

Blouberg Municipality



MUNICIPAL PROTECTION OF PERSONAL INFORMATION POLICY

1. BACKGROUND

The Protection of Personal Information Act, Act No. 4 of 2013 (POPIA), which came into force from 1 July 2021, is the comprehensive data protection legislation enacted in South Africa. It is therefore compulsory for a municipality that process personal information in South Africa to comply. The Act seeks to protect and regulate the processing of personal information into the broader Constitutional right to privacy.

POPIA requires municipalities to regulate how information is organised, stored, secured, and discarded. This ensures that the Municipality can maintain the integrity and confidentiality of its clients' and employees' personal information by preventing loss, damage, and unauthorised access to the personal data. The Act therefore guarantees that personal information will be used in a responsible and ethical manner by the municipality from the time it is collected until the time it is destroyed.

2. PURPOSE OF THE POLICY

The purpose of this policy is to give effect to the provision of POPIA to safeguard personal information of employees, potential consumers, consumers and third parties of Blouberg Local Municipality. In doing so, the municipality is committed to the observance of, and compliance with, the directives of the Constitution and national legislation alike, including the Protection of Personal Information Act. BLM endorses the key principles of good governance, transparency and

accountability and seeks to regulate the use and Processing of Personal Information as lawfully required.

3. OBJECTIVES

The aim and objective of this policy is to:

- 3.1 ensure that personal information of BLM residents is adequately protected to avoid unauthorized access and use.
- 3.2 agree to protect personal information of BLM Councillors and employees. The personal information will be used appropriately, transparently, and securely in accordance with applicable laws.
- 3.3 to commit to protecting personal information of BLM residents, and employees.

4. ACCRONYMS AND DEFINITIONS

Below are the definitions relevant to this Guidance Note. For a complete list of definitions, please refer to the Protection of Personal Information Act 4 of 2013 (POPIA)

4.1 **"BLM"** means the Blouberg Local Municipality;

4.2 **"POPIA"** means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013);

4.3 **"Data subject"** means the person to whom personal information relates;

4.4 **"De-Identify"**, in relation to personal information of a data subject, means to delete any information that-

- (a) identifies the data subject;
- (b) can be used or manipulated by a reasonably foreseeable method to identify the data subject; or
- (c) can be linked by a reasonably foreseeable method to other information that identifies the data subject

4.5 **"Responsible party"** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information

4.5 **"Personal Information"** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- a) Information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, identity document/passport number, phone number, email address, financial information, physical address, date of birth, criminal record, private correspondence and online identifier or other particular assignment to the person;
- b) Information relating to the educational or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved; and
- c) The name of the individual, where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual.

4.6 “Public Body” means any department or state administration in the national or provincial sphere of government or any municipality in the local sphere of government; or any other functionary or institution when exercising a power or performing a duty in terms of the constitution or a provincial constitution or exercising a public power or performing a public function in terms of any legislation.

4.8 “Processing” means any operation or activity or any set of activities, whether or not by automatic means, concerning personal information including:

- a) The collecting, receipting, recording, organizing, collation, storing, updating or modification, retrieval, alteration, consultation or use;
- b) Dissemination by means of transmission, distribution, or making available in any other form; or
- c) Merging, linking, as well as restriction, degradation, erasure or destruction of information.

5.LAWFUL PROCESSING OF INFORMATION

POPIA sets out the following conditions for the lawful processing of personal information.

These conditions are not applicable to the processing of personal information to the extent that such processing is exempted in terms of section 37 or 38, from one or more of the conditions concerned in relation to such processing.

- a) Duty by a public body.
- b) Legal obligation to perform the processing of personal information.
- c) Processing limitation – information may only be processed if it is adequate relevant and not excessive given the purpose for which it is collected.
- d) Purpose specification – personal information must be collected for a specific, explicitly defined and lawful purpose related to the activity of the responsible party.
- e) Further processing limitation – where information is received from a third party and passed on to the responsible party for further processing, the further processing must be compatible with the purpose for which it was initially processed.
- f) Information quality – information must be complete, accurate, not misleading and updated where necessary.
- g) Openness – the data subject must be informed when collecting information and the specific nature thereof.
- h) Security safeguards - the responsible party must ensure the integrity of the personal information by taking measures to prevent the loss, damage or unauthorised destruction of the information.
- i) Data subject specification – the data subject has the right to request a responsible person to confirm, free of charge, whether they hold personal information about them.

6.THE PERSONAL INFORMATION COLLECTED

6.1 In terms of section 9 of POPIA, personal information may only be processed if given the purpose for which it is processed, it is adequate, relevant and not excessive. Consequently, BLM collects personal information for the following reasons:

- a) Registration of persons who apply and qualify for registration in BLM departments such as Revenue, Health, Licensing, Housing, indigent register, Human Resources etc.

- b) Personal information is collected for human resources and financial purposes, contractual relationships with third-party service providers who process personal data on behalf of BLM

6.2 BLM collects personal information directly from data subjects. Examples of personal information collected from data subjects include but is not limited to:

- + Applicant's name
- + Registered professionals' names;
- + Candidate's names;
- + Categories of registration information;
- + Status of registration;
- + Foreign Applicants personal information
- + Identity number;
- + Date of birth;
- + Gender;
- + Race;
- + Physical and Postal addresses;
- + Employment details;
- + Contact numbers;
- + Email addresses;
- + Academic information and records;
- + Records of experience in the profession;
- + Copies of qualifications;
- + Curriculum Vitae; and

Referee and mentor details.

6.3 BLM collects the following employees' personal information

- + Name, address, phone number, cell numbers, marital status, date of birth;
- + Next of kin;
- + Doctor's name;
- + spouse/partner contact information;
- + Curriculum Vitae;
- + Letters of reference;
- + Employment status and history;
- + Academic records;
- + Banking details;
- + Income tax reference number
- + Disciplinary information;
- + Salary information; and
- + Criminal records.

6.4 BLM collects Council, Investigation Committees and Disciplinary Tribunal members' personal information:

- + Surname
- + First names
- + Initials
- + Marital Status
- + Male/Female

- + Date of Birth
- + ID number
- Passport number
- Passport Country of issue
- Income tax reference number
- + Address
- + Banking details

6.5 BLM departments collect the following information from the public:

- + Names, telephone numbers,
- + Company from which a visitor comes from;
- + Names of persons lodging complaints of improper conduct against other persons;
- + Email addresses, identity number;
- + Physical addresses;
- + Email correspondence;
- + Proof of payments;
- + Personal information used on Service level agreements; and
- + Service provider personal information

7.USE OF PERSONAL INFORMATION

7.1 Applicants, Customers, Service Providers, Visitors, Council and Committee members, and Employees' personal information will only be used for purposes for which it was collected and intended. This includes:

- + Registration;
- + Staff development
- + Continuing Professional Development points;
- + For audit and record keeping purposes;
- + Investigations;
- + Disciplinary processes;
- Nomination of Council members;
- Providing information on registered persons to SAQA (NRLD);
- Communicating with registered persons;
- + Employee contracts;
- + Communication with employees;
- + Employee personal information is used to establish, manage, and terminate employment; and
- + Analysis and review of service provider contracts, in terms of which personal information is processed for and on behalf of BLM.

7.2 According to section 10 of POPIA, personal information may only be processed if certain conditions are met, for instance:

- + Consent is obtained to process personal information- in BLM's case consent obtained during registration, employment and entering into a service level agreement with service providers.
- + Processing complies with an obligation imposed by law.

8.DISCLOSURE OF PERSONAL INFORMATION

- a) BLM may disclose personal information where it has a duty or a right to disclose in terms of applicable laws.
- b) BLM may disclose personal information where it deems necessary to protect the respect, dignity, and the professionalism of the Municipality.
- c) BLM may disclose the Name and Surname of a registered person, his/her category of registration, registration number and the status of registration.

9.SAFEGUARDING REGISTERED PERSON'S PERSONAL INFORMATION

9.1 In terms of section 19 of POPIA, a responsible party must ensure the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent: loss of, damage to or unauthorised destruction of personal information, unlawful access to or processing of personal information. POPIA requires that personal

9.2 information should be adequately protected to avoid unauthorised access. Therefore, BLM continuously reviews security controls and procedures to ensure that personal information is secured.

9.3 The following security controls are in place to protect personal information:

- a) Personal information is treated as confidential and not disclosed unless required by law.
- b) High level Information Technology controls are in place to maintain the protection of personal information.
- c) High level anti-virus programs;
 - + Access rights in place;
 - + Computer passwords in place;
 - + Assessment of data quality controls in place to ensure the accuracy and completeness of personal information;

- + A third-party service provider is mandated to ensure safeguarding of registered persons personal information;
- + Personal information is stored at a third-party service provider who is subject to POPIA provision in the Service Level Agreement;
- + BLM internal server hard drives are protected by firewalls;
- + Employees, Council and Committee members of BLM sign confidentially agreements which is part of the employment contract;
- + Hardcopy files are archived at a secured place.

10.ACCESS AND CORRECTION OF PERSONAL INFORMATION

- a) Registered persons in BLM systems have a right to request for access to personal information in BLM's possession;
- b) Registered persons' personal information should be continuously updated by information owners. This can be done electronically, telephonically by calling BLM departments or by calling BLM Call Centre.

11. APPOINTMENT OF INFORMATION OFFICER

The Municipality will appoint an Information Officer, who will be responsible for:

- 10.1 Conducting a preliminary POPI Impact Assessment;
- 10.2 The implementation and monitoring of this policy and compliance framework;
- 10.3 Facilitating the user training and awareness;
- 10.4 Ensuring that this policy is supported by appropriate documentation;
- 10.5 Ensuring that documentation is relevant and kept up to date; and
- 10.6 Ensuring this policy and subsequent updates are communicated to relevant stakeholders, managers, representatives, and staff where applicable.

12. RESPONSIBILITIES

Responsibility	Designation	Level of Responsibility / Accountability
----------------	-------------	--

Accounting Officer \ Process Owner	Municipal Manager	<ul style="list-style-type: none"> • The POPI policy is updated on a regular basis and published as appropriate. • Appropriate training is provided to ALL municipal staff. • The Accounting Officer is designated as the Information Officer (IO) or may appoint and Information Officer (IO). • The Accounting Officer may appoint a Deputy Information Officer and delegate the responsibilities. • The IO and DIO are responsible for POPIA impact assessment, development and implementation of compliance framework, monitoring and reporting, processing POPI requests and reporting to the Information Regulator periodically.
---	-------------------	---

13.APLLICABILITY

(a) Blouberg Local Municipality's POPI policy applies to all the municipal employees, contractors, part-time and temporary employees, business partners and service providers, entities that supply information to the Municipality and sub-processors.

(b) All employees and individuals directly associated with the Municipality will be responsible for adhering to this policy and for reporting any policy breaches or incidents to the Information Officer.

(c) Any Service Provider that provides services, including data storage facilities, to the Municipality must adhere to the requirements of the POPIA and ensure compliance.

(d) The Service Provider must provide adequate protection of municipal information including personal information that they hold on behalf of the Municipality. Written confirmation to this effect must be submitted by the service provider to the Information Officer.

(e) Any breach of this policy may result in disciplinary action and possible termination of employment.

14. POLICY MONITORING AND EVALUATION

14.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

14.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

14.3 The Director Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

14. POLICY APPROVAL

This policy was formulated by the IT Division in consultation with the IT Steering Committee.

Authorised by Municipal Manager:

Signature:



Date:

30/07/2024

Recommended by Portfolio Committee

on Corporate Services:

Signature:



Date:

30/07/2024

Approved by Municipal Council:

Signature:



Date:

30/07/2024

Promotion of Access to Information Manual

Blouberg Municipality



BLOUBERG LOCAL MUNICIPALITY PROMOTION OF ACCESS TO INFORMATION MANUAL

Prepared in accordance with Section 14 of the Promotion of Access
to Information Act 2000, (Act 2 of 2000)

TABLE OF CONTENT

1. Introduction
2. Purpose and Scope of manual
3. Description of the structure and functions
4. Contact details of municipality
5. Contact details of Information Officer and Deputy Information Officer
6. The Human Rights Commission Guide
7. Description of subjects and categories of records held
8. Records held and access to records held
9. Voluntary disclosure and automatic availability of certain records
10. Request for Access
11. Refusal of Access of certain records
12. Arrangement allowing for public participation

ANNEXURES

- A. Description of records held
- B. Records automatically available
- C. Prescribed Request Form A
- D. Fees and Tariff structure
- E. Exemptions applicable
- F. Refusal of certain records
- G. Prescribed Appeal Form B

1. PREFACE

The Promotion of Access to Information Act 2 of 2000 (the Act) gives effect to the public's right to information from public and private bodies as contained in section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) and to advance and increasingly focus on the development of good corporate governance.

Bearing in mind —

that the right of access to any information held by the Blouberg Municipality may be limited to the extent that the limitations are reasonable and justifiable in an open and democratic environment based on human dignity, equality and freedom as contemplated in Section 36 of the Constitution and also as specified in Part 2, Chapter 4, of the Act.

2.INTRODUCTION

This PAIA manual has been compiled for the Blouberg Municipality and is a requirement in terms of section 14 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000). This legislation gives effect to the public's right of access to information from public and private bodies as contained in section 32 of the Constitution.

One of the objectives of the Act is to promote transparency, accountability and effective governance. This objective forms part of the Blouberg Local Municipality's strategy to achieve developmental and participatory local government. The Blouberg Local Municipality also strives to be accessible by inter alia providing information.

3.PURPOSE OF THE MANUAL

(a) The purpose of the manual is:

- To enable people to exercise their rights in terms of the Act.
- To create an understanding of the functions performed and records kept by the Blouberg Local Municipality.
- To assist in fostering a culture of transparency, accountability and to promote public participation.

Section 14 of the Act obliges the Information Officer (Municipal Manager) of public bodies like the Blouberg Local Municipality, to compile a manual which would assist a person to obtain access to information held by such public body and stipulates the minimum requirements such manual has to comply with.

As required under Section 14, this Manual contains the following information:

- A description of the Municipality's structure and functions;
- The postal and street address, phone number and electronic mail address of the Information Officer as well as of the Deputy Information Officer designated;
- Sufficient detail to facilitate a request for access to a record of the Municipality;
- A description of the subjects on which the Municipality holds records and the categories of records held on each subject;
- Categories of records of the Municipality which are available without a person having to request access;
- A description of the services available to members of the public from the Municipality and how to gain access to those services;
- A description of any arrangement or provision for a person by consultation, making representations or otherwise, to participate in or influence:
- The formulation of policy; or
- The exercise of powers or performance of duties by the Municipality;
- A description of all remedies available in respect of an act or a failure to act by the Municipality; and
- Such other information as may be prescribed.

4. FUNCTIONS

The Blouberg Local Municipality has legislative authority and is empowered to govern, on its own initiative, the local governmental affairs of its community, subject to the national and provincial legislation, as provided for in the Constitution and other relevant legislation.

The municipality operates within a legislative framework which consists of various statutes, which include:

- the Constitution of the Republic of South Africa (Act 108 of 1996); and
- Local Government: Transitional Act (Act 209 of 1993);
 - Local Government: Municipal Systems Act (Act 32 of 2000);
 - Local Government: Municipal Structures Act (Act 117 of 1998);
 - Local Government: Municipal Finance Management Act (Act 56 of 2003).

Other statutes which impact on the governance of the municipality include (the list is not exhaustive).

Water Services Act	Act 108 of 1997
National Water Act	Act 36 of 1993
Electoral Act	Act 73 of 1998
Promotion of Local Government Affairs Act	Act 91 of 1983
Electricity Act	Act 41 of 1987
Promotion of Access to Information Act	Act 2 of 2000
Promotion of Administrative Justice Act	Act 3 of 2000
National health Act	Act 61 of 2003
Occupational Health & Safe Act	Act 85 of 1993
Labour Relations Act	Act 66 of 1995
Basic Conditions of Employment Act	Act 75 of 1997
Employment Equity Act	Act 55 of 1998
Skills Development Act	Act 97 of 1998
Unemployment Insurance Act	Act 63 of 2001
Pension Funds Act	Act 24 of 1956
The Removal of Restrictions Act	Act 84 of 1967
Public Audit Act	1965 Act 25 of 2004
National Road Traffic Act	Act 93 of 1996
Housing Act	Act 107 of 1997

The municipality's functions is to carry out its constitutional mandate, by striving within its financial and administrative capacity to achieve the objects of local government, viz:

- to provide democratic and accountable government for local communities;
- to ensure the provision of services to communities in a sustainable manner;
- to promote social and economic development;
- to promote a safe and healthy environment; and
- to encourage the involvement of communities and community organisations in the matters of local government.

In terms of the aforesaid statutes the powers and functions of BLM includes, inter alia

- a) solid waste disposal sites;
- b) promotion of local tourism;
- c) ensuring integrated development planning;
- d) provision of portable water supply systems;
- e) the establishment, conduct and control of cemeteries;
- f) provision of bulk sewage purification works and main sewage disposal systems;
- g) provision of municipal public works relating to any of above functions or any other functions assigned to the municipality;
- h) the receipt, allocation and distribution of grants made to the municipality;
- i) the imposition and collection of taxes, levies and duties as related to the above functions or as may be assigned in terms of national legislation; and
- j) bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and the generation of electricity.

4.CONTACT DETAILS OF MUNICIPALITY

Physical Address:

**2nd Building, Senwabarwana Road
Limpopo Province**

Postal Address:

P.O Box 1593

Senwabarwana

0790

Telephone

Number:

0155057100

WebsiteAddress:

www.blouberg.gov.za

Email Address:info@blouberg.gov.za

5.CONTACT DETAILS OF INFORMATION AND DEPUTY INFORMATION OFFICE

5.1 INFORMATION OFFICER:

Name & Designation: Ramothwala R.J— Municipal Manager

Postal Address: PO Box 1593,
Senwabarwana,0790

Physical Address: 2nd Building,
Senwabarwana

Telephone Number: 015505.....

Email:

ramothwalar@gmail.com

5.2 DEPUTY INFORMATION OFFICER

Name & Designation: Mdaka N.R— Director: Corporate Services

Postal Address: PO Box 1593,
Senwabarwana 0790

Physical Address: 2nd Building,
Senwabarwana

Telephone Number: 015505.....

Email:

mdakanyangi@gmail.com

6. THE HUMAN RIGHTS COMMISSION GUIDE

A Guide has been compiled by the Human Rights Commission in terms of Section 10 of the Act, which contains information required by a person wishing to exercise any right, contemplated by the Act. The Guide is available in all of the official languages from the PAIA Unit of the Human Rights Commission, who may be contacted at:

Physical Address:

29 Princess of Wales Terrace

Cnr of York and St Andrews Street, Parktown

Postal Address:

Private Bag 2700

Houghton

2041

Telephone: +27 11 484 8300 Fax: +27 11 484 1360

Website: www.sahrc.org.za E-mail: paia@sahrc.org.za

7. DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS HELD

"Records" of the municipality refer to those records created or received in the course of official business and which are kept as evidence of the Municipality's functions, activities and transactions.

There are different forms of records, for example correspondence files, maps, plans, registers, agendas and minutes, by-laws and tariffs, policy documents, etc., which could be available in different media formats, i.e. paper or electronic. **Annexure "A"** gives a description of the subjects on which the Municipality holds records, as well as the categories held on each subject.

The method of managing records in the Municipality is in accordance with provincial archive requirements. It should be noted that inclusion in the following list of records does not mean that the files or records are necessarily accessible under the Promotion of Access to Information Act. The Act prohibits a public body from allowing access, and/or allows the public body to refuse access, to certain

types of information. Chapter 4 of the Act deals with the grounds for refusal of access to records.

8. INFORMATION TO BE FORMALLY REQUESTED IN TERMS OF THE ACT INCLUDES INTER ALIA:

- Tenders;
 - Salary Advices;
 - I-JIF Returns;
 - Annual financial reports;
 - Management reports
 - Financial Records;
 - Employees' Leave Records;
 - Internal Policies and Procedures;
 - Council minutes and agendas;
 - Correspondence on General Files;
 - Documentation on disciplinary matters;
 - Internal correspondence Statutory Documents;
 - Documentations on Policies and Conditions of Employment;
 - Records obtained from third parties held by the Municipality;
 - Various agreements entered into between the Municipality and third parties;
-
- Documents pertaining to tenders and other procurement related matters;
 - Minutes of the Municipality and its various committees and sub-committees; • Data base of service recipients, including but not limited to residents, customers, suppliers, etc.,

9. VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS SECTION 15

The records as set out in **Annexure "B"** are automatically available without a person having to request access in terms of the Act, but where appropriate, remain subject to review by the Information Officer or Deputy Information Officer in terms of Section 15 (4) Of the Act.

All other records must be formally requested as provided for in this manual. The only fee payable, if any, for access to these records is the prescribed fee for reproduction.

Where a request for information cannot be met a requester shall be:

- Informed of his/her right to make a formal application under the Act.
- Informed of the fact that certain types of requests for information may be refused.
- Informed of his/her right to appeal if a request is initially refused.

11.REQUEST FOR ACCESS SECTION 11

Access given

When a record/information is requested in terms of the Act, the requester must be given access thereto, if the requester complies with the following:

- "All the procedural requirements in the Act, relating to the request for access to a record; and Access to the record is not refused on any ground of refusal mentioned in the Act."

Form of Request (Section 18(1))

Access to information which is not automatically available must be requested in writing on the prescribed form (**Form A**), attached hereto as **Annexure "C"** and be forwarded to the Information Officer or Deputy Information Officer.

The application form must be accompanied by the prescribed request fee.

The application should clearly state what information is required and if the request is for a copy of a record, or whether the requester would like to view the record at the office of the municipality.

If a person asks for access in a particular form, the requester would be given access in the manner that has been asked for, unless doing so would interfere unreasonably with the running of the municipality or would damage its records or infringe a copyright not owned by the municipality.

If the requester wishes to be informed of the decision regarding the request in any other manner, e.g. telephonically, by fax or e-mail, in addition to a written reply, it must be indicated as such. In cases where the requester is asking for information on behalf of somebody else, the capacity in which the request is being made should be indicated and proof hereof provided. When a requester is unable to read or write or has a disability, the request can be made orally, in which event the Information Officer or Deputy Information Officer will complete the form on behalf of the requester.

If for practical reasons access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester had requested.

The Information Officer or Deputy Information Officer will render such reasonable assistance, free of charge, as is necessary to enable that requester to comply with section 18(1).

If a requester has made a request for access that does not comply with section 18(1), the Information Officer/Deputy Information Officer concerned may refuse the request if he/she has:

Notified the requester of an intention to refuse the request and stated in the notice:

- The reasons for the contemplated refusal and that the Information Officer/Deputy Information Officer, or another official, would assist that requester in order to make the request in a form that would remove the grounds for refusal, giving the requester a reasonable opportunity to seek such assistance as far as reasonably possible, furnished the requester with any information that would assist the making of the request in that form; and given the requester a reasonable opportunity to confirm the request or alter it to comply with section 18(1).

Transfer of requests (section 20)

If a request for access is made for information which is not in the possession of the Municipality, or if the information is more closely connected to another public body, the Information Officer/Deputy Information Officer will assist the requester to make the request to the relevant Information Officer of the other body, or transfer the request

to the other body within 14 (fourteen) days after the request has been received.

Fees payable (Section 22)

In terms of the Act, two types of fees are required to be paid, namely the request fee and the access fee.

A requester who seeks access to a record containing personal information about him or herself, the requester, is not required to pay the request fee. Every other requester must pay the relevant request fee.

The Information Officer/Deputy Information Officer will notify the requester to pay the prescribed fee, if any, before further processing the request. The prescribed request fee payable is set out in **Annexure "D"**. The requester may also be notified to pay a deposit under certain circumstances.

The requester may lodge an internal appeal or an application to the court against the payment of the request fee. Certain persons, as set out in **Annexure "E"**, are exempted from paying access fees.

RECORDS NOT FOUND/INON-EXISTING (SECTION 23)

In cases where records cannot be found or do not exist and all reasonable steps have been taken to find the requested record, the Information Officer/Deputy Information Officer will by means of an affidavit/affirmation, inform the requester accordingly, giving full reasons.

DEFERRAL OF ACCESS (SECTION 24)

Requests may be deferred until information becomes available. The requester will be notified accordingly and requested to make representations within 30 (thirty) days as to why the information is required prior to it becoming public.

DECISIONS AND NOTICE (SECTION 25)

The municipality will respond to the request within 30 (thirty) calendar days, unless the request contains considerations that are of such a nature that an extension of the 30 day time limit is necessitated. Where an extension of the 30 day time limit is required, the requester shall be notified accordingly, together with an explanation why such

extension was necessitated. The time limit may be extended only once, for a further period of 30 days (Section 26).

If the Information Officer/Deputy Information Officer fails to give the decision on a request for access to the requester within the periods as set out here above, the Information Officer/Deputy Information Officer is regarded as having refused the request (Section 27).

If the request is granted, a further access fee as set out in Annexure "D" must be paid for the search, preparation and reproduction of the record, where applicable. The requester will be given the required information, if available, within a reasonable time after receipt of the application form and prescribed fee.

LANGUAGE OF ACCESS (SECTION 31)

The record will be made available in the language preferred by the requester, if it exists in that language, or, if it does not exist in that language or the requester has no preference or has not indicated a preference, in any language it exists in.

12. REFUSAL OF ACCESS TO CERTAIN RECORDS

As indicated here above, the right of access to information is subject to justifiable limitations, including but not limited to limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance and in a manner which balances that right with any other right, including the Bill of Rights in Chapter 2 of the Constitution.

Section 9 (b)(ii) recognises that the right to access to information must be given effect to in a manner which balances the right with any other rights, including such rights contained in the Bill of Rights in the Constitution. The Information Officer/Deputy Information Officer may refuse access to certain records under the circumstances as provided for in sections 33 to 46 in Chapter 4 of the Act (**See Annexure "F"**).

BLOUBERG MUNICIPALITY MAY REFUSE TO GRANT ACCESS TO RECORDS ON THE FOLLOWING GROUNDS:

- Mandatory protection of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;

- Mandatory protection of the commercial information of a third party, if the record contains .
 - Trade secrets of that third party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - Information disclosed in confidence by a third party to Blouberg Municipality if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
 - Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - Mandatory protection of the safety of individuals, and protection of property;
 - Mandatory protection of records which would be regarded as privileged in legal proceedings;
 - The commercial activities of Blouberg Municipality, which may include:
 - trade secrets of Blouberg Municipality;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Blouberg Local Municipality;
 - Information which, if disclosed could put Blouberg Local Municipality at a disadvantage in negotiations or commercial competition;
 - A computer programme which is owned by Blouberg Local Municipality and which is protected by copyright;
 - The research information of Blouberg Local Municipality or a third party, if its disclosure would disclose the identity of Blouberg Local Municipality, the researched or the subject matter of the research and would place the research at a serious disadvantage.
 - Request for information that are clearly frivolous, or vexatious, or which involve an unreasonable diversion of resources in terms of section 45 of the Act. THIRD PARTY NOTIFICATION AND INTERVENTION (CHAPTER 5)
- Notice to third parties (Section 47)

The Information Officer/Deputy Information Officer considering a request for access to a record of a third party must take all reasonable steps to inform a third party to whom or which the record relates of the request as soon as reasonably possible, but in any event, within 21 days after the request is received, by the fastest means reasonably possible. The third party may, within 21 days after being so informed, make written or oral representations to the Information Officer/Deputy Information Officer why the request should be refused or may give written consent for the disclosure of the record to the requester.

Decision on representations by third parties (section 49)

The information officer must, within 30 days, decide whether to grant the request for access and notify the third party accordingly. If the request for access is granted, the notice must state.

- a. Adequate reasons for granting the request, including the provisions of this Act relied upon;
- b. that the third party may lodge an internal appeal or an application, as the case may be, against the decision within 30 days after notice is given, and the procedure for lodging the internal appeal or application;
- c. that the requester will be given access to the record after expiry of the applicable period; and
- d. Unless such internal appeal or application with a court is lodged within that period.

13. INTERNAL APPEALS AGAINST DECISIONS OF INFORMATION OFFICERS (PART 4 OF THE AC)

Right of internal appeal (section 74)

A requester may lodge an internal appeal with the municipality against a decision of the Information Officer or Deputy Information Officer, if:

- A request for access is refused;
- The fees charged are unacceptable;
- The period within which a decision with regard to access to a record must be made, is extended;

- Access to a record is not provided in the requested form; and
- A third party may lodge an internal appeal with the municipality against a decision by the Information Officer, Deputy Information Officer to disclose information relating to a third party.

Appeal procedure and fees (section 75)

An internal appeal must be lodged on the prescribed form (Form B), which is attached as Annexure "G", within the following periods:

- A period of 60 (sixty) days;
- If notice to a third party is required i.t.o. Section 49 (1) (b), within 30 (thirty) days after notice is given to the appellant of the decision appealed against or, if notice to the appellant is not required, after the decision was taken.

The internal appeal

An internal appeal must:

- be delivered, posted, faxed or sent electronically to the Information Officer or Deputy Information Officer;
- state the manner in which the applicant wishes to be informed of the decision on the internal appeal, in addition to a written reply;
- identify the subject of the internal appeal and give reasons for the appeal; • if applicable, be accompanied by the prescribed appeal fee(s); and
- specify a postal address, fax number or e-mail address.

The Information Officer or Deputy Information Officer must, within ten (10) working days after the receipt of an internal appeal, submit it, together with his/her reasons for the decision, to the Relevant Authority, namely the Speaker or any other person designated by the Municipal Council in writing, for consideration.

If an internal appeal is considered against the refusal of a request for access to a record of a third party, the third party to whom or which the record relates, must be informed of the internal appeal and he/she may, within 21 days after being so informed, make written representations why the request for access should not be granted or give written consent for the disclosure of the record to the requester

concerned. Late appeals may be allowed, if good cause can be shown.

Decision on internal appeal and notice thereof (section 77)

When deciding on the internal appeal the Relevant Authority may confirm the decision appealed against or substitute a new decision for it, within 30 days after the internal appeal is received by the Information Officer/Deputy Information Officer.

The Relevant Authority will immediately after the decision on an internal appeal give notice of the decision to the appellant and any relevant third party, state adequate reasons for the decision, and that the appellant, third party or requester, as the case may be, may lodge an application with a court against the decision on internal appeal within 60 days; or, if notice to a third party is required, within 30 days after notice is given, and also state the procedure for lodging the application.

If the Relevant Authority fails to give notice of the decision on an internal appeal to the appellant within the periods indicated here above, it is regarded as having dismissed the internal appeal.

APPLICATIONS TO COURT (PART 4, CHAPTER 2 OF THE ACT)

A requester or third party may make an application to a Court regarding the decisions of the Information Officer/Deputy Information Officer, but only after the internal appeal process has been exhausted. A requester may make an application to a Court, if he/she is:

- Aggrieved by the decision of the Information Officer or Deputy Information Officer to disallow the late lodging of an internal appeal;
- Aggrieved by the decision of an Information Officer or Deputy Information Officer of a public body, other than the Information Officer of a national department, provincial administration or municipality to refuse a request for access;
- Aggrieved by the decision of an Information Officer or Deputy Information Officer relating to fees required to be paid, the extension of the period within which to deal with the request or the form of access in which the information will be furnished.
- Apply to a Court by way of an application for appropriate relief i.t.o. Section 82, within 30 days.

14. ARRANGEMENT ALLOWING FOR PUBLIC PARTICIPATION SECTION 141 G

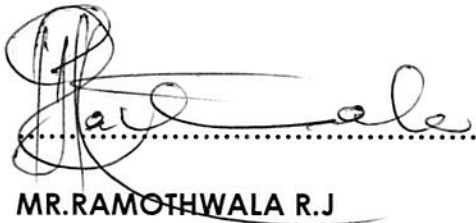
Section 14(1)(a) of the Act requires the municipality to make arrangements or provisions for a person, by consultation, to make representations to participate in or influence the formulation of policy or the exercise of powers or performance of duties by the municipality.

Public participation in a local government context is governed by the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) and the Municipal Structures Act, (Act 117 of 1998). The purpose of the public participation process is to ensure that the Municipality, as well as the broader community, co-owns the public participation process and the end product.

The municipality seeks actively to facilitate the engagement of the community in its planning and policy making processes, through public hearings and ward based public meetings in the annual review of its Integrated Development Plan (IDP). This is also used as an opportunity to provide feedback on the performance levels achieved by the municipality. A municipal unit has been formed to concentrate on involving the community public processes and planning, such as the finalisation of the annual budget and the annual IDP review.

The municipality may use any of the following methods to engage in public participation:

- Distribution of documents in public places for comment;
- Surveys;
- Newspaper advertisements;
- Formal public hearings;
- Public meetings; and
- Development of a public participation structure.



.....

MR. RAMOTHWALA R.J

MUNICIPAL MANAGER

ANNEXURE "A"

SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE MUNICIPALITY

(These records are available subject to a person having to request access in terms of the

Act and subject to such information not being excluded from disclosure in terms of the Act).

<u>Infrastructure</u> Electricity distribution layouts Geographical information systems Landfill sites - future and existing Road maps and plans for future road developments <u>Financial Information</u> Tariffs Subsidy income Estimates VAT records Invoices and supporting documentation Bank statements and records of investments held (if any) Pension Funds: annual reports and financial statements Debtors' statements and financial history Council bank reconciliations Details of payments made to creditors Rentals levied and arrears in situation allowance details <u>Human Resource Records</u> UIF records Leave records Human resource policies and procedures Salary and remuneration package details Medical records of patients, i.e. employees Health: training, promotion and education Staff vacancies, circulars and advertisements <u>Operational Statistics and Records</u> Statistical information Town planning statistical information	<u>Property matters</u> Building plans Valuation rolls Geographical information Title deeds of municipal properties Town planning enforcement records Information on Council-owned land Title deeds of municipal properties Property holdings of the municipality Applications to lease or purchase property Town planning applications and consents Lease agreements for properties rented by the municipality (if any) Lease agreements for properties rented to the municipality (if any) Agreements of properties alienated by the Municipality Sale agreements of properties acquired by the Municipality Applications of property for municipal usage, including expropriations Allocations of social sites to religious/institutional organizations Information on sale of commercial/non commercial property within the municipal area Property holdings within the municipal area <u>General statistics, surveys and audits</u> Environmental impact assessments Demographic data Social information
---	---

<p>Electricity disconnection/reconnection statistics</p> <p>Strategic plans and statistical information relating to:</p> <ul style="list-style-type: none"> Roads Control lines Drainage plans Details of evictions Monthly statistics Architectural services Environment matters Traffic and transportation Stormwater engineering Libraries - archival collection Stormwater complaints database Operational emergency procedures Legal opinions and litigation files Clinics - statistical information Catchment management plans 	<p>Economic information of the region</p> <p>Accident records</p> <p>Accident statistics and reports</p> <p>Major hazard installation and risk assessments</p> <p>Diseases</p> <p>Details of current housing - owners/tenants</p> <p>Occupational Health and Safety Audit of municipal buildings</p> <p>Fire risk survey of municipal buildings</p> <p>Occupational hygiene on municipal properties</p> <p>Records of investigations conducted and their outcomes</p> <p>Water quality</p> <p>Audit reports i.e. forensic, computer and risk audit</p>
---	--

<p>Contingency and strategic emergency plans Housing - backlog situation and future plans Fines - processing details, i.e. fines, summonses, court rolls, etc.</p> <p><u>Motor vehicle testing and license records</u></p> <p>Contraventions and prosecutions Accident records Arrest reports/records Solid waste tonnage collection Water consumption records Water services disconnection and reconnection details Electricity supply details</p> <p><u>Municipal Services and Customer Records</u></p> <p>Library membership details Customers' application, registration and consumption details</p>	<p><u>Municipal Plans and Policy Decisions</u></p> <p>Legislation affecting Local Government, including by-laws Health policy issues</p> <p><u>Procurement Records</u></p> <p>Details of quotations obtained Copies of tenders advertised and awarded Database of suppliers' registration for tendering purposes Details of tenders\contracts awarded Standards of performance of security tenders</p>
--	--

ANNEXURE "B"

SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE MUNICIPALITY WHICH ARE AVAILABLE WITHOUT REQUEST FEE

(The records as set out here are automatically available without a person having to request access in terms of the Act, but where appropriate, remain subject to review by the Information Officer or Deputy Information Officer in terms of Section 15 (4) of the Act]. All other records must be formally requested as provided for in this manual. The only fee payable, if any, for access to these records is the prescribed fee for reproduction.)

- Debtor's account
- Town Planning schemes
- News Letter
- Brochures
- Policies
- All information as freely available on our website:
www.blouberg.gov.za

These records can be accessed in the following manner:

- e-mail;
- letter.

Additionally, we are required to ensure that certain records are available, in terms of the following Acts:

- The Occupational Health and Safety Act No. 85 of 1993;
- The Value-Added Tax Act No. 89 of 1991,
- Income Tax Act No. 58 of 1962;
- Basic Conditions of Employment Act No. 75 of 1997;
- Employment Equity Act No. 55 of 1998;
- Labour Relations Act No. 66 of 1995;
- The Medical Schemes Act No. 131 of 1998;
- The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 - The Health Act No. 63 of 1977;
- Consumer Affairs (Unfair business practices Act), 71 of 1988;
- Customs and Excise Amendment Act, 45 of 1995;
- South African Revenue Services Act, 34 of 1997;
- The Constitution of the Republic of South Africa No. 108 of 1996;
- Environmental Conservation Act 107 of 1998;
- Northern Cape Development and Planning Act No 7 of 1998;
- Regional Services Council Act, No 109 of 1985;
- Division of Revenue Act, No 7 of 2003;
- Statistics Act, No 6 of 1999;

- Local Government: Municipal Demarcation Act, No 27 of 1998;
- Local Government: Municipal Structures Act, No 117 of 1998;
- Local Government: Municipal Systems Act, No 32 of 2000; -
National Water Act, No 36 of 1998; - Electricity Act, No 41 of 1987.

ANNEXURE "C" – PRESCRIBED FORM A

STANDARD FORM TO BE COMPLETED

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000) [Regulation 6]

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000)) [Regulation 21]

FOR DEPARTMENTAL USE

Request received by		(state rank, name	Reference Number.
(date) at		(place)	
Access fee (state rank, name and surname	
Deposit (if any)		
Request fee (if any)		
SIGNATURE OF IO / DIO			of IO/ DI) on

A. Particulars of public body

The Information Officer / Deputy Information Officer:

.....

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be recorded below (b) Furnish an address and/or fax number in the Republic to which information must be sent.

(c) Proof of the capacity in which the request is made, if applicable, must be attached



Full Names and Surname: .

Identity

Number:

Postal

Address:

Contact Number: Email

Address: .

Fax Number:

Capacity in which request is made, when made on behalf of another:

C. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person

Full Names and

Surname: . Identity

Number:

D. Particulars of Record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be
 - (b) located
- If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must in all the additional folios.

1. Description of record or relevant part of the record:

.....

.....

.....

.....

2. Reference number, if available:

3. Any further particulars of record:

E. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has
- (b) been paid.
- (c) You will be notified of the amount required to be paid as the request fee
- d

The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

If you are" for exemption of the payment of an fee, lease state the reason therefore.

Reason for exemption from payment of fees:

.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required

Disability:

.....

.....

.....

Form in which record is required.

.....

.....

.....

.....

Mark the appropriate box with an "X".

NOTES.

Your indication as to the required form of access depends on the form in which the record is available

(b) Access the form requested may be refused in certain circumstances In such a case you will be informed if access Will be granted in another form

(c) The fee payable for access to the record, if any will he determined partly by the form in which access is requested

1.If the record is in written or printed form -

	copy of record		inspection of record
2.If record consists of visual images — (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the images		Copy of the images
			Transcription of the images
3.If the record consists of recorded words or information which can be reproduced in sound.			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)
4.If record is held on computer or in an electronic or machine-readable form —			
	Printed copy of record		Printed copy of information derived from the record
			Copy in computer readable form (stiffy or compact disc)
* If requested a copy or transcription or a record (above), do you wish the copy or transcription to be posted to you?			YES
A postal fee is payable.			NO
Note that if the record is not available in the language you prefer; access may be granted in the language in			

ANNEXURE "D" TARIFF STRUCTURE & FEES PAYABLE

which the record is available.

In which language would you prefer the record?

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

.....

SIGNED AT THIS DAY OF 20.....

.....

Signature of requester / person on whose behalf request is made

The Act provides for two types of fees:

- a) a request fee, which is a standard fee; and
- b) an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost as well as postal costs.

Before a request is processed, the requester is expected to an amount of R 150.00. Description of Record2

	Fees
Memory stick/ disk	R 40-00
For a transcription of visual images For an A4-size	R 22-00
For a co of visual images	R 60-00

Promotion of Access to Information Manual

For a transcription of an audio record For an A4- size a e or art thereof	R 12-00
For a copy of an audio record	R 17-00
Request fee payable by a requested, other than a personal re quester, referred to in Regulation 7 2	R 35-00
The access able are ruquester referred to in Regulation 7 3 are as fee follows	
For photocopy of an A4- size a e or art thereof	R 6-00
For every printed copy of an A4-size page or part thereof held on a computer or electronic or machine-readable form	R 6-00
For a copy in a computer— readable form on Computer disc	R 40-00
For a transcription of visual images, for an A4-size page or part thereof	R 22-00
For a co of visual images	R 60-00
For a transcription of audio record, for an A4-size page or part thereof	R 12-00
For a co of an audio record	R 17-00
To search and prepare a record for disclosure, for each hour or part of an hour, excluding the first hour, reasonable required for such search .	R 15-00
A deposit is required if it is expected that the search will exceed six hours, one third of the access fee is a able b the requester as a deposit.	
Postage is payable by the requester when a copy of the record must be posted to the re quester	

- The Information Officer or his or her Deputy may also wish to charge the requester Access Fees for any time reasonable required in excess of the prescribed hours to search for and prepare the record for disclosure.
- The Information officer or his or her deputy may withhold a record until the requester has paid the require Request and/or Access fees.
- if the search and preparation for the record(s) concerned would, in the opinion of the Information Officer or the Deputy Information Officer, require more than the hours prescribed for this purpose, the Information Officer or his or her Deputy by way

ANNEXURE "E" PERSONS EXEMPTED FROM PAYING THE FEES FOR REQUESTED INFORMATION

of notice must ask the requester to deposit the prescribed portion (no more than 1/3) of the Access Fee which would be payable if the request is granted.

- This money must be refunded to the Requester if the PAIA request is refused.
- The actual postal fee is payable when a copy of a record must be posted to a requester.

Database Government
Gazette

Gazette 28107

No

Notice No 991

Regulation 8325

Gazette GOV

Date 20051014

GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL
DEVELOPMENT

NO. R.991

14 OCTOBER 2005

I, Bridgette Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 22(8) of the promotion of Access to information Act, 2000 (Act No. 2 of 2000) hereby —

- a) exempt the following person from paying the access fee contemplated in section 22(6) of the Act:
 - i) a single person whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R 14 714.00 per annum; and ii) married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R 27 132.00 per annum and
- b) determined that:
 - i) where the cost of collecting any fee contemplate in section 22 of the Act, exceeds the amount charged, such fee does not apply; the access fee contemplated in section 22(6) of the Act does not apply to the personal record of a requester; and i ii) the request fee contemplated in section 22(1) of the Act and the access fee contemplated in section 22(6) of the Act do not apply to a record requested by a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

SCHEDULE

1 .For purposes of paragraph (a)(i) and (ii) of the notice the following deductions are permissible:

- a) employees' tax in terms of paragraph 2 of Part II of the Fourth Schedule of the Income Tax Act, 1962 (Act No. 58 of 1962);
- b) contributions in terms of section 5 of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002);
- c) compulsory contributions to a Group Insurance Fund in terms of a court order or in terms of a contract between an employee and his or her employee;
- d) contributions to any medical scheme registered under the provisions of the Medical Schemes Act, 1998 (Act No. 131 of 1998), and allowed to be deducted in terms of section 18(1) (a) of the Income Tax Act, 1962 (Act No. 58 of 1962);
- e) contributions to pension funds in terms of section 13A of the Pension Funds Act, 1958 (Act No. 24 of 1958);
- f) rent or mortgage instalments to the maximum of R 12 000.00 per annum;
- g) maintenance paid in terms of a court order; and
- h) school fees, except school fees paid to a private school.

B.S MABANDLA, MP

Minister for Justice and Constitutional Development

ANNEXURE "F" - REFUSAL OF CERTAIN RECORDS

RECORDS THAT MAY BE REFUSED ACCESS TO

Section 9 (b)(ii) of the Act recognises that the right to access to information must be given effect to in a manner which balances the right with any other rights, including such rights contained in the Bill of Rights in the Constitution. The Information Officer/Deputy Information Officer may refuse access to certain records under the circumstances as provided for in sections 33 to 46 in Chapter 4 of the Act.

Access must be refused in the following circumstances:

- Protecting commercial information that we hold about a third party (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of a third party;
- Disclosure of the information about a third party, supplied in confidence, would put third Party at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- If disclosure would result in a breach of a duty of confidence owed to a third party's terms of an agreement;
- If disclosure would jeopardize the safety or life of an individual;
- If access to the record is prohibited in terms of Section 60(14) of the Criminal Procedure Act No. 51 of 1977;
- The record is privileged from production in legal proceedings unless the privilege has been waived;
- Records containing information about research being carried out or about to be carried out on behalf of a third party and the disclosure is likely to expose the third party, a person that will be carrying on the research on behalf of the third party, or the subject matter of the research, to serious disadvantage.

Access may be refused in the following circumstances:

- If the record consists of information that was supplied in confidence by a third person and disclosure could reasonably be expected to prejudice the future supply of similar information, or

Access to Information Manual

information from the same source and it is in the public interest that similar information, or information from the same source, should continue to be supplied;

- If disclosure would prejudice or impair the security of a building, structure or system or Means of transport or any other property;
 - If the record contains methods, techniques, guideline or procedures for the prevention detection, limitation or investigation of a contravention or possible contravention of a law or the prosecution of alleged offenders;
 - If the disclosure could jeopardize the economic interests or financial welfare of the • Republic or the ability of Government to manage the economic affairs of the Republic;
 - If the record contains financial, commercial, scientific or technical information that may harm the commercial or financial interests of the public body;
 - Disclosure would reasonably expect that it would put a public body at a • disadvantage in contractual or other negotiations or prejudice it in commercial competition;
 - If the record is a computer programme;
- Records containing information about research being carried out or about to be carried out on behalf of the public body and the disclosure is likely to expose the public body, a person that will be carrying on the research on behalf of the public body, or the subject matter of the research to serious disadvantage;
- If the records contains an opinion, advice, report or recommendation obtained or prepared, an account of a consultation, discussion or deliberation that has occurred (including minutes of meetings) for the purpose or formulating a decision or making a policy or disclosure would frustrate the deliberative process;
 - Disclosure could jeopardize the effectiveness of testing, examining or auditing procedures or methods used by the body;
 - The record contains evaluative material and disclosure would breach an implied promise made to the person who gave it regarding his or her identity or the content of the material;
 - The record contains preliminary, working or draft material;
 - If the request is manifestly frivolous or vexatious or the work required to process; and • Request would unreasonably divert the resources of the public body.

ANNEXURE "G" - INTERNAL APPEAL FORM - FORM B

FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion to Access to information Act, 2000 [Act No. 2 of 2000])

[Regulation 8]

STATE YOUR REFERENCE NUMBER....

.....

A. Particulars of public body

The Information Officer/deputy Information Officer:

Mr. Ramothwala R.J
Municipal Manager/information Officer
Blouberg Local Municipality
PO Box 1593
Senwabarwana
0790

Tel. No.: 0155057100

Email: ramothwalar@gmail.gov.za

B. Particulars of requester/third party who lodges the internal appeal

- a) The particulars of the person who is lodging the internal appeal must be
b) given below.
c) Proof of the capacity in which appeal is lodged, if applicable, must be attached
If the appellant is a third person and not the person who originally requested the information the particulars of the requester must be given at C below

Full names and
surname:
Identity Number:
Postal Address:

Telephone Number:

Email Address:

Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed ONLY if a third party (another than the requester lodges the internal appeal

Full names and
surname: Identity
Number:

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

Refusal of access regarding fees prescribed in terms of section 22 of the Act	
Decision	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26 1 of the Act	
Decision in terms of section 29(2) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	

E. Grounds for appeal

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

.....
.....
.....
.....
.....

State any other information that may be relevant in considering the appeal:

.....
.....
.....
.....
.....

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance With our request,

State the manner:
Particulars of
manner:

Signed atthis day of..... ..year... ..

.....
SIGNATURE OF APPELLANT

1. The Access to Information Act (ATIA) is a law that gives citizens the right to know what the government is doing. It allows them to request and receive information from government institutions.

2. The ATIA is based on the principle of transparency. It requires government institutions to make their information accessible to the public, unless there is a valid reason to withhold it.

3. The ATIA applies to all federal government institutions, including the Parliament, the courts, and the various departments and agencies.

4. Citizens can request information from a government institution by submitting a written request to the institution's Access to Information Officer (ATO).

5. The ATO is responsible for processing the request and providing the information to the requester, unless the information is exempt from disclosure under one of the exemptions in the ATIA.

6. The ATIA also provides for a right of appeal. If a citizen is dissatisfied with the response to their request, they can appeal to the Information Commissioner.

7. The Information Commissioner is an independent officer who oversees the ATIA and ensures that government institutions are complying with the law.

8. The ATIA is a key part of the Canadian democratic process. It allows citizens to hold government institutions accountable and to participate in the decision-making process.

Blouberg Municipality



DRAFT COMMUNICATIONS STRATEGY 2024-2025

1. MUNICIPALITY'S VISION

A participatory Municipality that turns prevailing challenges into opportunities for growth and development through optimal utilization of available resources.

2. MUNICIPALITY'S MISSION

To ensure the delivery of quality services through community participation and the creation of an enabling environment for economic growth and job creation.

3. MUNICIPALITY'S SLOGAN

Kodumela moepa thutse

4. OVERALL APPROACH OF THE COMMUNICATION STRATEGY

This Strategy seeks to implement the Municipality's Communication Policy, which is founded on the national legislative and policy framework, including but not limited to:

- The Constitution of the Republic of South Africa, 1996
- Local Government: Municipal Systems Act, 32 of 2000;
- Promotion of Access to Information Act, 2 of 2000; and
- Intergovernmental Relations Framework 13 of 2005.
- Government Communicators Handbook

The Strategy provides practical communication projects and targets to be pursued during the 2021-2026 term of Council and is amenable to regular amendments to ensure achievement of the objectives of the Communication within the dynamic local government environment.

5. OBJECTIVES OF THE STRATEGY

The Strategy seeks to:

- 5.1 Encourage public participation in government process and policies
- 5.2 Develop and maintain correct public perception on government services
- 5.3 Publicize the Blouberg Local Municipality 's Programme
- 5.4 Create and elevate the level of awareness of our audiences of all municipal services
- 5.5 Promote, maintain and enhance the positive image of the municipality
- 5.6 Encourage communication between the municipality and sector departments including amongst others community based organizations, the Traditional Authorities and other important stakeholders
- 5.7 Promote access to information through dissemination
- 5.8 Inform, educate and enlighten communities about new developments
- 5.9 Positively influence media coverage
- 5.10 Inform communities on achievements, challenges and future plans for the municipality
- 5.11 Enhance the public participation programme.

6. ENVIRONMENTAL ANALYSIS

6.1 Geographic Location

Blouberg Municipality is situated approximately 85 km North West of Polokwane, the capital city of Limpopo Province. It has 137 settlements, 43 747 households with only two semi-urban – Senwabarwana and Alldays. Most of the rural areas are under traditional authorities. The municipality borders Molemole, Musina, and Makhado, Lephalale and Mogalakwena municipalities and covers an area of 5054 sqkms with a population of 172 601. NODAL POINTS: Senwabarwana(Retail hub) Alldays(Mining Town), SERVICE POINTS: Eldorado(Administration),Tolwe(Farming Town),Laanglagte(Gateway Port), Inveraan(Administration), Harriswich(Mining Area), Cooperspark(Administration).

6.2 Political Environment Landscape

The Municipality's political structure (Council – highest decision making body) consists of 44 councilors representing different political parties as follows

- African National Congress (33)
- Economic Freedom Fighters (7)
- Congress of the People (2)

- Democratic Alliance (1)
- Abantu Batho Congress(1)

The Council has an Executive Committee that consists of eight (8) members of which six belongs to the governing party, one to the EFF and one to COPE. Five Councilors have been designated fulltime, viz the Mayor; the Speaker; the Chief Whip; Chairperson of Infrastructure Portfolio Committee and Chairperson of Budget and Treasury Portfolio Committee.

6.3 Cultural Diversity

Blouberg Local Municipality comprises of different language groups living under different Traditional Authorities. The Municipality has established a good relationship with the tribal authorities. There is a Mayor-Magoshi Forum as well as a forum to facilitate communication and cooperation with communities living in areas outside the jurisdiction of Magoshi. These forums meet quarterly to address matters of mutual interest as well as strengthen communication between the parties.

The population comprises of a significant number of Sepedi speaking people. A small number of the Afrikaans, English, Tshivenda and Xitsonga speaking people are also found in the municipality.

6.4 Public Mood

The majority of people do have confidence in the municipality with regard to development especially in communities that used to have nothing but now have basic services like electricity in their areas, modern preschools, and multi-purpose community centres and among other infrastructure development. They believe with time a lot can be done to better their lives. Nevertheless there are people who still have a negative perception about government as a whole and do not understand or make any effort to familiarize themselves with processes of local government. We have also through Customer Care section designed a questionnaire in a bid to acquire feedback from our community members.

6.5 Media Analysis

Most people rely on radio for information and updates on what is happening within the municipality. Instead of reacting on media queries we have develop a new approach of being pro-active. The Communication Division has developed a good working relationship with community radio stations, Blouberg FM and Mohodi FM, the SABC News, provincial SABC radio station Thobela particularly Hlokwa-La-Tsela, Capricorn FM (Regional Commercial radio station) and Energy FM where information on municipal projects and other good stories are submitted in a bid to solicit positive coverage. It is safe to say that the municipality has been receiving fair media coverage. To nurture this relationship it is imperative of the Municipality to proactively feed the media with timely and reliable service delivery information.

7. Internal Communication

Internally information is disseminated through staff meetings, Senior Management Meetings, Local Labour Forum; website, and emails, and pasting of information on municipal notice boards. An improvement can be made to consolidate and improve the way information is disseminated internally by establishing intranet and internal newsletter

8. External Communication

To externally disseminate information, the Municipality will make use of website, External Newsletter, Ordinary Council and Executive Committee Meetings and Outreaches, Ward Committee meetings, Traditional Authorities, print and electronic media as well as social media.

Blouberg is predominantly rural with a high level of illiteracy. There are 137 settlements with Senwabarwana and Alldays being the only semi – urban. There are quite a number of villages without cellular network coverage, mainly in Ward one and thirteen. Working partnership with network service provider MTN saw the number of villages without network coverage reduced.

The semi-urban areas are the only settlements where residents access both the provincial newspapers. Such as Review, Capricorn Voice, Polokwane Observer and national newspapers such as Sowetan, Citizen, The New Age, Daily Sun, Star, Saturday Star, Mail & Guardian, Sunday Sun, City Press, Sunday Times & Sunday World.

Information dissemination through electronic media is available through Thobela FM (Sepedi SABC Radio) Energy FM (Community Radio stations) Jacaranda FM (Commercial National Radio) Capricorn FM (Commercial Provincial Radio) Mohodi Community Radio (Local Community Radio) and Blouberg FM (Local Community Radio). A newly launched commercial local newspaper, **Extra News**, provides a new and exciting platform which the Municipality is looking forward to positively tap on.

9. Satellite Offices

In order to ensure hassle free accessibility of municipal services, the Municipality has six satellite offices at Alldays, Eldorado, Tolwe, Raweshi, Inveraam and Laanglagte respectively. The Satellite Offices are best placed to assist the Municipality's communication endeavours and will be utilized to disseminate and avail information on all municipal services; plans and performance.

10. Public Participation

Blouberg is rated amongst the best municipality in terms of Public Participation. The strengthening of Ward Committees and relations with traditional leaders goes a long way towards achievement of a better, educated and well informed Municipality. The municipality has successfully hosted 14th Annual Ward Committees Forum without fail.

Through the ward committees the municipality is able to communicate and get feedback from the community on issues related to service delivery, successes and challenges. The strengthening of ward committees play a major role in changing the negative perception the community has about the municipality.

Council took a decision to have a public participation after every Council and Executive Committee meetings, as they rotate throughout the villages. Since the implementation of the resolution, the Municipality has realized that there is a great level of understanding amongst residents on how government works. At the same time people continue to show an interest in the affairs of the Municipality and also their rights as citizens of Blouberg as they come in big numbers and make informed contributions during these outreaches.

11. Intergovernmental Relations

Implementation phase of most projects is done at the municipal level. The failure or success of any project pinpoints on the municipality as the local sphere of government and a foot soldier of democracy. It is therefore imperative for both the provincial and national spheres of government to collectively work with the Municipality and participate in the IDP programmes of the institution. We continuously interact with our sister departments through the use of forums. Sector Forums on water, disaster, housing, energy; roads; waste and environmental management; etc. are a communication platform wherein issues that affect involved parties are discussed in length and find their way through to the Municipal IDP. Invitations will be extended to departments to attend all our Council and EXCO outreach to provide feedback on issues raised by community members related to their departments. The municipality has also recently established an IGR FORUM that represents various government departments and agencies offering their services in Blouberg.

12. Communication tools

12.1 Newsletter - Though predominately rural, it has been our priority to ensure that our newsletter reaches the whole community of Blouberg. We have an effective distribution list that ensures each village has access to these newsletters, through the use of Shops, Taxi ranks, Schools, Traditional Authorities, Clinics, Provincial departments Police Stations, Churches; etc. The list is reviewed annually and we print 4000 copies. Though not easily quantifiable we realized the newsletter does serve its purpose of informing and educating. The level of participation and the response that we get from our people is really encouraging and it is clear indication that the newsletter serves its purpose.

12.2 Cell phones - Most of our people rely on Cell phones. We communicate mostly with our stakeholders through the use of cell phones. Though there are some areas with no network coverage, cell phones are reliable. The SMS system is cost effective and more reliable. However, some parts of the municipality now enjoy uninterrupted network coverage through the intervention of MTN. The Communications Division is in a continuous communication with the Independent Communications Authority of South Africa (ICASA) to assist in engaging network providers for cell phone coverage.

12.3 Media - We have information leaflets, posters, billboards and face to face systems that we rely on for information dissemination. Campaigns, workshops and school visits also play a major role.

12.4. Social Media – In a bid to reach the broader community especially the youth Blouberg Municipality has joined social media sites name Facebook and Twitter

12.5 Website - Our website is fully functional, though not done in-house but we continuously updating it with relevant information. The website is also used to market the Municipality, inform and educate people about the services, investment and tourism opportunities. The website is also used to entice people to visit our Municipality and explore the plethora our heritage. Information on the programmes, achievements, challenges, policies and by-laws of the municipality are placed on the website. The Web Administrator has been moved to another department and the website is not updated as often.

13. Challenges

Following are some of the challenges identified and to be addressed during the 2021-26 financial years and beyond

- (a) Lack of access to information and communication technologies due to rural and underdeveloped nature of the area
- (b) Lack of understanding on how local government operates
- (c) Lack of financial resources

14. Stakeholders

The Municipality has a comprehensive Stakeholder Management Plan which, if implemented, will go a long way in achieving the strategic objectives of the Municipality's Communication Policy. The following are key stakeholders to be prioritized in communication endeavors:

14.1 Internal Stakeholders:

- (a) Council
- (b) Executive Committee
- (c) Management
- (d) Staff Members
- (e) Labour Unions
- (f) Ward Committees

14.2 External Stakeholders:

- (a) Capricorn District Municipality
- (b) Provincial and National Departments
- (c) Other Local and District Municipalities
- (d) SALGA
- (e) Media
- (f) Venetia Mine (De Beers Group)
- (g) Community Based Organizations
- (h) Organized Businesses
- (i) Traditional Authorities
- (j) NonGovernmental Organizations
- (k) Faith Based Organizations
- (l) Ratepayers
- (m) Ward Committees
- (n) Community Development Workers
- (o) Organized Labour
- (p) Sector Departments

15. Key Communications Drivers

Our key communications drivers are:

- (a) The state of the Nation's Address
- (b) The state of the Province's Address
- (c) State of the Municipal's Address (District and Local)
- (d) IDP Programme
- (e) Municipal Budget
- (f) Annual Reports
- (g) Municipal Community Outreach Programmes
- (h) Projects launches, achievements and challenges

DRAFT

16. SCHEDULED COMMUNICATION 2024/26

The following structures and channels shall be used to send out and receive messages on Council service delivery:

ELEMENT/TASKS	DATE	RESPONSIBILITY	MESSAGES/THEMES	BUDGET
Ward Committee Meetings	Bi - monthly	Speaker		
Ward Public Meetings	Quarterly	Ward Councilor		
Ward Committees Forum	Annually	Speaker		
EXCO Outreach	Monthly	Mayor		
Open Council days	Every Council sitting	Speaker		
Exhibitions	Every feasible Government function in the Municipality.	Communications Manager		
Opinion Makers Forum	Annually	Speaker		

Official newsletter	Bi-Yearly	Communications Manager		
Press releases	Monthly and promptly when need arises	Communications Manager		
EXCO management	Every Monday	Mayor & Municipal Manager		
Media enquiries	Any time	Communications Manager Communications Officer		
Radio talk shows	Bi-monthly(Only when budget allows)	Mayor & Municipal Manager		
Suggestion boxes	Monthly	Batho Pele Co-coordinator		
Councilor meets headmen	Quarterly	Speaker		
Mayor meets Traditional Authorities	Quarterly	Mayor		
Management, Departmental & Staff Meetings	Monthly	Municipal Manager & Departmental Managers		

Period	Activity	Responsible Unit/s	Communication Platform	Venue	Budget	Date
July – September 2024 (1 st Quarter)	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice Social Media, Notice boards, emails	To be announced		July
	Ordinary Council Meeting	Office of the Speaker	Media Statement Public Notice, Social Media, Email, Notice Boards, Website	To be announced		July
	Mandela Day Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Email, Notice Boards, Website	Helena Franz		18 July
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		August
	Capital Projects Launch	Office of the Mayor, infrastructure Development	Media Statement Public Notice, Social Media, Email, Notice Boards, Website	To be announced		August

Annual Ward Committees	Office of the Speaker	Media Statement Public Notice, Social Media, Email, Notice Boards, Website	To be announced	August
Women's Month Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	August
EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Website, Email	To be announced	September
HAST Campaigns (HIV AIDS STI's, TB)	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September

Arbor Day Celebration	Community Services	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September
-----------------------	--------------------	---	-----------------	-----------

October/December	Kibi Heritage Day Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September
	Bahananwa Heritage Day Celebration	Office of The Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September
	Kibi Heritage Day Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September
	Makgato Heritage Day Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September
	Mamadi Heritage Day Celebration	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	September

r 2024(3rd quarter)						
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		September
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		October
	Council Outreach	Office of the Speaker	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		October
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		November
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced		December

			Social Media, Notice Boards, Website				
Handing over of Projects	Office of the Mayor, Infrastructure Development		Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced			
Cleaning Campaigns	Community Services		Media Statement Public Notice, Social Media, Notice Boards, Website	To be announced	Operational		December
Festive Road Safety Campaigns	Community Services		Media Statement Public Notice, Social Media, Notice Boards, Website	Senwabarwana	Operational		December
Off-Season Games	Office of the Mayor		Media Statement Public Notice Social Media, Notice boards, emails	To be announced			December

Mayor's Imbizo	Office of the Mayor	Media Statement Public Notice Social Media, Notice boards ,emails	To be announced	Quarter 2

January – March 2025 (3 rd Quarter)	Back to school Campaigns	Office of the Mayor	Media Statement Public Notice Social Media, Notice boards ,emails	To be announced		January 2024
	Athletics	Office of the Mayor	Media Statement Public Notice Social Media, Notice boards ,emails	To be announced		January 2024
	Council Outreach	Office of the Speaker	Media Statement Public Notice Social Media, Notice boards ,emails	To be Announced		January 2024
	Council Outreach	Office of the Speaker	Media Statement Public Notice Social Media, Notice boards ,emails	To be announced		March 2024
	EXCO Imbizo	Office of the Mayor	Media Statement Public Notice Social Media,	To be announced		March 2024

			Notice boards ,emails			
Council Meeting Annual Report Public Hearing	Office of the Mayor, Department of the Municipal Manager	Media Statement Public Notice, Social Media, Notice boards ,emails	To be announced		March 2024	

Human Rights Day Celebrations	Office of Mayor National Calendar	Media Statement Public Notice, Social Media, Notice boards ,emails			March 2024	
Public hearing on Annual Report	Office of the Speaker	Media Statement Public Notice, Social Media, Notice boards ,emails	Four municipal clusters		March 2024	
Road safety campaigns	Community Services	Media Statement Public Notice Social Media,				

April – June 2025 (4 th Quarter)	Adoption of IDP/ Budget for 2019/20/Council Meeting	Speaker	Notice boards ,emails				May	
	2019/2020 IDP/Budget consultations	Office of the Municipal Manager	Media Statement Public Notice Social Media, Notice boards ,emails				April	
	Road Safety Campaigns	Community Services	Media Statement Public Notice, Social Media, Notice boards ,emails				April	
	Freedom Day Celebrations	Office of the Mayor	Media Statement Public Notice, Social Media,				April	
	Worker's day	Office of the Mayor, National Calendar	Media Statement Public Notice, Social Media, Notice boards ,emails				May	

	Youth Day Celebration	Office of the Mayor, National Calendar	Media Statement Public Notice, Social Media, Notice boards, emails		June
--	-----------------------	--	---	--	------

POLICY APPROVAL

This Strategy is formulated by Communication Division .

Authorised by Municipal Manager: Signature:  Date: 30/07/2024

Recommended by Portfolio Committee on Corporate Services: Signature:  Date: 30/07/2024

Approved by Municipal Council: Signature:  Date: 30/07/2024

Blouberg Municipality



SOCIAL MEDIA POLICY

204-2025

CONSULTATIVE MEETINGS	
Senior Management	
Management	
Local Labour Forum	
Executive Committee	
Council	

This guideline shall remain effective until approved otherwise by Council and may be reviewed on an earlier date as deemed necessary.

DRAFT SOCIAL MEDIA POLICY

BLOUBERG LOCAL MUNICIPALITY
2024- 2025 Social Media Policy

VISION

“A participatory municipality that turns prevailing challenges into opportunities for growth and development through optimal utilization of available resources “

MISSION

“To ensure delivery of quality services through community participation and creation of an enabling environment for economic growth and job creation”

MOTTO

Kodumela moepa thutse which translates “ Perseverance is the mother of success”

VALUES

Transparency

Diligence

Honesty

Reliability

ICONS OF SOCIAL MEDIA



1. BACKGROUND

The South African Government has over the years become notorious for being reactive communicators. This is especially prevalent at the Local Government level, where Municipalities in particular, are more often than not riddled with service delivery protests.

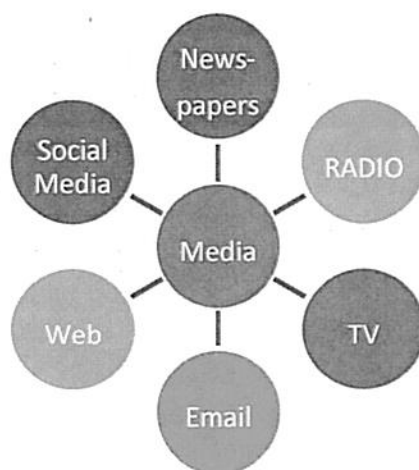
These protests are at times attributed to miscommunication or even a general lack of information sharing. It is for this reason that Government Communicators need to understand the strategic importance of communication in preventing these protests which are a huge burden on South African needy communities.

Social Media has gained widespread acceptance in most spheres of government worldwide as it provides an opportunity for speedy two way communication between government and the electorate, reducing the red-tape bureaucracy which is usually associated with mainstream communication in government.

2. PROBLEM STATEMENT

Government Communication is developmental in its nature, as the primary goal of it is empowering communities through information/communication. Government needs to constantly devise creative approaches to communication as opposed to mainstream communication channels, in order to reach all sectors of the economy.

The diversity of Government stakeholders/target audiences (council, administration, public, activist groups, big business, government, NGO/CBO, Media, institute of higher learning, etc.) dictate that one blanket approach to communication would be effective. There is a need to devise the most effective means of communication for each stakeholder group and to maximise communication in order to uphold, cleanse and promote Government reputation. The face of media as it was previously known has evolved. Mainstream media is no longer the only source of media as can be seen in this diagram:



3. LEGAL FRAMEWORK

- 3.1. Section 32 of the **Constitution of the Republic Of South Africa** (1996) accords everyone the right to have access to any information held by the state;
- 3.2. The pre 1994 apartheid led government was secretive in nature and years after the first democratically elected government took office, the **Promotion of Access to Information Act 2 Of 2000** (PAIA) was developed in order to promote sharing of information, and fulfil wishes enshrined in the Constitution;
- 3.3. Principle 8 of the **King Report on Good Governance for South Africa 2009** (King III), is dedicated to stakeholder management and how this directly affects an organisation's reputation;
- 3.4. **Local Government Municipal Systems Act, No. 32 of 2000**, Chapter 4 obliges municipalities to promote community participation in the affairs of every municipality; and
- 3.5. **GCIS Social Media Policy Guide.**

4. SOCIAL MEDIA

"Social Media is one of the platforms which can be used by the general public using highly accessible digital technologies like social networks, blogs, and podcasts amongst others, which have made communication more accessible to people as messages are transmitted in real time."

For the last decade, social media has sent a strong buzz worldwide, through the advent of social media we have come to live in what Marshall McLuhan foresaw as the "global village."

Social Networks are supposed to promote dialogue, but some municipalities tend not to take into account that social interaction is the main purpose of social networking, they tend to restrict the tool so interaction is only outward, and so it appears as though they are looking for another way of distributing their information.

5. THE ROLE AND IMPORTANCE OF SOCIAL MEDIA

- (a) Social media is of critical importance in communicating directly with the community and sharing the Municipality's information and listening to the communities and is ideal in :
 - (i) Promoting responsiveness, openness and mutual respect;
 - (ii) Connecting the Municipality with the communities it serves in a cost-effective way that promotes good relationships;
 - (iii) Strengthening local government and civil society;
 - (iv) Improving information on service delivery progress;
 - (v) Improving relationships between Municipality and key sectors of the community;
 - (vi) Providing real time interaction; and (vii) Promoting Corporate Identity.

6. Status of Mainstream Social Media Usage

There is a variety of social media platforms which are used to engage the public that BLM is already using, Facebook and Twitter. This is considering the demographics of the Municipality.

6.1. Facebook

BLM currently has a Facebook Page(Blouberg Local Municipality) with more than 15 000 followers and a Facebook Account (Blouberg Municipality) with over 12 000 followers administered by the Communications Unit. The process of answering questions is the same as the one stipulated in the Communication Strategy: answering and asking the relevant department and then typing answers on the comments. Posting onto the page is done as frequently as possible, however at least once a week. Content shared is about events, departmental collaborations, awareness campaigns, links on stories, vacancies and , tenders.

6.2. Twitter

BLM currently has a twitter account(@BLOUBERGMMUNICIP) which has over 200 followers. Some people have a better appreciation of Twitter as a social media platform, because they associate with its relevance. So this is catering for people who are not on Facebook, and a lot of dialogue happens more on this platform.

7. PURPOSE

- (a) The purpose of this Social Media Policy is to govern the use of social media sites in order to promote the communication agenda of Blouberg Local Municipality (BLM), while protecting and promoting the Municipality's image. (b) The primary goals of the using social media shall be as follows:
- (i) To increase awareness of Municipal programmes, projects and developments;
 - (ii) Complement the existing communication methods and processes;
 - (iii) Provide an additional platform through which BLM keeps abreast with general public comments and perceptions regarding the Municipality, which will assist as a form of environmental scanning;
 - (iv) Disseminate urgent information quickly;
 - (v) Correct misinformation, remedy mistakes or alter services to build strong relationships.
 - (vi) Provide another method by which stakeholders can engage with the municipality; and
 - (vii) Use social media as another way to collaborate with the public, business and other municipalities on mutually beneficial programmes and initiatives.

8. SCOPE

- (a) This policy shall apply to social media use for Officials and Councillors who already have social media accounts and those intending to have.
- (b) It shall apply to all BLM Officials and Councillors who are followers of information on the Municipalities social media sites and communications section which is an official unit uploading information.
- (c) Communication through social media shall comply with all other relevant municipal policies, procedures and guidelines, such as Communications Strategy; Code of Conduct; and ICT policies.

9. RESPONSIBILITIES

8.1. Municipal Manager

- a) As the Accounting Officer reporting to the Mayor who is a Chief Information Officer, s/he shall direct compliance in terms of the Social Media Policy.

8.2. Municipal Manager

- a) Shall monitor the policy and accompanying procedures
- b) Shall monitor the content and flow of information

8.3. Communications Manager (with the support of Communications Officer)

- (a) Monitor the Policy and accompanying procedures if any;
- (b) Provides training and guidance to personnel and initiates document review;
- (c) Will review the policy once a year from date of adoption;
- (d) Approves and oversees social media sites and tools for official corporate use;
- (e) Ensures consistency of messaging and imaging for all corporate social media sites, to avoid confusion and miscommunication;
- (f) Oversees all social media site accounts including their creation and destruction; and
- (g) Maintains a list of site domain names and social media accounts including login and password information.

8.4. Communications officials

- (a) The Manager shall be responsible to capture stories and upload them on social media platforms
- (b) Communications Officer shall also be responsible to capture stories and photos and upload them on social media platforms

8.5. Departments

- (a) Municipal departments shall submit approved content they require posted on social media platforms to the Communication Unit through events stories and meeting resolutions.
- (b) The Communications Unit shall be responsible for ensuring that content on all social media platforms is updated and relevant at all times.
- (c) The Communication Unit shall be expected to respond to positive or negative developments from engagement via their social media accounts on the respective social media platforms, where and if applicable.
- (d) It shall also be responsible for the monitoring and reporting of the respective social media accounts.
- (e) The Communication Unit shall update stories of events and any development happening in the municipality

9. GOVERNING RULES AND REGULATIONS

9.1. **General**

- (a) The Municipality's website, www.blouberg.gov.za shall remain its primary online source of information.
- (b) No confidential information shall be posted onto any social media under any circumstance.
- (c) Relevant queries on basic services shall be channelled to the Municipality's hotline call centre and responses shall be uploaded on social media.
- (d) Comments not topically related shall not be entertained.
- (e) Profane language and content shall not be tolerated and shall be removed immediately.
- (f) Content that promotes discrimination on the basis of race, colour, age, religion, gender, marital status, national origin, physical or mental disability and sexual orientation shall not be allowed;
- (g) Sexual content or links to sexual content shall not be tolerated and will be removed;

- (h) Content related to non-municipal related advertising or promotions (commercial advertising) shall be blocked;
- (i) Content for the purposes of promoting a candidate for municipal, provincial or national election shall also not be published.

9.2. **Appropriate content for municipal representatives**

- (a) No employee or Councillor of the municipality shall be permitted to share the following:
 - (i) Any content that is unlawful, defamatory, racist, sexist, homophobic or insulting;
 - (ii) Anything that is untrue by the municipality;
 - (iii) Any content that features explicit political messages or branding;

- (iv) Content which is harassing, threatening, obscene, pornographic, indecent, lewd, foul language, suggestive or otherwise objectionable;
 - (v) Content that criticises individual community members, colleagues, Councillors by name;
 - (vi) Content which infringes the privacy of others;
 - (vii) Content that is the property of someone else, without permission to use it; and
 - (viii) Spam (unsolicited sales messages). The same applies to content posted by members of the public on municipal platforms;
- (b) If any comment by a member of the public contravenes these rules, the municipality reserves the right to delete it, block the individual from its page and report the message. Comments that are critical of the Municipality or its officials shall be allowed to stand, provided they do not contravene any of the rules outlined above. Accusations will be dealt with on a case-by-case basis.

9.3. Content Neutrality

- (a) All content shall not discriminate in any way and must not be seen to be biased.
- (b) It shall be the Municipality's responsibility to remain impartial yet informative when communicating with the public about political matters.
- (c) The Municipality shall not share political opinions of any office bearers on any of the Municipality's social media platforms. However official statements made by office bearers which can be published on the Municipality's website can be shared on social media platforms.
- (d) The Municipality shall not share content of a party political nature.
- (e) Office bearers shall use their personal accounts to publish party political statements.

9.4. Confidentiality

- (a) It is critical that any information shared on the various social media platforms shall not be sensitive or confidential in any way.
- (b) Municipal employees shall refer to internal departmental policies and guidelines on what is considered confidential information, and ensure that these policies and guidelines are enforced on social media.
- (c) Use of devices in mayoral, portfolio and council meetings shall be avoided as this leaks the information prior to decision making.
- (d) In the above mentioned event, anyone who intends to share proceedings to social media platforms undertakes to inform all present of their plan to do so.

9.5. Personal social media accounts

- (a) Where Municipal employees use social media platforms and wish to provide personal comments on platforms, they shall do so by not contravening the Code of Conduct and bring the public service into disrepute or be misinterpreted as being an official representative of the Blouberg Local Municipality.

- (b) All employees shall adhere to the municipality's Code of Conduct at all times and remain neutral.
- (c) Any personal social media accounts, or accounts unrelated to the BLM, that currently exist or shall be created in future, are not to be registered using an email address. This applies to any social media platform that requires an e-mail account to register. These accounts must make use of private e-mail addresses and contact details.
- (d) Officials shall not use municipal-related usernames or handles when using or setting up their personal accounts, e.g. Communications Manager Lerato or Cllr Matome .

9.4. Principles to remember at all times

- (a) If Communicators are unsure about what or how to post, they can contact the office of the Municipal Manager to get a go ahead on the suggested content.
- (b) Employees shall keep their professionalism, while not losing the personal touch.
- (c) Employees shall obtain permission before sharing personal details on municipal related social platforms. This applies to photographs as well.
- (d) All posts shall be relevant to the community being served by the BLM
- (e) All response to public comments shall be directed by the authorised personnel on the social media.

10. SOCIAL MEDIA CODE OF CONDUCT

10.4. Employees

- (a) Nothing about social media changes the responsibilities and obligations of employees or contractors or interns of the Blouberg Local Municipality.
- (b) It does not matter if employees or contractors or interns use a private account or access social media outside of work hours – their obligations in terms of their contract of employment, the Code of Conduct, and all other applicable policies apply to all of their conduct on social media.
- (c) Employees or contractors or interns of the BLM have a legal duty to act in good faith towards the Municipality.
- (d) They shall not do anything that damages or tarnishes the reputation of the BLM and shall always act in the best interests of the organisation.
- (e) This duty extends to their use of social media. For example, employees shall not comment negatively on social media about anything associated with the BLM.
- (f) Everything employees do and say on social media reflects on the BLM and its reputation.
- (g) In conducting themselves on social media, it is important that employees use sound judgment and common sense, act with professionalism and integrity, and adhere to the Municipality's values.

Employees responsible for updating the social media accounts shall be empowered to respond appropriately, and to exercise good judgment in accordance with the social media code of conduct, mentioned above.

13. TRANSGRESSION

- a. Any action or behaviour by Councillors or members of staff, which is in conflict with this Policy, shall be deemed a transgression of the Code of Conduct of Councillors or Staff members, as the case may be.

14. POLICY REVIEW

This Policy will be reviewed and be revised as and when it is necessary to do so.

BLM hopes that with this Policy, will find it easy to start managing social media networks in a more strategic and guided manner.

15. APPROVAL

POLICY APPROVAL

This policy was formulated by HR Management, and went through consultation in the Local Labour Forum.

Authorised by Municipal Manager: Signature:  Date: 30/07/2024

Recommended by Portfolio Committee on Corporate Services: Signature:  Date: 30/07/2024

Approved by Municipal Council: Signature:  Date: 30/07/2024