

LEPHALALE STAKEHOLDERS' ENGAGEMENT FORUM

Terms of Reference

1.	Purpose	2
2.	Composition	2
3.	Role of the Forum.....	3
4.	Responsibilities	3
5.	Meetings of the Committee	3
6.	Authority of the Committee	4
7.	Review of Terms of Reference	4

LEPHALALE STAKEHOLDERS' ENGAGEMENT FORUM

DRAFT TERMS OF REFERENCE OF THE STAKEHOLDER ENGAGEMENT FORUM

1. Purpose

- 1.1. The Stakeholder Engagement Forum ("the Forum") is constituted as a stakeholder consultative platform of Lephalale Local Municipality ("LLM") as anticipated in Chapter 4 of the Local Government Municipal Systems Act, 32 of 2000 Board ("the Systems Act").
- 1.2. The Forum shall focus, as its main objective, on sustaining social stability in Lephalale through economic development, local economic participation, protection of vulnerable groups, employment creation for local youth and women, skills development facilitation and protection of human rights. In addition, the Forum aims to foster open, transparent, and inclusive engagement between the municipality and its stakeholders, provide a platform for stakeholders to voice concerns, suggestions, and feedback on every project in the municipal jurisdiction, policies, and services, enhance stakeholders' understanding of municipal processes, initiatives, and challenges, facilitate collaborative problem-solving and co-creation of solutions to local issues, strengthen trust and build stronger relationships between the municipality, the community and its social partners.
- 1.3. The Forum shall be a consultative platform, with its composition and membership reviewed by the LLM, as required.
- 1.4. The Forum shall report to and derive its powers from the LLM.
- 1.5. The deliberations of the Forum do not reduce the individual or collective responsibilities of its members with regard to their fiduciary duties and responsibilities to their employers, organisations and affiliated forums, and they must exercise due care, skill and diligence.
- 1.6. These Terms of Reference are subject to the provisions of the Constitution of the Republic of South Africa, the Systems Act, LLM By-Laws and any other applicable law or regulatory provision.

2. Composition

- 2.1. The Stakeholder Engagement Forum shall have a steering committee comprising of Two representatives from LLM, Two representatives from Eskom Holdings SOE, One representative from Exxaro, one representative from Lephalale Coal Concession and Two representatives by members of the Forum. The LLM Municipal Manager shall be the chairperson of the Steering Committee and a nominee from Eskom shall be the deputy chairperson. A nominee from Exxaro shall be the secretary of the Steering Committee. A nominee from Lephalale Coal Concession shall be the deputy secretary of the Steering Committee. Members of the Steering Committee must collectively have sufficient skills and experience to fulfil their roles.
- 2.2. The Mayor shall be the chairperson of the Forum and a nominee from Eskom shall be the Deputy Chairperson. A nominee from Exxaro shall be the secretary of the Forum and a nominee from Lephalale Coal Concession shall be the deputy secretary.
- 2.3. The membership of the Forum shall be on invitation and members shall be recognised organs of civil society including, but not limited to, business forums, interest groups (e.g. environmental lobby groups and animal rights activists), youth and women forums, civic organisations, traditional authorities, LLM strategic partners, faith based formations, strategic sector departments.

- 2.4. Each invited member organisation shall be represented by two delegates nominated by the invited member organisation. Political parties shall not be members of the Forum.
- 2.5. The Steering Committee shall determine the criteria for membership of the Forum and shall develop a guideline to be used to determine qualification for membership of the Forum. However, Membership of the Forum should be representative of the municipality's demographic and socio-economic diversity, including but not limited to: Community leaders and representatives from various wards/areas within the municipality. Representatives from business associations and local enterprises. Civil society organizations and non-profit entities. Educational institutions. Youth and women's groups. Traditional authorities and religious leaders. Government representatives from relevant departments. Interest groups with similar objectives (e.g. business forums) located in the same traditional authority/township/suburb shall unite to form one forum before accessing membership of the Forum. Forums established in the traditional authorities areas must be approved by the relevant traditional authority before being accepted in the Forum.
- 2.6. A quorum of the Forums shall be a majority of members and not delegates (i.e. if a majority of members, as opposed to individual delegates, are represented at a meeting, a quorum shall be formed).
- 2.7. For a resolution to be adopted it must be supported by at least 75% of the Forum members present and voting or exercised on a resolution. Each member organisation is entitled to one (1) vote made up of two halves (0.5 x2) of a vote exercised by two of its delegates.

- 2.8. In the absence of the Chairperson, the Deputy Chairperson shall chair the meeting, in the absence of both the chairperson and deputy chairperson, LLM may nominate any member to chair the meeting.
- 2.9. The meetings of the Forum may not take place or proceed in the absence of LLM.

3. Role of the Steering Committee

The role of the Steering Committee is to assist the Forum with day to day functioning of the Forum, facilitate meetings, review policies, determine membership criteria, attend to funding needs of the Forum, managing stakeholder relations as well as setting the tone for an ethical organisational culture by overseeing the Forum's conduct, approach and manner in which the business is conducted with due regard to value creation in society. To achieve this, the Steering Committee will assess the trends globally to identify one or two areas of focus each year. All decisions of the Steering Committee must be ratified by the Forum.

4. Responsibilities of the Forum

The functions and powers of the Stakeholder Engagement Forum shall include:

- 4.1. Effective communication with all stakeholders in Lephalale to enhance social stability, local economic development, protection of vulnerable groups and effective service delivery by LLM;
- 4.2. Active participation by all interest groups in building social cohesion and sustainable communities in Lephalale;
- 4.3. Implement social engineering to protect social and economic interests of local communities through targeted employment facilitation for local youth and women and protection of business interests of local emerging entrepreneurs;
- 4.4. Growing and protecting the local economy from market distortions and white collar gangsterism;
- 4.5. Protection of the environment and advancing the concept of a green economy future.

5. Meetings of the Forum

- 5.1. Forum meetings shall be held quarterly. The Steering Committee meetings shall be held monthly.
- 5.2. Additional meetings may be held at the request of the Chairperson or any member of the Forum or Steering Committee as required.
- 5.3. The Chairperson, Deputy Chairperson and Secretary are entitled to attend meetings of the Steering Committee although their presence or absence shall not affect the quorum of the Steering Committee meetings.

- 5.4. Minutes of the Forum and Steering Committee meetings shall be distributed five days after each meeting.
- 5.5. Forum and Steering Committee papers shall, other than under exceptional circumstances, be forwarded to each member no fewer than seven days prior to the date of the meeting.
- 5.6. Members of the Forum and Steering Committee shall declare any conflict of interest in respect of matters on the agenda and such declarations will be managed as deemed necessary

6. Authority of the Forum

- 6.1. The Forum shall have authority to:
 - 6.1.1. access any information it needs to fulfil its responsibilities;
 - 6.1.2. seek independent advice at the Forum's expense, budget dependent; and
 - 6.1.3. investigate matters within its mandate.

7. Review of Terms of Reference

The Steering Committee shall review the Terms of Reference annually in April, to ensure that they remain consistent with the Forum's objectives and responsibilities. The Terms of Reference may be amended as required, subject to the approval of the Forum. Lephalale Local Municipality reserves the right to alter the terms of reference at any time provided the Forum is notified in writing of the reasons for the alterations.

8. Approval of LLM Council

Where the Forum takes decisions that places obligations on the LLM, such decisions will be subject to approval by LLM Council.

9. Governance

- 9.1. All members of the forum shall account to the forum, regarding all matters concerning the forum.
- 9.2. All members are expected to attend all meetings. If a member is unable to attend a meeting, a formal written apology is required and to be sent to the secretariat. An SMS/WhatsApp, will be regarded as an apology (each member to send an alternate for the meeting).
- 9.3. Decision making will be based on the consensus of the forum, and action list to be attached on all minutes with timelines.
- 9.4. All decisions made in a meeting shall be binding to all forum members, subject to clause 8 above.
- 9.5. All subcommittees (task teams) are required to produce progress reports on a delegated matter at the forum meetings.
- 9.6. Members of the forum must share information with their constituencies and minutes of such information sharing with constituencies shall be provided to the secretariat for presentation to the Forum.
- 9.7. A dedicated section on the municipality's website will be established for the Forum, including meeting schedules, minutes, and how to engage. The Forum may use social media, local media, and public forums to communicate its activities and gather broader community input.

10. Reporting

It is the responsibility of each representative to report back on the actions assigned to a member and proactively update the secretary before the meeting.