

GREATER LETABA MUNICIPALITY

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN

GREATER LETABA MUNICIPALITY

AS REPRESENTED BY THE MUNICIPAL MANAGER

MRS. MF MANKGABE

AND

MALEKUTU OBED SEWAPE

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2021 - 30 JUNE 2022

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PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Greater Letaba Municipality herein represented by Mrs. MF Mankgabe in her capacity as Municipal Manager (hereinafter referred to as the **Employer** or Supervisor)

and

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Malekutu Obed Sewape as the Employee of the Municipality (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 to 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 and outputs 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

The purpose of this Agreement is to -

- 2.1 Comply with the provisions of Section 57(1)(b),(4A),(4B) and (5) of the Act as well as the employment contract entered into between the parties.
- 2.2 Specify objectives and targets defined and agreed with the employee and to communicate to the employee the employer's expectations of the employee's performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP), the Departmental Business Plan and the Budget of the Municipality.
- 2.3 Specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement.
- 2.4 Monitor and measure performance against set targeted outputs.
- 2.5 Use the performance agreement as the basis for assessing whether the employee has met the performance expectations applicable to his job.
- 2.6 In the event of outstanding performance, to appropriately reward the employee.
- 2.7 Give effect to the employer's commitment to a performance-orientated relationship with its employee in attaining equitable and improved service delivery

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3 COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the 1 July 2021 and will remain in force until 30 June 2022; thereafter 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 the first month of the 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 above-mentioned 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; targets that may include dates and weightings.
 - 4.2.1 The key objectives describe the main tasks that need to be done.
 - 4.2.2 The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved.
 - 4.2.3 The target dates describe the timeframe in which the work must be achieved.
 - 4.2.4 The weightings show the relative importance of the key performance areas, key objectives and key performance indicators to each other in terms of the position.
- 4.3 The **Employee**'s performance will, in addition, be measured in terms of contributions to the strategic objectives and strategies set out in the **Employer**'s Integrated Development Plan as developed per the Balanced Scorecard methodology.

5 PERFORMANCE MANAGEMENT SYSTEM

- 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**.
- 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 required standards.

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- The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the employee's responsibilities) within the local government framework.
- 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.
 - 5.5.1 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 Competency Requirements (CCR's) respectively.
 - 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
 - 5.5.3 KPA's covering the main areas of work will account for 80% and CCR's will account for 20% of the final assessment.
- The **Employee**'s assessment will be based on his 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**:

Key Performance Areas	Weighting (%)
Municipal Institutional Development and Transformation	5
Basic Service Delivery	5
Local Economic Development (LED)	70
Municipal Financial Viability and Management	5
Good Governance and Public Participation	15
Total	100%

- 5.7 In the case of managers directly accountable to the Municipal Manager, key performance areas related to the functional area of the relevant manager must be subject to negotiation between the Municipal Manager and the relevant manager.
- The CRs will make up the other 20% of the Employee's assessment score. CRs that are deemed to be most critical for the Employee's specific job should be selected (√) from the list below as agreed to between the Employer and Employee. Three of the CRs are compulsory for Municipal Managers:

LEADING COMPETENCIES	√	WEIGHT
Strategic Direction and Leadership	√	15%
People Management	$\sqrt{}$	15%
Program and Project Management	√	5%
Financial Management	√	10%
Change Leadership	√	10%
Governance Leadership	√	10%
CORE COMPETENCIES		
Moral Competence		5%



LEADING COMPETENCIES	√	WEIGHT
Planning and Organising	√	5%
Analysis and Innovation	√	10%
Knowledge and Information Management	√	5%
Communication		5%
Results and Quality Focus		5%
Total percentage	-	100%

6. EVALUATING PERFORMANCE

- 6.1 The Performance Plan (Annexure A) to this Agreement sets out -
 - 6.1.1 The standards and procedures for evaluating the Employee's performance; and
 - 6.1.2 The intervals for the evaluation of the employees performance
- 6.2 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.
- 6.3 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 agreed time frames in the Personal Development.
- 6.4 The **Employee**'s performance will be measured in terms of contributions to the strategic objectives and strategies set out in the **Employer**'s IDP.
- 6.5 The bi-annual and annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) 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.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the CCRs

- (a) Each CCR should be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each CCR (see Table 3 below).
- (c) This rating should be multiplied by the weighting given to each CCR during the contracting process, to provide a score.
- (d) The applicable assessment rating calculator (refer to paragraph 6.5.1) must then be used to add the scores and calculate a final CR score.



Competencies	Competencies Basic (2) Competent (3)	Competent (3)	(Advanced) (4)	(Superior) (5)
Leading competencies	ncies			
Strategic Direction	Understand institutional and departmental strategic	Give direction to a team in	Evaluate all activities to determine value and	 Structure and position the institution to
	objectives, but lacks the ability	mandate and set objectives	Display in-depth knowledge and understanding	 Actively use in-depth knowledge and
	to inspire other to achieve set	 Has a positive impact and 	of strategic planning	understanding to develop and
	mandate	influence on the morale,	 Align strategy and goals across all functional 	implement a comprehensive institutional
	Describe how specific tasks	engagement and participation of	areas	framework
	link to institutional strategies but	team members	 Actively define performance measures to 	Hold self accountable for strategy
	has limited influence in directing	 Develop action plans to execute 	monitor the progress and effectiveness of the	execution and results
	strategy	and guide strategy implementation	institution	 Provide impact and influence through
	institutional porformance	Assist in defining performance	 Consistently challenge strategic plans to ensure 	building and maintaining strategic
	management but lacks the	and effectiveness of the institution	Inderstand institutional structures and political	relationships
	ability to integrate systems into	 Displays an awareness of 	factors, and the consequences of actions	lovally and innovation Display a
	a collective whole	institutional structures and political	 Empower others to follow strategic direction and 	superior level of self-discipline and
	understanding of key decision-	 Effectively communicate harriers 	deal with complex situations	integrity in actions
	makers	to execution to relevant parties	and ambiguous concern	collective whole to optimise institutional
		Provide guidance to all	 Use understanding of power relationships and 	performance management
		stakenoiders in the achievement of the strategic mandate	dynamic tensions among key players to frame	Uses understanding of competing
		 Understand the aim and 	positions and alliances	win/win outcome
		objectives of the institution and relate it to own work		
People Management	Participate in team goal-	 Seek opportunities to increase 	 Identify ineffective team and work processes 	Develop and incorporate best practice
	setting and problem-solving•	team contribution and	and recommend remedial interventions.	people management processes,
	people of diverse backgrounds.	the diverse nature of others and he	hehavioure Provide mentoring and desired	approaches and tools across the
	Aware of guidelines for	aware of the benefits of a diverse	others in order to increase personal	responsibility and
	employee development, but	approach • Effectively delegate	effectiveness• Identify development and learning	accountability.Understand the impact of
	requires support in	tasks and empower others to	needs within the tam. Build a work environment	diversity in performance and actively
	initiatives	functions ontimally. Apply relevant	behaviour and professionalisms legation author	incorporate a diversity strategy in the
		employee legislation fairly and	of performance excellence by giving positive and	integrated strategies and approaches to
		consistently. Facilitate team goal-	constructive feedback to the team. Achieve	human capital development and
		setting and problem-solving.	agreement or consensus in adversarial	management. Actively identify trends
		Effectively identify capacity	environments• Lead and unite diverse teams	and predict capacity requirements to
		mandate		performance management
Programme and	approval	 Establish broad stakeholder 	 Manage multiple programmes and balance 	Understand and conceptualise the
Project Management	from higher authorities	involvement and communicate the	priorities and conflicts according to institutional	long-term implications of desired project

¹ As prescribed by Regulation 21 of 2014

• Understand procedures of project and procedures of project and project management inchoology, implications and stakeholder involvement of the institution's strategic objectives and resource to individual project of earlier and proposables of the project sin relation to the institution's strategic objectives and resource between project in relation to the institution's strategic objectives and resource between project status and approaches of comply with statutory streathers. • Document and communicate tactors and implementation as guide of earlier and appropriate project completion of the deliverables. • Lordentity appropriate project completion of the deliverables of the project scope and budget when required without compromising the quality and objectives of the project scope and budget when required without compromising the quality and objectives of the project scope and budget when required without compromising the quality and objectives of the project scope and budget when required without compromising the quality and objectives of the project scope and budget when required without compromising the quality and objectives of the project completion of the deliverables. • Comply with statutory budgets and apply policies in a concepts and methods as they financial management treasures and make a project team to deliver to completion of the deliverables. • Individual apply contemporary project of the quality of deliverables of the quality of the quality and apply contemporary project completion of the deliverables. • Individual apply contemporary project of the quality and project town the quality and project team to deliver town work. • Individual apply contemporary project of the quality and project team to deliver town work. • Advisers on places and provides complete town of the project team to deliver town work for Financial Management or the control of specifical formats and updated to ensure a proportion as set control. • Apply effective risk management strategics of the project status of the qu	Competencies	Competencies Basic (2) Competent (3	Competent (3)	(Advanced) (4)	(Superior) (5)
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implementing such requirements - Understand the structure of coperent and reduce risk that impede on the polinising risk taking decisions cooperative government but requires guidance on fostering workable relationshtips between stakeholders - Provide input into policy formulation within the institution or ensure the impact of acting with integrity, but requires guidance and development in understanding and reasoning with moral intent requires of conflict of interest prompty and overnment and conflict of interest prompty and implementations but requires guidance and development in understanding and reasoning with moral intent reasoning overnment of institution to ensure the management systems and provide recommendations for impovement of objectives - Conduct self in alignment with the institution or ensure the management systems and provide recommendations for impovement of objectives - Conduct self in alignment with the institution or elevant stakeholders - Actively preport fraudulent activity or expect through aligning in the institution or elevant stakeholders - Actively preport fraudulent activity or expect in the institution or elevant stakeholders - Actively preport fraudulent activity or expect in the institution or elevant stakeholders - Actively preport fraudulent activity or expect in the institution or elevant stakeholders - Actively promote the value of the institution to inderest prompty and in providing and reasoning government - Actively promote in the value of the institution to interest prompty and importance and external stakeholders - Actively promote the value of the institution to interest prompty and importance and external stakeholders - Actively promote the value of the institution to interest prompty and information and extension plants and or or provide active states and or or expective plants integrate and coordinate in the provider of the extension plants and or or extensive plants to advance required stages and actions of the earlies of the extension and integrated and co	Competencies	Competencies Basic (2) Competent (3	Competent (3)	(Advanced) (4)	(Superior) (5)
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performed within budget and with plans to achieve institutional objectives efficient use of time and resources I dentify possible risk factors and design and		plans	Schedule tasks to ensure they are	 Produce clear, detailed and comprehensive 	institutional objectives
		Able to follow existing plans	performed within budget and with	plans to achieve institutional objectives	

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ומטופט. הפוופדכו	lable 3. Achievement levels for competency Requirements	Requirements		
Competencies	Basic (2)	Competent (3)	(Advanced) (4)	(Superior) (5)
	met • Focus on short-term objectives in developing plans and actions	Measures progress and monitor performance results	 implement appropriate contingency plans Adapt plans in light of changing circumstances Prioritise tasks and projects according to their relevant urgency and importance 	
	 Arrange information and resources required for a task, but require further structure and organisation 			
Analysis and Innovation	Understand the basic operation of analysis but lack	Demonstrate logical problem	Coaches team members on analytical and incounting approaches and to be income.	Demonstrate complex analytical and
	detail and thoroughness	and provide rationale for	Engage with appropriate individuals in	techniques
	 Able to balance independent analysis with requesting 	Demonstrate phierfully insight	analysing and resolving complex problems	Create an environment conducive to
	assistance from others	and thoroughness when analysing	 Identify solutions on various areas in the institution 	analytical and fact-based problem-
	Recommend new ways to	problems	 Formulate and implement new ideas 	Analyse, recommend solutions and
	function	problems into manageable parts	Able to gain approval and buy-in for proposed	monitor trends in key challenges to
	 Propose simple remedial 	and identify solutions	interventions from relevant stakeholders	Create an environment that fosters
	interventions that marginally	Consult internal and external	 Identify trends and best practices in process 	innovative thinking and follows a
	Listen to the ideas and	improve processes and service	and service delivery and propose institutional application	 Be a thought leader on innovative
	perspectives of others and	delivery	 Continuously engage in research to identify 	customer service delivery, and process
	explore opportunities to enhance such innovative	 Clearly communicate the benefits of new opportunities and innovative 	client needs	optimisation
	thinking	solutions to stakeholders		practice solutions and engage in
		 Continuously identify 		national and international local
		opportunities to enhance internal processes		government seminars and conferences
		 Identify and analyse opportunities 		
		and propose remedial intervention		
Knowledge and	Collect, categorise and track	 Use appropriate information 	Effectively predict future information and	 Create and support a vision and
Management	specific tasks and projects	institutional knowledge and	knowledge management requirements and	culture where team members are
C NAME A THY OLD PROPERTY.	 Analyse and interpret 	information sharing	Develop standards and processes to meet	knowledge and information
	information to draw conclusions	 Evaluate data from various 	future knowledge management needs	 Establish partnerships across local
	Seek new sources of	sources and use information	 Share and promote best-practice knowledge 	government to facilitate knowledge
	knowledge base	effectively to influence decisions	management across various institutions	management
	Regularly share information	Actively create mechanisms and	Establish accurate measures and monitoring	demonstrate a mature approach to
	and knowledge with internal	structures for sharing of information	management	an ahundance and assistance approach
	stakeholders and team	 Use external and internal 	 Create a culture conducive of learning and 	Recognise and exploit knowledge
	members	resources to research and provide	knowledge sharing	-

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7.1 The performance of the Employee in relation to his performance agreement shall be reviewed within the month following the quarters as indicated with the understanding that reviews in the first and third quarter may be informal if performance is satisfactory:

First quarter:July – September 2021(October 2021)Second quarter:October – December 2021(February 2022)Third quarter:January – March 2022(April 2022)Fourth quarter:April – June 2022(August 2022)

- 7.2 The Employer shall keep a record of the mid-year review and annual assessment meetings.
- 7.3 Performance feedback shall be based on the **Employer**'s assessment of the **Employee**'s performance.
- 7.4 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.
- 7.5 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.

8. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as Annexure B.

9. OBLIGATIONS OF THE EMPLOYER

- 9.1 The Employer shall -
 - 9.1.1 Create an enabling environment to facilitate effective performance by the Employee.
 - 9.1.2 Provide access to skills development and capacity building opportunities.
 - 9.1.3 Work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**.
 - 9.1.4 On the request of the Employee delegate such powers reasonably required by the Employee to enable him to meet the performance objectives and targets established in terms of this Agreement.
 - 9.1.5 Make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him to meet the performance objectives and targets established in terms of this Agreement.

10. CONSULTATION

- 10.1 The Employer agrees to consult the Employee timeously where the exercising of the powers will have amongst others
 - 10.1.1 A direct effect on the performance of any of the **Employee**'s functions.
 - 10.1.2 Commit the Employee to implement or to give effect to a decision made by the Employer.

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- 10.1.3 A substantial financial effect on the Employer.
- The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 10.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

11. MANAGEMENT OF EVALUATION OUTCOMES

- 11.1 The evaluation of the **Employee**'s performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 11.2 A performance bonus of between 5% to 14% of the all-inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance to be constituted as follows:
 - 11.2.1 A score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%.
 - 11.2.2 A score of 150% and above is awarded a performance bonus ranging from 10% to 14%.
 - 11.2.3 Specific bonus percentages will be determined on a sliding scale (as contained in the PMS Policy of Council), proportionately to the points scored, rounded up to the next 0.25 percentage. eg.136% score = 6.678% = 6.75% bonus.
- 11.3 In the case of unacceptable performance, the Employer shall
 - 11.3.1 Provide systematic remedial or developmental support to assist the Employee to improve his performance
 - 11.3.2 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 duties.

12. DISPUTE RESOLUTION

- 12.1 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
 - 12.1.1 The MEC for local government in the Province within thirty (30) days of receipt of a formal dispute from the Employee
 - 12.1.2 Any other person appointed by the MEC
 - 12.1.3 In the case of managers directly accountable to the Municipal Manager, a member of the municipal council, provided that such member was not part of the evaluation panel provided for in sub-regulation 27(4)(e) of the Municipal Performance Regulations, 2006, within thirty (30) days of receipt of a formal dispute from the employee

whose decision shall be final and binding on both parties.

12.2 In the event that the mediation process contemplated above fails, the dispute procedures as per the Contract of Employment shall apply.

13. GENERAL

13.1 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**.

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Nothing in this Agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus done and signed at Sostassiskuf on this	the \mathcal{OI}_{-} day of	Jucy 2021
AS WITNESSES: 2	EMPLOYEE	85)
AS WITNESSES:		
1	EMPLOYER	MJA