for each CCR.

7.5.2.3. The applicable assessment rating calculator (refer to paragraph 7.5.1) must then be used to add the score and calculate a final CCR score.

7.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

7.6 The assessment of the performance of the Employee will be based on the following rating scale for KPA's and CCRs:

Level	Terminology	Description	Rating				
			1	2	3	4	5
5	<b>Outstanding performance</b>	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the PA and Performance plan and maintained this in all areas of responsibility throughout the year.					
4	<b>Performance significantly above expectations</b>	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.					
3	<b>Fully effective</b>	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the PA and Performance Plan.					

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Level	Terminology	Description	Rating				
			1	2	3	4	5
2	<b>Not fully effective</b>	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the PA and Performance Plan.					
1	<b>Unacceptable performance</b>	Performance does not meet the standard expected for the job. The review/assessment indicates that they employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the PA and Performance Plan. The employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.					

7.7 For purposes of evaluating the performance of the Employee, an evaluation panel constituted of the following persons will be established –

7.7.1 Municipal Manager;

7.7.2 Chairperson of the Performance Audit Committee or the Audit Committee in the absence of a performance audit committee;

7.7.3 Member of the Mayoral Committee or Executive committee or in respect of a plenary type municipality, another member of council; and

7.7.4 Municipal Manager from another Municipality.

## 8. SCHEDULE FOR PERFORMANCE REVIEWS

8.1 The performance of each Employee in relation to his/her performance agreement shall be reviewed on the following dates with the understanding reviews in the first and third quarter may be verbal if performance is satisfactory:

First quarter	:	<b>July – September 2009</b>
Submission of evidence	:	30 October 2009
Evaluation	:	15 November 2009
Second quarter	:	<b>October-December 2009</b>
Submission of evidence	:	30 January 2010
Evaluation	:	15 February 2010
Third quarter	:	<b>January-March 2010</b>
Submission of evidence	:	30 April 2010
Evaluation	:	15 May 2010
Fourth quarter	:	<b>April-June 2010</b>
Submission of evidence	:	30 July 2010
Evaluation	:	15 August 2010

8.2 The Employer shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the Employer's assessment of the Employee's performance.

8.4 The Employer will be entitled to review and make reasonable changes to the provisions of Annexure A from time to time for operational reasons. The Employee will be fully consulted before any such change is made.

8.5 The Employer may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case, the Employee will be fully consulted before any such change is made.

## 9. DEVELOPMENTAL REQUIREMENTS

The Pro Forma Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B. Such Plan may be implemented and/or amended as the case may be after the each assessment. In that case, the Employee will be fully consulted before any such change or plan is made.

## **10. OBLIGATIONS OF THE EMPLOYER**

### **10.1 The Employer shall-**

10.1.1 Create an enabling environment to facilitate effective performance by the employee;

10.1.2 Provide access to skills development and capacity building opportunities;

10.1.3 Work collaboratively with the Employee to solve problems and generate solutions to common problems that may impact on the performance of the Employee;

10.1.4 On the request of the Employee delegate such powers reasonably required by the Employee to enable him/her to meet the performance objectives and targets established in terms of this Agreement; and

10.1.5 Make available to the Employee such resources as the Employee may reasonably require from time to time assisting him/her to meet the performance objectives and targets established in terms of this Agreement.

## **11. CONSULTATION**

11.1 The Employer agrees to consult the Employee timeously where the exercising of the powers will have amongst others-

11.1.1 A direct effect on the performance of any of the Employee's functions;

11.1.2 Commit the Employee to implement or to give effect to a decision made by the Employer; and

11.1.3 A substantial financial effect on the Employer.

11.2 The Employer agrees to inform the Employee of the outcome of any decisions taken pursuant to the exercise of powers contemplated in clause 11.1 as soon as is practicable to enable the Employee to take any necessary action with delay.

## **12. MANAGEMENT OF EVALUATION OUTCOMES**

- 12.1 The evaluation of the Employee's performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 A performance bonus between 5% to 14% of the Employees inclusive annual remuneration package may be paid to the Employee in recognition of outstanding performance.
- 12.3 The Employee will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of at least twelve months (12) service at the current remuneration package on 30 June (end of financial year) subject to a fully effective assessment.
- 12.4 In the case of unacceptable performance, the Employer shall –
  - 12.4.1 Provide systematic remedial or developmental support to assist the Employee to improve his or her performance; and
  - 12.4.2 After appropriate performance counselling and having provided the necessary guidance and/or support as well as reasonable time for improvement in performance, the Employer may consider steps to terminate the contract of employment of the Employee on grounds of unfitness or incapacity to carry out his or her duties.

## **13. DISPUTE RESOLUTION**

- 13.1 Any disputes about the nature of the Employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/or any other matter provided for, shall be mediated by –
  - 13.1.1 The MEC for local government in the province within thirty (30) days of receipt of a formal dispute from the Employee;  
or
  - 13.1.2 Any other person appointed by the MEC.
- 13.2 In the event that the mediation process contemplated above fails, clause 16 of the Contract of Employment shall apply.

**14. GENERAL**

- 14.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the Employer.
- 14.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the Employee in terms of his/her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at \_\_\_\_\_ on this the \_\_\_\_\_ day  
\_\_\_\_\_ of 2009.

**AS WITNESSES:**

- 1. \_\_\_\_\_  
\_\_\_\_\_ **EMPLOYEE**
- 2. \_\_\_\_\_

Thus done and signed at \_\_\_\_\_ on this the \_\_\_\_\_ day of  
\_\_\_\_\_ 2009.

**AS WITNESSES:**

- 1. \_\_\_\_\_  
\_\_\_\_\_ **MUNICIPAL MANAGER**
- 2. \_\_\_\_\_