

**PORTFOLIO COMMITTEE :  
MANAGEMENT SERVICES**

**Chairperson :**

**Cllr F Africa**

**Committee Members :**

**Cllrs A Komani, C Resandt,  
Ald T Nqinata & Cllr T Gwele**

# MANAGEMENT SERVICES PORTFOLIO COMMITTEE

6 April 2023

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**AGENDA of the  
Portfolio Committee : Management Services  
6 April 2023  
(Also the agenda for the Mayoral Committee Meeting : 24 April 2023)**

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**1.  
DRAFT ACTING AND ACTING ALLOWANCE POLICY**

**L Bucchianeri  
14 March 2023**

**Senior Manager : Human Resources**

**(028) 313 8120**

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**1. Executive Summary**

The purpose of this report is to recommend the Draft Acting and Acting Allowance Policy for approval by Council.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Directorate : Management Services  
Department : Human Resources

**3. Compliance with Strategic Priorities**

Provision of democratic, accountable, and ethical governance  
Provision and maintenance of municipal services  
Creation and maintenance of a safe and healthy environment

**4. Delegated Authority**

None

**5. Legal Requirements**

- Local Government: Municipals Systems Act, 2000 (Act 32 of 2000) [Systems Act]
- Basic Conditions of Employment Act, 1997 (Act 75 of 1997) [BCEA]
- Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC
- Local Government: Municipal Staff Regulations (Government Gazette No:890 of 20 September 2021)
- Local Government: Guidelines for the implementation of the Municipal Staff Regulations (Government Gazette No.891 of 20 September 2021)

**6. Background/Discussion/Evaluation/Conclusion**

The Draft Acting and Acting Allowance Policy was developed to ensure compliance with Legislation, Collective Agreements and Regulations.

**AGENDA of the  
Portfolio Committee : Management Services  
6 April 2023  
(Also the agenda for the Mayoral Committee Meeting : 24 April 2023)**

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**7. Financial Implications**

None

**8. Staff Implications**

None

**9. Comments from other Departments, Divisions and Administrations**

This item served before the LLF on 14 March 2023 for review.

**10. Annexures**

Annexure A: Draft Acting and Acting Allowance Policy

**RECOMMENDATION TO THE COUNCIL:**

that the draft Acting and Acting Allowance Policy **be approved**.

**RESPONSIBLE OFFICIAL:**

**L BUCCHIANERI**

**TARGET DATE FOR IMPLEMENTATION:**

**12 MAY 2023**

**AGENDA of the  
Portfolio Committee : Management Services  
6 April 2023  
(Also the agenda for the Mayoral Committee Meeting : 24 April 2023)**

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**1.  
DRAFT ACTING AND ACTING ALLOWANCE POLICY**

**L Bucchianeri  
14 March 2023**

**Senior Manager : Human Resources**

**(028) 313 8120**

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**THIS MATTER SERVED BEFORE THE MANAGEMENT SERVICES PORTFOLIO COMMITTEE ON 6 APRIL 2023, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

**RECOMMENDATION TO THE COUNCIL:**

that the draft Acting and Acting Allowance Policy **be approved.**

**RESPONSIBLE OFFICIAL:**

**L BUCCHIANERI**

**TARGET DATE FOR IMPLEMENTATION:**

**12 MAY 2023**



## **OVERSTRAND MUNICIPALITY**

# **ACTING AND ACTING ALLOWANCE POLICY**

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## **ACTING AND ACTING ALLOWANCE POLICY**

### **1. OBJECTIVE**

The objective of this Policy is to ensure that the efficient operation of Overstrand Municipality is maintained during the absence of an incumbent, and to ensure that the disruption of services is minimized.

### **2. LEGISLATIVE FRAMEWORK**

- Collective Agreement on Conditions of Service for the Western Cape Division of the SALGBC
- Local Government: Municipal Systems Act, 2000, (Act 32 of 2000)
- Overstrand Municipality Delegation of Powers and Duties Policy
- Municipal Staff Regulations, GN 890 and Guidelines for Implementation GN 891, 20 September 2021

### **3. DEFINITIONS**

- Council: refers to Overstrand Municipality
- Acting Appointment refers to a temporary appointment necessitated by a temporary absence, resignation of the regular incumbent of that position, or the non- filling of a vacancy.

### **4. SCOPE AND APPLICATION**

- 4.1. This Policy is applicable to:
- 4.1.1 All permanent employees of the Municipality who are appointed in an acting capacity in a post at a higher level than the post they normally occupy.
- 4.2. This Policy deals with acting appointments in all funded permanent posts within the Municipality's Staff Establishment.

### **5. POLICY CONTENT AND PRINCIPLES**

- 5.1. "Acting" refers to where an employee, by prior written approval of the Municipal Manager (MM) or his delegate acts in a higher post as prescribed by legislation.
- 5.2. In selecting a person to act in a post, the following must be considered:

- 5.2.1 The relevant requirements of the post and the employee's employment history and performance
  - 5.2.2 The Municipality's developmental needs
  - 5.2.3 The Municipality's employment equity policy and plan
  - 5.2.4 The performance of a staff member appointed to act in a post must be assessed in terms of prescribed legislation.
- 5.3 Unless indicated otherwise when appointed to an acting post, the staff member so appointed shall continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.
- 5.4 An acting appointment does not guarantee a permanent appointment to that particular position.
- 5.5 A staff member may only act in a post that is equivalent to or one grade higher than the post that the staff member ordinarily occupies.
- 5.6 The appointment to act in a post must be:
- 5.6.1 with the consent of the staff member
  - 5.6.2 in writing
  - 5.6.3 authorized by the municipal manager or the person to whom this function is delegated
- 5.7 The staff member appointed to act in a post must have the requisite competencies to be able to perform the duties associated with the post.
- 5.8 Should an identified employee decline the request to act in a higher position, it shall not constitute any ground for disciplinary action against such employee.

## **6. ACTING AS A MANAGER AND LOWER LEVELS**

- 6.1. A Director may appoint an employee to act as a Manager.
- 6.2. Managers may also recommend employees to act in levels lower than managers with the approval by the Director(s).

## **7. ACTING REQUEST PROCESS**

- 7.1 Identify the need for acting & budget availability.
- 7.2 Memorandum Request for acting from the Line Manager, with proof of competencies and qualifications with regards to the minimum requirements of the post. The memorandum must be approved by the Municipal Manager or his delegate, prior to submission thereof to the Human Resources Department.
- 7.3 Line Manager to complete & sign acting form before commencement date of acting.
- 7.4 Acting employee to sign acting form.
- 7.5 Completed, signed acting form and memorandum to be furnished to the Human Resources Department for processing.
- 7.6 Human Resources to verify the organogram WC nr, T-Grade & Salary.
- 7.7 Acting form to be furnished to the relevant Director for approval.
- 7.8 Approved acting form then furnished to Salaries Department for processing and payment if the staff member meets the requirements for acting allowance.
- 7.9 A person may only be appointed in an acting position not exceeding three (3) months. The Municipal Manager or his/her delegate may extend the period of three (3) months, for a further period of three (3) months if there is a justifiable reason to do so with the provision that any further extensions shall not exceed a period of nine (9) consecutive months, whereafter the post must be advertised and filled.

## **8. LEAVE**

- 8.1 If an employee has acted for a continuous period for more than three (3) months or longer, he/she will qualify for acting allowance while on paid leave.

## **9. PAYMENT**

- 9.1 Payment of acting allowances will be done as prescribed in the Collective Agreement on Conditions of Services for the Western Cape Division of the SALGBC.
- 9.2 An acting allowance shall be paid to an employee acting in the higher post subject to:
  - (a) Written confirmation by the completion of an acting form or memorandum by the Municipal Manager or his Nominee prior to acting.

- (b) The employee will be acting in a post for a continuous period of ten (10) or more consecutive working days which shall include public holidays and compulsory office closure.
- (c) The employee is acting in a post which is vacant or where the incumbent is absent for whatever reason.
- (d) The acting allowance will be a non-pensionable amount. It will be calculated as the difference between the current salary of the employee acting and the minimum notch of the salary scale pertaining to the post in which the employee is acting.

|                      |                        |
|----------------------|------------------------|
| Policy Section:      | <b>Human Resources</b> |
| Current Update:      | N/A                    |
| Previous Review:     | N/A                    |
| Approval by Council: | 26 April 2023          |