



DRAFT REVISED TELECOMS AND CELLULAR PHONE ALLOWANCE POLICY

**POLICY ADOPTED BY COUNCIL ON 04 DECEMBER 2014
AT ITEM C.14.6**

**POLICY ADOPTED BY COUNCIL (CONFIDENTIAL MEETING) ON
31 JANUARY 2019 AT ITEM C.15.1**

**POLICY ADOPTED BY COUNCIL (CONFIDENTIAL MEETING) ON
26 JANUARY 2023 AT ITEM C.15.1**

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1. INTRODUCTION

- 1.1 It is essential that officials in key positions be capacitated to communicate with each other and all other role-players such as National Government, Provincial Government, other municipalities, members of the community and all other partners in local government.
- 1.2 Any changes to this policy, as required from time to time, shall be presented and motivated to Council by the Municipal Manager.

2. PURPOSE AND OBJECTIVES

- 2.1 To provide guidelines on the management of telephones, cellular phone allowances, as well as electronic data allowances.
- 2.2 To implement a uniform telecommunications policy (telephones, cellular phone allowances, as well as electronic data allowances) for officials.
- 2.3 To provide fair criteria for the allocation of cellular phone allowances, as well as electronic data allowances.
- 2.4 To ensure the effective, efficient and economic usage of municipal telecommunication systems.
- 2.5 To ensure the recovery of all costs for the unofficial (private) usage of telephones.
- 2.6 To implement the necessary control measures and reduce costs.

- 2.7 To ensure that only authorised persons use Cape Winelands District Municipality’s telephones in the performance of their duties.
- 2.8 To prevent the misuse of the above-mentioned facilities by officials of the Cape Winelands District Municipality.

3. SCOPE AND APPLICATION

- 3.1 Telephones (land lines).
- 3.2 Cellular phone allowances.
- 3.3 Electronic data allowances.
- 3.4 This policy shall apply to officials of the Cape Winelands District Municipality.

4. DEFINITIONS

In this policy, unless the context otherwise indicates -

“**Council**” shall mean the Council of the Cape Winelands District Municipality.

“**Heads of Department**” shall mean all appointees in terms of section 56 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

“**Official**” shall mean a person in the employment of the Cape Winelands District Municipality.

“Official calls” shall mean all calls made for the purpose of conducting official business.

“Senior management official” shall mean an employee who is in charge of a specific functional unit and who reports directly to the Municipal Manager or to a Head of Department.

5. LEGISLATIVE FRAMEWORK

This policy and its application must be in accordance with the following legislative prescripts:

5.1 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

5.2 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

5.3 Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003).

5.4 Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).

5.5 Labour Relations Act, 1995 (Act No. 66 of 1995).

5.6 CWDM Supply Chain Management Policy.

5.7 All relevant Collective Agreements.

6. THE RIGHT TO USE TELEPHONES, CELLULAR PHONE ALLOWANCES, AS WELL AS ELECTRONIC DATA ALLOWANCES

6.1 The District Municipality provides its employees with the above-mentioned facilities, where applicable, for official purposes only.

6.2 The issuing and payment of cellular phone allowances and electronic data allowances will regularly be re-considered and will not be construed as unending; it may also be suspended if deemed necessary.

7. DELEGATED POWERS

7.1 The Executive Director: Technical Services, inter alia, has the following powers:

7.1.1 To authorise the installation of telephones on premises of the Cape Winelands District Municipality in respect of officials, upon written application and motivation from the applicable Head of Department.

7.1.2 To authorise the allocation of cellular phone allowances, as well as electronic data allowances in respect of officials, upon written application and motivation from the applicable Head of Department.

7.2 Powers of the Chief Financial Officer:

The Chief Financial Officer has the power to make all payments and deductions in accordance with the policies of Council and appropriate legislation.

8. TELEPHONE POLICY

- 8.1 It shall be the responsibility of the Cape Winelands District Municipality to provide municipal offices, or a combination of municipal offices, with reliable telephones.
- 8.2 It is the policy of the Cape Winelands District Municipality that telephones are to be utilized for official purposes.
- 8.3 The Executive Director: Technical Services shall determine which officials may have access to telephones in their offices for usage in the performance of their official duties.
- 8.4 Provision is made for the allocation of a PIN-code to all officials within the District Municipality to ensure that only Cape Winelands District Municipality's officials utilize official instruments appropriately and to manage the usage of telephones.
- 8.5 Private calls should be avoided where possible, and if necessary, the duration of the private calls should be reasonably limited.
- 8.6 Officials are expected to reimburse the District Municipality for any private calls made in accordance with the control measures as set out below.
- 8.7 The Executive Director: Technical Services shall, on recommendation by the applicable Head of Department, have the discretion to determine which officials shall be allowed to make international calls for official purposes only, and telephone lines shall be suitably barred on the basis of this classification.

- 8.8 The Offices of the Executive Mayor, the Municipal Manager as well as the Heads of Department will automatically be allowed to make international calls for official purposes.
- 8.9 The Cape Winelands District Municipality has the right to monitor telephone bills and the usage of telephones, will investigate any abuse and has the discretion to take disciplinary action as and when needed.
- 8.10 Telephone usage control measures
- 8.10.1 A detailed statement (printout) of all calls made and the total cost thereof would be provided to all officials by the Division: Information and Communication Technology/Switchboard Operator within seven (7) days after the end of the month, provided that prevailing technology allows for this function.
- 8.10.2 All officials must identify private calls made and calculate the respective amounts due. The official concerned shall be obliged to certify (sign) the printout. The printouts must also be signed and noted by the applicable Head of Department, or a person authorized to do so.
- 8.10.3 Signed printouts should be submitted to the Salary Office before the 12th of every month. The cost in respect of private calls will be deducted monthly from the salaries of officials. Failure to submit signed printouts of private calls before the due date will result in the total amount of the statement being deducted.

9. CELLULAR PHONE ALLOWANCES AND ELECTRONIC DATA ALLOWANCES

9.1 Application procedure

- 9.1.1 Applications for cellular phone allowances and electronic data allowances will be forwarded to the Executive Director: Technical Services together with full written motivation by the Head of Department of the Department in question, including the funding of the expenditure.
- 9.1.2 Applications will be considered by a Telecommunications Committee, consisting of all Heads of Department under the Chairmanship of the Executive Director: Technical Services.
- 9.1.3 The Chairperson of the Telecommunications Committee and/or the Heads of Department may co-opt officials from their respective departments to attend meetings of the Telecommunications Committee to provide technical input.
- 9.1.4 The Telecommunications Committee will consider and evaluate applications for cellular phone allowances and electronic data allowances taking into account the Terms and Conditions stipulated in paragraph 9.2.
- 9.1.5 The final decision of the Executive Director: Technical Services (in accordance with the approved System of Delegations) will be signed off in writing.
- 9.1.6 In the case of a dispute, the decision is vested with the Municipal Manager.

9.2 Terms and conditions

9.2.1 The allocation of cellular phone allowances is linked to a position and job content based on operational requirements, taking into account the following factors, amongst others:

- (a) Need for immediate contact with councillors and the public.
- (b) Need for constant and immediate contact with the employee.
- (c) Job content, including roles, responsibilities and KPA's.
- (d) Time spent outside of the office by the employee.
- (e) Improvement of the operational efficiency of the employee.
- (f) Employee must be contactable at all times during work and after official working hours, including during leave periods.

9.3 Migration to higher or lower category of cellular phone allowance

In cases where the allowance has been approved for a specific position and the job content of that position is subsequently changed to such an extent that the requirement for cellular phone usage is increased, reduced or eliminated, the allowance shall be amended accordingly, or terminated, only upon expiry of the current cellular phone contract of the official.

9.4 Categories of cellular phone allowances:

Category		Cellular Phone Allowance
(a)(i)	Municipal Manager and Heads of Departments who is remunerated in accordance with the Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers directly Accountable to Municipal Managers as determined, amended and published from time to time by the Minister for Cooperative Governance and Traditional Affairs.	To be determined by the Executive Mayor in consultation with the Deputy Executive Mayor who may, in terms of Part 4, Clause P.1.04 of the System of Delegations, reconfirmed by Council at Item C.4.8 on 2 December 2021, determine the conditions of service of the Municipal Manager.
(a)(ii)	Heads of Department who are remunerated in accordance with the Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers directly Accountable to Municipal Managers as determined, amended and published from time to time by the Minister for Cooperative Governance and Traditional Affairs	To be aligned with the cellular phone allowance of the Municipal Manager as determined by the Executive Mayor in consultation with the Deputy Executive Mayor in paragraph (a)(i) above.
(a)(iii)	Heads of Department who are not remunerated in accordance with the Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers directly Accountable to Municipal Managers as determined, amended and published from time to time by the Minister for Cooperative Governance and Traditional Affairs.	50% of the cellular phone allowance as applicable to the Executive Mayor and members of the Mayoral Committee per month as determined by the Minister for Cooperative Governance and Traditional Affairs in terms of the official Government Notice published in terms of the Remuneration of Public Office Bearers Act, 1998 (Act No 20 of 1998)

Category		Cellular Phone Allowance
(b)	Senior management officials reporting directly to the Municipal Manager and Heads of Department	R650.00 per month
(c)	Any other official as determined by the Municipal Manager or Heads of Department	R550.00 per month
(d)	Any other official who must be contactable after official working hours and who must make official calls after official working hours	R300.00 per month
(e)	Any other official who is not office-bound and must be contactable during official working hours and who must be able to make emergency calls	R150.00 per month

9.4.1 Increases of the abovementioned allowances will be considered and compared to similar market related contract options by the Telecommunications Committee on a 3-year cycle, subject to the financial viability of the Cape Winelands District Municipality and based on affordability, with the next consideration to be with effect from 01 July 2025.

9.4.2 In the event of the cost of cellular phone usage being above the allocated allowance due to abnormal working conditions, the officials affected will be compensated by the Cape Winelands District Municipality for additional costs incurred in this regard for official cellular calls, subject to the written approval by the applicable Head of Department.

9.4.3 Any claim for reimbursement of additional cost incurred for official cellular calls, will only be considered on submission of the itemized billing applicable to the cellular phone contract of the affected employee and only if the additional claim exceeds the amount applicable to the monthly cellular allowance of the employee.

9.5 Categories of Electronic Data Allowances

Category		Electronic Data Allowance
(a)	Access to official e-mail address must be linked to the following devices: laptop or mini laptop or tablet; and cellular phone, with text message capabilities on cellular phone	R300.00 per month
(b)	Access to official e-mail address must be linked to the following devices: laptop or mini laptop or tablet, with text message capabilities on cellular phone	R150.00 per month
(c)	Employee must be available and respond to text messages (SMS and WhatsApp) on a cellular phone	R50.00 per month

9.5.1 Should the Cape Winelands District Municipality be in a position to procure bulk data, individual electronic data allowances of employees will be replaced with CWDM routers with bulk procured data.

9.5.2 Applications for electronic data allowances will be considered and evaluated separately by the Telecommunications Committee referred to in paragraph 9.1.2.

- 9.5.3 Should the remote login duties of employees working in the Division: Information and Communication Technology result in their data usage exceeding the monthly amount of R300.00, a motivation must be submitted to the Telecommunications Committee in writing, accompanied by proof of itemized billing.
- 9.5.4 The Telecommunication Committee will consider the motivation in paragraph 9.5.2 above and make a recommendation to the Municipal Manager for final approval.
- 9.5.5 In the event of the cost of electronic data usage being above the allocated allowance due to abnormal working conditions, the Telecommunications Committee will consider to compensate the affected official for additional costs incurred in this regard for data usage, subject to the written motivation by the affected official, accompanied by the relevant proof.
- 9.5.6 The CWDM owned official electronic device(s) of an employee to whom a monthly electronic data allowance has been allocated in terms of this policy will, upon implementation of the data allowance, automatically be linked to the official e-mail address of the affected official, based on the categories explained in paragraph 9.5.
- 9.6 Usage of own / private cellular phones
- 9.6.1 The Executive Director: Technical Services may approve for an official to use his/her own private cellular phone for official purposes.
- 9.6.2 Only official calls will be paid for and no petty cash payments will be made.

9.6.3 Approved accounts (itemised billing) must reach the Budget and Treasury Office before the 12th of each month.

9.6.4 Payment will be made together with payment of the monthly salary on the 25th of a month.

10. TRADE UNION CHAIRPERSONS AND SHOP STEWARDS

10.1 The Chairpersons of IMATU and SAMWU will qualify for a monthly cellular phone allowance of R500.00 per month.

10.2 Elected shop stewards who are not beneficiaries of any kind of cellular phone allowance will qualify for a monthly cellular phone allowance of R200.00 per month.

10.3 The cellular phone allowances of the Chairpersons of IMATU and SAMWU as well as the shop stewards are subject to the following:

10.3.1 Ensure that they have their personal cellular phones available at all times in order to be contactable.

10.3.2 Submit their cellular phone numbers to the Cape Winelands District Municipality within five (5) working days from date of receiving notice of such an allowance OR within one (1) working day from date of a change of a cellular phone number.

10.3.3 Respond to voice and/or text messages as soon as practically possible upon receipt thereof.

10.4 Failure to adhere to paragraphs 12.3.1, 12.3.2 and 12.3.3 above might result in the termination of the cellular phone allowance.

- 10.5 The Chairpersons of IMATU and SAMWU will qualify for an electronic data allowance of R300.00 per month, subject thereto that their official e-mail address be linked to the following devices: laptop **and/or** mini laptop **and/or** tablet **and/or** cellular phone, **together** with text message facilities on a cellular phone.

11. GENERAL

- 11.1 All cellular phone allowances and/or electronic data allowances being paid to employees shall be re-evaluated in terms of the conditions of the new Telecoms and Cellular Phone Allowance policy which might result in the termination of the allowance, subject to a reasonable notice period, with the exception of employees who receive cellular phone allowances in terms of their conditions of service as referred to in paragraph 11.3.
- 11.2 All beneficiaries of the Telecoms and Cellular Phone Allowance policy must annually complete the attached Declaration Form and submit it to the relevant official in the Budget and Treasury Office.
- 11.3 Cellular phone allowances paid to employees in terms of their conditions of service, other than what is stipulated in this Telecoms and Cellular Phone Allowance policy, will be capped at the amount applicable on date of approval of this Policy, where after no further increases will be effected, and it will be phased out when such an employee is promoted, move from one post level to another post level or termination of service.
- 11.4 Before a cellular phone allowance is approved to an employee working in the Division: Roads and Mechanical Workshop, the written permission of the Provincial Government: Western Cape (Principal) must be obtained. The Provincial Government: Western Cape will accept responsibility for the payment of these allowances.

- 11.5 All officials, who by their designation or position qualify in terms of this policy for a cellular phone allowance, must –
- 11.5.1 Ensure that they have their personal cellular phones available at all times in order to be contactable.
 - 11.5.2 Inform their immediate supervisors and Heads of Department in advance should they not be contactable for a specific period.
 - 11.5.3 Submit their cellular phone numbers to the Cape Winelands District Municipality within five (5) working days from date of receiving notice of such an allowance OR within one (1) working day from date of a change of a cellular phone number.
 - 11.5.4 Respond to voice and/or text messages as soon as practically possible upon receipt thereof.
- 11.6 Failure to adhere to paragraph 11.5 above might result in the termination of the cellular phone allowance.
- 11.7 The Telecommunications Committee will on an annual basis evaluate and review whether the cellular phone allowance and/or electronic data allowance which has been allocated to an employee has contributed to the effectiveness of service delivery, and should it be determined to the contrary, the said allowance will be terminated upon a reasonable notice period.
- 11.8 A cellular phone allowance approved in respect of an employee who has been identified to receive a monthly cellular phone allowance resulting from operational requirements linked to the post to which the employee is incumbent, will only be effected from a date as officially communicated in writing, subject to the submission of the employee's cellular phone number. No cellular phone allowance will be paid retrospectively.

- 11.9 An employee who has been identified to receive a monthly cellular phone allowance resulting from operational requirements linked to the post to which the employee is incumbent, and who refuses to provide the Cape Winelands District Municipality with his/her cellular phone number and/or fails to respond to official telephone calls and/or text messages as soon as practically possible, will be subjected to an incapacity investigation to determine whether in terms of the Telecoms and Cellular Phone Allowance policy, the employee requires a cellular phone to effectively execute the duties and responsibilities for which the employee has been appointed.
- 11.10 The approval of cellular phone allowances and/or electronic data allowances and will be subject to the availability of funds.
- 11.11 In the event that an official is on extended periods of absence, i.e., maternity leave or extended periods of sick leave or sabbaticals, an approved cellular phone allowance and/or electronic data allowance will be suspended on a temporary basis.

12. AVAILABILITY OF THIS POLICY

All current employees and every staff member upon assuming appointment in the service of the Cape Winelands District Municipality, who has access to an official telephone, shall be supplied with a copy of this policy and must acknowledge receipt thereof.

13. CONSEQUENCE OF NON-COMPLIANCE

Failure to comply with this policy will be viewed as a serious disciplinary transgression and shall be dealt with in terms of the Labour Relations Act, 1995 (Act No. 66 of 1995) in the case of employees.

14. AMENDMENTS

The Council may from time to time amend this policy and introduce any measure(s) to ensure efficient, economic and effective management of Council resources.

15. EFFECTIVE DATE

This revised Telecoms and Cellular Phone Allowance Policy will become effective retrospectively with effect from 01 July 2022 as resolved by Council on 26 January 2023 at Item C.15.1 of the Confidential Meeting.



D E C L A R A T I O N

CELLULAR PHONE ALLOWANCE & ELECTRONIC DATA ALLOWANCE

Indicate where applicable and complete this form:

Note: This form must be completed on an annual basis, failure which the applicable allowance / benefit will be suspended

A	Cellular Phone Allowance	B	Electronic Data Allowance	C	Cellular Phone Voucher	D	Pool Cellular Phone
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Employee	
Job Title	
Department	
Division	
Cellular Phone Number	

I, _____ (full names and surname) hereby declare that I understand the contents of the Telecoms and Cellular Phone Allowance policy and that I will abide to the conditions as stipulated in the policy.

I further declare that I will annually provide the Cape Winelands District Municipality with my cellular phone number and that I will respond to official calls and/or text messages, failure which I will be subjected to an incapacity investigation to determine whether in terms of the Telecoms and Cellular Phone Allowance policy, I require a cellular phone to effectively execute the duties and responsibilities for which I have been appointed.

SIGNATURE: _____

DATE: _____

ACKNOWLEDGEMENT OF RECEIPT

TELECOMS AND CELLULAR PHONE ALLOWANCE POLICY

I, the undersigned, hereby acknowledge receipt of the TELECOMS AND CELLULAR PHONE ALLOWANCE POLICY of the Cape Winelands District Municipality adopted by Council on 31 January 2019 and declare that I understand the contents thereof.

.....
SURNAME AND INITIALS (print)

.....
SIGNATURE

.....
DATE

If a person cannot read or write, his / her mark must be affirmed by 2 witnesses:

.....
SIGNATURE: WITNESS 1

.....
DATE

.....
SIGNATURE: WITNESS 2

.....
DATE

IF AN EMPLOYEE REFUSES TO SIGN

I, (name of witness) hereby confirm that the TELECOMS AND CELLULAR PHONE ALLOWANCE POLICY has been served by me on the following employee:

.....
NAME OF EMPLOYEE REFUSING TO SIGN

.....
INITIALS & SURNAME OF WITNESS

.....
SIGNATURE

.....
DATE