

**AGENDA of the
Portfolio Committee : Management Services
07 July 2022
(Also the agenda for the Mayoral Committee Meeting : 25 July 2022)**

**3.
REVIEW STUDY AID POLICY FOR EMPLOYEES**

4/3/B

**L Bucchianeri
15 June 2022**

Human Resources Office

(028) 313 8120

1. Executive Summary

The purpose of this report is to recommend to Council the review of the Study Aid Policy for Employees as approved by Council on 23 May 2019.

2. Service Delivery and Budget Implementation Plan - IGNITE

Directorate : Management Services
Department : Human Resources

3. Compliance with Strategic Priorities

Provision of democratic and accountable governance
Provision and maintenance of municipal services

4. Delegated Authority

None

5. Legal Requirements

- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) [Systems Act];
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) [Structures Act];
- Employment Equity Act, 1998 (Act 55 of 1998) [EEA];
- Basic Conditions of Employment Act, 1997 (Act No 75 of 1997) [BCEA];
- Labour Relations Act, 1995 (Act 66 of 1995) [LRA];
- Municipal Finance Management Act 56 of 2003;
- Municipal Regulations on Minimum Competency Levels – Gazette No. 29967, 15 June 2007;
- Local Government: Regulations on Appointment and Conditions of Employment of Senior Management. (Government Gazette No 37245 of 17 January 2014; and
- Occupational Health and Safety Act No 85 of 1993 and Regulations
- Local Government: Municipal Staff Regulations (Government Gazette No:890 of 20 September 2021)

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- 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 Municipal Staff Regulations issued by Cooperative Governance and Traditional Affairs (COGTA) allowed for municipalities to develop and or review policies in line with its Regulations.

The Study Aid Policy for Employees is one of the policies to be reviewed for it to be aligned with the new Staff Regulations.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

This item served before the LLF on 14 June 2022 for review.

10. Annexures

Annexure A: Reviewed Study Aid Policy for Employees

RECOMMENDATION TO THE COUNCIL:

that the review of the Study Aid Policy for Employees **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

01 AUGUST 2022

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**L Bucchianeri
15 June 2022**

Human Resources Office

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**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
7 JULY 2022, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

that the review of the Study Aid Policy for Employees **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

01 AUGUST 2022



REVIEWED STUDY AID POLICY FOR EMPLOYEES

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

TABLE OF CONTENTS

No	PARAGRAPH	PAGE
1	Scope of Application	3
2	Definitions	3
3	Legal Framework	4
4	Objectives	4
5	Qualifying requirements	4
6	Criteria for allocation of Study Aid	5
7	Application procedure for Study Aid	6
8	Study Aid	6
9	Examination results	8
10	Employee Obligation	8
11	Mentoring/Coaching	9
12	Dispute resolution	10

1. SCOPE OF APPLICATION

- 1.1 The field of study for which a bursary is awarded must be relevant to the career development of the individual and in relation to the vision, mission, and objectives of the municipality.
- 1.2 The bursary shall be awarded per course as it appears on the application form. If the applicant wishes to change, approval in writing will be sought from the Municipality via the recommendation of the relevant Director.
- 1.3 The bursary policy will cover aspects relating to tuition fees from undergraduate up to a Master, hence undergraduates will be given first preferences.

2. DEFINITIONS

"Overstrand Municipal Staff"	A permanent staff member of the Overstrand Municipality
"Financial Assistance"	Study bursary provided by the Overstrand Municipality
"SAQA"	The South African Qualifications Authority
"Workplace Skills Plan"	Workplace Skills Plan (WSP) document skills need in an organisation and describe the range of skills development interventions that an organisation will use to address these needs
"Performance Development Plan"	A plan where employees can identify their personal and business goals that is most significant to the organisation's success.
"IDP"	Integrated Development Plan is a five-year plan compiled to determine the development needs of the Municipality.
"EEP"	Enable the employer "to achieve reasonable progress towards employment equity" to assist in eliminating unfair discrimination in the workplace and to achieve equitable representation of employees from designated groups by means of affirmative action measures
"Educational Institution"	An institution where people can gain an education e.g. University, Colleges, Technical Colleges etc.
"Prescribed Books"	Books that the institution list as essential reading/reference for success in the unit.
"Employee"	A permanent person employed by the Overstrand Municipality who works full-time under a contract of employment.
<u>"Supervisors"</u>	<u>A line manager overseeing and managing other employees whilst reporting to a more senior member of management.</u>

<u>“Mentor”</u>	<ol style="list-style-type: none"> <u>1. a wise and trusted counsellor or teacher</u> <u>2. a person who trains / teaches and guides someone</u> <u>3. a person who gives help and advice over a period of time, especially help and advice related to another person’s job.</u>
<u>“Mismatch”</u>	<ol style="list-style-type: none"> <u>1. may occur between a mentor and mentee</u> <u>2. to put together people or things that are unsuitable for each other</u> <u>3. to match two people or things wrongly or unsuitably</u> <u>4. when two people don’t work well together or correspond with each other</u> <u>5. there may be a mismatch between worker’s skills and the actual jobs that are available.</u>
<u>“Best-fit”</u>	<u>Pairing the correct mentor in terms of skills, experience and competencies with the mentee</u>

3. LEGAL FRAMEWORK

3.1. This policy must comply with all relevant legislative requirements including:

3.1.1 The Local Government Municipal Systems Act, Act 32 of 2000

3.1.2 The Skills Development Act, Act 97 of 1998

3.1.3 The Skills Levy Act, Act 9 of 1999

3.1.4 The Local Government Municipal Finance Management Act, Act 56 of 2003

3.1.4 Employment Equity Act, Act 55 of 1998

3.1.6 The Further Education and Training Act 1998

3.1.7 South African Qualifications Authority Act, Act 58 of 1995

3.1.8 National Qualifications Framework Act, Act 12 of 2019

3.1.9 Local Government: Municipal Staff Regulations, Government Notice No. 890 & 891 as published in Government Gazette 45181

4. OBJECTIVES

This Policy's objective is to enable permanently appointed Overstrand municipal staff members by means of financial assistance in the form of study aid, to undergo part-time study or training with a view to better qualify themselves for possible career advancement within the municipality's staff establishment.

This policy must be read concomitant with the Municipality's

- Performance Management Framework;
- Succession Planning Policy;
- Employment Equity Plan and

- Workplace Skills Plan.

5. QUALIFYING REQUIREMENTS

5.1 In the normal course of events the Municipality shall recognise only qualification standards that are recognised by the South African Qualifications Authority [SAQA] or which are compulsory in terms of legislation and are presented by recognised educational or academic institutions. However, the Municipal Manager may approve qualifications that are not recognised by SAQA but which are in the Municipality's general interest.

5.2 Recognised educational or academic institutions referred to in clause 5.1 shall be governed and or SAQA approved institutions such as:

- a South African University;
- a South African University of Technology;
- other degree/diploma-granting institutions within South Africa;
- a South African College; or
- correspondence College
- a government / SAQA approved institution, and/or
- any other appropriate institution as approved by the Municipal Manager.

5.3 The courses or subjects selected for study shall be confined to the Municipality's working environment as well as the functional and career development activities of a specific employee as per performance agreement/plan.

- a. The selected field of study should form part of the Skills Development section of the employee's Performance Agreement or Performance Development Plan. This should be incorporated as part of the Workplace Skills Plan of the municipality. Consideration for training will only be at the discretion of the Director: Management Services after taking into account each employee's skills development plan contained in the performance agreement.
- b. Should the request for study aid by an employee not comply with clause 5.3 above, such an employee will be required to submit a motivation for a career change, supported by his/her Manager and Director, via the Director: Management Services, to the Municipal Manager and the latter will only favourably consider the application if such career change is in the interest of the Municipality.

6. CRITERIA FOR ALLOCATION OF STUDY AID

All applications must be assessed/prioritised by the relevant manager for approval by the relevant director according to the following criteria:

- Subject to availability of funds, all studies must be undertaken at an approved institution (within South African Borders), unless otherwise decided by the Municipal Manager.

- ***Priority Number One***
- Preference will be given to employees for courses from the lowest Educational level to the highest:

First - Basic education
 Second - Certificate Courses
 Third - Diploma
 Fourth - Degree
 Fifth - Post graduate studies - will only be considered if the qualification to be obtained is required for immediate career advancement.

Mandatory studies as prescribed by legislation will enjoy preference above non-mandatory/ optional studies.

- ***Priority Number Two***
 Employees who are current study aid holders and must still complete their studies.
- ***Priority Number Three***
 As determined in the Workplace Skills Plan, Integrated Development Plan and Employment Equity Plan.
- ***Priority Number Four***
 Employees who want to study towards their first qualification up to and including Grade 12.
- ***Priority Number Five***
 In addition to the provisions of clause 6.8, an student/applicant who has already attained a tertiary qualification, be it a degree, diploma, or certificate, and wishes to further his/her studies in the interests of self-development within the context of local government, will be required to apply for approval supported by a comprehensive motivation in writing, to his/her Manager / Director, and will the final decision as to whether his/her application and motivation were successful or not, be that of the Municipal Manager or his/her delegated authority.

7. APPLICATION PROCEDURE FOR STUDY AID

- 7.1 Study aid applications must be submitted on the prescribed form obtainable from the Department: Human Resources.

- 7.2 Applications must be accompanied by a statement/certificate by the educational institution that the employee complies with the entrance requirements for the course concerned.
- 7.3 The courses or subjects selected shall be confined to those courses directly linked to operational activities of the Municipality, especially as espoused in the Integrated Development Plan.
- 7.4 Study aid applications must be properly motivated and be supported by the head of the department for a recommendation for approval by the municipal manager or his/her delegatee.
- 7.5 Applicable managers must recommend the study aid in terms of the qualifying requirements.
- 7.6 Managers must furthermore take into account the implication of recommended study aid in terms of service delivery.
- 7.7 Study aid applications must be recommended for approval by the relevant Manager, via his/her Director, to the Municipal Manager or his/her delegatee. Approval must be obtained at least two weeks prior to the closing date for submission. No late applications will be accepted after the closing date.
- 7.8 Notwithstanding the provisions of Priority Number 5 of this Policy, but in addition to the provisions of clause 6.6, consistent budgetary constraints as well as challenges with regard to the availability and possible legal implications with regard to the appointment of qualified and sufficiently experienced temporary staff, employees will only be permitted to enrol for 1 (one) degree, or diploma, or certificate at any time, with the further proviso, that subsequent to having successfully attained said degree or diploma or certificate, may only enrol for a second or further degree or diploma or certificate subsequent to a period of 2 (two) years have elapsed since said attainment.

In this sense, "year" means an ordinary academic year notwithstanding the attainment of qualification after a period of 6 (six) months, by way of example

8. STUDY AID

- 8.1 The term "study aid" shall be deemed to be study fees for purposes of registration, class and examination fees, matriculation exemption fees and thesis fees but will not include any penalties imposed by the educational institution or membership of any student body.
- 8.2 The study fees shall be paid by the Municipality in full directly to the educational institution.
- 8.3 The employee must submit documentary proof, by means of a statement, account, or invoice on which the study fees are fully specified and defined.

- 8.4 If an employee has paid the fees directly to the educational institution, he/she may claim reimbursement on submission of documentary proof of the said amount. Reimbursement claims may not be submitted later than six calendar months after passing the examinations of the said subject/course.
- 8.5 Should an employee fail a subject/module, he/she must repay the fees in respect of the subject/module failed within a maximum period of 12 (twelve) months in equal monthly payments to the Municipality. Such an employee will qualify only once more for financial assistance in respect of the specific subject/module. If an employee fails the subject/module for a second time, financial assistance for the specific subject/module will be totally withdrawn and the employee must repay to Council the cost of the subject/module that he/she had failed. The employee may however after the subject/module was obtained at his/her own cost, claim reimbursement for the relevant fees in respect of said subject/module.
- 8.6 An annual amount determined by the Municipal Manager to be paid towards prescribed book fees, prescribed textbooks, and class notes forming part of the curriculum or studies which is all-inclusive in the study/class fees, the Municipality will make no contribution in respect of other prescribed books, equipment, stationery, class notes, travel, and subsistence costs or tools. The provisions of this clause are not applicable to the compulsory training of employees in terms of legislation. Council will only reimburse where the employee has a legal obligation towards the employees, with regard to training
- 8.7 Exemption cost will not be paid by Council where employees who enrolled for a recognised course at a university and who must pay exemption fees for subjects/modules that were passed at another university.
- 8.8 Assistance to study for approved qualifications will be awarded to employees for a total period of not more than five years per qualification (two years per standard in respect of school studies; two years in respect of Honours degrees, Higher/Advance Diplomas; three years in respect of Master's/Doctor's degrees). This period may be decreased or extended at the discretion of the relevant Director, acting on the recommendation of the Municipal Manager or his/her delegatee. The number of years for which assistance will be granted will be determined at the commencement of the course unless the Director: Management Services waives this requirement. However, if an employee has been granted "leave of absence" by his/her academic institution, or if he/she decides to postpone his/her studies, the study aid period may be extended by a corresponding period, at the discretion of the Municipal Manager or his/her delegate. No financial assistance will be provided in the period of postponement or "leave of absence"
- 8.9 If in the first two years of study if an employee does not pass at least two subjects in respect of a course leading to a university degree or diploma, or four subjects in respect of any other diploma/certificate course, assistance in terms of the study aid policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that Council has paid on his

/ her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee.

- (i) If an employee has to suspend enrolment for any particular year of a course, an application for approval of such suspension must be made, together with the reasons for the request, for the discretion of the municipal manager or his/her delegatee.
- (ii) If an employee has suspended enrolment for any particular year of study, without obtaining approval as per paragraph (ii), the employee will have to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee.
- (iii) If an employee has at any stage aborted studies, in order to complete qualification for which assistance has been received, the employee will have to repay the registration, class, and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee. Unless the discontinuing was considered and approved at the discretion of the Municipal Manager or his/her delegatee.

9. EXAMINATION RESULTS

Employees will be obliged to submit their examination results to the Department: Human Resources within one month of receiving the said results failing which it shall be deemed that the subjects/modules were failed and in which case clause 7.5 shall apply.

10. EMPLOYEE OBLIGATIONS

- 10.1 Employees must enter into study aid agreements with the Municipality in terms of which the contractual relationship in terms of this policy is set out.
- 10.2 An employee will be required to remain in the Municipality's service for a period of one year for each year for which study aid was granted. This required period will come into effect annually on the date on which the last examination for that year was written. Where no examination was taken but a Master's thesis was submitted, the employee will be required to remain in the Municipality's service for one year after his/her thesis has been finally accepted.
- 10.3 Should an employee leave the Municipality's service within the timeframes mentioned in clauses 7.5 or 9.2 for whatever reason, the employee must pro-rata repay the amount of study aid to the Municipality in full. If an employee leaves Council service for any reason whatsoever after assistance has been given and before the period within which he/she is required to remain in Council

service as expired (including dismissal, but excluding death or legal inability to carry out duties), he/she will be liable for the immediate total repayment of the registration, class and examination fees that Council has paid on his/her behalf in terms of the study aid policy.

- 10.4 Should it be necessary to institute legal action to recover money in terms of clause 9.3, the employee will be liable for all legal costs on a scale of attorney **and client including interest at the current prime rate from the date on which** such monies are due to the Municipality.

11. **MENTORING/COACHING**

The role and responsibilities of supervisors: -

- (a) **Monitor skills needs and constraints that have, or may have, a major impact on the achievement of their objectives and report on these during the institutional skills needs analysis process.**
- (b) **Provide coaching to and support for the development of their staff members.**
- (c) **Position mentoring/coaching as a key activity within the Municipality's overall approach to staff learning and development.**
- (d) **Establish what skills and experiences are needed to develop an individual's career.**
- (e) **Provide the opportunities to learn from someone with a greater understanding of the organisation.**
- (f) **Enable both managers and employees to understand the different roles within the mentoring/coaching relationship and how each should be undertaken.**
- (g) **Provide opportunities for the development of all staff through the mentoring/coaching relationship.**
- (h) **The decision as to who will be eligible for the mentoring/coaching programme will rest with the respective Director/s.**
- (i) **The Respective Director.**
will decide on the mentor/coach who will undertake his/her responsibilities subject to the availability of times and other resources. The match will be based on the perceived "best fit" of both parties, in terms of overall attitude, approach, experience, etc. In the event of a "mismatch" occurring between the mentor and mentee, a substitute will be found.

The mentor or coach will have responsibilities to: -

- (a) **Establish and agree to mentor/coach the mentee in terms of regular meetings, feedback, timescales, action plans, and resources required.**
- (b) **Encourage regular meetings with the mentee and oversee their progress against the agreed timetable.**
- (c) **Liaise with the Director over the mentee's personal development plan and find ways of helping to take this forward.**
- (d) **Help to evaluate the overall mentoring process and its outcomes**
- (e) **Take responsibility for the mentor/mentee relationship and its success with the programme.**

12. DISPUTE RESOLUTION

12.1 Any dispute referral can be dealt with in terms of the Bargaining Council Grievance Procedure.

Policy section	Human Resources
Current update	27 July 2022
Previous Review	25 November 2015
Previous review	25 June 2014
Approval by Council	29 May 2019