



RECRUITMENT & SELECTION POLICY

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY

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MUNICIPAL MANAGER

SPEAKER

Ms P Q Mogatle

Speaker

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY



RECRUITMENT & SELECTION POLICY 2020/2021

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Speaker

1. DEFINITIONS

"Induction" initiation: a formal entry into an organization or position or office.

"Nepotism" means favouritism on the basis of family relationship or friendship.

"Candidate" means an applicant for a post.

"Recruitment" means the activities undertaken in the human resource management in order to attract sufficient job candidates who have the necessary potential, compliances and traits to fill job requirements and to assist the municipality in achieving its objectives.

"Reference check" means the gathering of information about candidates past history from people with whom such candidate has been associated.

"Selection" means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job.

All terminology not defined under clause 1 of this policy shall bear the same meaning as in the applicable legislation.

2. LEGAL FRAMEWORK

- 2.1 Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended.
- 2.2 Local Government Performance regulation for Municipal Managers and
- 2.3 Managers Directly Accountable to Municipal Managers, 2006.
- 2.4 Employment Equity Act (Act 55 of 1998)
- 2.5 Basic Conditions of Employment Act 1997 (Act No 75 of 1997)
- 2.6 Labour Relations Act, (Act 66 of 1995)
- 2.7 Minimum competency regulations on appointment and conditions of senior management.
- 2.8 Regulations on the appointment of section 57's: Municipal Manager and Managers directly accountable to the Municipal Manager.

3. SCOPE AND APPLICATION

To ensure a fair and equitable employment process, this policy shall apply to all appointments made within the Municipality. This policy will not apply to appointments

Ms P Q Mogatle

3

Speaker

arising out of a procurement process, acting appointments or rotating portfolios to which staff is elected by popular voting unless stated otherwise.

4. OBJECTIVES OF POLICY

The Municipality recognizes 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 prescripts governing the situation concerned.

This policy is further based on the principles set out below. Human resources management in the Municipality must —

- 4.1 Be characterized by a high standard of professional ethics;
- 4.2 Promote the efficient, economic and effective utilization of employees;
- 4.3 Be conducted in an accountable manner;
- 4.4 Be transparent;
- 4.5 Promote good human resource management and career development practices, to maximize human potential; and
- 4.6 Ensure that the Municipality's administration is broadly representative of the South African people, with human resources management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.

5. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Municipal Manager or the employer or his delegated assignee(s) in terms of section 55(1) (e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and the Local government Municipal systems Amendment Act 2011.

Appointment of the Municipal Managers, and Managers directly accountable to the municipal Manager will be done in line of the Local Government Municipal Systems Amendment Act 2011.

Ms P Q Mogatle

Speaker

5.1 Post Establishment

The Municipality will maintain a record of all approved posts and shall monitor all appointments against posts according to the approved staff establishment. The post structure is aligned with the municipal IDP and approved system of job evaluation (TASK) as defined by the South African Local Government Bargaining Council.

The Municipal Council shall, unless it has issued delegations to any other authority, have an oversight role in the staff establishment of the Municipality. Therefore, all requests for new positions and/ or unfreezing of the posts must be approved by the Municipal Manager or his delegated authority.

5.2 Recruitment — Refer Annexure A

5.2.1 Determining recruitment needs

Prior to filling a post, the necessity for filling shall be assessed and motivated in writing by the Head of Department to the Municipal Manager or his delegate: Provided that the authority to fill vacancies can only be delegated to a Head of Department.

5.2.2 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 scrutinized as to relevance and applicability.

5.2.3 Recruitment Advertisement

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

- 5.2.3.1 The name and location of the Municipality.
- 5.2.3.2 A statement that the Municipality subscribes to the principles of employment equity.
- 5.2.3.3 The designation of the position that is advertised.

Ms P Q Mogatle

Speaker

- 5.2.3.4 The minimum requirements in terms of qualification, skills, expertise and other requirements for appointment.
- 5.2.3.5 A summary of the key performance areas/primary duties of the position.
- 5.2.3.6 A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- 5.2.3.7 In the case of the Municipal Manager and a manager directly accountable to the Municipal Manager, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- 5.2.3.8 The advert should reflect whether the appointment is permanent or fixed as well as the duration of the term should reflect.
- 5.2.3.9 The name and contact details of the person to whom enquiries may be directed.
- 5.2.3.10 A statement that canvassing will disqualify any candidate from being considered for appointment.
- 5.2.3.11 An indication of the remuneration offered.
- 5.2.3.12 The format and content of applications.
- 5.2.3.13 The address where, and person to whom, applications must be delivered.
- 5.2.3.14 The closing date for the submission of applications.
- 5.2.3.15 A statement that applications received after the closing date will not be accepted or considered.
- 5.2.3.16 A statement that if an applicant does not hear from the municipality within 30 days his/her application was unsuccessful.
- 5.2.3.17 A statement that email and faxed applications will not be considered.

Vacancies must be advertised internally and may at the same time be advertised externally, provided that external advertisements may only be published in a newspaper of record in terms of section 21(1) of the Municipal Systems Act, as follows:

| POST LEVEL | ADVERTISING MEDIUM |
|-----------------|--|
| Post Level 6-15 | Internally, if no candidate was found internally then external advert will be sought on local newspapers |

Ms P Q Mogatle

6

Speaker

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| Post Level 3-4 | Local and Provincial Newspapers |
| Section 54A & Section 56's | National Newspaper |

5.2.4 Unsolicited applications

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

Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

5.2.5 Head hunting

Head hunting will be applied with caution at all times, and it may be applied at any stage of the selection process when the selection panel is of the opinion that the assessed candidates are not suitable or do not meet the requirement of the employment equity.

5.2.6 Application forms will be designed for senior management only

5.2.7 Probation

5.2.7.1 A probationary period of up to six months will be granted to the permanent employees.

The purpose of the probationary period is to assess, as early as possible the suitability of an employee to perform such job. During this period an employee must be given the opportunity to demonstrate the standards expected of them and be provided with appropriate feedback, assistance and support to achieve the set standards.

5.2.7.2 Human Resources officer should be there to give advice and support to all employees during the probationary period. Managers should discuss as early as possible with HR manager, any doubts or uncertainties about an employee's progress.

Ms P Q Mogatle

Speaker

- 5.2.7.3 The line manager must inform the HR department when the employee has successfully completed probation by completing and signing off probation form.
- 5.2.7.4 The HR unit will in turn confirm the employee's formal appointment to a position by means of a written letter to the employee.
- 5.2.7.5 If an employee is not performing according to the prescribed standards, the probation period may be extended. If the extension is to be applied, the employee will be advised in writing of such an extension and the conditions of the extension.

5.2.8 Internal Advertisement

If there is a minimum of at least one (1) applications received internally, the normal recruitment process will unfold.

5.3 Selection — Refer Annexure B

5.3.1 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 competence in relation to the inherent requirements of the job.

Unless formal or statutory qualifications 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 Council's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

5.3.1.1 Nepotism

Ms P Q Mogatle

Speaker

The basic criteria for the appointment and/or promotion of employees in the Municipality shall be appropriate qualifications and appropriate performance as set forth in the policies of the Council.

Relationship by a family or marriage shall constitute neither an advantage nor a disadvantage.

Any poor performance or loss of productivity which is a direct result of conflict between two family members both employed in the organization can result in severe disciplinary action being implemented against both employees.

For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing.

5.3.2 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 will be conducted by a Selection Panel consisting of (depending and with due cognisance of the post):-

| | |
|----------------------|---|
| Municipal Manager | Panel as appointed by Council |
| Heads of Departments | Panel as appointed by Council |
| All Post established | Municipal Manager or his/her assignee(s) <ul style="list-style-type: none"> • Head of Department /Unit Manager • Director Corporate Services • HR Manager • Labour Unions (observers) |

Ms P Q Mogalle

5.3.3 Compiling of master lists

Speaker

After the closing date of an advertisement (with a grace period of additional 3 days for posted applications, provided that they were mailed on/before the closing of the advert) all the applications received for every specific position are captured in on the

master list compiled by the Director Corporate Services. The master list must contain, in table form, the following particulars in respect of each candidate:-

- 5.3.3.1 the applicant's surname followed by her/his initials;
- 5.3.3.2 the applicant's gender;
- 5.3.3.3 the applicant's race;
- 5.3.3.4 the applicant's qualifications, transcript and experience relevant to the job description and job specification; and
- 5.3.3.5 if applicable, the nature of the applicant's disability.

The Director Corporate Services must submit the master list, together with the applications to the relevant departmental head or in the case of the appointment of a Municipal Manager or a manager directly accountable to the Municipal Manager, to the Executive Committee.

The Director Corporate Services must, during the compilation of the master 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 she/he had some or other certificate or diploma, qualification or experience that is disproved, such information must be noted next to the name of the candidate in the master list.

5.3.4 Compiling short lists

The selection panel referred to in 5.3.2 above as the case may be, must select from the master list 10 applicants who in her/his opinion 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 -

- 5.3.4.1 Internal applicants
- 5.3.4.2 Local applicants
- 5.3.4.3 Provincial applicants
- 5.3.4.4 National applicants

Ms P Q Mogatle

Speaker

5.3.5 Notification of short listed candidates of selection proceedings

The HR, manager, must notify every candidate whose name has been short listed of the venue, date and time and nature of the selection proceedings she/he must attend using the most reliable communications methods available. Internal applicants should be informed within three days of the interview, whereas external applicants will be informed within five days.

5.3.6 Interviewing in respect of vacancies — Refer Annexure B

Interviews for all positions will be conducted by as selection panel referred to in 5.3.2 above.

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

5.3.6.1 on the first level below the level of departmental head;

5.3.6.2 as manager directly accountable to her/him; and

5.3.6.3 in her/his department/office

The following is a guideline for the scoring of candidates during the interview.

| Rating | Definition |
|--------|----------------|
| 0 | Unacceptable |
| 1 | Poor |
| 2 | Below Standard |
| 3 | Average |
| 4 | Competent |
| 5 | Excellent |

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

5.4 Appointment for a fixed term

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

5.4.1 Appointment for a fixed term

Ms P Q Mogatle

11

Speaker

A person appointed on a fix term refers to:

- 5.4.1.1 Municipal Manager;
 - 5.4.1.2 Manager directly accountable to the Municipal Manager;
 - 5.4.1.3 Any other person deemed necessary by the council to be contracted for a period only
- 5.4.2** The employment contract of a person appointed for a fixed term must include, subject to applicable labour legislation, details of —
- 5.4.2.1 the duties, remuneration, benefits and other terms and conditions of employment of the employer and employee;
 - 5.4.2.2 the term of employment, which may not exceed a period ending two years after the election of the next council of the Municipality, provided that the term of any person appointed to work directly under the supervision and command of a political office-bearer or other councillor must expire if that office-bearer ceases to hold that office;
 - 5.4.2.3 include a provision for cancellation of the contract, in the case of non-compliance with the employment contract or the performance agreement;
 - 5.4.2.4 stipulate the terms of the renewal of the employment contract, but only by agreement between the parties; and
 - 5.4.2.5 reflect the values and principles referred to in Section 50, the Code of Conduct set out in Schedule 2, and the management standards and practices contained in section 51 of the Municipal Systems Act.
- 5.4.3** The annual performance agreement must be concluded within a reasonable time after a person has been appointed and, thereafter, on or before 31 July each year and must include —
- 5.4.3.1 The performance objectives and targets that the incumbent must meet during the next financial year. Such performance objectives and targets must be practical, measurable and based on the key performance indicators set out in the Municipality's integrated development plan.
 - 5.4.3.2 The time frames within which those performance objectives and targets must be met;
 - 5.4.3.3 standards and procedures for evaluating performance;
 - 5.4.3.4 the intervals for evaluation; and
 - 5.4.3.5 the consequences of substandard performance.

Ms P Q Mogatle

Speaker

- 5.4.3.6 The annual performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed in terms of the Local Government: Municipal Finance Management Act, Act No 56 of 2003 must be made public no later than 14 days after the approval of the municipality's service delivery and budget implementation plan as required by the abovementioned Act.

Copies of such performance agreements must be submitted to the council and the MEC for local government in the province within thirty days after signing of the performance agreements.

5.4.4 Appointment of employees on temporary basis

For temporary posts, the accounting officer will use his/her discretion on advertisement of temporary position, i.e. to publish or not to publish temporary positions on media.

A person appointed to a temporary position —

- 5.4.4.1 is appointed at the salary applicable to a comparable position on the permanent establishment;
- 5.4.4.2 may not receive any housing and travelling benefits;
- 5.4.4.3 may not become a member of a retirement fund or medical aid scheme to which the Municipality must contribute;
- 5.4.4.4 earns leave in terms of the relevant collective agreement; and is subject to the attendance requirements, rules of conduct and grievance procedures in terms of the Municipality's conditions of service;
- 5.4.4.5 May not be appointed for a period exceeding to 3months as per amended Labour Relations Act (LRA).

5.4.5 Appointment of personnel in the Political Office

Only a full-time political office-bearer is entitled to one or more employees being assigned to her/him.

Ms P Q Mogatle

Speaker

Any person employed in a post assigned to any Councillor must be appointed in terms of a written fixed term contract entered into with the Municipal Manager. The term of appointment in terms of this paragraph expires automatically when the councillor to whom the employee had been assigned, ceases to be a councillor, political office-bearer or a fulltime councillor of the Municipality, whichever event happens first.

5.4.6 Appointment to a permanent position

The Director Corporate Services must present every newly appointed employee with a letter of appointment not later than the day on which she/he starts working in terms of section 29 of the Basic Conditions of Employment Act 1997.

In the event of an employee that cannot read, the relevant departmental head must explain the content of such letter and any amendment thereof to every such employee in a language that she/he understands.

5.4.7 Induction

On permanent appointments, the respective HR Manager will take full responsibility for induction:

- 5.4.7.1 The new incumbent will be introduced to his / her immediate staff / colleagues by the HR Manager.
- 5.4.7.2 The respective HR Manager shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.
- 5.4.7.3 The responsible HR Manager will arrange a tour / explanation for the new incumbent of the range of services
- 5.4.7.4 The Line Manager will explain and provide a copy of the job description relating to the new employee's specific position / job function.
- 5.4.7.5 The Head of Department is responsible for the induction of each employee in his/her department in order to familiarise the employee with the department in which he/she has been appointed. The induction will be based on the manager's discretion.

Ms P Q Mogatle

14

Speaker

5.4.7.6 The newly appointed employee who has been a contract worker or in acting position and is now appointed permanently on the same position will not be required to go through the induction process.

5.5 Confidentiality

By signing, the Contract of employment, all employees bind themselves to an undertaking of confidentiality, whereby they will not disclose any information pertaining to the operations of Council without the permission of Council and Municipal Manager, unless required within the course of their duties, whether this be during or after termination of employment.

6. ROLES & RESPONSIBILITIES

| ROLE | REPONSIBILITY |
|---|--|
| Municipal Manager (subject to is delegations if any) | -Approves the strategy and the recommendation of the selection panel in respect of appointment on job levels relating to the Municipal Manager and section 56 employees. - Approves the staff establishment and all appointments. |
| Municipal Manager | Responsible for all appointments other than section 56 posts. |
| Line Manager Ms P Q Mogatle Speaker | Reviews the operational needs for advertising the positions and appoints in terms of authority and delegations by the Municipal Manager. |
| Selection Panels | Short-lists, conducts interviews and make recommendations on suitability of candidates to the Municipal Manager. |

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| Human Resources | Custodian of recruitment, selection, placement, induction processes and quality assurance Ensures transparency and openness in the selection processes |
| Labour Representatives | Ensures transparency and openness in the selection processes |

7. 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; copies of all other assessments utilised; comprehensive notes on assessment of each candidate; assessment ratings; reference checks. As in the recruitment process, these records need to be maintained for the prescribed period.

8. PENALTIES

Non-compliance to any of the stipulations in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

9. 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.

10. IMPLEMENTATION AND MONITORING

HR will be responsible for the implementation and monitoring of this policy.

11. POLICY REVIEW

This policy will be reviewed annually.

Ms P Q Mogatle

Speaker

ANNEXURE A

| ACTIVITY | RESPONSIBILITY | TIME |
|--|---|---|
| Vacancy: <ul style="list-style-type: none"> - Through resignation - Dismissal - Retirement - Incapacity - other | Head of Department must submit a written motivation (by filling job requisition) of filling of posts to the Accounting Officer. | Within three (3) months of occurrence of vacancy or as soon as reasonably possible. |
| Advertisement <ul style="list-style-type: none"> - internal - external | Human Resource Manager | Advertisement are for two (2) week period with a grace of an additional three (3) days for posted applications. |
| Shortlisting | Selection panel | Within a week from the closing date of application in terms of the advertisement. |
| Interview | Selection panel | Within a week from the shortlisting meeting |
| Screening: <ul style="list-style-type: none"> - Validation of qualification (from grade 12) - Security clearance (Section 57) - Reference checking compulsory for external advert on level 6,7.4.3 and section 57 | Human Resource Manager <div style="text-align: center;"> <p>Ms P Q Mogatle</p> <p>Speaker</p> </div> | Screening should be concluded upon appointment. |

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| employees. | | |
| Approval | Municipal Manager or Council | Within a week after the recommendations by the selection panel. |
| Appointment | Director Corporate Services | Immediately after approval by delegated authority or Municipal Council |

Ms P Q Mogatle

Speaker

ANNEXURE B

Guidelines about Conducting Interviews

1. The Chairman will welcome the candidate, thank the candidate for attending and introduce the candidate to the members of the panel.
2. The Chairman will inform the candidate regarding the interview format, and mention the opportunity for questions at the conclusion of the interview
3. The Chairman will confirm that the candidate has read the position description.
4. The Chairman will provide some brief scene setting about the Organisational structure and how the position fits.
5. The Head of Department will outline the duties of the post concerned and will invite the candidate to ask questions. The panel will give as much information as possible.
6. The Chairman and the Panel members will ask the candidate questions in order to gain as much information about the candidate as possible.

7. The topics which must be covered in questioning will include but not limited to personal qualifications, experience, work history, personal achievements, social activities, and any special circumstances applicable to the candidate.
8. Panel members will ask interview questions as pre-determined. Where presentation on research or seminar is made by the candidate's questions relating to the presentation of the research or seminar should be asked to determine suitability of candidates to the job.
9. All the responses by the candidate should be recorded.
10. Each member of the panel must make individual assessments prior to discussion with candidates.
11. 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.
12. The Human Resources official in attendance will give a brief outline of the conditions of service. The candidate will be invited to see the Human Resources official afterwards for a fuller explanation of the conditions, if the candidate so wishes.
13. After the candidate has asked questions regarding the post and the work environment and answers provided by the panel, the Chairman should advise the candidates on the next step in the selection process and timing for decision making.
14. After the interview is completed strictly within the timeframe provided the Chairman will thank the candidate and with one of the panel members, escort out him out.

Ms P Q Mogatle

Speaker