

**TERMS OF REFERENCE
FOR THE
SPEAKERS' FORUM
MOTHEO DISTRICT**

31 JANUARY 2007

1. Introduction

The idea of a structure like the Speakers' Forum is a recent development in the local government sphere of government. The Offices of Speakers in local government were first introduced by the promulgation of the Municipal Structures Act that came into effect in 2000. Therefore, the first appointments of Speakers in municipalities occurred after the December 2000 elections.

Since December 2000, the roles and responsibilities of Speakers have evolved from just chair of the Council meetings. They have to play a crucial role in ensuring that the image, dignity and business of Council is upheld at all times. They must ensure the accountability on the part of the municipality and its office bearers at both the administrative and political level.

Overall, the Speaker is responsible to enforce the oversight role of Council between its sittings and must ensure that both the executive and the administration implement decisions of Council in line with the applicable policies and legislation.

2. Purpose

The purpose for the establishment of the Speakers Forum is therefore to ensure that:

- a) There is a uniformity and consistency in the management and operation of the Offices of the Speakers across the Free State Province and more specifically, Motheo District.
- b) To facilitate and oversee that the programmes and initiatives of Speakers at local municipalities are implemented.
- c) To identify and implement programmes aimed at realising one of the key objectives of local government, i.e. to deepen local democracy.
- d) To co-ordinate and ensure active participation of communities in matters of local governance.
- e) To ensure coordination and streamlining at all member Municipalities.
- f) To initiate and implement training and capacity building programmes for Councillors.

- g) To promote and open all channels of communication between local municipalities and the District at both political and administrative levels for purposes of enhancing good governance in the form of regular feedbacks, service delivery performance, information sharing, identification of areas of capacity gaps and skills sharing among member municipalities.
- h) To strengthen the legislative arm of the Council which includes amongst others the development of leadership expertise and qualities to be able to initiate and implement Council-led programmes.
- i) To promote and enhance the use of intergovernmental relations forums across the various spheres of government, including any established structures.

3. Committees of the Speakers Forum

For efficient and effective operations of the Speakers Forum, it is proposed that it shall consist of two Committees, namely, Governance Management Committee and Administrative Support Committee. The Speakers Forum will also have powers and authority to appoint Special Sub-Committees that may be established to attend to or address specific matters.

3.1 Governance Management Committee (GMC)

The Governance Management Committee will be the principal committee consisting of political office bearers, namely, Speakers/Mayors in the case of plenary type municipalities and Chairperson of Governance and Intergovernmental Relations working group, Salga Free State. This will be the committee that deliberate on issues and make decisions affecting the Speakers Forum.

Each Speaker from the participating municipality will be a member after a resolution by Council to that effect and shall remain as a member until he/she vacates office.

3.2 Administrative Support Committee (ASC)

As a support to the Governance Committee, it is proposed that there should be an establishment of the Administrative Support Committee/Team. This committee will consist of officials identified by the relevant Speaker/Mayor from the participating Municipalities. Municipal Managers will be requested to attend at least two meetings of the Speakers Forum per annum.

3.3 Special Sub-Committees (SSC)

The Special Sub-Committees will not be a permanent feature of the Speakers' Forum. They will be established as and when the Governance Management Committee so determines. They will be appointed to deal with a specific matter based on the mandate given to each established Special Sub-Committee by the Governance Management Committee. The Special Sub-Committee will deal with the matter assigned to it and provide a report to the Governance Management Committee and will thereafter cease to exist.

Members of the Special Sub-Committee will consist of councillors nominated or appointed and approved by the Governance Management Committee from among the participating municipalities and will also determine the chairperson of each Special Sub-Committee. In addition to councillors, the Governance Management Committee may appoint other external people including members of public and/or councillors from non-participating municipalities to serve in the Special Sub-Committees.

The criteria that will be utilised to determine members of the Special Sub-Committee will be:

- a) The skills that a particular councillor possesses in relation to the subject matter or issue that has been referred and need the attention of the Special Sub-Committee
- b) Similar responsibilities at the participating municipality in relation to the subject matter or issue that has been referred and need the attention of the Special Sub-Committee
- c) Expertise, skills and experience that the individual possess with regard to external members who are not councillors

4. Terms of reference

For the Speakers Forum to operate effectively and in a coordinated manner, there is a need to develop and maintain the terms of reference that will outline the following:

- a) The mandate and functioning of the Speakers Forum
- b) Provide human and financial resources needed to operate effectively
- c) The structures or committees in addition to the two mentioned above, if any, that are relevant and must be put in place
- d) Determine the frequency of meetings
- e) Outline authority and decision-making processes

Here are the proposed terms of reference that serve to provide the mandate for the different Committees constituting the Speakers Forum:

4.1 Governance Management Committee

4.1.1 Roles and responsibilities

- a) Membership of the Speakers Forum is voluntary and shall be open to all municipalities in the Motheo district and the province of Free State should there be a request to that effect.
- b) Member municipalities pass a resolution for their Speakers to participate in the activities of the Speakers' Forum.
- c) Membership shall be for Speakers and Mayors/Speakers in respect of plenary executive municipality and the Chairperson of Governance and Intergovernmental Relations, Salga Free State.
- d) Senior official or officials in the Office of the Speaker and Mayor/Speakers shall serve as an administrative support to the Speakers Forum.
- e) The Committee will at least twice per annum invite all Municipal Managers of member municipalities to address it on specific issues affecting the running of the Council. Municipal Managers may be requested to be accompanied by other relevant senior managers.
- f) The Speakers Forum will enable member Speakers/Mayors to develop expertise and in-depth knowledge on the roles and responsibilities of their

respective Offices in the participating municipality including the applicable legislation and policies.

- g) To facilitate benchmarking among member municipalities and to also promote the implementation of those practices.
- h) Assist to develop policies and procedures aimed at establishing uniformity among member municipalities.
- i) Provide a platform for member Speakers/Mayors to interact with communities and stakeholders across individual municipal boundaries on issues of common interest, particularly with regard to economic growth, internal stability, cultural experiences etc.
- j) Assist member municipalities to monitor the programmes of public participation and for promotion of accountability to communities.
- k) To convene in alliance with other role-players in the District and the Province regular public hearings on matters of general concern and interest to the different communities before major decisions are taken.
- l) To initiate, promote and support mechanisms and procedures that participating municipalities and councillors must use to increase and enhance public participation in local governance.
- m) To instil among councillors of member municipalities the culture of reporting to local communities and to further develop and promote the implementation of such reporting mechanisms.
- n) To promote and build the capacity of local councils and communities to participate in and take a lead in local economic development.
- o) To promote co-operation and harmonious working relationship between local government and other spheres of government.
- p) To outline the role of other stakeholders in the activities of the Speakers' Forum.
- q) To identify bottlenecks and stumbling blocks to the effective and smooth operation and running in the Councils of member municipalities and identify mechanisms to eradicate them.

4.1.2 Special Sub-Committees

As indicated above, the Special Sub-Committees will act as advisory and political support structure to the Governance Management Committee. The role of Special Sub-Committee will be to handle any matter that has been referred to it

by the Governance Management Committee and the life span of each will be based to the time allocated for the completion of the project.

4.1.3 Administrative Support Committee

The key responsibilities of the Administrative Support Committee/Team will be:

- a) Will consist of officials nominated by the Speaker/Mayor of the member Municipality
- b) Secretariat services and will be responsible for compilation of agendas, minutes and other logistical services required by the Governance Management Committee and the Special Sub-Committee
- c) Facilitation of programmes initiated and approved by the Governance Management Committee
- d) Preparation of the research material and/or discussion documents
- e) Implementation and follow-up of decisions taken by the Governance Management Committee
- f) Travel and other incidental costs for attendance and participation in the affairs of the Forum will be to the account of the member municipality

5 Financial implications

- a) Each municipality including Salga, shall be responsible to cover and bear the incidental costs of its participating Speaker/Mayor and officials.
- b) Motheo District Municipality will budget for the running and operation costs of the Speakers Forum and will provide such financial assistance as may be requested by member municipalities.
- c) For the operation and activities associated with the Special Sub-Committees, the nominating municipality and/or Motheo District Municipality will incur travel, accommodation and associated costs for such members of the Special Sub-Committees who are external people or councillors from non-participating municipalities.

6 Meetings

The following stipulations are laid down to regulate meetings of the Speakers' Forum:

- a) Meetings of the Speakers Forum shall rotate among member municipalities.
- b) The Speakers Forum shall have one ordinary meeting per quarter; provided that other members may request a special meeting by making a written submission to the Chairperson of the forthcoming meeting.
- c) The Committee will approve a schedule of meetings at its first meeting of each financial year.
- d) The Chairperson shall be the Speaker or Mayor/Speaker of the host municipality or the Chairperson of Governance and Intergovernmental Relations, Salga Free State in the case of a meeting hosted by Salga Free State provided that he/she is not the Speaker or Mayor/Speaker of a member municipality.
- e) The Administrative Support Committee will have regular meetings for the smooth functioning of the Governance Management Committee.
- f) No single member Municipality will host two consecutive meetings of the Governance Management Committee.
- g) Officials of member municipalities shall be responsible for provision of secretariat services, and the following arrangements shall be adhered to:
 - i. The District is responsible to host the first meeting of the Speakers' Forum in each financial year, but will further be required to liaise with, support and work with the hosting municipality to ensure success of each meeting;
 - ii. The minutes for each meeting shall be circulated to all participants within 72 working hours after the said meeting;
 - iii. Inputs and matters for inclusion in the agenda shall be submitted by initiators at least 14 days before the meeting;
 - iv. Motheo District Municipality and the hosting municipality shall issue agenda at least seven days before the meeting