

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY
OFFICE OF THE CITY MANAGER
DEPARTMENTAL SDBIP 2026/2027



a world class African city

Group Legal and Contracts





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The Group Legal and Contracts Department is situated within the Office of the City Manager and its departmental SDBIP for the 2026/27 financial year can be obtained from the Office of the Group Head: Group Legal and Contracts, at the following address:

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1. Executive Summary

The City's long-term vision is articulated in the Joburg 2040 Growth and Development Strategy (GDS) which is an aspirational strategy and remains the principal planning document of the City of Johannesburg.

The revised GDS is based on a review of the progress made during the term formulation of the 5-year IDP Review for 2021-26 to ensure that the strategic direction of the City is maintained and enhanced,

As part of the IDP process, strategic priorities have been identified in line with the coalition government that will serve as the basis for budget allocation, departmental plans as well as performance management and departmental assessment.

The City has confirmed four GDS Outcomes with their accompanying Outputs, and 11 strategic priorities to guide the strategic planning process leading to the development of 2025/26 Business Plans, Service Delivery and Budget Implementation Plan (SDBIP) and Integrated Development Plan (IDP).

The DDM provides a platform for addressing South Africa's core developmental challenges, poverty, unemployment, and inequality, through integrated and data-driven planning processes. The current focus under the DDM is the review and development of the Third Generation One Plans, which move beyond planning alignment toward integrated execution and measurable impact. For the City of Johannesburg, this involves aligning long-term priorities across governance, infrastructure, economy, and social development through structured intergovernmental platforms such as the Presidential Johannesburg Working Group (PJWG), the Local Government Turnaround Strategy (LGTAS) workstreams, and the City IGR Forum. These mechanisms strengthen collaboration on catalytic projects, spatial transformation, and service delivery interventions that directly benefit communities

The adoption of the City's IGR Strategy marks a major milestone, highlighting the City's commitment to integrated and cooperative governance.

Group Legal and Contracts (the Department) renders a cost-effective and efficient in-house legal service of the highest quality to the City. The Department pro-actively evaluates and

Group Legal and Contracts Business Plan 26/27

assesses the legislative and legal environment to ensure that the City is capacitated with knowledge of the prescripts that govern the City. Compliance with these prescripts also decreases the legal risk to which the City is exposed and ultimately enhances service delivery.

The Department is committed in ensuring that the vision as contained in the 2040 GDS, the Outcomes and relevant Outputs of the GDS as well as the strategic priorities are expressed in the Department's business planning.

As a group function within the City, the Department is responsible for the provision of comprehensive, effective and efficient legal advisory services, legal advocacy, litigation management, contract support, disciplinary services and the municipal court prosecution of by-law infringements.

2. Strategic Overview

2.1 Vision

The vision of the Group Legal and Contracts department is-

"To be a specialized in-house Local Government Legal Services firm leading in the reshaping of Legal Services in the Local Government sphere".

2.2 Mission

Our mission is-

"To provide dynamic, reliable group legal advisory services and contract support in a cost effective and efficient manner to the City of Johannesburg Metropolitan Municipality".

The Department is committed to:

- a) Protecting the City's interests, thereby contributing to a responsive, accountable, efficient and productive metropolitan government;
- b) Rendering a cost-effective legal service of the highest quality to the City and enhancing service delivery;
- c) Rendering a range of legal services required to satisfy the City's current needs together with on-going consideration of all future requirements and expectations;
- d) Providing practical solutions to legal challenges to further the City's business;

- e) Pro-actively evaluating and assessing the legislative and legal environment so that expectations of a Metropolitan government and its capacity to govern are met;
- f) Providing competent and reliable legal advice in the shortest time possible;
- g) Being accessible and approachable to client departments, municipal entities and colleagues;
- h) Presiding over, and assisting with disciplinary cases; and
- i) Prosecuting violations of the City's By-Laws.

2.3 Values

The Department's values and principles are:

- a) Batho Pele and Ubuntu;
- b) Commitment to Constitutional values;
- c) Promoting a safe City;
- d) Government of Local Unity programmes – we will strive to make meaningful changes to our communities;
- e) Integrity and honesty – we confirm that fit and proper character counts. Reliability, trustworthiness, transparency will be our guidelines in providing legal services. We are committed to fairness, honesty and truth;
- f) Independence – we will act in the City's best interest without fear of interference. A legal advisor must be free to put the City's interest first, free from undue influence, pressure or control. We shall speak the truth to power;
- g) Accountability – we agree to be bound by the reasonable standards and expectations articulated in the core values and City objectives and programmes;
- h) Service with Pride - the legal advisors will be scholarly, will have integrity and honour; must provide leadership; must have pride, spirit; and collegiality; must be dedicated to service;

- i) Teamwork – we commit to a collaborative approach among legal advisors and stakeholders. We undertake to be available, approachable, generous with our time, sharing work and being cooperative; and
- j) Legacy – we are committed to leaving the department better than we found it. We are committed to the long-term health and viability of the department.

3. Core Mandate / Purpose

Group Legal and Contracts is a group in-house legal services department and its core mandate is to provide dynamic (effective and efficient) legal services to the City's service delivery and corporate departments and to the City's Municipal Entities (MEs). The department's mandate is also to reduce the cost and length of internal disciplinary cases.

4. Legislation and Policy Environment

Group Legal and Contracts is required to continuously keep stakeholders abreast with legislative environment and policy prescripts to improve efficiency and manage risks.

The legislation that is critical to the mandate of the Department is as follows:

- a) Local Government: Municipal Systems Act, 2000 (Act 31 of 2000);
- b) Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);
- c) Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);
- d) Preferential Procurement Regulations, 2022;
- e) Municipal Planning and Performance Management Regulations (MPPR) of 2001;
- f) Promotion of Access to Information Act, 2000 (Act 2 of 2000);
- g) Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- h) Section 56 of the Criminal Procedure Act 51 of 1977; and
- i) Any other applicable prescripts (e.g. by-laws).

The Department has two policies that applies to the Group namely:

- a) Group Legal Services Policy and Procedures
- b) The Group Contract Management Policy and Framework

5. Strategic Objectives

5.1 GDS Outcomes & Outputs

The Group Legal and Contracts department directly supports the achievement of the Growth and Development Strategy (GDS); specifically, the following outcomes and outputs:

Table 5.1.– GDS Outcomes& Outputs

GDS Outcomes	
Outcome 1	Improved quality of life and development-driven resilience for all.
Outcome 3:	An inclusive, job-intensive, resilient, competitive and smart economy that harness the potential of citizens.
Outcome 4	A high performing metropolitan government that proactively contributes to and builds a sustainable, socially inclusive, locally integrated and globally competitive Gauteng City Region.

GDS Outputs	
1.	A safe and secure City.
2.	A Smart City of Johannesburg, that is able to deliver quality services to citizens in an efficient and reliable manner.
3.	A responsive, accountable, efficient and productive metropolitan government.
4.	Financially sustainable and resilient City.

5.2 Mayoral / Strategic Priorities and Strategic Programmes

5.2.1 Mayoral / Strategic Priorities

The Department directly contributes to the achievement of the following Mayoral Priorities:

Table 5.2.1– Mayoral Strategic Priorities

MAYORAL PRIORITY	
Priority 1 Good Governance:	Provide integrated legal advisory services on the City's legislative mandate of service delivery and assess consistent and effective compliance with regulations and policies. Ensure legally sound contracts that protect the interests of COJ and promote service delivery.
Priority 2	Develop a plan to improve the City's revenue collection and billing systems, prudent financial management practices, streamline expenditure, and

Financial Sustainability	prioritises investments in high-impact projects.
Priority 7	A dedicated prosecution unit and functioning Municipal Courts
Safer City	
Priority 11	Develop a plan to improve the City's use of technology to improve service delivery, reduce waste, and promote energy efficiency, including initiatives such as smart management systems , public Wi-Fi and digital e-government services.
Smart City	

5.2.2 Strategic programmes

The below identified programmes and projects/interventions are aimed at supporting the Mayoral Priorities and the strategic direction to achieve the stated GDS outcome and output objectives.

Table 5.2.2 – Strategic Programmes

MAYORAL PRIORITY	STRATEGIC PROGRAMMES
Priority 1	a) Legal Advisory Services The directorate provides a comprehensive legal support service (in the form of verbal legal advice, written legal opinions, vetting and developing of reports for decision-making structures of the City, drafting and vetting of contracts, and training to all clusters (departments and ME's) to ensure good governance. b) Legal Advocacy The directorate pro-actively monitors the legislative environment and circulates legislation and draft legislation applicable to Local Government to the Departments and Stakeholders. c) Contract Support The contract support directorate (in particular administration and monitoring) aims to contribute to the achievement of good governance by ensuring that identified contracting and contract management interventions optimise the use of resources. d) Disciplinary initiating services This directorate has been established with the objective to reduce the cost and lengthy internal disciplinary cases through: Presiding / Initiating high-level disciplinary cases in time; Training of Disciplinary Hearing Officers throughout the City (training of internal staff); Finding alternative disciplinary measures; and Coordinating actions of GFIS/GCSS/GLC in relation to disciplinary matters.

Priority 2	Litigation Management The City of Johannesburg Metropolitan Municipality has a core administration of more than fifteen (15) departments whose legal matters are managed by the Group Legal and Contracts Department, recently, revenue matters were included(excluding labour matters), and thirteen municipal entities, all with legal departments. These departments and municipal entities all litigate and/or are litigated against largely in the South Gauteng High Court. The directorate provides the representation of departments and municipal entities in litigation instituted against them and institutes legal proceedings on their behalf. The legal service departments are empowered through delegation to brief private legal practitioners to conduct municipal or entity litigation. The functions of the directorate are streamlined into specialized litigation and general litigation. The directorate deals with diverse types of civil litigation in the high courts and the magistrates courts, as well as appeals from these courts, including appeals to the Supreme Court of Appeal and Constitutional Court. The directorate also appears on behalf of the City before various statutory forums and tribunals, such as the public protector, the Human Rights Commission etc. In addition to the above, by ensuring compliance with legislative and policy prescripts; by reducing and managing litigation and litigation costs; the directorate contributes to the attainment of the priorities of good governance and financial sustainability and resilience thereby contributing to the GDS output of a responsive, accountable, efficient and productive metropolitan government.
Priority 7	Municipal Courts and Prosecution The directorate is responsible for prosecuting offenders of traffic laws and infringements of the municipality's by- laws . it seeks to reduce lawlessness through improved by-law prosecutions by: - i prosecuting by-law offenders; - ii providing support, oversight and legal advice and/or opinions to the City departments and ME'S; - iii awareness to COJ law enforcement agencies in writing prosecutable citations and providing a dedicated prosecution unit and functioning Municipal Courts to ensure that by-laws are taken seriously, and transgressors are prosecuted
Priority 11	Digitization of Litigation Management The objective of the digitization and Electronic Litigation Management System is to bring best practices from the private sector, and provide comprehensive, timely, reliable and an acceptable standard of record keeping, monitoring and reporting on litigation within the City Departments and ME's and external Legal Practitioners. The Group Legal and Contracts Department should be viewed as a strategic and value-adding department, as opposed to the historical tactical and routine function that were administrative in nature. The Department must, therefore,

	operate efficiently and effectively by managing prudently the following: - i managing tight budgets (financial management, including cost reduction strategies); - ii compliance with a myriad of legislation, regulations, and policies, including the Objects of Local Government set out in Chapter 7 of the Constitution. - iii mitigating against identified business, legal, and compliance risks. - iv time management; and - v getting the best possible legal outcomes. The Minister of Finance in his February 2016 budget speech and the October 2016 Medium Term Budget Policy Statement (MTBS) announced that the National Treasury would issue regulations on cost containment measures for all three spheres of government that include the local government. The regulations are aimed at ensuring that expenditure across the three tiers of government is reprioritized and that resources are used effectively, efficiently and economically as part of cost -cutting measures by the state. In terms of the legal framework, all spheres of government, including municipalities, their elected councils, accounting authorities and officers are required to implement appropriate measures geared towards eliminating wastage of public resources on non-service delivery items as well as non-essential expenditure. The limited resources and public funds are appropriately utilized where operational cost, focus on value for money and achievement of the COJ legislative mandate. Furthermore, the Local Government Municipal Finance Management Act (No. 56 of 2003) sets out the norms, standards and requirements for ensuring sound and sustainable management of the fiscal and financial affairs of municipalities and municipal entities. Section 2(a) of this Act specifically mandates the establishment of appropriate lines of responsibility, transparency, and accountability in the fiscal and financial affairs of municipalities and municipal entities. The Group Legal and Contracts Department must therefore ensure compliance with this Act, in addition to other relevant legislation, regulations, and policies. By doing so, the Department contributes to the achievement of the COJ's legislative mandate while minimizing legal exposure and risks that could have an adverse impact on its reputation. The management and control of litigation flow is crucial to minimize the legal exposure and risks that could have an adverse impact on the COJ's reputation and ability to fulfil its legislative mandate. To achieve this, the COJ and its MEs are committed to promoting the effective and efficient management of stakeholder value while conducting their business with integrity and diligence.
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5.2.3 Initiatives that are executed daily to support initiatives

The Department carries out its initiatives through the following directorates:

Table 5.2.3. – Directorate Functions

DIRECTORATE	FUNCTION
Management Support Directorate	- i Departmental strategic and business planning, administration, financial management, risk management, and performance management. - ii Coordinates an integrated support and advisory function to the Management Team. - iii Compiles the Departmental budget as well as to manage, monitor, control and report on the budget. - iv Responsible for supply chain management, facilities management and payments within the Department; and - v Enforce compliance in terms of financial regulations, procurement, assets, payment, human resources as well as health and safety within the regulatory and policy framework applications.
Disciplinary Services Directorate	A critical need was identified by the City to establish a directorate that will be responsible for presiding over high-level disciplinary cases in the City. The directorate's objective is to create an honest and transparent City that fights corruption and to reduce the cost and length of internal disciplinary cases through: - i Presiding and or initiating disciplinary cases within the prescribed time periods. - ii Training of Disciplinary Hearing Officers Training of DC Officers throughout the City (training of internal staff) - iii Keeping the City abreast of developments in the labor law arena; and - iv Finding alternative disciplinary measures.

5.2.4 The Department is also committed to:

- a) protecting the City's interests, thereby contributing to a responsive, accountable, efficient and productive metropolitan government;

- b) rendering a cost-effective legal service of the highest quality to the City and enhancing service delivery;
- c) rendering a range of legal services required to satisfy the City's current needs together with on-going consideration of future requirements and expectations;
- d) providing practical solutions to legal challenges to further the City's business;
- e) pro-actively evaluating and reviewing of the legislative and legal environment so that expectations of a Metropolitan government and its capacity to govern are met;
- f) providing sound and reliable legal advice in the shortest possible time;
- g) being accessible, approachable and user friendly to client departments, MEs and colleagues
- h) presiding over and assisting with disciplinary cases; and
- i) prosecuting violations of the City's By-Laws.

5.2.5 Department / Municipal Entities Response to:

- IDP/ CBP community issues
- Customer satisfaction survey
- Quality of life survey
- Perceptions management
- IGR

No issues/priority projects relating to the Department have been raised in the CBP engagements.

6 Strategic Analysis

6.1 Service Delivery and Infrastructure/challenges/past performance review

Table 6.1. – Performance Review

Achievements on programmes to be continued into next financial year	Emerging performance trends during past financial year	Areas to be focussed on during next financial year
Rendered comprehensive legal advisory services within agreed timelines or turn-around times. Provided continued legal training and briefings on legal developments to client departments. Department contributed to innovative governance and service delivery solutions by finding solutions to legal challenges.	By having rendered an excellent legal service, the Department enabled other line departments to concentrate on their core business. However, the Department is sometimes required to give opinions and legal support within very short notice periods.	Continue to render comprehensive legal support. Ensure that the Department is more pro-active in its approach. Review quality of the legal support rendered and ensure signature of service level standards with clients. Reduce referrals to external legal professionals by implementing the Group Legal Policies and Procedures relating to Litigation Management.
The Department devised mitigation mechanisms where approved policies were not adhered to despite advice that was given in terms of the approved legal guidelines and ensured timely intervention by having brought matters to the attention of the City Manager.	By other departments having adhered to legal advice given, litigation and unlawful actions were prevented. The Department also observed a pattern followed by core departments of not consulting or seeking legal advice on certain matters prior to decision making or implementation - thus putting the City at risk.	Devise a mechanism to ensure legal consultation and/or advice being sought by core departments prior to decision making. Hold accountable departments and/or officials not adhering to legal advice provided per the Legal Policy and Procedures.

Achievements on programmes to be continued into next financial year	Emerging performance trends during past financial year	Areas to be focussed on during next financial year
Ensured excellent management of litigation and advise provided to the Mayoral Committee, core departments and ME's, strategically on areas of litigation, issues that gave rise to litigation and mitigation measures required.	By having managed and prevented litigation, good governance was achieved, and innovative governance solutions enhanced, however legal costs are escalating. Lack of co-operation by ME's in submitting matters. Also observed an increase in litigation based on the social rights of the Constitution.	To ensure excellent management of litigation. To interact with departments and other spheres of government with the aim to increase co-operative governance, to seek a review of the powers and functions of the CoJ as a metropolitan municipality. To assist departments to develop appropriate responses and programmes to meet constitutional obligations.
Identified new legislation, formulated amendments where necessary, liaised with affected departments and discussed proposals with other spheres of government to mobilise consensus before promulgation. Assessed impact of new legislation in consultation with user departments and provided support where necessary.	By having proposed amendments, innovative governance solutions were enhanced.	Continue to identify new legislation, formulate amendments where necessary, liaise with affected departments and discuss proposals with other spheres of government in order to reach consensus before promulgation. Continue to assist departments when assessing the impact of new legislation and to provide support where necessary.
Monitored implementation of the By-law programme; assist departments in reviewing existing by-laws and drafting new by-laws.	By having reviewed and amended by-laws, law enforcement was improved, and innovative governance solutions enhanced.	Continue to monitor implementation of the By-law programme and to review existing and drafting new by-laws.

Achievements on programmes to be continued into next financial year	Emerging performance trends during past financial year	Areas to be focussed on during next financial year
Monitored and vetted reports submitted for decision making and executive business tabled at Council.	By vetting reports and ensuring that the Mayoral Committee and Council considered and took lawful decisions. The Department observed the late submission of reports for legal vetting.	Continue to monitor and vet reports of the administration to be submitted to the Mayoral committee and Council. Ensure the availability of legal advisers to support the various structures for decision making. Advise departments and committees within the guidelines and turn-around times set for the Department.
Poor prosecution of by-law infringements were diagnosed and the following was implemented: ▪ JMPD Academy trained law-enforcement officers on the completion of the new Section 56 notice books. ▪ The Municipal Courts and Prosecution directorate conducted workshops to law-enforcement agencies.	Officer error and magisterial demarcations affecting ability to prosecute.	Continue to assist and providing training to law-enforcement officers on by-laws. Continue to assist in training law-enforcement officers on the completion of the new Section 56 notice books. Continue to conduct workshops to law-enforcement agencies.

Achievements on programmes to be continued into next financial year	Emerging performance trends during past financial year	Areas to be focused on during next financial year
Centralisation of legal payments to GLC	The centralisation of legal payments continues to be a challenge as when the decision was made, the actual budgets had not been transferred and no framework had been provided for such centralisation of payments. In order to ensure that all departments' and MEs' commitments were met, the Department had no choice but to cross subsidise the budgets. The significance of the aforementioned is that the expenses per department and ME are not the correct reflecting on the SAP system which directly impacts on the reporting of legal matters and expenses. Due to the liquidity of the City during the 23/24 financial year the dept was requested to surrender budget. The Department was in no position to surrender budget due to the surrendering of budget during the previous financial year's rebased budget which impacted negatively towards financial obligations for legal services provided. Inadequate budget allocated during the 2023/2024 fiscal year will result in using budget to be allocated for the 2024/2025 financial year to pay the previous fiscal year's invoices as case care. The liquidity position of the City is also impacting on compliances into the MFMA (30-day prescribed payment period). The evacuation of staff from the Metro Centre impacted on the processing of invoices as temporary office space had to be identified. The aforementioned also impacted greatly into complying to the 30-day prescribed payment period.	Implementing a framework to honour financial obligations. Liaise with Group Finance, Budget Office, departments and ME's for additional funding. Develop comprehensive Standard Operating Procedures (SOPs) to optimise legal expenditure and leverage internal resources effectively. The COJ and its MEs recognize the importance of establishing a strong governance structure to facilitate the effective management of legal risks. The Department developed Standard Operating Procedures and sessions with legal advisers will be scheduled to communicate the SOP so to minimize the legal exposure and risks that could have an adverse impact on the COJ's reputation and ability to fulfill its legislative mandate. The purpose of this Standard Operating Procedure (SOP) is to provide a clear and comprehensive framework for managing the litigation flow and associated risks within the City of Johannesburg (COJ) and its Municipal Entities (MEs) • The SOP provides a framework to be applied with regards to all legal processes served and received on the City and outlines the process to be applied in line <i>inter alia</i> with the Group Legal and Contracts Policy and Procedures, Litigation Strategy and Contracts Management Policy which has been adopted to ensure that legal risks are identified, assessed, and managed in a manner that is consistent with the requirements of the South African Constitution,

		the Local Government Municipal Finance Management Act, and other applicable laws, regulations, and policies. • The SOP will also assist with financial management and the managing of the tight budget within the Department.
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7. Environmental Analysis

The Constitution of the Republic of South Africa, 1996 ("the Constitution"), lays the basis for institutional and societal transformation in South Africa. The preamble of the Constitution declares that it seeks to:

"Lay the foundations for a democratic and open society in which the government is based on the will of the people and every citizen is equally protected by law".

Section 24(b) of the Constitution provides that :

"Everyone has the right to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation [and] promote conservation."

The relationship between Air Quality, Climate Change and Energy reveals the integrated nature of defining the problems and identifying dependencies and solutions that have co-benefits available across sectors. Despite their connections, these two environmental challenges are viewed as separate issues and are usually addressed through separate policy instruments. This is also the case with the City. This approach, therefore, overlooks an opportunity to derive multiple benefits from integrative policies. To achieve success, it is imperative that the Department incorporates energy, climate change, and air pollution when developing policies and implementing programs.

It is believed that electronic communication is more sustainable with it being agreed that the internet or "cloud saving" is more of a viable solution.

The Department is looking into digitisation of its litigation management system. The objective of the digitisation and Electronic Litigation Management System, amongst others, is to bring best practices from the private sector, and provide comprehensive, timely, reliable and an acceptable standard of record keeping, monitoring and reporting on litigation within the City Departments and ME's and external Legal Practitioners and to move away from a paper intensive manner of achieving its strategic objectives.

7.2 SWOT Analysis (Strengths, Weaknesses, Opportunities & Threats)

Table 7.2.1. – SWOT Analysis

	Strengths	Weaknesses
	Professional, dedicated and experienced legal professionals. Up-to-date and well-resourced law library. Institutional knowledge, however, it should be noted that the staff turn-around in the Department is of concern and the filling of positions tends to take longer than the prescribed period. Provision of prompt and efficient legal advice and support. Revised functional structure with clear delineation of responsibilities.	Inadequate control of litigation matters and costs across the Group. Inadequate balance between re-active and pro-active activities of the Department. The Department has also been severely affected by budget cuts and had to rebase its budget by R164 million during the 2022/23 financial year which then affected 2023/24. The budget cuts have severely compromised the Department to fulfil its core mandate. The consequences are far-reaching, affecting not only the Department itself but also the staff, support and advice provided to user departments, and ultimately, the City as a whole. The Department is hampered in its daily operations by capacity challenges as there is a staggering staff vacancy rate of 50 % which results in low staff morale and additional workload on existing employees.
Internal		
External	Opportunities	Threats

	Implementation of the Group Strategy and Operating Model. Enhancing specialisation among legal advisers. Effective stakeholder engagement in order to increase opportunities for networking, benchmarking and replication of better practices and lessons learnt through innovation and knowledge management. Empowerment of black law firms. Opportunity to focus on by-law prosecutions and enforcement. Ongoing institutional review. Approval by the Strategic Appointment Panel will ensure that we recruit competent staff to enable the Department to operate as a professional in-house legal firm.	Increase in litigation and escalating legal costs. Increased burden on resources due to centralisation of legal payments. Over reliance on independent contractors thereby compromising efforts to enhance in-house capacity. The merger with the Municipal Courts and Prosecutions Directorate from Public Safety (without budget) has caused a refocus of resources towards integration and away from other activities. Similarly, the creation of the Disciplinary Services Directorate in the Department also put a further burden on resources in the Department.
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7.3 PEST Analysis (Political, Economic, Social and Technological)

Table 7.3.1 – PEST Analysis

Political	Economic	Social	Technological and Legal
The political structure of council is legitimate and provides the necessary leadership and is supportive of good governance and the rule of law.	There is a strong demand for municipal services, and this sometimes leads to unrest and violence and need for sound legal advice to the City and in certain instances requires the appointment of external legal professionals which puts pressure on litigation costs.	The Department observed an increase in litigation around socio economic rights, in particular the right to housing in the inner city. This may be attributed to economic downturn and/or the fact that City programmes are bearing fruit with increased investment in the inner City. The City must develop appropriate mechanisms to respond. The Bad building project has necessitated the need for the City to provide Temporary Emergency Accommodation (TEA) to the evacuees from the identified buildings where evacuation orders have been granted in favour of the City. This is proving to be a mammoth task which may need interventions from other spheres of government.	The technological environment of the Department requires an upgrade – more specifically to facilitate the contract management support, Municipal Courts and litigation functions. Legal costs are not only a bar to legal representations but also drain the City' funds, which funds could be used for service delivery. The municipal environment is "overregulated" and some of the laws have the unintended consequence of frustrating the efficiency of local government and perhaps the transformation agenda.

8 Risk Assessment

The detailed Risk Register is attached as *Annexure A*

Departmental top strategic risk register

Table 8.1 – Top Strategic Register

Objective(s)	Risk name	Root cause(s)	Inherent Risk Exposure	Consequences	Interventions / actions to improve management of the risk
To prosecute offenders of traffic laws and infringements of the municipality's by-laws. To reduce lawlessness through improved by-law prosecutions	Increased By-Law infringements	1. Incorrect by law infringements notices completed by peace officers		1. Fraud and Corruption 2. Unsafe city 3. Loss of revenue	1. Identify gaps, assist Academy and Provide training to Peace Officers where necessary
		2. Poor investigations and compilation of evidence for prosecution.		4. Negative public perception	2. Prosecutors to assist JMPD Academy with training
		3. Inadequate process flow control			3. Managers to sign-off monthly productivity reports ensuring no unauthorized transactions performed
To ensure creation of legally sound Contracts and effective Contract management which will ultimately provide the City with the ability to ensure service delivery which is on time and of an acceptable quality;	Inconsistency in the creation of Contracts and the implementation of Contract management ?	1. Inadequate human capacity due to incorrect and uninformed advice provided to procurement committees by legal advisors. 2. No standardisation of role definition and roles and responsibilities in Departments/ MoE's 3. Failure by legal advisers' to apply their mind to the issues on the report and contracts		1. Non-compliance to MFMA Incorrect decisions made 2. Non-compliance to legislation 3. Inferior service delivery 4. Losing litigation as a result of badly drafted contracts 5. Contract risks not adequately monitored Inadequate monitoring of contract implementation.	Maintain the current controls 1. Escalate non-cooperation to heads of Department and ME's. 2. Encourage Departments and MEs to prioritise contract management. 3. Resuscitate Contract Management Forum to enforce standardisation across the City.

Objective(s)	Risk name	Root cause(s)	Inherent Risk Exposure	Consequences	Interventions / actions to improve management of the risk
		received for vetting?			
Providing support in managing City wide contracts for the duration of the Contract Life Cycle.	Incomplete departmental / ME's contracts register and ineffective service level monitoring tools to assess the performance of the Contract and the Service Provider.	1. Information not provided timeously to GL&C 2.The Dept/ME's do not compile or update the contracts register			Training of Legal Advisors on Contract Management
To provide a comprehensive legal support service (in the form of verbal legal advice, written legal opinions, vetting and developing of reports for decision making structures of the City, drafting and vetting of contracts and training to all clusters (departments and ME's) to ensure good governance.	Operational inefficiencies and service delivery delays within the Legal Department due to workload pressures, budgetary constraints, and limitations in organisational support systems.	1, Increasing demand for legal support services across departments and Municipal Entities.		Delays in the provision of legal opinions, contract vetting, and advisory services. Increased operational pressure on existing legal personnel and management structures. Reduced turnaround times affecting decision-making processes within the City.	Continue recruitment and retention initiatives to ensure the department is adequately capacitated with appropriately skilled legal professionals.
		2.Budgetary constraints impacting the full implementation of the approved organisational structure and operational systems e.g. non-payment of panel of attorneys fees etc..		Potential governance, compliance, and litigation risks arising from delayed legal interventions. Low staff morale and employee fatigue due to sustained high workloads.	Continue engagement with Group Corporate and Shared Services (GCSS) regarding organisational support, benchmarking exercises, and workforce planning.
		3. Limited automation and			3. Procurement of Litigation

Objective(s)	Risk name	Root cause(s)	Inherent Risk Exposure	Consequences	Interventions / actions to improve management of the risk
		digitalisation of legal administration and litigation management processes. 4. .High-volume and time-sensitive legal advisory and litigation matters requiring specialised legal expertise.			Management System which will ensure digitalisation some of the processes (Invoicing,uploading of litigation matters information) within the department. 4.
		2.			
The directorate pro-actively monitors the legislative environment and circulate legislation and draft legislation applicable to Local Government to the Depts and Stakeholders.	Non-compliance with the applicable legislation	1.Inadequate consultation by National and Provincial government in developing legislation affecting local government		1.Services may be hindered 2.Reputational Damage	1. Engage other Municipalities, SALGA and affected stakeholders to advocate changes on the adverse legislation

9. Strategic Response- Implementation, Performance

Key Performance Areas

9.1 Past Performance

The establishment of the Disciplinary Services Directorate resulted in improved times in dealing with matters as prescribed by the collective agreement and the Labour Relations Act which further resulted in the reduction of legal costs and improved turn-a-round times in dealing with such matters.

9.1.1 Payments towards legal fees

Although challenges are still experienced, there has been a significant improvement in the method to honor the City's financial obligation toward paying for external legal services provided.

A payment register has successfully been implemented for the tracking on the status of payments towards legal invoices.

New Standard Operating procedures have been compiled and communicated to all the relevant officials within the City's departments and MEs.

Clear communication lines have also been established between the Department and appointed law firms.

A central invoice archiving/record keeping system has been designed. The archiving/record keeping system could unfortunately not be implemented during the 2022/2023 financial year due to the evacuation of the Metro Centre.

The Department commenced with reconciliations on statements of accounts and requested outstanding invoices from Law firms. This exercise assisted in clearing a vast number of outstanding invoices. This will be an on-going practise.

9.1.2 Contract Management Support

Various Departments and Entities have been counselled on the Group Contract Management Policy and Framework; and the contract support programme (administration and monitoring) by ensuring that identified contracts and contract management interventions optimise the use of resources.

9.2 Corporate (Departmental) Scorecard for 2025/26

9.2.1 Institutional Departmental SDBIP

Table 9.2.1– Institutional (Departmental) SDBIP

No	Key Performance Indicator	Baseline 2023/24	2025/26 Target	2026/27 target	2025/26 Quarterly Performance targets				2025/26 budget per projects R 000						Means of Verification	
					Q1	Q2	Q3	Q4	Capex	Opex	Q1	Q2	Q3	Q4		
1.	.Number of departments and MEs briefed on the Group Contract Management Policy and Framework. (GCMPF.	4 Departments and 2 MEs briefed on the GCMPF.	16 Departments and 8 MEs briefed on the GCMPF.	16 Departments and 8 MEs briefed on the GCMPF.	4 Departments and 2 MEs briefed on the GCMPF	4 Departments and 2 MEs briefed on the GCMPF	4 Departments and 2 MEs briefed on the GCMPF	4 Departments and 2 MEs briefed on the GCMPF	-	-	-	-	-	-		Quarterly Report on briefings done on contract management implementation process, Minutes of meetings of briefings)
2.	Number of city-wide contracts to be reviewed	18 contracts reviewed	23 contracts reviewed	23 contracts reviewed	6 contracts reviewed	6 contracts reviewed	6 contracts reviewed	5 contracts reviewed	-	8,485	1,900	2,121	2,300	2,164		Front page of reviewed agreement Quarterly Report on briefings done on contract management implementation process, Minutes of meetings of briefings)
3.	Percentage assessment on the number of new provincial and national Bills and Acts impacting on the performance of local government.	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	96 – 100% assessment of legislation affecting local government with proposed amendments	-	406	100	103	103	100		List of all Acts and Bills published on National & Provincial Government website versus new Acts and Bills distributed to Dept(s) & ME(s), Quarterly report to GH:GLC)
4.	Percentage of disciplinary cases resolved within 90 days.	100% Percentage of disciplinary cases resolved within 90 days.	99-100% of disciplinary cases resolved within 90 days	99-100% of disciplinary cases resolved within 90 days	99-100% of disciplinary cases resolved within 90 days	99-100% of disciplinary cases resolved within 90 days	99-100% of disciplinary cases resolved within 90 days	99-100% of disciplinary cases resolved within 90 days	-	-	-	-	-	-		Disciplinary matters quarterly report signed off by Labour Relations
5.	Percentage of successfully prosecuted cases based on the number of prosecutable citations issued and enrolled.	96-100% of cases prosecuted	96-100% of cases prosecuted	96-100% of cases prosecuted	96-100% of cases prosecuted	96-100% of cases prosecuted	96-100% of cases prosecuted	96-100% of cases prosecuted	-	422	105	106	105	106		Local Contravention Management System and Court Roll

No	Key Performance Indicator	Baseline 2023/24	2025/26 Target	2026/27 target	2025/26 Quarterly Performance targets				2025/26 budget per projects R 000						Means of Verification	
					Q1	Q2	Q3	Q4	Capex	Opex	Q1	Q2	Q3	Q4		
6.	Number of departments briefed on their role in the implementation of the Group Legal Policies and Procedures relating to litigation management	4 Departments and 2 MEs counselled on the litigation management strategy	4 Departments and 2 MEs counselled on the litigation management strategy	16 Departments and 8 MEs counselled on the litigation management strategy	4 Departments and 2 MEs briefed on their role in the implementation of the Group Legal Policies and Procedures relating to litigation management	4 Departments and 2 MEs briefed on their role in the implementation of the Group Legal Policies and Procedures relating to litigation management	4 Departments and 2 MEs briefed on their role in the implementation of the Group Legal Policies and Procedures relating to litigation management	4 Departments and 2 MEs briefed on their role in the implementation of the Group Legal Policies and Procedures relating to litigation management	5,000	-	-	-	-	-	-	Quarterly Report on briefings done on Group Legal Policies and Procedures relating to litigation management, Minutes of meetings of briefings
7.	% Achievement with turn-around times in providing Legal Support. ¹	99 - 100% compliance to agreed turnaround times	99 – 100% compliance to agreed turnaround times	99 - 100% compliance to agreed turnaround times	99 - 100% compliance to agreed turnaround times	99 - 100% compliance to agreed turnaround times	99 - 100% compliance to agreed turnaround times	99 - 100% compliance to agreed turnaround times	-	These are day-to-day activities which cannot be budgeted for – i.e. this is what the legal advisors do everyday, there is therefore no budget	-	-	-	-	-	Satisfaction survey results signed off by client departments/ MEs. Calculation of consolidated satisfaction surveys results table
8.	%Establishment of the Departmental Performance Management Moderation Committee-	New Indicator	66% - 84% (Committee members appointed and induction meeting held and appointment letters still to be issued.	66% - 84% (Committee members appointed and induction meeting held and appointment letters still to be issued.	66% - 84% (Approved TOR)	85% - 100% (Committee members appointed and induction meeting held)	First (or Mid-year assessment) done	Final assessment done	-	-	-	-	-	-	PMS Close-Out Assessment report by GCSS	

¹ The **turn-around time** of the designated legal advisor to render legal advice to the Department is acceptable.

CATEGORY	TARGET AVERAGE
Complex matters	15 days
Less complex cases	8 days
Comments	4 days
General advice	3 days
Minute taking	5 days

Table 9..2.2– Institutional Gatekeeping KPI’s SDBIP

No	Key Performance Indicator	Baseline 2023/24	2025/26 Target	2026/27 Target	2025/26 Quarterly Performance targets				2025/26 budget per projects R 000			2025/26 Target R 000				Means of Verification
					Q1	Q2	Q3	Q4	Capex	Opex		Q1	Q2	Q3	Opex	
1.	Resolution of Internal Audit Queries	98% -100% resolution	85-90% resolution	85-90% resolution	95%	95%	95%	95%	-	-		-	-	-	-	SAP report
2.	Audit Opinion	Unqualified with material findings	Unqualified without material findings	Unqualified without material findings	Unqualified without material findings	Unqualified without material findings	Unqualified without material findings	Unqualified without material findings	-	-		-	-	-	-	AG Report
3.	Percentage reduction of transactions classified as UIFW (unauthorized, Irregular, Fruitless and Wasteful) in 2024/25 financial year	100% in no unauthorised expenditure	100% in no unauthorised expenditure	100% in no unauthorised expenditure	100% in no unauthorised expenditure	100% in no unauthorised expenditure	100% in no unauthorised expenditure	100% in no unauthorised expenditure	-	-		-	-	-	-	UIFW declaration report
4.	Percentage compliance of SHE guidelines in terms of averting fatalities in the department – agreed	76% compliance to SHE audits	90-94%compliance to SHE audits	90-94%compliance to SHE audits	90-94%compliance to SHE audits	90-94%compliance to SHE audits	90-94%compliance to SHE audits	90-94%compliance to SHE audits	-	-		-	-	-	-	Quarterly assessment reports by SHELA & FCM tabled at EMT)
7.	% of strategic risk management action plans implemented	85% implemented	100% of departmental top strategic risks implemented	100% of departmental top strategic risks implemented	100% of departmental top strategic risks implemented	100% of departmental top strategic risks implemented	100% of departmental top strategic risks implemented	100% of departmental top strategic risks implemented	-	-		-	-	-		Top 5 Strategic risks as well as operational risk registers
8.	% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	99 – 100% achievement of service level standards	-	-		-	-	-	-	Signed daily matter registers indicating compliance with turn-around times, Calculation of Turnaround times excel spreadsheet)
9.	Percentage increase in customer satisfaction levels ²	61	> 2% increase	> 2% increase	> 2% increase	> 2% increase	> 2% increase	> 2% increase	-	-		-	-	-	-	Satisfaction Survey Poll Results

Toconfirm once the draft budget is prepared. The norm per MFMA Circular 71 is 8%. However, it does not make sense to set this as a target, as the City needs to first determine how much of its budget will be allocated to R&M, as this will serve as the annual target.

² Surveys to be conducted: Quality of Life in 2017/18, 2019/20 & 2021/2022; Customer satisfaction survey in 2018/19, 2020/21 and 2022/2023.

9.2.2 Circular 88 Indicators

Table 9.2.3 – Circular 88 Indicators

No	Key Performance Indicator	Baseline 2023/24	2024/25 Target	2025/26 Target	Quarterly Performance targets				2026/2027 budget per projects R 000						Means of Verification
					Q1	Q2	Q3	Q4	Total budget		Quarterly Budget target capex and Opex				
									Capex	Opex	Q1	Q2	Q3	Q4	
1.1	Number of litigation cases instituted by the municipality.	-	No target	No target	No target	No target	No target	No target	0	0	0	0	0	0	Litigation Register signed-off by the Group Head
1.2	Number of litigation cases instituted against the municipality.	-	No target	No target	No target	No target	No target	No target	0	275,426	48,856	79,500	67,750	79,320	Litigation Register signed-off by the Group Head

Footnote: The Department cannot project the amount of cases which will be instituted by the municipality and against the municipality. The Department can only report on actual reported matters on a quarterly basis.

Footnote: The budget amount articulates the budget allocated to honor the City’s financial obligation in terms of legal services provided by services providers

9.2.3 Technical Indicator Descriptions

Table 9.3.3 - Technical indicator descriptions

KPI	SHORT DEFINITION	PURPOSE/ IMPORTANCE	SOURCE/ COLLECTION OF DATA	METHOD OF \ CALCULATION	DATA LIMITATION	TYPE OF INDICATOR	CALCULATION TYPE	REPORTING CYCLE	NEW INDICATOR	DESIRED PERFORMANCE	INDICATOR RESPONSIBILITY
1.1	Number of departments and MEs briefed on the Group Contract Management Policy and Framework (GCMPF).	Ensures that client department and MEs understand and implement the City’s contract management framework.	Framework used as base documents. Checklist on implementation is discussed.	No calculations – input is on the Depts’ or ME’s compliance to GCMPF.	Availability of Departments and ME’s.	Contract performance monitoring.	Non-cumulative.	Depts and ME’s briefed monthly. Reporting is Quarterly.	GCMPF has been in existence for the past three financial years.	Compliance to the GCMPF.	Director: Contract Support Management.
1.2	Percentage assessment on the number of new provincial and national Bills and Acts impacting on the performance of local government.	To assess impact of national and provincial legislation on the functioning of the municipality.	National bills and acts.	Reviewing of national bills and acts in order to comment and give input.	National and Provincial government delays in publishing if Acts, bills and draft bills	Impact of legislation on functioning of municipality.	No. of acts and draft bills published during the quarter	Quarterly.	Annual and continuous.	Influence legislation so that it does not have negative impact on functioning of municipality.	Director: Legal Advocacy.
1.3	% undertaking of high-level disciplinary cases citywide.	To conduct high level disciplinary cases in the city.	Referred cases.	Sittings of hearings.	Number of referred cases	Cases successfully concluded.	N/A	Quarterly.	Annual and continuous.	Resolution of disciplinary cases.	Presiding/ Initiating Officers.

KPI	SHORT DEFINITION	PURPOSE/ IMPORTANCE	SOURCE/ COLLECTION OF DATA	METHOD OF \ CALCULATION	DATA LIMITATION	TYPE OF INDICATOR	CALCULATION TYPE	REPORTING CYCLE	NEW INDICATOR	DESIRED PERFORMANCE	INDICATOR RESPONSIBILITY
1.4	Percentage of successfully prosecuted cases based on the number of prosecutable citations issued and enrolled.	To prosecute traffic offences and the violation of the City's by-laws.	Citations.	Court cases, fines.	Properly issued and executed citations.	Cases successfully prosecuted; fines imposed.	N/A	Quarterly.	Annual and continuous.	Enforcement of traffic laws and city's by-laws.	Director: Municipal Courts and Prosecutions.

9.3 Service Standards Charter

Table 9.3.4 – Service Standards Charter

No.	Key Performance Indicator	2025/26 Target	Jul 25	Aug 25	Sep 25	Oct 25	Nov 25	Dec 25	Jan 26	Feb 26	Mar 26	Apr 26	May 26	Jun 26
1.	% Achievement with turn-around times in providing Legal Support. ³	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.	100% Compliance to agreed turnaround times.

³ The **turn-around time** of the designated legal advisor to render legal advice to the Department is acceptable.

CATEGORY	TARGET AVERAGE
Complex matters	15 days
Less complex cases	8 days
Comments	4 days
General advice	3 days
Minute taking	5 days

10 Financial Impact

10.1 Budget and sources of funding

The Department is a support department and provides services to other internal departments through service level standards. As a support department, no direct revenue is generated. However, legal support and assistance are done in-house, and external legal professionals are only instructed for litigation as legislation requires practising legal professionals to appear in court, and for specialised legal or project legal advice. The Department's biggest expenditure is salaries and allowances as well as legal expenses for attorneys and advocates.

10.2 Operational expenditure

Budget requirements for the 2026/2027 financial year was submitted during the mid-term budget review. The table below reflects the draft budget required to ensure that the current administration is able to deliver on its mandate and improve support to the City departments and its municipal entities.

Table 10.2.1 – Operational Expenditure

Description	Draft Budget 2026/27 R 000
Employee related costs	87,760
Inventory consumed	68
Depreciation and amortisation	635
Contracted services	245,404
Operational costs	4 4,455
Direct Expenditure	338,322

10.3 Capital Expenditure

Group Legal and Contracts submitted the draft/estimate budget for the 2026/2027 financial year.

Funding is required as follows:

Furniture – We intend procuring more furniture to be utilised at our new Office space at JD House Computers – Funding to procure computers for the filling of the funded vacant positions as well as the replacement of un-repairable computers (out of warranty) amounting to R500,000.00. We currently are in the process of having a litigation management system developed through GICT. The system represents a critical, strategic modernization step for the Department by fundamentally redesigning and centralising legal workflows, automating stringent invoice checks, and providing unprecedented real-time visibility to management, the City will drastically reduce financial leakage, mitigate legal risks, and ensure absolute, defensible compliance with the MFMA and Auditor General standards.

Moving away from fragile, paper-based processes to a secure, cloud-hosted, and audit-ready digital platform will empower the legal department to operate with greater efficiency, transparency, and accountability, ultimately safeguarding the City's financial and legal standing. We have been granted funding the tune R 4,83m during the mid-term adjustment.

Table 10.2.2 – Capital Expenditure

Dept / ME R millions		Draft Budget 2026/27 R m	
Loan funding		-	
CRR and cash		1,300	
National grant funding		-	
Provincial grant funding		-	
Other / Public contribution		-	
Total capital		1,300	

11 Management and Organisational Structures

11.1 Organisation Structure

The high-level structure below reflects the current departmental structure:

Table 11.1 - Management Structure

GROUP LEGAL AND CONTRACTS



11.2 Management Team

The Department’s senior management is led by a Group Head assisted by a legal advisory services directorate, litigation management directorate, legal advocacy directorate, contract support directorate, municipal courts and prosecution directorate, disciplinary services directorate and management support directorate.

A team of legal professionals (legal advisers and contract specialists) who are admitted attorneys and/or advocates with extensive knowledge of local government law and are specialists in various fields of the law. Each directorate is led and managed by a Director.

11.3 Capacity Analysis

The Department is hampered in its daily operations by capacity challenges as there is a staff vacancy rate of fifty-two percent (52%) which results in low staff morale and additional workload. The capacity is exemplified as follows:

- One hundred and fifty-three (153) approved positions on the departmental structure;
- Staff complement of eighty-one (81) employees; and
- Seventy-two (72) vacancies.

The current structure also provides very limited opportunity for growth and does not support our business model to provide efficient and effective legal support to the ever-growing City departments and MEs.

The following challenges need to be addressed by the Department:

a) Specialist legal skills

Whilst all the Legal Advisers are qualified, Legal Specialists on housing matters and town planning are few and far between and their remuneration is way above market norms. The Department is committed to recruiting qualified staff and negotiating acceptable remuneration; and,

b) Financial Management

On 1 July 2025 the department sent out a memorandum for departments and entities additional staff capacity is required.

On 4 December 2024, the strategic appointment panel approved the filling of nine (9) critical vacancies as follows:

- Director: Legal Advisory Services
- Director: Litigation Management

- Director : Contract Support
- Senior Legal Advisors x 6

11.4 Employment Equity

The Employment Equity (EE) plan has been finalized for the period 2019 -2024 and the Department will ensure compliance with the plan in filling of vacancies.

Table 6.2 – Employment Equity

Numerical targets		
Start date:	01 July 2026 DD / MM / YYYY	End date: 30 June 2027 DD / MM / YYYY

Numerical targets for all employees, including people with disabilities

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	1	0	0	0	0	0	0	0	0	0	1
Senior management	2	0	0	2	1	0	1	0	0	0	6
Professionally qualified and experienced specialists and mid-management	8	1	0	2	11	1	0	5	0	0	32
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	13	0	0	0	11	1	0	3	0	0	28
Semi-skilled and discretionary decision making	0	0	0	0	0	8	0	2	0	0	10

Unskilled and defined decision making	1	1	0	0	1	0	0	0	0	0	3
TOTAL PERMANENT	57	4	4	11	38	4	3	9	0	0	80
Temporary employees	0	0	0	0	1	0	0	0	0	0	0
GRAND TOTAL	57	4	4	11	39	4	3	9	0	0	80

12 Communication and Stakeholder management

12.1 Stakeholder Matrix

The Department's stakeholders are largely internal (departments and MEs). To this end, departments are allocated dedicated legal advisers who have become specialists in their particular fields. Contact between the department and these stakeholders takes place on a daily basis.

MEs and departments' legal practitioners are invited to the quarterly Legal Advisers' Forum which is a platform to discuss the legal environment and developments affecting the functioning of municipalities.

External stakeholders such as South African Local Government Association, the Department of Justice and Constitutional Development and the National Prosecutions Authority are engaged on "need-to" basis at various fora where changes and developments in relevant legislation are discussed.

The MLCF was an initiative of the eThekweni Municipality's Legal Department's Executive Management back in 2018/19 as a way of advocating for common legal solutions to common legal problems faced by metropolitan municipalities, and a means to share ideas on capacitating smaller municipalities' legal departments. The initiative was unfortunately disturbed by Covid and the fact that SALGA took over the idea, however what SALGA implemented was not what was envisaged as it involved all the municipalities in South Africa, and the points of interest and discussion were different from what the MLCF wanted to achieve.

The Forum was resuscitated and the City of Johannesburg chaired the Fourm for the 25/26 fy. The City (Group Legal and Contracts Department) chairing the Forum hosted the first meeting on 30-31 July 2025 and a subsequent on 10 November 2025. This saw Metros,

including eThekweni Municipality, Tshwane Municipality and Buffalo City amongst others, being in attendance and discussing legal challenges faced in their respective municipalities and strategies and solutions being exchanged. The final meeting for the financial year will be held in Cape Town in March on a date to be announced preceding the SALGA National Forum.

A key issue discussed at the forum was how to address the professional limitations faced by legal advisors in local government, particularly the restrictions imposed by the Legal Practice Act on their ability to appear in court. To curb the high legal costs this option is being explored by the Metros. A memorandum of understanding is to be concluded with the Department of Justice and Constitutional Development, which will map a way forward in this regard.

The Municipal Courts and Prosecutions directorate has established task teams with the City's law enforcement agencies which meets regularly to ensure a streamlined process of prosecuting by-law offences.

12.2 Communication Plan

Based on the various operational imperatives of the Department (especially Municipal Courts and Prosecutions, Litigation Management and Contract Support), departmental workshops are held regularly to apprise stakeholders of developments in the law which affect local government. Legal Advisors Forums are also to be held on a regular basis.

13 Audit Resolutions

In the 24/25 financial year the Department had 2 AG finding and is committed to addressing any AG queries and findings as communicated. The internal control deficiencies are also to be addressed and governance strengthened by ensuring proper invoicing in line with compliance and budgetary requirements and accounting standards. To this end, the Department endeavours to resolve all audit findings as speedily as possible in line with KPI 's 1 and 2 .

