

the dr&pw

Department:
Roads and Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

**DEPARTMENTAL INFORMATION AND
COMMUNICATION TECHNOLOGY (ICT)
CHARTER**

Version 2
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1. DEFINITIONS AND ACRONYMS

“Department”	Department of Roads and Public Works, Northern Cape Province (DRPW).
“DPSA”	Department of Public Service and Administration.
“ECT Act”	Electronic Communications and Transactions Act, Act No. 25 of 2002.
“EPWP”	Expanded Public Works Programme.
“GCIS”	Government Communication and Information System.
“Gito”	Government Information Technology Council.
“HOD”	Head of Department, who, in terms of the PFMA is also the Accounting Officer.
“ICT”	Information and Communication Technology.
“ICTC”	Information and Communication Technology Committee.
“IT”	Information Technology.
“MIOS”	Minimum Interoperability Standards.
“PFMA”	Public Finance Management Act, Act No. 1 of 1999.
“PPPFA”	Preferential Procurement Policy Framework Act, Act No. 5 of 2000.
“SCM”	Supply Chain Management.
“SITA”	State Information Technology Agency.

2. INTRODUCTION

- 2.1 The purpose of this document is to communicate the primary responsibilities and delegated authority of the ICTC for the effective and efficient management of ICT resources to facilitate the achievement of corporate objectives.

3. AUTHORITY OF THE ICTC

- 3.1 The authority that is delegated to the ICTC is founded on the following principles:
- 3.1.1 Does not divest the Accounting Officer and Executive Management of the Department of their responsibilities concerning the exercise of the delegated power or the performance of the assigned duties herein.
- 3.1.2 Authority is delegated to the ICTC, whose membership integrates both ICT expertise and knowledge of the departmental business processes.

- 3.1.3 The delegated authority given to the ICTC is subject to the statutory and legal limitations recorded herein, and such other lawful limitations as may be applicable to provincial government departments from time to time.
- 3.1.4 The delegated authority is subject to any limitations, conditions, policies and/or directives that may be developed and implemented by Executive Management at the request of the Accounting Officer in the exercise of such delegated powers.
- 3.1.5 The delegated authority of the ICTC may at any time be revoked or varied by the Accounting Officer.
- 3.1.6 The Accounting Officer may confirm, vary or revoke any decision taken by the ICTC as a result of a delegation in terms hereof, subject to any rights that may have become vested as a consequence of the decision.
- 3.2 Unless otherwise specified, the ICTC is hereby authorised and subject to paragraphs 3.1.1 to 3.1.6 above:
 - 3.2.1 To delegate further any powers and authority delegated to the ICTC to an employee, any person or committee and to allow sub-delegation of such powers only once and, where necessary, in terms of the needs of the Department, subject to the policies, directives and conditions that the Accounting Officer may from time to time prescribe and the reporting of such authority.
 - 3.2.2 To impose any limits or conditions in such further delegation to ensure good governance and controls with regard to the exercise of such powers and may, in writing, confirm, vary or revoke any decision taken subject to any rights that may have become vested as a consequence of such decision.
- 3.3. The ICTC shall ensure that any further delegation or sub-delegation is to a functionary with the appropriate seniority, skill, expertise and knowledge to exercise such authority in an effective manner and shall ensure that such authorities are reviewed on a regular basis.
- 3.4 The ICTC or any other person with delegated powers may only exercise those powers in respect of the responsibilities and functions allocated to them from time to time, in terms of a performance agreement or specific instructions or mandates.
- 3.5 Where power is delegated to more than one ICTC member, it is on the basis of different functional responsibility and expected process outcomes.

- 3.6 Reporting is to follow the delegation process, i.e. any approvals need to be reported to the next level of authority. Non-conformance with the delegated powers shall be reported to the next higher level of authority.

4. REGULATORY FRAMEWORK

- 4.1 The Constitution of the Republic of South Africa Act, Act No. 108 of 1996.
- 4.2 The Public Service Act, Act No. 103 of 1994, as amended.
- 4.3 The Public Finance Management Act (PFMA), Act No. 1 of 1999, as amended and Treasury Regulations.
- 4.4 The State Information Technology Act, Act No. 88 of 1998, (the "SITA Act").
- 4.5 The Telecommunications Act, Act No. 103 of 1996.
- 4.6 The Electronic Communications and Transactions Act, Act No. 25 of 2002 (the ECT Act).
- 4.7 The Regulation of Interception of Communications and Provision of Communication-Related Information Act, Act No. 70 of 2002.
- 4.8 The Promotion of Access to Information Act, Act No. 2 of 2000.
- 4.9 The Promotion of Administrative Justice Act, Act No. 3 of 2000.
- 4.10 The National Archives of South Africa Act, Act No. 43 of 1996.
- 4.11 The General Intelligence Law Amendment Act, Act No. 66 of 2000.
- 4.12 The National Strategic Intelligence Act, Act No. 39 of 1994.
- 4.13 The Preferential Procurement Policy Framework Act, Act No 5 of 2000, (the "PPPFA") and the Preferential Procurement Policy Regulations.
- 4.14 The Protected Disclosures Act, Act No. 26 of 2000.
- 4.15 Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004.

- 4.16 The National Building Regulations and Building Standards Act, Act No. 103 of 1977.
- 4.17 The Public Service Regulations, 2001, as amended in 2002.
- 4.18 The Gito Council, as approved by the DPSA: Information Technology Planning Framework, 2002.
- 4.19 DPSA: Handbook on MIOS, 2002.
- 4.20 DPSA: Public Service Corporate Governance of Information and Communication Technology Policy Framework, 2012.
- 4.21 DPSA: Public Service Corporate Governance of Information and Communication Technology Policy Framework, Version 2, 2014.
- 4.22 The Northern Cape Provincial Government IT Governance and Governance of IT Model.
- 4.23 The departmental policy on ICT: Standards and Guidelines.
- 4.24 The departmental ICT Strategic Plan.
- 4.25 The departmental Acceptable Computer Use Policy.
- 4.26 The departmental policy on the Utilization of Laptop Computers.
- 4.27 The departmental policy on ICT Project Management.
- 4.28 The departmental Supply Chain Management Policy.
- 4.29 The departmental Asset Management Policy.
- 4.30 The departmental Risk Management Policy.
- 4.31 The departmental Risk Management Strategy.

5. ROLE AND RESPONSIBILITY OF THE ICTC

5.1 ROLE OF THE ICTC

- 5.1.1 The ICTC must support the development of strategies, policies and operating procedures for managing ICT investment in the DRPW.
- 5.1.2 This committee must review the technical direction and strategy, ensuring alignment with the overall departmental strategic objectives.
- 5.1.3 The committee must monitor progress relative to the implementation of strategies and achievement of departmental plans.
- 5.1.4 The ICTC must monitor the effectiveness of policies and controls regarding costs and service delivery.
- 5.1.5 The committee must monitor the effectiveness of policies and controls regarding ICT risk management.
- 5.1.6 The ICTC must ensure that departmental business and ICT related risks do not exceed the institutional risk appetite and risk tolerance.
- 5.1.7 The committee must ensure that optimum business value is realised from ICT related investment, services and assets.
- 5.1.8 The committee must also ensure that ICT related resource needs are met in an optimal manner by providing the organisational structure, capacity and capability.
- 5.1.9 The committee must furthermore ensure that communication regarding ICT related matters with stakeholders, both internally as well as externally is transparent, relevant and timely.

5.2 PRIMARY RESPONSIBILITIES OF THE ICTC

- 5.2.1 The development, implementation and review of an ICT governance charter and policies.
- 5.2.2 The implementation of a suitable ICT organisational structure.
- 5.2.3 The implementation and review of ICT governance processes and mechanisms, including ICT frameworks, policies, procedures and standards.

5.2.4 Ensuring transparency of ICT management and performance measures, including regular reporting to the Accounting Officer.

5.2.5 The integration of ICT governance into the departmental corporate governance processes.

6. STRATEGIC ALIGNMENT OF ICT MANAGEMENT PROCESSES

6.1 This entails the application of a strategic approach in terms of facilitating the integration of ICT management processes and plans into the strategic planning and business processes of the Department.

6.5 Also to enable the improvement of the Department's performance and sustainability.

6.6 Furthermore this means the alignment of ICT operations with overall departmental business operations.

6.9 Due regard must also be given to the legislative and regulatory requirements that apply to ICT.

6.10 Departmental strategic and operational requirements will therefore have to be translated into efficient and effective ICT solutions.

6.11 The DRPW's business and governance requirements must be addressed in a timely and accurate manner through the acquisition of appropriate technology, the implementation of effective and efficient ICT management processes and the recruitment and retention of suitably qualified ICT human resources.

7. A VALUE-ADDED APPROACH

7.1 The ICTC must enable the ICT function of the Department to add value to departmental operations and mitigate risks.

7.2 The ICTC must facilitate the incorporation of the ICT function into the departmental business processes in a secure, sustainable manner.

7.3 The ICTC must ensure that the expected return from departmental ICT investments are delivered.

7.4 The ICTC must monitor and manage the amount spent on and the value received from ICT.

- 7.5 The ICTC must ensure that an ethical departmental ICT governance and management culture is implemented.
- 7.6 The ICTC must promote the sharing and sustainable use of departmental ICT assets.
- 7.7 The ICTC must ensure that good governance principles, ethics and the applicable regulatory framework are applied to the SCM processes as far as ICT is concerned, from supply to disposal of departmental ICT, as well as to all stakeholders involved, which includes the suppliers of ICT to the Department.

8. ICT RESOURCE MANAGEMENT

- 8.1 The ICTC must exercise care and skill over the design, development, implementation and maintenance of sustainable ICT solutions for the DRPW.
- 8.2 The ICTC must optimise financial, human and knowledge resources usage as far as departmental ICT solutions and management is concerned.
- 8.3 The ICTC must ensure the protection of the information and intellectual property of the Department.
- 8.4 The ICTC must make recommendations as far as the effective and efficient management of departmental ICT assets is concerned.
- 8.5 The ICTC must ensure that an effective and efficient departmental ICT records management system is developed and implemented and ensure that departmental information assets are identified, classified, retained, stored, archived, protected and made available when required for departmental business and legal purposes.
- 8.6 The ICTC must ensure that the basic elements of appropriate ICT project management principles are applied to all ICT projects.
- 8.7 The ICTC is required to ensure that the ICT processes within the scope of its authority remain within the approved budgets at all times.

9. ICT RISK MANAGEMENT

- 9.1 The ICTC must maintain an ICT risk register, including ICT legal risks.
- 9.2 The ICTC must perform continual risk assessments and in so doing, ensure that effective risk minimisation strategies and risk responses are implemented.
- 9.3 The ICTC must monitor and evaluate all departmental ICT risk management policies, strategies and responses.
- 9.4 The ICTC must provide the Audit and Risk Committees with relevant information about departmental ICT risks and the controls in place.
- 9.5 The ICTC must implement processes to ensure that risk reporting to the Accounting Officer is complete, timely, relevant, accurate and accessible.

10. ICT PERFORMANCE MANAGEMENT

- 10.1 The ICTC must monitor, evaluate, manage and report on ICT performance.
- 10.2 The ICTC must implement processes to ensure that ICT performance reporting to the Accounting Officer takes place and is complete, timely, relevant, accurate and accessible.

11. COMPOSITION AND FUNCTIONS OF THE ICTC

11.1 COMPOSITION OF THE ICTC

- 11.1.1 Permanent staff members of the Department shall be formally appointed by the HOD to be members of the ICTC. The Committee members shall collectively possess the specialised skills, knowledge and expertise of the Department, including familiarity with the field ICT in order to contribute meaningfully to the Committee.
- 11.1.2 The ICTC for the Department comprise of the following officials:
 - a) The Senior Manager of the Department responsible for the management, integration and implementation of the ICT system architecture and maintenance of the Department's ICT infrastructure.
 - b) The Information Technology (IT) Manager of the Department. (For technical inputs and advice.)

- c) Representatives (on Senior Management level) from all main business functions or structures of the Department, namely Roads; HCM; Finance; EPWP and Public Works; Corporate Services; Policy and Planning; Monitoring & Evaluation and Organisational Risk; as well as Legal Services.
- d) Any other person who may be co-opted to provide specialised ICT skills, advice and counsel.

11.2 DUTIES AND POWERS OF THE VARIOUS COMMITTEE MEMBERS

11.2.1 The Chairperson of the ICTC:

- a) Has a casting vote as well as a deliberate vote.
- b) Retains all his/her rights as a member.
- c) May adjourn a meeting.
- d) May rule on points of order which will be final.
- e) May withdraw any proposal or other matters under discussion before it is put to the vote.
- f) Convene extraordinary Committee meetings on request.
- g) Maintain order during a meeting and ensure that business is conducted in an orderly manner.
- h) Before opening a meeting, ensure that it is properly constituted.
- i) Protects the rights of every Committee member.
- j) Will ensure that there is an agenda for the meeting and ensure that the minutes are ready for every meeting convened, except when the meeting is convened on an urgent basis.
- k) Must reprimand committee members for not attending meetings without any apology.

11.2.2 The Vice-chairperson of the ICTC:

- a) In the absence of the Chairperson, the Vice-chairperson shall resume automatic responsibility for the Chairperson. The Vice-chairperson shall support the Chairperson.

11.2.3 The ICTC Members:

- b) Participate in special Committee activities.
- c) Promote Committee decisions within the Department.
- d) Communicate Committee recommendations to their respective units, peers and users.
- e) Identify viable ICT issues for presentation to the Committee, inclusive of supportive material and the facilitation thereof.

11.2.4 Co-opted SC members:

- a) The ICTC may request advisors, specialists or any other persons, as deemed fit, to attend the meetings of the Committee.

- b) Attendance of any of these persons to the meetings shall be restricted to the area of concern as presented on the agenda.
- c) The Chairperson must approve the attendance of invited co-opted members to attend a Committee meeting or a consequent meeting(s) thereafter.
- d) A co-opted member cannot vote on any matters balloted by the Committee.
- e) The Committee, through the Chairperson, may request invitees to leave the meeting venue during the discussion of sensitive agenda items, as defined by the Committee.

11.3 FUNCTIONS OF THE ICTC

- 11.3.1 Making recommendations on the ICT policies of the Department, after having taken into consideration advice provided by the SITA and the GCIS.
- 11.3.2 Making recommendations to the HOD regarding the implementation and maintenance of ICT management measures and infrastructure.
- 11.3.3 Regular review of the ICT policies of the Department, the prioritisation thereof, as well as information and advice provided by the SITA and the GCIS.
- 11.3.4 Forward the draft ICT policies of the Department and any reviews thereof to the SITA and the GCIS.
- 11.3.5 After endorsement by the SITA and the GCIS, to submit the ICT policies or any review thereof to the HOD for approval.
- 11.3.6 Ensure the communication of the approved ICT policies to all departmental staff members, relevant consultants and contractors.
- 11.6.7 Making recommendations to the HOD regarding directives to be issued by the HOD to ensure the implementation of the said departmental ICT policies or any review thereof.

11.4 MEETINGS OF THE ICTC

- 11.4.1 The ICTC shall meet at least four times per annum. The Chairperson of the Committee or a majority of the permanent members of the Committee may convene additional meetings as circumstances may dictate.

11.5 ADMINISTRATIVE DUTIES

- 11.5.1 A permanent Committee member shall be appointed by the Chairperson of the Committee on the advice of the other permanent Committee members as the Secretary of the Committee.

11.5.2 The Secretary shall forward the notice of each meeting of the Committee to all members not later than ten working days prior to the day of the meeting. The notice shall confirm the venue, time, date and agenda, and shall include the documents for discussion.

11.6 QUORUM

11.6.1 The total number of fifty per cent (50%) plus one (1) member constitutes a quorum. A permanent member may nominate a proxy on his/her behalf.

11.6.2 This provision shall lapse in the event that the permanent member fails to attend three (3) or more Committee meetings held in that particular financial year in person.

11.7 REVIEWING OF ICTC PERFORMANCE

11.7.1 The ICTC shall review its performance annually and make recommendations to the HOD in this regard, before forwarding the review to the HOD for approval.

12. REVIEW AND AMENDMENT OF THE ICT CHARTER

12.1 This Charter is effective from date of signature.

12.2 The assessment to determine the effectiveness and appropriateness of this Charter will be done two (2) years after its effective date and thereafter on an annual basis. The assessment could be performed earlier than two years to accommodate any substantial structural or other organizational changes at the Department or any change required by law.

12.3 If and when any provision of this Charter is amended, the amended provision will supersede the previous one.


12.4 Deviations from this Charter must be approved by the Accounting Officer.

13. APPROVAL OF THE ICT CHARTER

This ICT Charter is Approved / Not Approved

Comments:

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HEAD OF DEPARTMENT

16/04/2015
DATE
