

Curriculum Vitae of Themba Mthethwa



I have pleasure in submitting my CV for your consideration for the DEPUTY PUBLIC PROTECTOR position. It is hereby confirmed that this personal information has been submitted to you with my consent. If you do not wish to pursue this application, please advise me and thereafter delete my CV so as to comply with the POPI Act. You may only use this information in accordance with the POPI Act and any further processing requires my consent which must be obtained from me. You are also responsible for the security of this data. Your response to this application will be appreciated so that I can ensure compliance with the POPI Act.

PERSONAL DETAILS

Name	Themba Mthethwa
Residential Area	
Identity Number	
Vaccinated	Fully Vaccinated
Languages	English, IsiZulu, Tswana, IsiXhosa and Afrikaans
License & Transport	Code 10 – own transport
Computer Literacy	MS Word, MS Excel, MS PowerPoint, MS Outlook and SAP (Finance)
Equity Status	Black, Male

Previous Company	University of KwaZulu-Natal
Previous Position	University Ombudsman
Contact Details	

EVALUATION

Core Competencies	<ul style="list-style-type: none">● Labour Relations / Employment Law / Mining Law / Negotiation/Maritime and Local Government● Project Management / Stakeholder Management / Tender Management● Change Management / Dispute Resolution / Policy Analysis / Complaint Resolution● Transformation Management / Legislation Compliance / Mediating / Arbitrating● Conciliating / Leadership Coaching and certification, compliance
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Candidate Overview

Themba Mthethwa is ADR Law Specialist. A Human Rights and Personal Injury Attorney with over 20 years legal experience and a versatile executive with a penchant for BEE activism. He has an impressive array of academic credentials and career successes in HUMAN SETTLEMENTS and State owned entities. Strong visionary and analytical skills are the key to Themba's proven track record in creating restructured efficiency and profitable turnarounds. By managing original concepts with workable formulas, Themba is able to strategise future growth, bottom line savings and harmonious work arenas for his chosen environment.

Themba has served as a Chief Executive Officer at the PUBLIC PROTECTOR SOUTH AFRICA ('PPSA'). He occupied the position for six years and assisted in the creation of the Health and Military ombuds offices in South Africa.

He was the first CHIEF OMBUD/CEO at the CSOS went on to be appointed by the Minister of Human Settlements as the first HUMAN SETTLEMENTS OMBUDSMAN. He has served as a Board Member at various entities.

He served as General Counsel of the Port Authority of South Africa and represented the Port Authority in various Department of Transport committees. Themba also served as a Special Advisor to former eThekweni City Manager, Dr Sutcliffe. He has occupied Executive positions in various entities. He was a Legal Executive for the City of Cape Town and also the Deputy Chief Executive Officer of the South African Local Government Association (SALGA).

He is very much familiar with government legislation and infrastructure, more so with the PFMA and MFMA.

Mr. Mthethwa has a Master's in Business Administration (MBA) from Wits Business School. He is also a part-time Coach on Leadership for MBA students at Wits Business School. He was OMBUD at the University of KwaKulu Natal. Currently he is Chief Director Responsible for Operations at the South African Military Ombudsman.

QUALIFICATIONS

Institution	Year Completed	Degree / Certificate Name
National School of Government	2022	Nyukela certificate to enter SENIOR MANAGEMENT SERVICE IN GOVERNMENT
Wits Business School	2018	Certificate in Coaching
Wits Business School	2014	MBA in Business Development
University of Natal	1994	Certificate in Constitutional Litigation
University of Natal	1990	Post Graduate Diploma in Industrial Relations
Supreme Court of South Africa	1990	Admitted as an ATTORNEY
University of Natal	1989	LLB Degree
University of Natal	1987	BProc Degree

Institution	Year Completed	Degree / Certificate Name
Dlangezwa High School	1983	Matric

ACCOLADES / ACHIEVEMENTS

- Turned around Public Protector South Africa and obtained unqualified audits 2009/10,2010/11,2011/12 after receiving bad (qualified) audit for 2008/09
- Created Community Schemes Ombud Service (CSOS) from start and became its first Ombud and Chief Executive Officer (2014-2017)
- Became the first Human Settlements Ombudsman and started same from conception (2017)
- Executive Law Development Programme, UCT Graduate School of Business (1999)
- Certificate – Yacht Hand, Durban Sailing Academy (1997)
- Medallist – Two Oceans Marathon & Comrades Marathon (2005,2006.2007.2008,2009,2010)
- Medallist—Cape Argus, 94.7, Amashovashova cycle races (2008, 2009,2010,2011,2012, 2013,2014)

PROFESSIONAL AFFILIATIONS

- Maritime Law Association of South Africa
- Corporate Lawyers Association of South Africa

- National Association of Democratic Lawyers (NADEL)
- Black Management Form (BMF)
- KwaZulu-Natal Law Society

OTHER AFFILIATIONS

- Executive Committee – ANC (Northern Natal Region – 1990 – 1991)
- Royal Natal Yacht Club & Point Yacht Club
- Chesterville Athletics Club
- The Cows Cycling Club (1 cycle for this charity to raise funds for children with cancer}
- Chairperson: Velokhaya Cycling Academy (www.velokhaya.co.za)
- Board member: Hand in Hand NPO (www.handinhand-sa.org)

SUMMARY OF PRIOR EMPLOYMENT

<u>NAME OF EMPLOYER</u>	<u>PERIOD EMPLOYED</u>	<u>POSITION HELD</u>
South African Military Ombud	Jan 2023- present	Chief Director: OPERATIONS
University of KwaZulu-Natal	Jul 2019 - Apr 2022	University Ombudsman
National Department of Human Settlements	Apr 2017 - Jul 2019	Human Settlements Ombudsman
Community Schemes Ombud Services (CSOS): South Africa	Oct 2014 - Mar 2017	Chief Ombudsman/Chief Executive Officer
Public Protector South Africa	Jan 2009 - Oct 2014	Chief Executive Officer
Department of Minerals and Energy	Jul 2008 - Dec 2008	Director: Minerals Policy and Regulation
South African Local Government Association (SALGA)	Feb 2006 - Jun 2008	Deputy Chief Executive Officer
City of Cape Town Municipality	Jul 2005 - Jan 2006	Manager (Legal Services)
Legal Aid Board	Mar 2003 - Jun 2005	Justice Centre Executive: Durban Justice Centre
Ethekwini Municipality	Jul 2002 - Feb 2003	Special Advisor to City Manager on Maritime Affairs
Transnet Limited T/A Portnet	1996 - 2002	Executive Manager: Legal Services and Contracts
Law Offices of Donald Temple P.C - Washington DC – USA	1995 - 1995	Trainee: Corporate Finance and International Trade
Mlaba Makhaye and Partners	1989 - 1995	Professional Assistant
Frank Sithole and Company	1988 - 1989	Candidate Attorney

DETAILED CAREER OVERVIEW

Name of Employer South African Military Ombud
Period of employment Jan 2023 – Present

Name of employer University of KwaZulu Natal
Period of Employment July 2019 - April 2022
Position Held University Ombudsman
Reason for Leaving Due to the pandemic, Themba continued with his Legal Practice
Cost to Company Retainer of R25 000 and submitted invoices (R50 000)

Reporting to the University Chair of Council

- Dispute Resolution/Consultation and Referral
 - Policy Analysis and Feedback
 - Oversight of the Ombudsman Office
 - Research, review and development of best practices
 - Provide strategic direction
 - Champion the delivery of greater results
 - Manage stakeholders, internal and external
 - Manage self and others
 - Foster productive working relationships
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Name of Employer National Department of Human Settlements
Period of Employment April 2017 - July 2019
Last Position Held Human Settlements Ombudsman
Reason For Leaving The contract came to an end
Cost to Company Director General Level – R2 million per annum

Reporting to the National Minister of Human Settlements

- Resolve and prevent disputes in the human settlements sector between Construction Industry and government
 - Resolve Community / individual/ service providers complaints against Human settlements agencies, municipalities / provincial departments in the Human Settlement Sector
 - Resolve and prevent complaints between spheres of government in the human settlements sector
 - Resolve complaints between government entities, Municipalities, provincial departments and their service providers in the human settlements sector
 - Resolve Home ownership disputes in respect of houses provided by government (title restoration)
 - Resolve complaints between individual homeowners and the government entities
 - Resolve and prevent complaints between the Estate Agent Affairs Board (EAAB) and real estate agencies
 - Resolve and prevent complaints between National Home Builders Regulatory Council (NHBRC) and Construction Industry.
 - Resolve complaints between the Community Scheme Ombud Service (CSOS) and Managing Agents, Body Corporates or Home Owners Associations.
 - Resolve any other dispute that may arise within the Human Settlement Sector through Alternative Dispute Resolution (ADR)
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Name of Employer Community Schemes Ombud Services (CSOS)
Period of Employment October 2014 - March 2017
Last Position Held Chief Ombudsman/Chief Executive Officer
Reason for Leaving Asked by Human Settlements to create the Ombudsman within the Human Settlements Department

Reporting to the CSOS Board (through the Chairman of the Board)

- Present the Strategic Plans, operational plans and budget to Parliament for approval
- Implement transformation and change management processes and initiatives
- Implement, monitor and evaluate strategic performance management system and report to ensure effective delivery of strategic objectives
- Set up CSOS offices from greenfield to all South Africa's 9 provinces and National office
- Set up policies and procedures for dispute resolution and arbitration with Community Schemes
- Chair advisory council to advise Minister of Settlements on sectional titles
- Hire staff of approximately 300 within two financial years
- Train and educate members of the public and trustees about Community Schemes
- Take control of all community schemes governance documents
- Monitor and evaluate effectiveness of external and internal communication, Media Relations and events planning with CSOS
- Ensure resource utilization in line with best practice in IT, Knowledge Management and accommodation
- Facilitate the annual review of the strategy and quality thereof
- Ensure effective security for the protection of staff, assets and information of the office
- Ensure best managerial practice in budget management and report quarterly thereof
- Prepare financial statements and ensure that supply chain management complies with the PFMA, Treasury Regulations and office policies and procedure
- Ensure best practice regarding external and internal audits and risk management by addressing the findings and recommendation and attaining clean audit reports
- Monitor adherence to all relevant legislation and reporting requirements in line with PFMA, LRA, BCEA, EEA, SCM and Treasury Regulations
- Prepare, submit and table a complete and accurate ANNUAL REPORT to parliament in time
- Appear before the Portfolio Committee and Submit annual reports and strategic plans to the Human Settlements Portfolio Committee and defend same before the Committee
- Improve the efficiency and quality of the investigations and reports and ensure compliance with the Service Delivery Charter
- Ensure the effective Outreach Programme by monitoring and evaluating the implementation of the collaborative strategy with chapter other Human Settlements entities and other stakeholders
- Provide general leadership and management to ensure effective integrated service delivery by the CSOS
- Improve the efficiency and quality of the investigations and reports and ensure compliance with the Service Delivery Charter
- Stakeholder Management
- Business Development
- Local Economic Development with Municipalities

Name of Employer	Public Protector South Africa
Period of Employment	January 2009 - October 2014
Last Position Held	Chief Executive Officer
Reason for Leaving	Contract came to an end

Reporting to the Executive Authority (Public Protector and Deputy Public Protector)

- Present the Strategic Plans, operational plans and budget to Parliament for approval
- Implement transformation and change management processes and initiatives
- Implement, monitor and evaluate strategic performance management system and report to ensure effective delivery of strategic objectives
- Ensure policy formulation, implementation and monitoring
- Monitor and evaluate effectiveness of external and internal communication, Media Relations and events planning
- Ensure resource utilization in line with best practice in IT, Knowledge Management and accommodation
- Facilitate the annual review of the strategy and quality thereof
- Ensure effective security for the protection of staff, assets and information of the office
- Ensure best managerial practice in budget management and report quarterly thereof

- Prepare financial statements and ensure that supply chain management complies with the PFMA, Treasury Regulations and office policies and procedure
- Ensure best practice regarding external and internal audits and risk management by addressing the findings and recommendation and attaining clean audit reports
- Monitor adherence to all relevant legislation and reporting requirements in line with PFMA, LRA, BCEA, EEA, SCM and Treasury Regulations
- Prepare, submit and table a complete and accurate ANNUAL REPORT to parliament in time
- Appear before the Portfolio Committee and Submit annual reports and strategic plans to the Justice Portfolio Committee and defend same before the Committee
- Improve the efficiency and quality of the investigations and reports and ensure compliance with the Service Delivery Charter
- Ensure the effective Outreach Programme by monitoring and evaluating the implementation of the collaborative strategy with chapter 9 institutions and other stakeholders
- Provide general leadership and management to ensure effective integrated service delivery by the Public Protector

Name of Employer Department of Minerals and Energy
Period of Employment July 2008 - December 2008
Last Position Held Director: Minerals Policy and Regulation

- Administer the Minerals and Petroleum Resources Development Act 2002, No 28 of 2002 and other applicable legislation to ensure the granting of prospecting and mining rights in terms of the Act
- Promote mineral development including urban renewal, rural development and black economic empowerment
- Address past legacies with regard to derelict and ownerless mines and enforce legislation regarding mine rehabilitation by means of regulated environmental management plans
- Co-ordinate and liaise with national, provincial and local government structures for efficient
 - Mineral economics
 - Small-scale mining
 - Beneficiation economics
 - Mineral policy development
 - Environmental policy
 - Mine environment policy research and development

Name of Employer South African Local Government Association (SALGA)
Period of Employment February 2006 - June 2008
Last Position Held Deputy Chief Executive Officer

- Reporting to the Chairperson of the Provincial Executive Committee Mayor Obed Mlaba and the CEO, ensuring that capacity building programmes are in place for Councillors and Mayors
- Assist municipalities in speeding up service delivery to achieve Millennium Developmental goals and Government targets
- Represent SALGA in various associations like South African Association of Water Utilities (SAAWU)
- Prepare and implement SALGA's strategic plan and budget
- Draft and manage Performance Management contracts for staff
- Assist municipalities in drafting their Integrated Development Plan (IDP's) with particular reference to Water services
- Ensuring meaningful Local Economic Development (LED) within municipalities
- Attend all National Executive Council (NEC) and Provincial Executive Council (PEC) meetings
- Convene, coordinate and attend Provincial and National Members' assembly including both Provincial and National Conferences
- Represent SALGA in Transport MINMEC chaired by Minister of Transport, including Technical MINMEC
- Represent SALGA in Local Government MINMEC chaired by Minister of Local Government
- Represent SALGA in the Premier's Coordinating Council and the Technical Presidential Coordinating Council

- Manage, supervise and attend all 6 SALGA Working Groups in ensuring that they give proper direction to the business of SALGA
- Assist municipalities in holding District Growth and Development Summits
- As a SALGA 2010 LEAD EXECUTIVE, ensure that the state of readiness of all municipalities (hosting and non-hosting) to host the 2010 FIFA World Cup
- Ensure a constructive approach to Intergovernmental Relations in the province, including the twinning agreements of local municipalities with foreign municipalities
- Manage and lead staff of 24 including Managers
- Ensure that all systems and processes as per Auditor General Guidelines and Internal Audit are in place and are adhered to
- Contribute in the preparation of SALGA's Annual Report
- Advise Municipalities on various issues including LED

Name of Employer	City of Cape Town Municipality
Period of Employment	July 2005 - January 2006
Last Position Held	Manager (Legal Services)

- Provide business advice to add value to the city, including guidance and procedures in handling and resolving conflict e.g. dispensed advice in Blackman Ngoro matter (controversial website crisis in CT) – guided the major through it
- 2010 committee for World Cup – actively involved in policies concerning employer in regard thereto
- N2 Gateway Project – formulating and drafting policies and procedures in respect of building the houses and the acquisition of land
- Advised the City on its contractual obligations with the National Ports Authority (Port of Cape Town) on maritime issues
- Legal support to internal clients
- Managed a team of 10 legal advisors who controlled internal clients such as Fire, City, Police, Health, Planning etc.
- Legal risk: implement steps and measures to minimize risk of Municipality being sued e.g. wrongful arrest situations, training to City Police thereby reducing exposure of cases against municipality.
- Control R50M budget
- Legal advice to Political groups such as Mayoral Committee, Counsellors etc.
- Business & Operational Plans: formulate and drive policies in respect of staff budgets, corporate governance, rendition of services, setting targets turnaround times, designating problem-solvers, ensuring service level agreements adhered to and complied with
- Improved bottom line by implementing an "Account System"
- LED and Business Development Management Advise

Name of Employer	Legal Aid Board
Period of Employment	March 2003 - June 2005
Last Position Held	Justice Centre Executive: Durban Justice Centre

- Controlled a R30M budget
- Prepared and implemented Business and Work Plans
- Created a large no. of in-house Legal Aid Officer Positions
- Negotiated and successfully created dedicated Legal Aid Courts
- Assigned an Attorney to each court to deal full time with the general public (this system has since been copied in other regions)
- Stakeholder involvement – instrumental in bringing the concept and rights of poorer communities to legal aid access via outreach projects
- Met with Black Sash 4 times per year who would then refer clients to the Board
- Negotiated with SABC who provided the LA Board with a regular 15 min slot on Radio Zulu promoting and explaining the facility
- Introduced performance management

- Assisted in the preparation of the year end Financial Reports for the entire Legal Aid Board
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Name of Employer Ethekwini Municipality
Period of Employment July 2002 - February 2003
Last Position Held Special Advisor to City Manager on Maritime Affairs

- Assessed tenders
 - Advised and made decisions on labour related issues
 - Meetings of Council – prepared delegations, budgetary recommendations and approval, capex, planning and resolving legal issues
 - Responsible for the negotiation and drafting of the Memorandum of understanding between the City of Durban and the Port of Durban
 - Training of Maritime students and negotiating with Belgian authorities
 - Advised City Manager on all maritime matters
 - Advised City Manager on LED and Business Development Management
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Name of Employer Transnet Limited T/A Portnet
Period of Employment 1996 - 2002
Last Position Held Executive Manager: Legal Services and Contracts

- Property Management – drafted a policy to ensure fair distribution of work
- Set up a panel of preferred service providers (Attorneys)
- Created a base of internal clients and formulated and drafted service level agreements
- Simultaneously re-structured personnel and put in place in-house legal advisors to improve efficiency (cut the legal bill by half)
- Created legal departments in all 7 ports
- Created 1 st Black Maritime Lawyer by synergizing Deneys Reitz with a novice black firm
- Drafted the legislation pertaining to the building of the Port of Coega (1999) and was instrumental in getting the bill passed
- Appointed by Transnet MD to serve on Transnet Tender Board (1997)
- Acting CEO in his absence
- Served on the SAMSA Standing Committee on Maritime Affairs, advising the Minister of Transport on Maritime matters
- Served as a member of the Lighthouse Services Committee. Initiative on co- operation in the provision of aids to navigation along the SA coastline
- Played a major role in the restructuring of transformation of the National Ports Authority as a member of the Portnet Restructuring Task Team
- Represented National Ports Authority in various international bodies and platforms including SADC, IMO and CMI
- Headed Property Management Department
- Controlled a budget of R36M
- Advised CEO on Maritime legal matters
- Handled maritime cases instituted by and against the company
- Part of team which drafted Nqura Act, which created the Nqura (Coega) Port and assisted COEGA DEVELOPMENT COPARATION (“CDC”) to get investors to that IDZ, LED and Business Development Management in conjunction with local Municipalities where Ports are situated