

ICT CELLULAR PHONE AND DATA CARDS POLICY



APPROVED BY:

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DATE: 21/06/2023

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DATE: 21/06/2023

1. POLICY BACKGROUND

A person in the employ of the **Mbhashe Local Municipality** may, within reasonable limits, be allowed to use a cellular telephone and data card facility for official purposes.

To safeguard the assets of Mbhashe Local Municipality and to ensure effective utilization of resources

To emphasize a culture of accountability over the Municipality's assets

To detail users entitle and not for Cell phone and data cards devices.

To ensure that effective controls are communicated to management and employees through clear and comprehensive written documentation

2. POLICY PURPOSE

The purpose of this document is to provide for the policy and procedures according to which employees of the **Mbhashe Local Municipality** shall utilise the cellular telephone and data cards to facilitate the delivery of services to the relevant stakeholders in an efficient, economic and effective manner. Also ensure that devices are able to connect on the municipal network using Virtual Private Network and users must be available 24/7/365 days. It also makes provision for criteria in terms of which cell phones and data cards shall be contracted, or utilised by the **Mbhashe Local Municipality**.

3. DEFINITIONS

In this policy, unless the context indicates otherwise: -

"**Municipality**" means the **Mbhashe Local Municipality**;

"**Accounting Officer**" means the Municipal Manager of **Mbhashe Local Municipality**.

"**Manager**" means an official who has been appointed in writing by the Municipal Manager of the **Mbhashe Local Municipality** to inter-alia approve all expenditure and requests for supplies and services for the relevant Department.

"**Employee**" means a person appointed in terms of the Local Government Municipal Systems Act, 2000 (Act no.32 of 2000) to a post on the establishment of the **Mbhashe Local Municipality**, a person on contract to provide a specific service to the **Mbhashe Local Municipality**, a person working for the **Mbhashe Local Municipality** in terms of the agreement entered into by or on behalf of the **Mbhashe Local Municipality**, a person appointed by or on the recommendation of the Mayor, Member of the Executive Committee (MEC) responsible for Local Government, Minister of Provincial and Local Government as a member of a committee, commission or an institution which is funded by the **Mbhashe Local Municipality**, and a person who is appointed as an intern by the **Mbhashe Local Municipality**.

"**Cashier**" means a person who has been appointed by the **Mbhashe Local Municipality** to receive money in the form of cash or cheque on behalf of the **Mbhashe Local Municipality**

"**Essential users**" are those whose duties are of such a nature that it is essential for them to have cell phones available when required.

"**Management**" is the Senior Management and managers reporting to senior managers

4. APPLICATION AND SCOPE

The policy is implemented to municipal employees as per criteria and as one of tools of trade to execute their duties.

5. LEGISLATIVE FRAMEWORK

Constitution Act 108 of 1996

Section 62 (1) (c) (i) of the Municipal Finance Management Act, (Act no.56 of 2003), mandates the Accounting Officer of a municipality with a responsibility to managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure, that the municipality, has and maintains effective, efficient and transparent systems of financial and risk management and internal control.

6. POLICY PROCEDURE

6.1 Key elements of the policy

The Municipality will procure services of a cellular phone service provider and enter into an agreement, after following the necessary Supply Chain Management processes, for the supply of cell phones and data cards for officials who qualify in terms of this Policy.

6.2 Application

This policy applies to all employees of the **Mbhashe Local Municipality** who have been selected to use their cell phones as an official facility; and who have been granted approval by the relevant Senior Manager.

6.3 Criteria for qualification

The following posts qualify for Cell phone and data cards:

- Management
- Employees below management, approval must be made by the Municipal Manager through a recommendation from Management. These will be identified workers who should be accessible at all times. Identification should be done by each Senior Manager of the department and recommend to Senior Management Meeting for Municipal Managers approval. Employees below management will be reviewed every 2 years.

6.4 GENERAL POLICY PROVISIONS & PROCEDURES FOR IMPLEMENTING POLICY

6.4.1 CELLULAR PHONE AND DATA CARDS COST LIMITS

- 6.4.1.1** To ensure the effectiveness and efficiency of this service, limits are implemented. This implies that all officials who qualify to utilise their telephone instruments as a work facility may not submit claims above the limits indicated here-under. These costs will include amounts in respect of the following:

- 6.4.1.2 The monthly subscription;
- 6.4.1.3 Other fixed charges such as itemised billing;
- 6.4.1.4 The total costs of calls per month
- 6.4.1.5 Insurance

6.4.2 Cell phone Limits will be as follows:

- 6.4.2.1 Municipal Manager: to be equivalent to what is provided for Councillors as per Upper Limits of cell phone allowance for councillors.
 - 6.4.2.2 Management and Essential users: will be determined by the Municipal Manager on a yearly basis.
- 6.4.3 The relevant Senior Manager should ensure that there is budget provision for cell phone allowances in his/her department.

6.5 POOL PHONES

- 6.5.1 Cellular telephones which were procured by the Municipality should be made available as and when required to officials in the Municipality who have been assigned special tasks and who are normally not required to have a cell phone as an official facility. The cell phones in this category is also referred to as "**pool**" phones. The **Mbhashe Local Municipality** will keep **five** pay as go pool cellular phones for special tasks or function. The unit concerned will procure pay as you go airtime for the duration of the function and return the cell phone after the task or function has been finalised.
- 6.5.2 An officer who uses a cell phone which was procured by the Municipality and/or in respect of which the Municipality has entered into an agreement with a service provider, will be held responsible for the repair/replacement cost should the cell phone be damaged/lost/stolen, if not covered by the Insurance. No exceptions will be taken into account and the amount incurred in respect of the damage/loss will be recovered from the official's salary.

6.6 MANAGEMENT OF THE CELLULAR PHONE ACCOUNT

- 6.6.1 The **Mbhashe Local Municipality** may enter into and award a contract to one service provider. All cellular phones procured by the **Mbhashe Local Municipality** will be in terms of the agreement between the **Mbhashe Local Municipality** and the service provider.
- 6.6.2 Existing cellular telephone agreements will be ceded from one employee to another when an officer leaves the service of the **Mbhashe Local Municipality**. This implies that cellular telephone contracts will not be transferred to an individual's account when an officer leaves the employ of the **Mbhashe Local Municipality** unless approval has been granted by the Municipal Manager or his/her delegate.
- 6.6.3 In the same way, the **Mbhashe Local Municipality** will not take over cellular phone contracts from an employee's previous employer when an officer joins the employ of the **Mbhashe Local Municipality**.
- 6.6.4 The **Mbhashe Local Municipality** may implement a split billing concept whereby a rand value limit is communicated to the service provider of which the **Mbhashe**

Local Municipality will be responsible every month. Any excesses incurred may be debited directly from the officer's salary.

- 6.6.5** The **Mbhashe Local Municipality** may implement call limit actions that notify officers utilising Departmental cellular telephones that call limits have been reached specified percentages. In cases where officers do not pay the excess amounts incurred in respect of cellular telephone calls, the **Mbhashe Local Municipality** may bar all outgoing calls until the next billing cycle.
- 6.6.6** **Mbhashe Local Municipality** will provide product that will ensure the municipality does not exceed the allocated voice cell phone package and data bundles allowance at the same time enabling the individuals to top up at their own expense once the allocated voice cell phone package and data bundles allowance has been depleted.
- 6.6.7** Capped data cards with no calls or sms's allowed
- 6.6.8** Allocated voice cell phone package and data bundles allowance that are not used will be able to be carried over to the next month.
- 6.6.9** On the loss, broken screen or water damage and any other cell phone damages claimed from the insurance the municipality will pay zero excess of each claim listed above and the insurance taken by the municipality must have zero excess fee. If the municipality cannot get insurance with zero excess fee, the employee will incur excess fees.
- 6.6.10** In cell phone loss or stolen incident, the employee is required to report to South African Police Services within 24 hours and a Case reference number obtained from them and affidavit. Fill in claim form with blacklisting form obtained from the municipality.
- 6.6.11** For any other claims the employee can report it directly to the network provider offices appointed by the municipality.
- 6.6.12** SIM swaps will be obtained from the municipality.
- 6.6.13** Fails claims and stories will not be accepted as the investigation will be conducted and they can result on claims rejected by the insurance and network provider.

6.7 INTERNATIONAL ROAMING

Officials requesting international roaming when on official trips, must submit a request to the Municipal Manager, at least 7 working days in advance of travel. The roaming costs will cover data and not voice communication.

6.8 DATA CARDS

6.8.1 Eligibility and application

- Municipal Manager, all Section 56 Managers and those directly reporting to them are automatically allocated data card services once they join the Municipality.
- For other employment levels, each application will be considered on its own merit, and nature of work irrespective of the level or task grade of the applicant for recommendation by the Senior Manager and approval by Senior Manager Corporate Services. The nature of the work and the need for a data card, as a means of carrying out the job are to be the determining factors.
- In support of an employee's application for a data card. Fully motivated proof must be submitted to the relevant Senior Manager, to the effect that availing a data card is the most economical and practical instrument of accessing e-mails and internet, and that it will enhance the official's work performance.
- Any exceptions to the eligibility criteria or any other aspects of this policy will be at the Municipal Manager's discretion.

6.8.2 Statements

The data card access encompasses two options where either both voice and data can be used or data only can be used of which the latter is Mphashe Local municipality's choice. The following shall apply in respect of such data card access:

- The user will be allocated data bundles that will enable him/her to connect to Mphashe Local municipality's network and systems remotely depending on nature of work. The bundles have monetary value and limit usage to the amount of data available in the bundle;
- As detailed above these devices allow for e-mail and internet access. Data card access is currently limited to 5GB or to current package the municipality chosen from the respected service provider offering the service. Users are to have a valid reason once these Giga-bytes are depleted and request for additional bundles.
- Data cards and/or SIM card are obtainable from ICT section within the Corporate Services Office on the approval of departments HOD's and Senior Manager Corporate Services. All costs involved will be for the Corporate Service department located in ICT section account.
- Data usage reports/statements can be obtainable on Section Managers and/or HOD's request;
- Data card contracts will be reviewed every 2 years;
- Data cards and services may be stopped at any given point on the request of a HOD's. In such instances the section or department concerned shall continue to be responsible for the costs of the contract for the remainder of the contract period.
- When the two-year contract period expires, then:
 - The user may keep the data card;
 - If he or she is still eligible for the service, an up-grade will be applied for through the ICT section and a new two-year contract will be concluded and a new data card will be allocated to the user concerned.
- Users allocated data cards assume responsibility for the repair or replacement of these items due to negligence. It is therefore up to the users to engage ICT on the correct use of these items. In instances where data cards are stolen or lost:
- The SIM card shall be replaced by the municipality and the modem each user will have to buy it for themselves.
- Data cards services are to be solely used to access Mphashe Local Municipality's network remotely where no other means possible for such access special permission is granted provided Mphashe Local Municipality's internet restrictions are met.
- Mphashe Local Municipality has the right to monitor and manage usage of the data card and devices;
- The ICT unit must configure data card devices for use on the Municipality network;
- When an employee resigns, data card allocated to him/her falling under the two-year contract must be returned to ICT with its peripherals and accessories. Confirmation of such return must be indicated on the standard form supplied by Human Resources; and
- On the resignation or replacement of an employee of any post, the existing contract with the service provider for that position will be passed on to that new employee taking up the said post. The new employee will therefore inherit all the devices, peripherals and accessories linked to the contract.

6.8.3 How this will be applied

- This policy will be applied automatically to all employees and councillors issued with data cards.

- Reports generated by the data card system will highlight possible violations. Violations include misuse of the data card device, attempts to sell the data cards and visiting prohibited internet sites using the data card connection internet services, making voice calls using the data card if the municipality agreed that the data card be only used for Internet and municipal systems. Data card report or statements will be used to indicate possible violations.
- The manager of the employee alleged to have violated this policy shall be responsible for ensuring that disciplinary proceedings are commenced with in terms of Mphashe Local Municipality's disciplinary procedure and policy. A failure on the part of such manager to take the necessary steps regarding disciplinary action shall in itself be grounds for disciplinary action being instituted against such manager.
- Users may assist with upholding the policy by reporting any violations via the grievance procedure;
- Managers must ensure that all their employees using data cards in terms of this policy, are made aware of the contents of this policy; and
- Managers are required to apply the policy to subordinates reporting to them.

6.8.4 Control of data cards

Asset management must ensure that data cards asset register is developed. All data cards must be captured on the asset register.

6.8.5 Loss of data cards

- Lost or stolen data cards must be reported to the South African Police Services within 24 hours and a Case reference number obtained from them.
- The incident must be reported to the relevant Manager and ICT section in writing.
- ICT section must request the service provider to block any further usage of the data cards.
- ICT in conjunction will examine cases presented and decide whether the loss was a result of negligence.
- If the loss was as a result of negligence, all replacement costs will be for the account of the data card user
- Approval must be granted by the Municipal Manager before a data card user can be issued with a replacement data card after second instances of loss, negligence or otherwise

7. IMPLEMENTATION

2023/2024

8. REVIEWAL

Annually