



REPORT TO: CITY MANAGER

TO BE REFERRED BY THE OFFICIAL TO MAYCO [AFTER CONSIDERATION BY CITY MANAGER]

- 1. ITEM NUMBER**
- 2. SUBJECT / ONDERWERP / ISIHLOKO**

**FEEDBACK ON THE INTERNATIONAL/OUTSIDE THE BORDERS OF THE
RSA TRIP UNDERTAKEN FROM 19 TO 24 AUGUST 2024 TO ATTEND
THE COMPLAINTS MANAGEMENT CAPACITY BUILDING,
BENCHMARKING WORKSHOP HELD IN DOUALA, CAMEROON.**

**TERUGVOERING OOR DIE INTERNASIONALE REIS (BUITE DIE GRENS
VAN DIE RSA) VAN 19 TOT 24 AUGUSTUS 2024 VIR DIE BYWONING VAN
DIE NORMWERKSWINKEL OOR KAPASITEITSBOU VIR
KLAGTEBESTUUR GEHOU IN DOUALA, KAMEROEN**

**INGXELO ENGEMVA KOHAMBO OLUYA PHESHEYA/NGAPHAYA
KWEEBHODA ZOMZANTSI AFRIKA OLUTHATYATHWE UKUSUSELA
NGOWE19 UKUYA KOWAMA24 KWEYETHUPHA 2024 LOKUZIMASA
IWEKSHOPHU ENGOPHONONONGO LOKUXHOTYISWA NGEZAKHONO
ZOLAWULO LWEZIKHALAZO EBIBANJELWE EDOUALA, CAMEROON**

LSU R1131

3. EVENT SUMMARY

EVENT DETAILS	
CONFERENCE/SEMINAR	COMPLAINTS MANAGEMENT CAPACITY BUILDING BENCHMARKING WORKSHOP
OTHER	<p>THE OFFICIAL FROM THE OFFICE OF THE CITY OMBUDSMAN TOOK PART IN AN KNOWLEDGE SHARING WORKSHOP:</p> <p>THE WORKSHOP, HOSTED BY THE PUBLIC INDEPENDENT CONCILIATOR FROM THE NORTH WEST AND SOUTH WEST REGIONS OF CAMEROON, FOCUSED ON DISCUSSING OPERATIONAL PROCEDURES, METHODOLOGIES, AND TECHNIQUES RELATED TO THE COMPLAINTS-HANDLING PROCESS AND CASE MANAGEMENT PROCEDURES.</p>
DATE	19 TO 24 AUGUST 2024
VENUE	HOTEL PRINCE DES GALLES, DOUALA, CAMEROON
TOTAL COST TO THE CITY	R16 769.32
CITY	DOUALA
COUNTRY	CAMEROON

ATTENDEE DETAILS	
NAME AND SURNAME	DESIGNATION
SERGIO DANIELS	SENIOR PROFESSIONAL OFFICER, OFFICE OF THE CITY OMBUDSMAN
PROVIDE SUMMARY OF HOST ORGANISATION / CITY	
<p>THE CREATION OF THE OFFICE OF THE PUBLIC INDEPENDENT CONCILIATOR WAS A RESPONSE TO THE SOCIO-POLITICAL TENSIONS IN THE TWO ENGLISH-SPEAKING REGIONS OF CAMEROON. TO ADDRESS THESE ISSUES, THE GOVERNMENT CONVENED THE MAJOR NATIONAL DIALOGUE FROM SEPTEMBER 30 TO OCTOBER 4, 2019. THE PRINCIPAL RESOLUTION OF THIS DIALOGUE WAS THE GRANTING OF SPECIAL STATUS TO BOTH REGIONS, AS INFORMED BY ARTICLE 62 OF THE CAMEROON CONSTITUTION.</p> <p>THE RESOLUTIONS OF THE NATIONAL DIALOGUE, BOTH HOUSES OF PARLIAMENT CONVENED AND ADOPTED LAW NO. 2019/024 ON DECEMBER 24, 2019, WHICH INSTITUTED THE GENERAL CODE FOR REGIONAL AND LOCAL AUTHORITIES, THEREBY CREATING THE OFFICES OF THE PUBLIC INDEPENDENT CONCILIATOR FOR THE NORTH-WEST AND SOUTH-WEST REGIONS. THIS GENERAL CODE WAS FURTHER SUPPORTED BY PRESIDENTIAL DECREE NO. 2020/773, ISSUED ON DECEMBER 24, 2020, WHICH OUTLINED THE CONDITIONS FOR THE DISCHARGE OF DUTIES OF THE PUBLIC INDEPENDENT CONCILIATOR.</p>	

4. OBJECTIVE

The purpose of the sponsored trip to Douala, Cameroon was to participate in the Complaints Management Capacity Building Benchmarking Workshop hosted by Public Independent Conciliators from the North West and South West regions of Cameroon.

5. OUTCOMES

Observations were made regarding the similarities and differences between the Office of the City Ombudsman (OCO) and the Offices of the Public Independent Conciliator (OPIC) of Cameroon. The exchanges and presentations by the Office of the Public Independent Conciliators provided insights, which the OCO can integrate into our value chain mechanism for complaint handling processes, treatment.

The differences between the OCO and OPIC are the legal framework governing the offices. The OCO effectively exercises its authority and performs its functions and duties as stipulated by the applicable by-law, specifically the City

Ombudsman By-Law of 2015. North West and South West Regions is primarily established by Law No. 2019/024, this Resolutions of the National Dialogue from Both Houses of Parliament convened and adopted Law No. 2019/024 on December 24, 2019 which institutes the General Code of Regional and Local Authorities, and Decree No. 2020/773 of 24 December 2020, which outlines the conditions for the discharge of their duties of the OPICs.

The special status granted to the North West and South West Regions with regards to organization and functioning has proposed the institution of a PIC who is an independent authority responsible for receiving claims concerning the functioning of regional government services, local authorities and public enterprises and establishments in their relations with citizens.

During the engagements clarity was provided regarding who can lodge a complaint with the OPIC. It was noted that natural persons, including individuals, workers of regional and council services, users of council services, service providers, and juristic persons such as organizations, associations, and business units, are eligible to file complaints with the OPIC.

The OPIC has the authority to requisition documents, as supported by Article 15 of the 2020 Decree, which grants the OPIC the right to demand documents from regional and council administrators. Furthermore, the admissibility criteria for complaints at the OPICs were noted, with references made to Section 329 of the General Code and Section 11 of the 2020 Decree.

5.1 Brief overview of the engagements provided by the Office of the City Ombudsman

Our office presented an overview of our operational performance, detailing how we execute our functions and duties as stipulated by the City Ombudsman By-Law. We outlined the various functions of the 3 operational units within the OCO namely:

- i) Registration and Assessment Unit (RAU);
- ii) Early Resolution Unit (ERU);
- iii) Complex Investigation Unit (CIU).

The presentation provided by the facilitator expanded on the complaint handling processes, starting from RAU that has the responsibility of assessing each complaint received in order to establish whether the complaint falls within the Office's mandate, to ERU that aims to resolve matters within 60 days. The third unit, CIU, deals with complex investigation and engaged extensively on the investigation methodology, investigation life cycles up to issuing closure reports.

We also provided insights into the changes implemented post-COVID-19, highlighting how the OCO has automated record-keeping and complaint handling processes, integrating SharePoint procedures into our daily operations.

Furthermore, we discussed how the OCO has managed to overcome these changes and challenges in complaints management over the years. The attendees welcomed the presentation and facilitation process confirming that value has been added to their value chain process.

6. ACTIONS REQUIRED

AS A MEMBER OF THE INTERNATIONAL OMBUDSMAN INSTITUTE (IOI) AND A REGULAR PARTICIPANT IN EVENTS ORGANIZED BY THE AFRICAN OMBUDSMAN RESEARCH CENTRE (AORC), OUR OFFICE WILL CONTINUE TO STRENGTHEN OUR RELATIONSHIP WITH THE OPIC.

WE THE OCO AIM TO INCLUDE THEM IN INITIATIVES DESIGNED TO ELEVATE GLOBAL AWARENESS OF THE CITY OMBUDSMAN’S ROLE FOR THE CITY OF CAPE TOWN IN PROMOTING TRANSPARENCY, ACCOUNTABILITY, AND JUSTICE ACROSS VARIOUS SECTORS. THIS COLLABORATION WILL ENABLE US TO PROVIDE VALUABLE INSIGHTS INTO THE EVOLUTION AND IMPACT OF OMBUDS INSTITUTIONS WORLDWIDE.

ACTIONS WILL NATURALLY FLOW FROM THE ABOVE-MENTIONED OUTCOMES.

7. IMPLICATIONS

- 7.1

Constitutional and Policy Implications

No ☒

Yes ☐
- 7.2

Environmental implications

No ☒

Yes ☐
- 7.3

Financial Implications

No ☒

Yes ☐
- 7.4

Legal Implications

No ☒

Yes ☐
- 7.5

Staff Implications

No ☒

Yes ☐
- 7.6

Risk Implications

No ☒

Yes ☐
- 7.7

POPIA Compliance

☒

It is confirmed that this report has been checked and considered for POPIA Compliance.

NOTE: POPIA Section MUST be completed otherwise the report will be returned to the author for revision.

Contact your Directorate POPIA Stewards should you require assistance.

The City has a contract in place with Izani Embassy Joint Venture for the safe-keeping of Traveller's personal information as required by the POPI Act.

8. RECOMMENDATION / AANBEVELING / ISINDULULO

It is recommended that the feedback report on knowledge sharing and capacity building benchmarking workshop undertaken by Sergio Daniels from 19 to 24 AUGUST 2024 be considered and noted.

Daar word aanbeveel dat die terugvoeringsverslag oor Sergio Daniels se bywoning van die normwerkswinkel oor die deel van kennis en kapasiteitsbou van 19 tot 24 Augustus 2024 oorweeg word en dat daarvan kennis geneem word.

Kundululwe ukuba makuthathelwe ingqalelo kwaye kuqwalaselwe ingxelo iwekshophu engokwabelana ngolwazi nophononongo lokuxhotyiswa ngezakhono oluthatyathwe nguSergio Daniels ukususela ngowe19 ukuya kowama24 kweyeThupha 2024.

9. GENERAL DISCUSSION

International linkages facilitated the sharing of knowledge, experiences, and matters of mutual interest. The goal was to learn from each other's experiences within our respective Ombuds-models and implement positive elements to enhance our service delivery to the communities we serve.

The value added to the City was that actual operations, practices, and procedures of between the offices where areas for improvement was conversed through comparison and benchmarking discussions. This knowledge sharing workshop has strength the linkages in the Ombuds community to effectively eliminate maladministration within the municipal administration.

Sharing expertise in addressing maladministration and injustice through dispute resolution processes, such as mediation, can turn lessons learned into opportunities for the City. Mediation, as an alternate dispute resolution method, is a preferred international trend due to its accessibility for poorer communities, expedience, and cost-effectiveness compared to litigation.

Our participation in the Benchmarking Workshop has significantly enhance our profile and has positioned us as pioneers in Africa, building on the progress already made in the rest of the country.

- 10. ANNEXURE A: LETTER OF APPRECIATION**
ANNEXURE B: LAW NO. 2019/24 OF 24 DECEMBER 2019, GENERAL CODE OF REGIONAL AND LOCAL AUTHORITIES.
ANNEXURE C: DECREE NO. 2020/773 OF 24 DECEMBER 2020, CONDITIONS FOR DISCHARGE OF THE DUTIES OF PIC IN THE NORTH WEST AND SOUTH WEST REGIONS.

FOR FURTHER DETAILS, CONTACT:

DATE	03 September 2024		
NAME	Sergio Daniels	CONTACT NUMBER	061 452 8995
E-MAIL ADDRESS	sergio.daniels@capetown.gov.za		
DIRECTORATE	Office of the City Manager	FILE REF NO	
SIGNATURE :			

EXECUTIVE DIRECTOR

[COMPULSORY TO INSERT NAME]

The ED's signature represents support for report content and confirms POPIA compliance.

COMMENT:

SIGNATURE:

NAME

DATE

MANAGER: INTERNATIONAL RELATIONS

COMMENT:

DR. DENVER VAN SCHALKWYK

SIGNATURE:

DATE

☐ REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

LEGAL COMPLIANCE

☐ NON-COMPLIANT

COMMENT:

NAME

TEL

DATE

Certified as legally compliant based on the contents of the report.

CITY MANAGER

☒ NOTED

☒ REFER TO THE MAYORAL COMMITTEE VIA THE RELEVANT SECTION 79 COMMITTEE

DATE

COMMENT: