

Constitution of
The Western Cape Local Government
Information Communication & Technology Forum



**THE CONSTITUTION OF
THE WESTERN CAPE LOCAL GOVERNMENT ICT FORUM
(hereinafter referred to as LOGICT)**

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GLOSSARY OF TERMS

EXCOM	:	LOGICT Executive Management Committee
ICT	:	Information Communication Technology
IM	:	Information Management
LOGICT	:	Local Government Information Communication & Technology Forum
MFMA	:	Municipal Finance Management Act. Act 56 of 2003
PAF	:	Provincial Advisory Forum
PAFTEC	:	Provincial Advisory Forum (Municipal managers)
PSA	:	Public Service Act, 1994
SALGA	:	South African Local Government Association
SITA	:	State Information Technology Agency (PTY) Ltd.
SITA Act	:	State Information Technology Agency (PTY) Ltd. Act 88 of 1998

ALPHABETICAL LIST OF DEFINITIONS

Constitution :	A system of laws and principles according to which a state or other organization is governed.
DBSA :	Development Bank of South Africa
Department :	National department, provincial administration and organisational component in Schedule 1 and 3 of the PSA.
DG :	Director-General
EXCOM :	LOGICT Executive Management Committee
ICT:	Information Communication Technology means all aspects of technology which are used to manage and support the efficient gathering and utilisation of information as a strategic resource.
IM:	Information Management is concerned with the planning organising directing, coordinating and control of all information technology resources to ensure effective and efficient utilisation and business use in the area of current and emerging technology issues.
Municipality :	A municipality as defined in section 155(6) of the Constitution of South Africa
Rules :	Rules and regulations of secondary importance to the aspect it supports or clarifies.
Work Group :	A group of people appointed by a higher, duly authorised entity, to investigate a specific area of concern and to report or advise on it.

CHAPTER 1

NATURE OF LOGICT

1.1 OFFICIAL NAME

The name is The Western Cape Local Government Information Communication & Technology Forum (hereinafter referred to as LOGICT).

1.2 ACRONYM

LOGICT

1.3 DOMICILE

The principal office of LOGICT will be in the Office of the Secretariat.

1.4 NATURE

LOGICT is the principal inter-municipal forum for ICT and IM for Local Government in the Western Cape, supporting and guiding the municipalities to operationalise the Local Government ICT and IM policies and provide feedback on their implementation and updates.

1.5 MISSION

LOGICT is the visible advocate and conduit of change to modernising administrative structures and Local Government business processes, by recognising, employing, coordinating and directing the strategic enabling role of the new information communication technologies to transform historically and politically motivated functions into sound business-like operations, while bringing Local Government closer to the citizen and providing quality services.

1.6 STRATEGIC FOCUS

LOGICT is strategically focused on:

- 1.6.1 Maximising the value of Local Government ICT and IM investment by:
 - 1.6.1.1 Facilitating and coordinating commitment and support of politicians, management and stakeholders within Local Government.
 - 1.6.1.2 Providing strategic direction in terms of ICT, IM and e-government initiatives.
 - 1.6.1.3 Targeting key needs through programmes and projects.
 - 1.6.1.4 Accessing, using and deploying scarce resources.
 - 1.6.1.5 Sharing implementation lessons and practices.
 - 1.6.1.6 Advising on best practices, standards, policies and compliance.
 - 1.6.1.7 Allowing for focused and structured interaction with other external and internal stakeholders.
 - 1.6.1.8 Leveraging economies of scale in solution provision, maintenance and support.
 - 1.6.1.9 Eliminating duplication in ICT and IM functions, projects, resources and information.
 - 1.6.1.10 Enforcing interoperability of Local Government ICT and IM systems, including Network platforms, applications and data compatibility.
 - 1.6.1.11 Ensuring the security of electronic documents/data, information systems and user access.
- 1.6.2 Developing and retaining human potential for efficient application and utilisation of ICT and IM, by promoting awareness, cultural change and knowledge.
- 1.6.3 Aligning the respective ICT and IM strategies and information systems strategies with Local Government IDP priorities and business strategies.
- 1.6.4 Improving and promoting the design, modernisation and sharing of information and ICT and IM resources amongst municipalities.
- 1.6.5 Making the knowledge economy accessible to the public and bridging the digital divide.

1.7 POWERS

LOGICT shall function as the recommending and advisory body to the Western Cape Municipalities in matters relating to effective and efficient ICT and IM in Local Government as defined in this constitution.

CHAPTER 2

DUTIES OF LOGICT

2.1 MANDATE

The mandate of LOGICT is based upon:

- 2.1.1 The feedback of the municipalities at a PAFTEC meeting held on 11 November 2004.
- 2.1.2 The support of its Members and Associate Members.

2.2 SCOPE OF OPERATION

LOGICT is entitled to address all issues related to ICT and IM in Local Government in terms of the MFMA and other related Local Government legislation, as well as SITA related matters according to the SITA Act and all other relevant legislation.

2.3 DUTIES

- 2.3.1 Make recommendations for Local Government ICT and IM resources management, policy, procedures, norms, standards, guidelines and best practices.
- 2.3.2 Share experiences, ideas, plans, resources and best practices, including work process, redesign and the development of performance measures.
- 2.3.3 Identify opportunities for co-operation within all spheres of government and between the public and private sector in providing access to and using ICT and IM resources.
- 2.3.4 Identify solutions for common transversal requirements.
- 2.3.5 Identify or recommend leading agencies, technology and methodology in promoting automation initiatives in government, including e-commerce and e-government.
- 2.3.6 Make recommendations on issues relating to the acquisition, procurement and leasing of information communication technology, projects and services.

CHAPTER 3

COMPOSITION & FUNCTIONING

3.1 COMPOSITION

LOGICT comprises of Members and Associate Members who elect a Chairperson, a Vice-chairperson, a Secretariat, an EXCOM and various Work Groups.

3.1.1. Members

- 3.1.1.1 All Municipalities in the Western Cape.
- 3.1.1.2 The Provincial Government of the Western Cape.
- 3.1.1.3 SALGA Western Cape.

3.1.2 Associate Members

- 3.1.2.1 SITA
- 3.1.2.2 Public or private institutions, as approved by LOGICT.
- 3.1.2.3 Associate Members may include:
 - 3.1.2.3.1 Government agencies
 - 3.1.2.3.2 Any relevant party.
- 3.1.2.4 Associate members may not vote.
- 3.1.2.5 LOGICT, through the Chairperson, may request Associate members to leave the meeting during the discussion of sensitive agenda items.

3.1.3 Duties of Members & Associate Members

LOGICT Members and Associate Members shall ensure that the flow of information upon which decisions are made, includes the input and feedback to and from Members or Associate Members within the areas of responsibility that they represent.

3.1.4 Representatives & Alternates

- 3.1.4.1 Two designated officials from each Municipality in the Western Cape with voting rights plus one as alternate to represent any of the designated officials in their absence at any meeting.
- 3.1.4.2 Two designated officials from the Provincial Government of the Western Cape with voting rights plus one as alternate to represent any of the designated officials in their absence at any meeting.
- 3.1.4.3 Two designated representatives from SALGA Western Cape with voting rights plus one as alternate to represent any of the designated representatives in their absence at any meeting.
- 3.1.4.4 Two designated representatives from each Associate Member plus one as alternate to represent any of the designated representatives in their absence at any meeting.
- 3.1.4.5 Responsibilities of Representatives and Alternates:
 - 3.1.4.5.1 Participate in all activities including working group activities.
 - 3.1.4.5.2 Represent the interest of their designated member.
 - 3.1.4.5.3 Promote LOGICT decisions.
 - 3.1.4.5.4 Communicate LOGICT recommendations.
 - 3.1.4.5.5 Identify / facilitate presentations of ICT and IM issues, including supportive material to LOGICT.

3.1.5 Secretariat

- 3.1.5.1 The Secretariat shall be provided by Provincial Government Western Cape.
- 3.1.5.2 The Secretariat shall service and provide assistance to LOGICT, including it's Work Groups.
- 3.1.5.3 The responsibilities of the Secretariat include:
 - 3.1.5.3.1 To assist the Chairperson as well as the Convenors of the various Work Groups.
 - 3.1.5.3.2 To be responsible for the preparation and timely delivery of Minutes, agendas, notifications and other information to the members of LOGICT.
 - 3.1.5.3.3 To keep records of membership including Associate Members and Invitees.
 - 3.1.5.3.4 To maintain an archive of the constitution, minutes, resolutions and correspondence.
 - 3.1.5.3.5 To provide new Members and Associate Members with a copy of the Constitution, along with all amendments.
 - 3.1.5.3.6 To collect, copy, collate and distribute reports of Work Groups as well as other relevant data.
 - 3.1.5.3.7 To manage all correspondence.

3.1.6 Invitees

- 3.1.6.1 LOGICT, through the Chairperson, may request advisors, specialists or any other person as deemed necessary, to attend a meeting / meetings.
- 3.1.6.2 Participation of any Invitee at meetings shall be restricted to their area of concern / expertise as contained in the Agenda.
 - 3.1.6.2.1 The Chairperson may grant approval for an Invitee to be present for the duration of the meeting..
 - 3.1.6.2.3 The Chairperson may grant approval for an Invitee to be present for the duration of a consequent meeting / meetings.
 - 3.1.6.2.4 The Chairperson, may request Invitees to leave the meeting during the discussion of sensitive agenda items.
- 3.1.6.3 An Invitee may not vote.

3.2 FUNCTIONING

3.2.1 Chairperson, Vice-chairperson & Past Chairperson

- 3.2.1.1 The Chairperson and Vice-chairperson shall be nominated and elected by majority vote by LOGICT.
- 3.2.1.2 LOGICT members shall make written nominations annually for the Chairperson and Vice-chairperson, who shall be a representative of a Municipality, with election taking place at the Annual General Meeting.
- 3.2.1.3 The term of office of the Chairperson and Vice-chairperson shall commence immediately after their election.
- 3.2.1.4 The term of office of the Founding Chairperson shall be two years.
 - 3.2.1.4.1 The term of office of subsequent Chairpersons shall be one year and may be extended for a consecutive year.
 - 3.2.1.4.2 The immediate Past Chairperson shall serve on EXCOM for the following year in an advisory and supporting role.
 - 3.2.1.4.3 The immediate Past Chairperson may not vote at EXCOM.
- 3.2.1.5 The Chairperson and Vice Chairperson shall act in a dual capacity as the Chairperson and Vice Chairperson and as a representative of their member
- 3.2.1.6 The Chairperson and Vice Chairperson shall vote on any and all matters balloted by LOGICT as a representative of a member.
 - 3.2.1.6.1 The Chairperson has a casting vote.
- 3.2.1.7 The Vice-chairperson shall resume automatic responsibility for the Chairperson in the absence of the Chairperson.
 - 3.2.1.7.1 The Vice-chairperson shall support the Chairperson.

3.2.2 The duties of the Chairperson include:

- 3.2.2.1 To preside at all LOGICT meetings
- 3.2.2.2 To schedule all meetings and prepare agendas for each meeting of LOGICT, with the assistance of the Secretariat
- 3.2.2.3 To help co-ordinate the formation of Work Groups.
- 3.2.2.4 To serve as liaison between LOGICT and the various external bodies.
- 3.2.2.5 To co-ordinate the delegation of some of these duties to the Secretariat.
- 3.2.2.6 To initiate the formation of Work Groups for operational requirements.

CHAPTER 4

OPERATION OF LOGICT, EXCOM & WORK GROUPS

4.1 LOGICT

4.1.1 LOGICT must institute an EXCOM

4.1.2 LOGICT shall meet annually and additional meetings shall be scheduled as required.

4.1.3 Ad-hoc meetings may be scheduled on request of more than one-third of the members of LOGICT.

4.1.4 Ad-hoc meetings may include the Associate Members and Invitees.

4.1.5 A quorum shall be fifty-one percent (51%) or more of the Members of LOGICT

4.2 EXCOM

4.2.1 EXCOM, through the Chairperson, shall determine the venue and the frequency of LOGICT, EXCOM and Work Group meetings, taking cognisance of factors such as cost, travel arrangements, accommodation and venue facilities.

4.2.3 Notice of meetings shall be via mail or electronic media.

4.2.4 EXCOM shall consist of:

4.2.4.1 The Chairperson

4.2.4.2 The Vice-chairperson

4.2.4.3 Members of LOGICT

4.2.4.4 The Conveners of any Work Groups.

4.2.4.5 The Provincial Government Western Cape

4.2.4.6 SALGA

4.2.4.7 The Past Chairperson

4.2.5 EXCOM shall not exceed 15 members (excluding the immediate Past Chairperson) and should represent Finance, Technical, Legal and Management disciplines.

4.2.6 LOGICT Secretariat shall fulfil the EXCOM secretariat function

4.2.7 EXCOM meetings shall be scheduled as required and determined by the Chairperson.

4.2.8 The Agenda, frequency and venue must contribute to effective decision making, achieving sustainable results and reducing tedious bureaucracy.

4.2.9 Notice and minutes of EXCOM meetings shall be provided to all Members and Associate Members.

4.3 WORK GROUPS

- 4.3.1 Work Groups are specially assigned task teams that shall investigate specific areas of concern (within a given period) and report back on the findings to EXCOM with accompanied recommendations.
- 4.3.2 Work Groups shall be tasked by means of terms of reference.
- 4.3.3 Work Groups shall manage the achievement of deliverables using project management principles.
- 4.3.4 Work Groups shall be convened by a Convener who is a representative of a Member of LOGICT, and may be composed of Members of LOGICT as well as other qualified persons, nominated to serve in order to achieve the objectives of the work group.
- 4.3.5 A Work Group shall exist for a set period depending on the purpose and terms of reference.
- 4.3.6 Notice of Work Group meetings shall be provided to all workgroup members and interested LOGICT members.

CHAPTER 5

MEETING PROTOCOLS

5.1 GROUND RULES

LOGICT meeting ground rules shall be determined during the first LOGICT meeting and revised if and when required. The ground rules may include the following aspects:

- 5.1.1 Rules and responsibility of LOGICT, EXCOM and Work Groups.
- 5.1.2 Strategic thinking and listening
- 5.1.3 Participation without side conversations
- 5.1.4 Confidentiality as contracted
- 5.1.5 Regular attendance and Timeliness
- 5.1.6 Attacking challenges (issues), not the person.
- 5.1.7 Openness
- 5.1.8 Discussing the here and now
- 5.1.9 Discarding personal vested interest.
- 5.1.10 Decision-making by striving towards consensus and if not achieved, resorting to majority vote.
- 5.1.11 Cellular phones switched off.
- 5.1.12 Meeting ground rules shall be accepted by a unanimous vote.
- 5.1.13 Meetings shall be recorded electronically.
- 5.1.14 Minutes of a meeting shall be distributed within two weeks after the conclusion of the meeting.
- 5.1.15 All persons present at a meeting shall adhere to confidentiality issues and non-disclosure statements as discussed and accepted by LOGICT for specific agenda points

5.2 VOTING

- 5.2.1 Only Members and Associate Members may vote.
- 5.2.2 Members and Associate Members have only one vote.
- 5.2.3 Voting can be either by means of a show of hands or ballot papers on a matter indicated for voting. In all cases the Secretariat shall conduct the counting and make the result known to the Chairperson.

5.3. COMPENSATION

No member of LOGICT, EXCOM or any Work Group will receive compensation for services rendered to LOGICT.

CHAPTER 6
AMENDMENTS & RULES

6.1 AMENDMENTS

- 6.1.1 Any Member or Associate Member may propose amendments to the Constitution. Proposed amendments shall be in writing to the Secretariat and placed on the agenda of the next LOGICT meeting.
- 6.1.2 Proposed amendments to the constitution can only be approved by LOGICT.
- 6.1.3 More than two-thirds of the Members of LOGICT must vote in favour of an amendment for it to be approved.
- 6.1.4 An amendment comes into immediate effect upon approval or at such later date as approved by LOGICT.

6.2 RULES

- 6.2.1 LOGICT may approve rules based on the Constitution in the form of standing work procedures to define specific procedures that shall apply and regulate the effective and efficient operation of LOGICT.
- 6.2.2 More than two-thirds of the members of LOGICT must vote in favour of a rule for it to be approved.

CHAPTER 7

PERFORMANCE MANAGEMENT

7.1 PERFORMANCE MANAGEMENT

The Chairperson of LOGICT as well as Conveners of any Work Groups must ensure that feedback and progress regarding primary focus areas are minuted.

7.1.1 The Chairperson of LOGICT, shall submit a Chairperson's Report to the Annual General Meeting of LOGICT

7.1.2 The report shall include a summary of LOGICT recommendations and feedback on aspects such as:

- 7.1.2.1 ICT and IM policy implementation in the public service.
- 7.1.2.2 Development of shared resource communities and lessons learnt.
- 7.1.2.3 Best practices, co-operation and lead agencies.
- 7.1.2.4 ICT projects in support of Local Government priorities.
- 7.1.2.5 Status of the work groups, including outputs and outcomes.
- 7.1.2.6 LOGICT performance and service level agreement satisfaction.

CHAPTER 8

NON-EXCLUSIVITY OF LIABILITY & CLOSURE

8.1 NON-EXCLUSIVITY OF LIABILITY

No provision of this Constitution shall be interpreted as being superior to any legislation in the public service, or as implying that adherence to it shall relinquish any Member, Associate Member or Invitee from any civil, criminal or disciplinary action.

8.2 CLOSURE

The provisions of this Constitution are intended to provide orderly operations of LOGICT.