

**AGENDA of the
Portfolio Committee: Management Services
05 May 2022
(Also the agenda for the Mayoral Committee Meeting : 30 May 2022)**

**2.
REVIEW OF RECRUITMENT AND SELECTION POLICY**

4/3/B

**L Bucchianeri
19 April 2022**

Senior Manager : Human Resources

(028) 313 8120

1. Executive Summary

The purpose of this report is to recommend to Council the review of the Recruitment and Selection Policy as approved by Council on 23 September 2009.

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 Recruitment and Selection Policy 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 12 April 2022 for review.

10. Annexures

Annexure A: Reviewed Recruitment and Selection Policy

RECOMMENDATION TO THE COUNCIL:

that the review of the Recruitment and Selection Policy **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

JUNE 2022

**AGENDA of the
Portfolio Committee : Management Services
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**2.
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L Bucchianeri Senior Manager : Human Resources

19 April 2022

(028) 313 8120

**THIS ITEM SERVED BEFORE THE PORTFOLIO COMMITTEE ON 5 MAY 2022,
WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

that the review of the Recruitment and Selection Policy **be approved**.

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

JUNE 2022

OVERSTRAND MUNICIPALITY RECRUITMENT AND SELECTION POLICY

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PREAMBLE

The Overstrand Municipality's (OM) staffing policy and its implementation is aimed, fundamentally, at matching the human resources to the strategic and operational needs of the Municipality and ensuring the full utilisation and continued development of its employees.

All aspects of the staffing, structuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions. **[This policy must however be read in conjunction with the Municipality's Policy on Employment Equity and Employment Equity Plan.]**

1. DEFINITIONS

- 2.1 "induction" initiation: a formal entry into the organisation or position or office;
- 2.2 "nepotism" [~~means favoritism on the basis of family relationship or friendship~~]; • **Is the action of appointing and promoting family and relatives. It means that family members are favoured over others, even though they may not be as qualified or skilled.**
- 2.3 "candidate" means an applicant for a vacant post;
- 2.4 "recruitment" means the activities undertaken by human resources management in order to attract sufficient and competent job candidates who have the necessary potential, skills, experience and qualifications to fill job requirements in order to assist the Municipality in achieving its objectives;
- 2.5 "reference check" means the gathering of information about a candidate's history, whether of employment or otherwise from people with whom such a candidate has been associated with; and

- 2.6 **“selection”** means the process of making decisions subsequent to having compared candidates with each other taking into account individual differences and the requirements of the job.
- 2.7 **“credit check”** means a financially based investigation as to how a person has managed his or her credit in the past including his / her total debt load, number of credit lines and timeliness of periodic payment.
- 2.8 **“security clearance”** is when official permission is granted to an employee to have access to classified information or restricted areas subsequent to a comprehensive background check of the employee having been conducted.
- 2.9 **“life partner”** means to be involved in a romantic or otherwise close relationship with another person and may the partners be of the same or opposite sex, married or unmarried.
- 2.10 **“medical examination”** means any test, question, inquiry or other effort of the Municipality to determine whether an employee, job seeker or candidate is suffering from any medical condition. (if required as per inherent requirements of the post). (According to Occupational Health and Safety Act, 85 of 1993.
- 2.11 **“observer status”** and observer may not take part and have no rights in the process
- 2.12 **“competency”** for the purposes of this policy refers to knowledge, skills, attitude, or behaviour pertinent to the advertise position.
- 2.13 **“a comprehensive background check”** means to provides complete and accurate information about an applicant and a potential employee.
- 2.14 **“reporting line”** means a structure or relationship in which an employee reports to or is accountable to a particular manager.
- 2.15 **“close relative”** for the purpose of this policy it is defined as spouse, life partner, parent, mother-in-law, father-in-law, step-parent, child, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister,

step-sister, sister-in-law, grandchild, aunt, uncle, nephew, niece and first cousin.

All terminology not defined under paragraph 2 of this policy shall bear the same meaning as in the applicable legislation.

2. LEGAL FRAMEWORK

- 3.1 Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) [Systems Act];
- 3.2 Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) [Structures Act];
- 3.3 Employment Equity Act, 1998 (Act 55 of 1998) [EEA];
- 3.4 Basic Conditions of Employment Act, 1997 (Act No 75 of 1997) [BCEA];
- 3.5 Labour Relations Act, 1995 (Act 66 of 1995) [LRA];
- 3.6 Municipal Finance Management Act 56 of 2003;
- 3.7 Municipal Regulations on Minimum Competency Levels – Gazette No. 29967, 15 June 2007;
- 3.8 Local Government: Regulations on Appointment and Conditions of Employment of Senior Management. (Government Gazette No 37245 of 17 January 2014; and
- 3.9 Occupational Health and Safety Act No 85 of 1993 and Regulations
- 3.10 Local Government: Municipal Staff Regulations (Government Gazette No:890 of 20 September 2021)
- 3.11 Local Government: Guidelines for the implementation of the Municipal Staff Regulations (Government Gazette No.891 of 20 September 2021)

3. SCOPE AND APPLICATION

To ensure a fair and equitable employment process, this policy shall apply to all permanent and **temporary relief** appointments made within the Municipality.

This policy does not apply to:

- appointments arising out of a procurement process;
- acting appointments;
- ~~[temporary relief staff;]~~
- [“Grey Power” mentors;]
- “specialised” contract workers as determined by the Municipal Manager;
- replacement labour in the event of a strike;
- private contract workers (other than section 56 of the Municipal Systems Act employees) and,
- seasonal workers.

[except for paragraphs 1, 2, 3, 5 and the preamble to paragraph 6 and paragraphs 6.2.6, 6.3.1.1, 6.4.3 and 6.4.4 which paragraphs are to be applied to the extent that it can be applied.]

4. OBJECTIVES OF POLICY

The Municipality recognises that its employment policies, practices, and procedures must comply with the principle of the rule of law. The principle of the rule of law includes the principle of legality, which requires the Municipality, its political structures, and political office-bearers as well as its employees, to comply at all times and without exception with the relevant legal provisions governing the situation concerned.

This policy is further based on the principles set out below:

- Fairness
- Equity
- Confidentiality
- Professionalism
- Human dignity
- Transparency

5. POLICY CONTENT

The responsibility for the appointment of a Municipal Manager vests with the Municipal Council in terms of section 82 of the Municipal Structures Act.

The responsibility for the appointment of Directors (so-called section 56 appointees) vests with the Municipal Council, or its delegatee, after consultation with the Municipal Manager or his delegatee, in terms of section 56 of the Systems Act.

The responsibility for the appointment of all other personnel vests with the Municipal Manager or his/her delegatee in terms of section 55(1)(e) of the Systems Act.

6.1. General Principles Governing Selection:

Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.

The central guiding principle for selection shall be competency in relation to the inherent requirements of the job taking into account the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

Unless formal or statutory qualifications and or (MMC – Minimum Municipal Competency requirements in terms of the Local Government Municipal Finance Management Act, 2003) Act No. 56 of 2003, are clearly justified as essential for the job, relevant experience/performance, training (internal/external) as reflected and measured through competencies, and potential for the prospective vacancy shall be an important criterion.

Canvassing, i.e attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Municipality's service is prohibited and proof evidence thereof will disqualify the applicant's application for consideration for appointment.

6.2 Nepotism

It is the policy of the Municipality to seek competent applicants for positions and to further the careers of those employed regardless of whether they have close relatives with the exception of relatives in the same reporting line. The basic criteria for appointment and retention are appropriate qualifications, experience and performance as set out in the policies of the Municipality.

Family relationships within the municipality shall constitute neither an advantage nor a prohibition deterrent to appointment and retention at the Municipality provided the individual meets and fulfils the appropriate appointment standards.

Employment of "close relatives" is therefore limited only where necessary to provide reasonable assurance that every employee will be able to carry out the responsibilities of his/her particular position as objectively as possible. Subject to adherence to the following provisions, there shall be no discrimination against the employment or continued employment of any person because of his/her relationship with or to another member of the Municipal staff:

- "Close relatives" may not be employed in positions where such employment will result in the existence of a supervisor/subordinate relationship;

- "Close relatives" may not be employed in positions where one will have responsibility for reviewing and approving financial/budget/purchase transactions or in recommendations and/or decision making in any matter concerning appointment, promotion, salary, retention or termination of employment of a "close relative"; and
- No staff member may be appointed as the supervisor of any "close relative".

When a situation arises that deviates from the above provisions, a detailed motivation shall be submitted to the Municipal Manager via the Director: Management Services for consideration of the individual case.

6.3 Post Establishment

The Department: Human Resources will maintain a record of all approved posts and shall monitor all appointments against posts according to the approved staff establishment.

The post structure must be aligned with the municipality's Integrated Development Plan and approved system of job evaluation as defined by the South African Local Government Bargaining Council from time to time.

All requests for new positions on the staff establishment or the restructuring of posts on the current staff establishment must be submitted via the Director: Management Services to the Municipal Manager for his consideration and approval in terms of section 55 of the Systems Act.

Such requests are to be duly motivated by the relevant / applicable Director requesting new posts and/or the restructuring of posts taking into account the strategic and operational needs of the municipality.

7. SELECTION

7.1 Selection Process

The purpose of selection is to identify the most suitable candidates from all the persons who applied and to eliminate unsuitable candidates in the fairest way possible.

The selection process for the position of Municipal Manager shall be determined by the Executive Mayor.

The selection process for the position of Directors shall be determined by the Municipal Manager in consultation with the Executive Mayor.

The selection process for the position of Managers shall be conducted by a Selection Panel consisting of:

- the relevant Director;
- representatives of the Department: Human Resources; and
- Labour Unions – 1 representative per trade union as observers only.

The Selection process for all other staff than those mentioned above shall be conducted by a Selection Panel consisting of:

- the Manager of the relevant Department;
- representatives of the Department: Human Resources; and
- Labour Unions – 1 representative per trade union as observers only.

7.2 Recruitment and Selection Administrative Guidelines

A) Creation/Abolishment of Posts:

Posts may only be abolished or created if a Director submits a motivational report/letter to the Director: Management Services/Municipal Manager/ Executive Mayor for approval. The motivational report/letter must include the following:

- Reasons why a new post must be created or abolished;
- The financial implications of the post (cost to company and any other costs, for example protective clothing, office furniture, car allowance, telephone allowance etc);
- The change on the organogram and the “before” and “after” organogram must be attached;
In the case of a new post, an audited job description must be attached.
- Subsequent to the approval of the creation/abolishment of posts by the Director Management Services, MM and Executive Mayor the report must be submitted to the Labour Relations Office which will draft a Local Labour Forum item. (LLF)
- After the item having served before the Local Labour Forum item. (LLF) the item will be distributed to various HR and Salary officials to update the organogram.
- The Job Description;

B) Advertising of Posts:

In order to advertise a post the necessary procedures must be followed by utilising the Electronic System and will the Managers be responsible to motivate the filling of a post subsequent to a post having become vacant.

To advertise a post the following information must be submitted on the Electronic System:

- The reason why the post must be advertised;

- Post level of the post and WC number;
- Duties and responsibilities pertaining to the post;
- Any recommendation, for example the person must submit a medical certificate etc;
- The signed motivational letter or report from Manager/Director/Municipal Manager.
- An organogram;
- Whether or not the post must be advertised internally or externally. If externally the publications in which an advertisement must be placed must also be indicated.

The Human Resources Practitioners are responsible for the placement of advertisements.

C) Selection Panel: Shortlisting & Interviews

- The selection panel must comprise of 3 but not more than 5 members.
- The chairperson of the panel must be the manager/ director of the relevant advertised post.

D) Shortlisting of Posts:

The following information must be included in the master file ("shortlisting") for all applicants who qualify in terms of the minimum qualifications as mentioned in the advertisement (See annexure A):

- The applicant's surname followed by his/her initials and contact telephone number;
- The applicant's gender;
- The minimum requirements of the post;
- The applicant's race and gender and age;
- The applicant's place of residence;

- The applicants qualifications;
- The applicant's employment history and experience relevant to the job,
- If applicable, the nature of the applicant's disability.

The following information must be included in the master file ("shortlisting") for all applicants who do not qualify in terms of the minimum qualifications as mentioned in the advertisement:

- The applicant's surname followed by his/her initials and contact telephone number;
- The applicant's gender;
- Reasons for not qualifying

The selection panel must select from the master list, all applicants that meet the minimum requirements of the post, with due regard for the numerical goals set in the Municipality's employment equity plan. **[not more than a maximum of 10 applicants who in terms of the minimum requirements would be the most suitable candidates to be subjected to the selection process.]**

Short listing must be done in accordance with the following order of preference:

- Internal applicants
- Local applicants
- Provincial applicants
- National applicants

The Department: Human Resources may during the compilation of the short list, take all reasonable steps and actions to establish the validity and accuracy of any

certificates, diplomas and other information supplied by an applicant. If any candidate submitted or claimed that he/she had some or other certificate or diploma, qualification, experience, or disability that is subsequently disproved, such candidate must be disqualified forthwith.

In terms of Delegation 5.1.1.34.4A of the Delegation of Powers and Duties Policy, approval of shortlisted candidates must be done by the Senior Manager HR after consultation with relevant Manager. During the process of shortlisting strong emphasis is placed on the information supplied in a candidate's curriculum vitae, covering letter and in the application form as measured against the advertised requirements.

Applications of persons who do not meet the minimum requirements shall not be considered any further, however, such applications must also be listed on the masterlist, and the reason(s) recorded as to why the candidate in question was not considered.

No candidate, including serving employees, may be shortlisted or invited to an interview through goodwill.

Managers/Directors must provide written reasons on the shortlisting schedule for not including applicants to be shortlisted. This shortlisting schedule must be signed by the relevant Manager/Director and Human Resources Practitioner and must be submitted as part of the recruitment and selection process

D) Shortlisting Meetings:

Roleplayers must be informed timeously of the date, venue and time of the meeting. In the notice of the meeting the post designation, post level and WC number of the vacant post must be specified. The Senior Manager: Human Resources must also be notified.

The Department: Human Resources must notify every candidate via telephonic / electronic invitation whose name has been short listed of the venue, date and time and nature of the selection proceedings he/she must attend using the most reliable communications methods available. The shortlist/interview panel must also be informed via electronic invitation.

The Confidentiality and Impartiality form must also be signed at the short listing meeting (Annexure C).

7.3 Cooling-off period for re-appointments

Former staff members of the Municipality who resigned from the employ of the Municipality for whatever reason may only be short-listed if they meet the minimum requirements of the post; and,

- After a cooling-off period of ~~one (1) year~~ 24 months, from date on which such employee resigned from the Municipality; and
- upon approval by the Municipal Manager or his delegatee and only after the reasons for leaving, as *inter alia* recorded in the exit interview, have been considered by same.

An employee is innocent until proven guilty, Hence, notwithstanding one's moral values, in the case where an employee might resign under a ~~cloud~~ suspicious, a barrier to employment should not be place against a job applicant or former employee.

The prescripts regulating misconduct and dismissal for financial misconduct provides the legal basis for an exclusion from employment. However, for non-financial misconduct dismissals, and notwithstanding one's moral values, no barrier to employment should ~~not~~ be place against such job applicant or former employee.

Except for appointments that must be made by the Council, the interview process of all other staff shall be conducted by an Interview Panel consisting of:

- the relevant Director and/or the Manager of the Department in the capacity as Chairperson.
- not more than one, if any, other senior employee from the relevant department;
- Representative/s of the Department: Human Resources; and
- 1 Representative from each Trade Union as observers only.

Officials and representatives of labour unions attending interviews shall, at the onset of the interview, complete the declaration form attached as **Annexure C** to this policy.

The Municipal Manager or his/her designated representative may attend and participate in any interview for the appointing of an employee.

Interview questions must be provided with model answers and be provided to HR Practitioner/s two days prior the interview to familiarise themselves with the contents thereof and to make the necessary copies.

After having assessed the applicants, the Interview Panel shall submit its motivated [proposal] recommendation to the Municipal Manager or his/her delegatee for his/her consideration and an appointment decision in terms of section 55(1)(e) of the Systems Act.

Completed score sheets and applications must be kept in safe storage. **[for a period of at least six months after an appointment decision has been made.]**

7.4 Hearsay Evidence

During the selection process (shortlist or interview) no hearsay evidence may be presented. Should a member of the selection panel be party to information or have knowledge supplementary, to or in contradiction of that contained in a candidate's application documents, such information must be verified and declared beforehand by the informant in writing during the selection process. Any member who is party to information of this nature and who is of the opinion that it may impede his/her ability to make objective decisions must reclude her/himself from the process.

Interviews:

In the notice for interviews the following regarding the vacant post and applications must be mentioned:

- Post designation, post level and WC number;
- Date, time and venue of interviews,

7.4.1 Conducting proficiency tests

One or more relevant proficiency tests (e.g. typing tests, operating a grader etc.) may be required to be conducted before an interview is commenced with or after an interview has been conducted. A proficiency test may only be required if the outcome thereof is relevant to the expected job standards that would be expected of the employee and if it relates to the job description. Compiling practical test/s will be the responsibility of the Line Manager (e.g. plumber, operating a grader etc) and must be attended by a Human Resources official/Practitioner and a member or members of a Trade Union or Trade Unions.

The proficiency test must be conducted by a duly authorised person. The Line Manager/Senior Manager must appoint an authorised internal person, who can be a Senior in the specific department or in the case of testing e.g. a driver, the Traffic Dept. to do the test in the presence of the Line/Senior Manager, a HR

Practitioner and the Trade Unions. The scoring of the test must form part of the interview scoring.

Should there be too many candidates who qualify according to the minimum requirements, the Line/Senior Manager may have a written / typing test done on which a minimum percentage is placed. Only the candidates who then achieve this percentage can go through to the interviews. This scoring must also form part of the interview scoring.

7.4.2 Reference checking

Reference checks and qualifications verification must only be carried out for applicants recommended by an interviewing panel. Reference checks must be conducted by the HR Practitioners.

The burden of proof of qualifications lies with the applicant:

During the process of conducting the reference check, the [municipal official] HR Practitioner conducting same must obtain, although not limited to, the following information:

- confirmation of the applicant's employment history, including date of commencement of service with the previous employer and any past or pending disciplinary actions regarding the applicant;
- the applicant's position; [and remuneration details;] and,
- the job requirements and key performance areas of the applicant's current position, if employed;

7.5 Head Hunting

Head hunting must at all times be conducted and it may only be employed with the explicit approval of the Municipal Manager and then only after the selection panel, in consultation with relevant Director, if applicable, is of the opinion that assessed candidates are not suitable and / or do not meet the requirements of the position advertised. The process of head hunting may only be reverted to subsequent to a particular post having been advertised twice without suitable candidates having applied.

Normally targeted persons will be provided with the copy of the recruitment advertisement which will allow them to apply of their own accord. Candidate/s must comply with requirements of the advertisement/s.

7.6 Recruitment – Refer to Annexure A

7.6.1 Determining recruitment needs

Prior to filling a post, the necessity for filling same shall be assessed and motivated electronically or otherwise by the relevant Director to the Municipal Manager or his delegatee.

7.6.2 Validation of inherent requirements

The inherent requirements of a job must reflect the needs of the Municipality and must be appropriate to achieve the service delivery interests of the Municipality.

Prior to the recruitment process commencing, the outputs, skills, knowledge and competencies and stated educational requirements as contained in the competency/ job profile or job description are to be scrutinised by the [applicable] relevant Senior Manager/Manager of the Department as to relevance and applicability of the content.

7.6.2.1 Advertising of posts

In order to advertise a post the necessary procedures must be followed by utilising the electronic system. The Manager is responsible to motivate for the filling of posts. To advertise a post the following information must be submitted:

- A signed motivation letter from the [applicable] relevant Manager/Director
- The reason why the post must be advertised;
- Post level, salary and WC number of the post;
- Duties and responsibilities pertaining to the post;
- Minimum qualifications required for the post;
- [Any recommendation, for example the person must submit a medical certificate, etc;]
- The job description;
- An organogram
- Whether or not the post must be advertised internally or externally. If externally the publications in which an advertisement must be placed must also be indicated.

7.6.3 Recruitment Advertisement

The validated inherent job requirements, job description and key performance areas shall form the basis for the advertisement and all advertisements shall clearly state:

- The name and location of the Municipality.
- A statement that the Municipality subscribes to the principles employment equity.
- The designation of the position that is advertised.
- The minimum requirements in terms of qualification, skills, expertise, and other requirements for appointment.
- A summary of the key performance areas/primary duties of the position.
- A statement that the appointment will be permanent or for a fixed term, and in the event of the latter the term thereof;

- In the case of the Municipal Manager and a Director, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- The name and contact details of the person to whom enquiries may be directed.
- A statement that canvassing will disqualify any candidate from being considered for appointment.
- An indication of the remuneration offered.
- The format and content of applications.
- The address where, and person to whom, applications [may] must be delivered.
- The closing date for the submission of applications.
- A statement that applications received after the closing date will not be accepted or considered.
- A statement that if an applicant does not hear from the municipality within 10 weeks his/her application was unsuccessful.
- Originally certified proof of qualifications and driver's license (where applicable). ~~[is a requirement for selection.]~~
- That applicants who apply for a position consent to the verification by the municipality of qualifications including a criminal and credit record check.
- Criminal checks will be done on applicants where the inherent requirements of the job require it.

Vacancies must be advertised internally and may at the same time be advertised externally, provided that external advertisements must [at least] be published in a newspaper of record as provided for in section 21 (1) of the Systems Act.

External advertisements will be advertised for 2 weeks whereas internal advertisements will be advertised for a minimum of 4 2 week.

7.6.4 Unsolicited applications

Unsolicited applications received during the course of the Municipality's operations must be returned forthwith to the applicant stating that the Municipality does not have any vacancies [~~at the time when the application was submitted~~] and that should any vacancy arise, the Municipality will advertise such vacancy.

No employee of the municipality may promise or undertake to accept an unsolicited application for an appointment and to submit it when a vacancy is advertised.

7.6.5 Application forms

All applications must be submitted by means of a comprehensive **electronic application form**. The Municipal Manager or his delegatee may exclude any category of applicants from this requirement and such applicants must complete an official application form. All required certified documentation as requested per advertisement must be attached to the Curriculum Vitae. Candidates who do not submit all the supporting documentation as requested in the advertisement will not be considered.

8. APPOINTMENT

8.1 Appointment of Municipal Manager and Directors

The appointment of an applicant may take place only in accordance with the requirements of the post concerned and the merits of the applicant.

The Municipal Manager [~~and Directors~~] are appointed on fixed term contracts.

- Such appointments must take place in terms of section 82 of the Structures Act, sections 56 [~~and 57~~] of the Systems Act and the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006 (Regulation R805 dated 1 August 2006) or any amendments of same from time to time. Local Government: Regulations on Appointment and Conditions of Employment of Senior Management. (Government Gazette No 37245 of 17 January 2014).

8.1.1 Appointment to a permanent position

The Director: Management Services must present every newly appointed employee with a letter of appointment as provided for in section 29 of the BCEA not later than the day on which he/she commences with his/her employment.

Whenever any of the details contained in such a letter change the Director: Management Services must inform the employee in writing of such changes.

In the event of an employee being unable to read, the relevant Manager or his/her delegatee must explain the content of such letter and any amendment thereof to every such employee in a language that he/she understands.

8.1.2 Probation

A newly appointed employee who is appointed for the first time in a position on the staff establishment of the Municipality must serve a period of probation of 6 (six) months before the appointment of the employee is confirmed.

The Director and/or Senior Manager/ Manager concerned must evaluate the progress and performance of an employee appointed on probation on a two monthly basis (**complete attached Probation Review Form**) according to such factors, objectives and criteria as may be prescribed in terms of the

Municipality's employee performance appraisal system read with the provisions of Item 8 of Schedule 8 to the Labour Relations Act. **Probation evaluation must be based on the job requirements and the minimum period required to establish whether performance is satisfactory or not.** An employee must be given reasonable evaluation, instruction, training, guidance, or counselling to allow the employee to render a satisfactory service.

If it is determined that the employee's performance is below standard, the relevant Director and/ or Manager should advise the employee of any aspects in which [the]-he/she considers the employee to be failing to meet the required performance standards. If the relevant Director and/or Manager believe that the employee is incompetent, the Director and/or Manager must advise the employee of the respects in which the employee is not competent. The relevant Director and/or Manager may either extend the probationary period for a further maximum period of 6 (six) months **up to a maximum of 12 months**, or recommend the dismissal of the employee to the Municipal Manager or his/her delegate only after complying with the following, as the case may be:

- the period of probation may only be extended for a reason that relates to the purpose of probation; and
- the relevant Director and/or Manager may only decide to extend the probationary period or to recommend the dismissal of an employee after he/she has invited the employee to make representations and has considered any representations made. A trade union representative or fellow employee may make the representations on behalf of the employee.

If the Municipal Manager and/or his delegatee decide to dismiss the employee or the relevant Director and/or Manager decide to extend the probationary period, the employee must be advised of his/her right to dispute such decision in terms of paragraph 10 of the Recruitment & Selection Policy.

8.1.2.1 Monitoring of Probation

Human Resources Department will be responsible for the updating and upkeeping of the Probation progress.

8.1.3 Induction

On the first day [1] of induction, benefits and leave are [being] explained to the employees by Human Resources Officials. [and] On the second day an overview of the performance management system, disciplinary procedures, salaries etc are [being]-explained to the employees.

The relevant Manager is responsible for the induction of each employee in his/her department to familiarise the employee with the department in which he/she has been appointed.

8.2 Pool worker appointments/process (T3)

Appointments made from the "pool list" will not require the utilisation of the [collaborator] electronic advertising process.

Appointments form the "pool list" are in effect a paper exercise which requires the following documentation to be submitted:

- Application form
- Approved poolworker list
- Manager, Director and MM (Delegatee) recommendation
- HR Practitioner's recommendation

8.3 Application Pool for temporary workers (T6-T9)

As the Human Resources Department normally receives many applications for advertised posts especially for example in administrative and financial posts on T6-T9 levels, the Curriculum Vitae (CV's) of unsuccessful applicants for the specific advertised post shall be kept for a minimum of six months and shall be made available to a Manager on request when a similar vacancy on the establishment must be filled. This practice is put in place to assist in filling

temporary vacancies in case where a staff member is on leave, resigns with immediate effect, or dismissed etc.

Such posts must not be occupied by a temporary employee for more than 3 months.

8.3 Appointment of Contract/Replacement employees

The Municipal Manager may, after consultation with the relevant Directors and the Director: Finance, employ replacement labour during a strike in terms of, and consistent with, section 76 of the LRA.

Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the BCEA. The letter of appointment must clearly stipulate that:

- the appointment is only for the duration of the strike and that the services of the employee will terminate immediately when the regular employees of the Municipality return to work subsequent to the strike;
- termination of any replacement labour [~~employment~~] shall not constitute a dismissal of the person concerned and [~~that~~] he/she shall not be entitled to any additional remuneration or compensation subsequent to the completion of such period;
- the person's employment with the Municipality will come to an automatic end on expiry of the term and such termination shall not be construed as a termination based on the Municipality's operational requirements, nor as an unfair dismissal; and,
- accordingly, reference in this paragraph to additional remuneration or compensation to which the person shall not be entitled, includes but is not limited to, severance pay, notice pay, retirement and medical aid fund benefits to which an employee may otherwise be entitled to in the event of a termination based on an employer's operational requirements.

8.4 Appointment of EPWP employees

Appointments are made in terms of Government Notice no. 35310, of 04 May 2012, Ministerial Determination: 4 Expanded Public Works. Recruitment and Selection are done by Local Economic Development Department (LED).

8.5 Appointment of Interns

[Finance Interns:]

The appointment of Finance Interns is effected in terms of the Municipal Finance Management Internship Programme (MFMIP) – which attempts to build the municipalities capacity to deliver on its financial management responsibilities and therefore its constitutional obligations. This programme was introduced in 2004 and forms a component of the Division of Revenue Act (DORA) Financial Management Grant (FMG) Framework conditions.

The MFMIP is designed to provide interns (who are graduates in the field of Accounting Economics and Finance) with a logical training sequence founded on the knowledge competencies they acquired as graduates. It is envisaged that through workplace rotation, there will be interaction and mentoring by [CFO's] Chief Financial Officer. [MM's] Municipal Manager, international advisors and other experienced.

The goal of the programme is for each municipality to appoint a minimum of 2 interns (graduates from the above fields of study) over a period of no less than 24 months. Municipalities are encouraged to offer more graduates this opportunity and not be limited only to 2 interns if they have the resources and means to broaden the programme.

Once these interns have completed their workplace skills programme, the municipality should continue with the programme by offering others similar opportunities. Those interns that have completed the programme must be given an opportunity to gain full employment at the municipality or if no positions are available then approaches should be made to the neighbouring municipality to utilise such skills.

8.6 Appointment of employees as contract workers, “specialised” contract workers, “[Grey Power” Mentors], seasonal workers or temporary relief staff

Temporary employment recruitment and Selection Process:

In terms of the Delegations of Powers and Duties Policy state that, Managers in consultation with Directors in line with [section 198B of the Labour Relations Act] are responsible for the filling of all vacancies and the appointment of temporary staff (no longer than 3 months) in funded vacant posts on the staff establishment. Appointments to be made within 3 months after closure of advertisements

For the recruitment process to start, the recruitment process for the vacant post should already or in the process before.

Persons appointed to the above temporary positions –

- A comprehensive Curriculum Vitae (CV) must accompany the application;
- must meet the minimum requirements of the funded vacant post;
- the request for temporary appointments must be signed off by the Senior Manager Human Resources [Manager] in order to check and verify whether the temporary staff member meet the minimum requirements of the funded vacant post, if not the person can not be appointed in the vacant post;
- are appointed at the salary scale of the funded vacant post;
- may not receive any housing and/or travelling [benefits] perk allowance;
- may not become members of a retirement fund, medical aid scheme or group life scheme to which the Municipality must contribute; and
- are entitled to leave and sick leave and any other applicable leave if eligible in accordance with the provisions of the Basic Conditions of Employment Act BCEA, as amended from time to time.

- Managers are responsible for recordkeeping of the hours that the temporary workers worked and submission of record to salaries.
- Will be subjective to all applicable Municipal Policies, Regulatory & Legislative Frameworks in terms of conduct whilst employed by Overstrand Municipality.

8.7 Reimbursement of interview related costs

No reimbursement for costs and expenses will be paid to applicants invited for interviews.

The use of a municipal vehicle to attend an interview at another administration is not permissible.

The external candidate does not receive any remuneration for attending interviews, therefore the same principle needs to apply to the internal candidates.

It should be noted that there is no need to apply for leave to attend any interview. Everyone needs to be treated equally. For example, an internal candidate working in the same administration / department does not apply for leave to attend a 30-minute interview.

8.8 Relocation of Newly Appointed Employees

The Municipality shall pay an employee's costs of relocation from a particular place (including transit insurance but excluding any packing and packaging cost) to an address within the area of jurisdiction of the Municipality, as indicated on the cheapest of the quotations, regardless of the quotation accepted by the employee.

For this purpose, the employee must obtain three written quotations for the relocation of that employee's household and appoint a removal company to do this. The written quotations obtained by the employee must be attached to his/her claim for reimbursement.

If and when an employee relocates from abroad, such employee's costs of relocation shall only be determined from the port nearest to the Municipality, [tø] namely Cape Town.

Should the Employee resign from the service of the Municipality before the expiration of 24 (twenty-four) months since commencement of duties, the relocation costs calculated on a pro rata basis from the date of his/her appointment up to and including his/her date of resignation will immediately be payable to the Municipality. In this regard the employee must, prior to the relocation costs being paid, authorise the Municipality to deduct the outstanding amount from any monies that may be due to [tø] him/her by the Municipality and which is to be paid to him/her on the date of the termination of his/her service with the Municipality.

9. **TERMINATION/ RESIGNATION/ EXIT INTERVIEW**

Termination documentation must be submitted timeously to the Human Resources Department for timeous submission and finalisation for final payment.

After [receival] receipt of notification of termination/dismissal from the employee/manager/director, the Human Resources department will conduct and finalise the termination process.

10. **RECORD KEEPING**

Adequate records of the entire selection process need to be maintained, including selection and short listing criteria: reasons for inclusion/exclusion of candidates; structured interview guide (interview questions, answers, scoring sheets, HR recommendations etc); copies of all other assessments utilised; comprehensive notes on assessment of each candidate; assessment ratings and results of reference checks that were conducted. As in the recruitment process, these records need to be maintained for the prescribed period.

11. DISPUTE RESOLUTION

Internal dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy. For all external candidates, the recognised labour relations mechanisms shall be applied.

POLICY SECTION :	
CURRENT UPDATE :	
PREVIOUS REVIEW :	
APPROVAL BY COUNCIL :	

ANNEXURE A

RECRUITMENT TIME FRAMES

The following times frames should serve as a guideline for turnaround on recruitments.

ACTIVITY	RESPONSIBILITY	TIME
VACANCY <ul style="list-style-type: none"> • through resignation • dismissal • retirement • incapacity • other 	Line Manager to motivate filling of post via his/her Director to Municipal Manager or his/her delegate	Within 4 (four) weeks of occurrence of vacancy or as soon as reasonably possible
ADVERTISEMENT <ul style="list-style-type: none"> • internal • external 	Department: Human Resources on referral by Municipal Manager or his/her delegatee	External advertisements are advertised for a 2 (two) week period. Internal advertisements are advertised for a minimum of 1 (one) week, but not less than 1 (one) week.
COMPILING MASTER LIST <ul style="list-style-type: none"> • rejecting non complying applications • filing complying application 	Department: Human Resources	Within 4 (four) weeks from the closing date of applications in terms of the advertisement
SHORTLISTING	Selection Panel	After 2 (two) weeks from compiling Master List in terms of advertisement.
INTERVIEW	Interview Panel	Within 2 (two) weeks from the final short listing
APPROVAL	Municipal Manager/ Council or its delegatee after considering recommendation of relevant Director, if applicable.	Within 2 (two) weeks after recommendations submitted by the Selection Panel
APPOINTMENT	Department: Human Resources after approval by Municipal Manager /Council or its delegatee.	After approval by Municipal Manager/Council or its delegatee
		Average time frame from the closing date of advertisement to appointment is 10 (ten) weeks.

Guidelines with regard to Conducting of Interviews

1. The Chairperson (Line Manager/Director) will:
 - welcome the candidate, thank the candidate for attending and introduce the candidate to the members of the panel;
 - inform the candidate regarding the interview format, and [~~mention~~] the opportunity for questions at the conclusion of the interview;
 - confirm that the candidate has read the vacancy particulars. [~~position description;~~]
 - provide a brief scene setting regarding the organisational structure and where the vacancy fits in; and
 - outline the duties of the post concerned; and,
 - invite the candidate to ask questions.

2. The Chairperson (Line Manager/Director) and the HR Representative [~~may~~] must put questions to the candidate in order to gain as much information about him/her as possible. The topics which must be covered in questioning must include, but is not limited to: personal qualifications, experience, work history, personal achievements, social activities, and any special circumstances applicable to the candidate.

3. The Chairperson (Line Manager/Director) [~~may~~] must put the same or similar interview questions as pre-determined to all candidates. Where a presentation on research or of a seminar is made by the candidate, questions relating to the presentation of the research or of the seminar should be asked to determine suitability of the candidate to the job.

4. In the event of an electronic programme being used to record the interviews the consent from the candidate must be obtained.

5. The chairperson (Line manager/Director) and Human Resources Representatives must make an individual assessment [~~prior to discussing same with the other members of the selection panel~~] in the presence of the unions as observers;
6. Candidates must be advised about any special conditions (leave period, overtime, transfers, and locations) that are applicable to the post. Candidates must be asked if they are comfortable with and can meet special conditions presented to them regarding the post.
- ~~7. [The official of the Department: Human Resources in attendance must give a brief outline of the conditions of service. The candidate must be invited to see the Human Resources official afterwards for a fuller explanation of the conditions, if the candidate so wishes.]~~
7. After the candidate has asked questions regarding the post and the work environment and replies provided by the Human Resources Representative, the chairperson should advise the candidate as to the next step in the selection process and the timing for decision making.
8. After the interview has been completed strictly within the timeframes provided, the Chairperson (Line Manager/Director) should thank the candidate for his/her attendance and should, together with one of the panel members, accompany him/her from the venue.

9. Scoring and Evaluation

The scoring is done directly after each interview (depending on the panel), it is better this way, because the information provided in conjunction with the notes made by the Chairperson and HR Practitioner is still “fresh” and open for discussion. The shopsteward representatives has observer status and must be treated as such. Shopstewards are not allowed to score.

10. Recommendation

The interview panel only do a recommendation for approval of appointment, which is send to the Senior Manager: Human Resources; relevant Director and Director Management Services on behalf of the Municipal Manager. The Human Resources: Practitioner is responsible for the comments with regards to interview and to record /capture findings, remarks, or discrepancies. The nomination of the successful candidate is done by the Chairperson and approved by the relevant Director and the Director of Management Services.



Annexure C

**DECLARATION OF CONFIDENTIALITY BY THE SELECTION PANEL MEMBERS
SHORTLISTING / INTERVIEWS FOR THE ADVERTISED POST OF:**

NAME OF THE ADVERTISED POST

(WC NUMBER)

DATE:

TIME:

VENUE:

We hereby declare that we have read the provisions of regulation 24 of the Local Government: Municipal Staff

Regulations ("hereinafter referred to as the Regulations").

We hereby further declare that —

- a) I have no personal interest in any of the interviewed candidates.
- b) I do not have any relationship whatsoever with the interviewed candidates.
- c) I am not indebted to any of the interviewed candidates or *vice versa*.
- d) my participation in this interview will not in any way constitute a conflict of interest.
- e) I will not unduly influence or attempt to influence the appointment or promotion for a spouse, partner, family member, friend, or associate.
- f) I will not discuss the outcome of these interviews or inform any candidate who has been interviewed about the outcome of these interviews
- g) I commit to keep all the discussions emanating from the interview process strictly confidential and I will not disclose any information to any candidate or person who is not part of the selection panel prior or after the interviews.

PANEL MEMBER	CAPACITY	SIGNATURE

SIGNED at on this of2022.



Annexure D 1/4

Probation Record

Staff Member Name:		
Job Title:		
Grade:		
Department:		
Start Date:		
Supervisor:		
	Due Date:	Please tick when completed
Initial Meeting		
1-month Review		
3-month Review		
6-month Review		
9-month Review		
12-month Review		

*Record must be kept of Performance Evaluation meeting. Staff members must be provided with feedback on the Performance Evaluation Meetings

**PART 1****Initial meeting**

This section should be completed by the supervisor within a week of the staff member commencing his or her employment.

SECTION A: Objectives	
The supervisor should identify specific performance requirements for the staff member. These will be statements of what should be achieved during the probationary period, including key performance indicators.	
SECTION B: Development Plan	
To support the staff member in achieving these requirements, the supervisor should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.	
Staff Member's Signature	
Supervisor's Signature	
Date:	

Annexure D 3/4

**PART 2**

First review (1 month) - a copy of PART 2 of this form may also be used to conduct a 3, 6 and 9-month review with a staff member whose probationary period is 6, 9 or 12 Months

To be completed by the supervisor in discussion with the staff member.

(Please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (teamwork and interpersonal communication skills)				
Competency in the role				
If any areas of performance, conduct or attendance require improvement please provide details below.				
Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.				

Summarise the staff member's performance and progress over the period			
Have the requirements identified for this period of the probation been met?	Yes/No	If NO, what further action is required?	Review Date
Have the training / development needs identified for this period of the probation been addressed?	Yes/No		
Staff member's signature:			
Manager's signature:			
Date:			

Annexure D 4/4



Final Review

To be completed by the supervisor in discussion with the staff member:

(Please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (teamwork and interpersonal communication skills)				
Competency in the role				
Have the requirements identified for the probationary period been met?	Yes/No	If NO, please provide details		
Have the training / development needs identified for the probationary period been addressed?	Yes/No			
Summarise the Staff member's performance and progress over the period				
Is the Staff member's appointment to be confirmed?			Yes/No	
<p>If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.</p>				

The Staff member may provide any comments about his or her experience of the probationary process here.	
Should the Staff member's probationary period be extended?	Yes/No
If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.	
Length of the extension (max 3 months):	
New Probation Period completion date:	
Staff member's signature:	
Manager's signature:	
Date:	