

## 1. PREAMBLE

The Dipaleseng staffing policy and its implementation will be fundamentally aimed at matching the human resources to the strategic and operational needs of the Dipaleseng Local Municipality and ensuring the full utilization and continued development of these 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, except as provided in this policy with reference to affirmative action and employment equity.

Policy Title	Policy Version	Role & Process	Responsible Individual	Name and/or Date	Signature	Responsibility	Accepted
RECRUITMENT AND SELECTION POLICY							
Corporate Services HOD							
Policy Custodian							
Policy Author							
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Legislative References							
Policy Review "Triggers"	Periodic Review						
Comments							





## 2. DEFINITIONS

- **"induction"** initiation: a formal entry into an organization or position or office.
- **"nepotism"** means favoritism 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 candidate's 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.
- **"competency"** means the skills, knowledge, experience and qualifications that are required to perform a job effectively
- **"job"** means the basic duties, functions, tasks, competency requirements and responsibilities according to which one or more posts of the same grade are established
- **"job evaluation"** means the systematic process of assessing the job content and ranking jobs according to a consistent set of job characteristics to create a job worth hierarchy that determines and illustrates where each job fits in the municipality relative to other jobs in the municipality;
- **senior manager** means a municipal manager or acting municipal manager, appointed in terms of section 54A of the Municipal Systems Act and a manager or acting manager directly accountable to a municipal manager appointed in terms of section 56 of the Municipal Systems Act;
- **staff establishment** means the approved jobs and number of posts created for the normal and regular requirements of a municipality, also referred to as the organisational structure or organogram;
- **"staff or staff member"** for the purpose of these regulations means an employee of a municipality, but excludes senior managers;
- **trade unions** means the trade unions recognised within the bargaining council established for municipalities nationally;
- **supervisor** means a staff member's line manager; and
- **"working days"** means days upon which a staff member ordinarily works.
- **"financial year"** means the financial year of a municipality as prescribed in terms of the Municipal Finance Management Act;
- **bargaining council** means the bargaining council established for municipalities as contemplated in section 71 of the Municipal Systems Act
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation



### 3. LEGAL FRAMEWORK

- The responsibility for the appointment of personnel rests with the Municipal Manager of the Employer or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).
- Employment Equity Act (Act 55 of 1998) as amended
- Basic Conditions of Employment Act 1997 (Act No 75 of 1997) as amended
- Labour Relations Act, (Act 66 of 1995) as amended
- Municipal Financial Management Act (Act 56 of 2003) (Municipal Regulation on Minimum Competency Levels, 2007)
- Regulations on appointment and Conditions of Employment of Senior Managers, dated 17 January 2014.
- Municipal Regulation on appointment of Staff dated 20 September 2021

### 4. SCOPE AND APPLICATION

To ensure a fair and equitable employment process, this policy shall apply to all appointments made within the Dipaleseng Local Municipality. This policy will not apply to appointments arising out of a procurement process, acting appointments or rotating portfolios to which staff is elected by popular voting.

### 5. POLICY OBJECTIVES

The Dipaleseng Local 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 prescripts governing the situation concerned.

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

- (a) be characterised by a high standard of professional ethics;
- (b) promote the efficient, economic and effective utilisation of employees;
- (c) be conducted in an accountable manner;
- (d) be transparent;
- (e) promote good human resource management and career development practices, to maximise human potential; and
- (f) 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.

### 6. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Municipal Manager of 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).

### 6.1 Post Establishment

The Dipaleseng Local 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.

## 6.2 Recruitment

### 6.2.1 Determining of recruitment needs

(1) Dipaleseng Local Municipality must –

(a) Develop the strategy to –

(i) Fill funded vacancies; and

(ii) Reduce turnaround times for filling of approved vacant funded post;

(b) Fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant

(c) At all times

(2) The strategy contemplated in sub-regulation (1) (a) must include time frames for the various activities included in the recruitment and selection process.

(3) A vacant post on the staff establishment may not be filled unless-

(a) The Municipal Manager or staff member to whom this function is delegated has

approved the filling of the post; and

(b) The post is budgeted for.

(4) Deviation from sub-regulation (1) may be granted on the following grounds:

(a) Budget cut requiring prioritisation of personnel expenditure

(b) Impending re-structuring exercise ; and

(c) Alternative staffing solutions are adopted.

### 6.2.2 General requirements for appointment of staff

In terms of MSR (Regulation.12)

(1) No person may be appointed as a staff member on a fixed term contract, permanent basis, or probation, to any post on the approved staff establishment of a municipality, unless he or she-

(a) is a south African citizen, permanent resident or foreign national with a valid work permit; and

(b) possesses the relevant competencies, qualification and experience, as set out in Annexure A.

### Competency requirements for staff

In terms of MSR (Regulation.13)

(1) A person appointed as staff member in terms of the regulation must, where applicable-



(a) have the necessary competencies; and  
 (b) comply with the minimum requirements for education qualifications, work experience and knowledge as set out on Annexure A.  
 (2) A staff member who was appointed before the regulations came to effect and who does not meet the minimum competency requirements of the post. Despite the provision of the regulation, a municipality may place a staff member on a programme to acquire the competency requirements as prescribed in order for the staff member to be eligible for career opportunities in the municipality.  
 (3) If a staff member has not attained the competencies as prescribed in the regulations, the municipality must utilise the workplace skills plan to identify and address the staff member's competency gaps and development needs.  
 (4) The Minister may issue a notice in the gazette determining uniform competency based assessment for specific occupational streams.  
 (5) The municipality must subject a staff member to a competency assessment for specific occupational streams as determined by the Minister in terms of sub-regulation 13(4) above.

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.

### 6.2.3 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.

### 6.2.4 Recruitment Advertisement

#### Advertising of vacant post

#### In terms of MSR (Regulation 14)

(1) The municipality must advertise a post after the approval referred to in sub-regulation 11(3)(a) has been obtained.

(2) The advertisement must at least specify the-

- (a) Job title;
- (b) term of appointment
- (c) place of work
- (d) applicable salary or pay range;
- (e) competency requirements of the post, where applicable the minimum qualifications and experience as set out in annexure A;
- (f) inherent requirements of the job
- (g) summary of the core functions
- (h) need for signing an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest;
- (i) address where applicants can obtain the application forms;
- (j) place where applicants can obtain the application form;
- (k) contact person;



(l) where necessary, the need to undergo screening and vetting; and  
 (m) closing date for submission of applications.

Vacancies must be advertised internally by way of notice boards 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:

Nature of Post	Advertising Medium
Temporary elementary positions	Local and internal
Post level 1 – 2 positions	Internal and External
Post level 3 and below	Internally first and if no suitable candidate is found, the position will be advertised externally.
Senior management and professional occupations	Internally, provincial and national newspapers

### 6.2.5 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.

### 6.2.6 Head hunting

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

Normally targeted persons will be provided with the copy of the recruitment advertisement and allowing them to apply of their own accord, unless otherwise the selection panel so decide.

### 6.2.7 Application forms

#### Application for vacant post

#### In terms of MSR (Regulation 15)

(1) An application for a vacant post must be made on the form that is attached as Annexure B.  
 (2) Despite sub-regulation (1) a municipality may use an on line application form that contains the information in Annexure B and is consistent with the Regulations.

An applicant for a post must disclose —

- his or her qualifications and experience;
- his or her contactable references;



- his or her registration with a relevant professional body, if applicable;
  - full details of any dismissal for misconduct or substandard performance; and
  - any disciplinary actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.
- NB\*** Any misrepresentation or failure to disclose material information contemplated in sub-regulation (3) and the application form, is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 of the Act.

Applications not made on the prescribed application form will render any appointment or contract entered into, between the municipality and the successful candidate invalid.

The municipality must maintain a record of all applications received and the information contained in the applications must be kept confidential and stored in a secure place on the municipality's premises. A record of applications shall be disposed of in terms of the National Archives and Record Service of South Africa Act, 1996.

The record must contain—

- the applicants' biographical details and contact information;
- the details of the post for which the applicants were applying;
- the applicants' qualifications; and
- any other requirements outlined in the application form.

Applicants who apply for Section 56 position will be required to complete application forms as per requirement of the regulation on appointment of senior managers.

### 6.3 Selection – Refer Annexure B

#### 6.3.1 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 provided that selection shall favour, as determined by the targets, suitably qualified applicants as defined in section 20[3] of the Employment Equity Act.

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.

### **6.3.1.1 Nepotism**

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.

### **6.3.2 Compiling of master lists**

After the closing date of an advertisement all the applications received for every specific position are captured in on the master list compiled by the Executive Manager Corporate Services. The master list must contain, in table form, the following particulars in respect of each candidate:

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

### **6.3.3 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.

#### **Selection Panel**

In terms of MSR (Regulation. 16)

A municipal manager or his or her delegate must appoint a selection panel for each of the advertised post to recommend the appointment of a suitable person to the vacant post.

The selection panel must comprise of at least 3 but not more than 5 members.

The chairperson of the panel must be the supervisor or a staff member employed at least one job grade higher than that of the advertised post.

In deciding on the composition of the selection panel, the municipal manager must have regard to the following considerations:

- ❖ The nature of the post;
- ❖ the gender and race balance of the panel; and



Post level 1-2	Snr Managers
Post level 3-5	Managers

Selection panel will be constituted as follows:

In relation to the staff members the Municipal Manager will appoint the Selection Committee that will comprises of not more than five people and the chairperson based on the post level of position advertised.

The composition of the Selection Committee for Recruitment of the Municipal Manager and Manager directly accountable to the Municipal Manager will be established in line with the section 13 (1) (2) (3) of the Regulations on appointment of and conditions of employment of Senior Managers.

- (1) If a union representative is allowed to attend interviews as an observer, he or she must sign the declaration as set out in Annexure C to prevent the disclosure of information to unauthorised persons.
- (2) The head of human resource or his or her delegate must facilitate and provide advisory services during the selection process to ensure compliance with the Regulations in the recruitment and selection process.
- (3) A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.
- (4) Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.
- (5) If a conflict of interest becomes apparent during the selection process, the municipal manager or his or her delegate may take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.
- (6) If a conflict of interest becomes apparent after the appointment, the municipal manager or his or her delegate must report the matter to the relevant delegated authority which must take remedial action and, where necessary, disciplinary action.

- A member of a selection panel must—**
- ❖ disclose any interest or relationship with shortlisted candidates during the short listing process;
  - ❖ recuse himself or herself from the selection panel if—
    - his or her spouse, partner, close family member or close friend has been shortlisted for the post;
    - the panel member has a *de facto* relationship or some form of indebtedness to a shortlisted candidate or vice versa; or any other conflict of interest; and
  - ❖ sign a declaration of confidentiality as set out in Annexure C to avert the disclosure of information to unauthorised persons.

- ❖ the skills, expertise, experience and availability of the persons to be involved.



6.3.4 Compiling short lists

The Director Corporate Services or his /her delegate 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 disapproved, such information must be noted next to the name of the candidate in the master list.

The Director Corporate Services must submit the master list, together with the applications to the Municipal Manager and 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 Mayor.

Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel. If a conflict of interest becomes apparent during the selection process, the municipal manager or his /her delegate may take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process. If a conflict of interest becomes apparent after the appointment, the municipal manager or his /her delegate must report the matter to the relevant delegated authority which must take remedial action, including possible disciplinary action.

- (a) disclose any interest or relationship with shortlisted candidates during the short listing process;
- (b) recuse himself or herself from the selection panel if:—
  - (i) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
  - (ii) the panel member has a de facto relationship or some form of indebtedness to a short-listed candidate or vice versa; or
  - (iii) any other conflict of interest; and
- (c) sign a declaration of confidentiality as set out in Annexure A to avert the disclosure of information to unauthorised persons.

**A member of a selection panel must-**

Labour Unions – may attend the proceedings as observers only (1)  
Representative from SAMWU and 1 from IMATU)  
Training and Equity Officer may attend proceedings as advisor in relation to Employment Equity Act and Equity goals of the Municipality.  
Human resource official may provide secretarial or advisory services during the selection process, but may not form part of the selection panel

Below level 5	Supervisor's and level 3 Officials
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## **Shortlist of applicants**

In terms of MSR (Regulation.17)

- (1) The municipality must compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.
- (2) The selection panel must compile a shortlist based on the inherent requirements of the position as advertised and with due regard to section 20 of the Employment Equity Act.

The Selection Committee will select from the master list, with due regard for the numerical goals set in the Municipality's employment equity plan not more than 10 applicants who in her/his opinion would be the most suitable candidates to be subjected to the selection process. The minimum number of candidates may be shortlisted can be five for each post advertised and maximum 10.

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

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

The chairperson of the Selection Committee must submit the particulars of the short listed candidates to the Municipal Manager, Director Corporate Services and Head of relevant Department.

## **6.3.5 Notification of short listed candidates of selection proceedings**

The Director Corporate Services /delegated person 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.

## **6.3.6 Interviewing in respect of vacancies**

In terms of MSR (Regulation.18)

- The selection panel for a post, once constituted, must remain the same at all times. If a member of the selection panel is unable to proceed with the interviews due to circumstances beyond that member's control, such panel member may be replaced or withdrawn. If the selection panel does not quorate, the panel must be reconstituted.
- Despite the provisions of sub-regulation 2, a municipality must grant observer status to each of the recognised trade union representatives



- during the interviews: Provided that failure by the union to attend the interviews from proceedings will not invalidate the decision of the panel.
- The selection panel must interview the shortlisted candidates.
- Before the interview for a specific post commences, the selection panel must confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.

*The selection panel must keep a written record of the interviewed candidates.*

After considering all the relevant information, the selection panel must recommend candidates in order of preference. If the recommended candidate declines an offer of employment, the next suitable candidate, where applicable, may be considered for appointment.

If it is determined that the recruitment process has not attracted suitable candidates, the post may be re-advertised.

If the post is categorised as a critical and scarce skill post, alternative recruitment methods such as executive search, head-hunting, referrals and re-advertising may be considered only if the recruitment process has not attracted suitable candidates.

The recommendations of the selection panel must be determined by— consensus; or where the panel fails to reach consensus, the matter shall be referred to the municipal manager or his or her delegate for mediation or resolution.

If the selection panel recommends an appointment to the post, it must submit its recommendation to the municipal manager or his or her delegate for approval.

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

### **6.3.7 Conducting proficiency tests**

One or more relevant proficiency tests (e.g. typing tests, operating a grader etc.) may be required to be conducted before or after an interview is 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 it relates to the job description

## **7. References and personal credential verification**

In terms of MSR (Regulation.19)

- (1) Reference checks and personal credential verification for shortlisted candidates must be conducted by—



- Verifying the candidate's suitability for the job with the current or previous employer;
- Establishing the validity of candidate qualifications and any other verification required by the position before appointment;
- Determining whether the candidate has been dismissed previously for misconduct or poor performance by another municipality or employer, and, if so, the nature of that misconduct or poor performance; and
- Verifying any other additional personal credentials as may be required by the nature of the job such as criminal records, identification document, security clearance and, where necessary, credit checks.
- A written report on the outcome of the reference checks and personal credential verification must be compiled and considered before the appointment is concluded.
- Despite sub-regulation (1) (a), a candidate who does not have a previous employment record may not be disqualified as a candidate for appointment to an advertised post.

## 7.1 Appointment

In terms of MSR (Regulation.20)

A person may be appointed as a staff member only if he or she—  
 possesses the relevant competencies as prescribed in Annexure A; and  
 is not disqualified in terms of regulation 22.

- The municipal manager or the staff member to whom this function is delegated must—
- Consider the recommendations of the selection panel; and decide whom to appoint; and the terms and conditions of employment
  - Before making a decision to appoint, the municipal manager or delegate must satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in Annexure A.
  - If the decision of the municipal manager or the delegate does not accord with the recommendations of the selection panel, the reasons for such a decision must be recorded in writing.
  - An appointment may only take effect after the municipal manager or his or her delegate has approved the appointment in writing.

- The municipal manager or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.
- Unsuccessful candidates must, on request, be provided with reasons in writing as to why they were not successful.



## Appointment of support staff to offices of public office bearers

In terms of MSR (Regulation.21)

- (1) A person appointed to a post on the approved staff establishment in order to support the office of a public office bearer must either be—
  - I. seconded from a post on that municipality's approved staff establishment or another municipality's staff establishment; or
  - II. appointed on a fixed-term contract of employment linked to the term of office of the public office bearer.
- (2) The duration of the secondment or fixed-term employment contract contemplated in sub-regulation (1), may not be longer than 30 days after the public office bearer vacates office.

Any person employed in a post assigned to any full-time political office-bearer must be appointed in terms of a written fixed term contract entered into with the Municipal Manager. The term of an 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.

## 7.2 Re-employment of dismissed staff

In terms of MSR (Regulation.22)

- (1) A person who was dismissed from a municipality for any reason stated in column B of the table in Annexure E, may not be employed in any municipality before the period set out in column C of the table has expired.

Despite sub-regulation (1), a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute. The periods set out in column C of the table in Annexure E, run concurrently in respect of a person who was dismissed for more than one category of misconduct set out in column B of the table in Annexure E.

A municipality must maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings.

The record must contain—

- the full names and identity number of the person;
- the title of the post that the person occupied;
- the nature of the misconduct;
- the date of suspension, if any;
- the conditions of suspension, if any;
- the date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration;



- the date of commencement of the disciplinary hearing or pre-dismissal arbitration;
- the finding;
- whether a dispute was referred to the bargaining council or the Labour Court;
- the costs incurred by the municipality; and
- the date of resignation or dismissal of the person.

### 7.3 Probation

In terms of MSR (Regulation.23)

(1) The appointment of a person as contemplated in the Regulations must be effected on a minimum probationary period of three months and a maximum probationary period of 12 months.

The probationary period must be determined on the basis of the job requirements and the minimum period required to establish whether performance is satisfactory or not.

The period of probation excludes the number of days for which leave has been taken by the staff member during the period of probation or any extension thereof.

The municipal manager or his or her delegate must—

- inform the staff member within the first two weeks of employment of that member's performance requirements;

- ensure that the staff member completes the municipality's induction programme; and

- assess the staff member's performance; and provide the staff member with feedback on a quarterly basis on that member's performance.

If a staff member's performance is not satisfactory, the municipal manager or his or her delegate must advise the staff member of any aspects that the staff member is considered to be failing to meet.

If the municipal manager or his or her delegate believes that the staff member's performance does not meet the required standards, he or she may extend the probationary period or dismiss the staff member, provided that—

(a) the staff member shall first be given a reasonable period of time for assessment, training, guidance or counselling; and

(b) the staff member's performance continues to be unsatisfactory after a reasonable period has been given to the staff member to improve his or her performance.



Despite sub-regulation 6, the municipal manager or his or her delegate may extend the probationary period by a period not exceeding six months, in order to afford the municipality an opportunity to further assess the staff member's performance.

Within one month after the completion of the probationary period, the municipal manager or his or her delegate must—

- (i) confirm the appointment if—
- the staff member's performance during the probationary period was satisfactory; and
  - the staff member complied with all the conditions of the probationary appointment;
  - subject to the Labour Relations Act, terminate the appointment if—  
the staff member's performance was not satisfactory during the probationary period; and the staff member did not comply with all the conditions of the probationary appointment.

#### **7.4 Promotion**

In terms of MSR (Regulation.24)

- (1) A staff member who is appointed in accordance with this chapter to a post in a municipality that is higher in salary level or job grade than the one that he or she previously occupied in that municipality is deemed to be promoted to that post.
- (2) A staff member who is promoted does not forfeit his or her years of service and the benefits which accrued from those years of service.

#### **7.5 Appointment of permanent staff**

In terms of MSR (Regulation.29)

Except as provided for in regulations 21 and 30, appointments of staff members made in terms of section 66 of the Act shall be on a permanent basis.

#### **7.6 Appointment of staff on fixed term contract**

In terms of MSR (Regulation.30)

- (1) Despite regulation 29, a municipality may, in exceptional circumstances and within its administrative and financial capacity, appoint a person or persons on fixed term contract without adhering to the procedures and



processes as contained in this chapter.  
(2) The application of sub-regulation (1) is subject to the provisions of section 198B of the Labour Relations Act

The appointment of an applicant may take place only in accordance with the requirements of the post concerned and the merit of the applicant.  
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.  
Whenever any of the details contained in such a letter change the Director Corporate Services must inform the employee in writing of such changes.  
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.

A person appointed as –

- Municipal Manager,
- Manager directly accountable to the Municipal Manager.
- The employment contract of a person appointed for a fixed term must include, subject to applicable labour legislation, details of –
  - the duties, remuneration, benefits and other terms and conditions of employment of the employer and employee;
  - the term of employment, which terms 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;
  - include a provision for cancellation of the contract, in the case of non-compliance with the employment contract or the performance agreement;
  - stipulate the terms of the renewal of the employment contract, but only by agreement between the parties; and
  - 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.

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 –

- 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.
- The time frames within which those performance objectives and targets must be met;



- standards and procedures for evaluating performance; and
- the intervals for evaluation; and
- the consequences of substandard performance.
- 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.

## 7.7 Induction

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

- The new incumbent will be introduced to his / her immediate staff / colleagues by the HR Manager.
- The respective HR Manager shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.
- The responsible HR Manager will arrange a tour / explanation for the new incumbent of the range of services.
- The HR Manager will also explain and provide a copy of the Councils Human Resources Policy and Procedure Manual.
- 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 Head of Department will explain and provide a copy of the job description relating to the new employee's specific position / job function (line management is expected to conduct a full job orientation).

## 7.8 Accommodation of newly appointed employees

The employer will accommodate a newly appointed employee who resides outside the jurisdiction of the Municipality for a period of one (1) month.

## 7.9 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.



## 8. RESIGNATIONS

The following procedure needs to be followed when an employee resigns:

- i. The employee tenders resignation to the Municipal Manager in case of the Head of Department and the Heads of the Departments in all other cases;
- iii. The Council or Municipal Manager or Head of the Department accepts the resignation;
- iv. The Human Resources Division conducts an exit interview with the employee;
- v. All outstanding loans or other reimbursements must be settled; and
- vi. All equipment like cell phones, laptops etc., must be handed back to the employer

## 9. IMPLEMENTATION AND MONITORING

This policy will be implemented and effective once recommended by the Local Labour Forum and approved by Council.

## 10. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

## 11. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

## 12. BUDGET AND RESOURCES

The financial and resource implications related to the implementation of this policy should be qualified and quantified.

## 13. ROLES AND RESPONSIBILITIES

Role	Responsibility
Municipal Manager (subject to its delegations if any)	Approves the establishment and all appointments other than section 56 posts
Council	Develops the strategy and approves recommendations of the selection panels in respect of appointments on job levels relating to the Municipal Manager and Section 56 Employees
Executive Manager	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.
Human Resources	Custodian of recruitment selection, placement and induction processes of the Municipality and quality assurance
Labour Representatives	Ensures transparency and openness in the selection processes

## 14. 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.


#### 15. PENALTIES

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

#### 16. 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.

This policy was signed by \_\_\_\_\_ in his/her capacity as the Acting Municipal Manager of the Dipaleseng Local Municipality on the \_\_\_\_\_ and the policy takes effect as from 01 July 2022.

Signature  


Date of Council Approval

30 May 2023



## RECRUITMENT TIME FRAMES

## ANNEXURE A

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

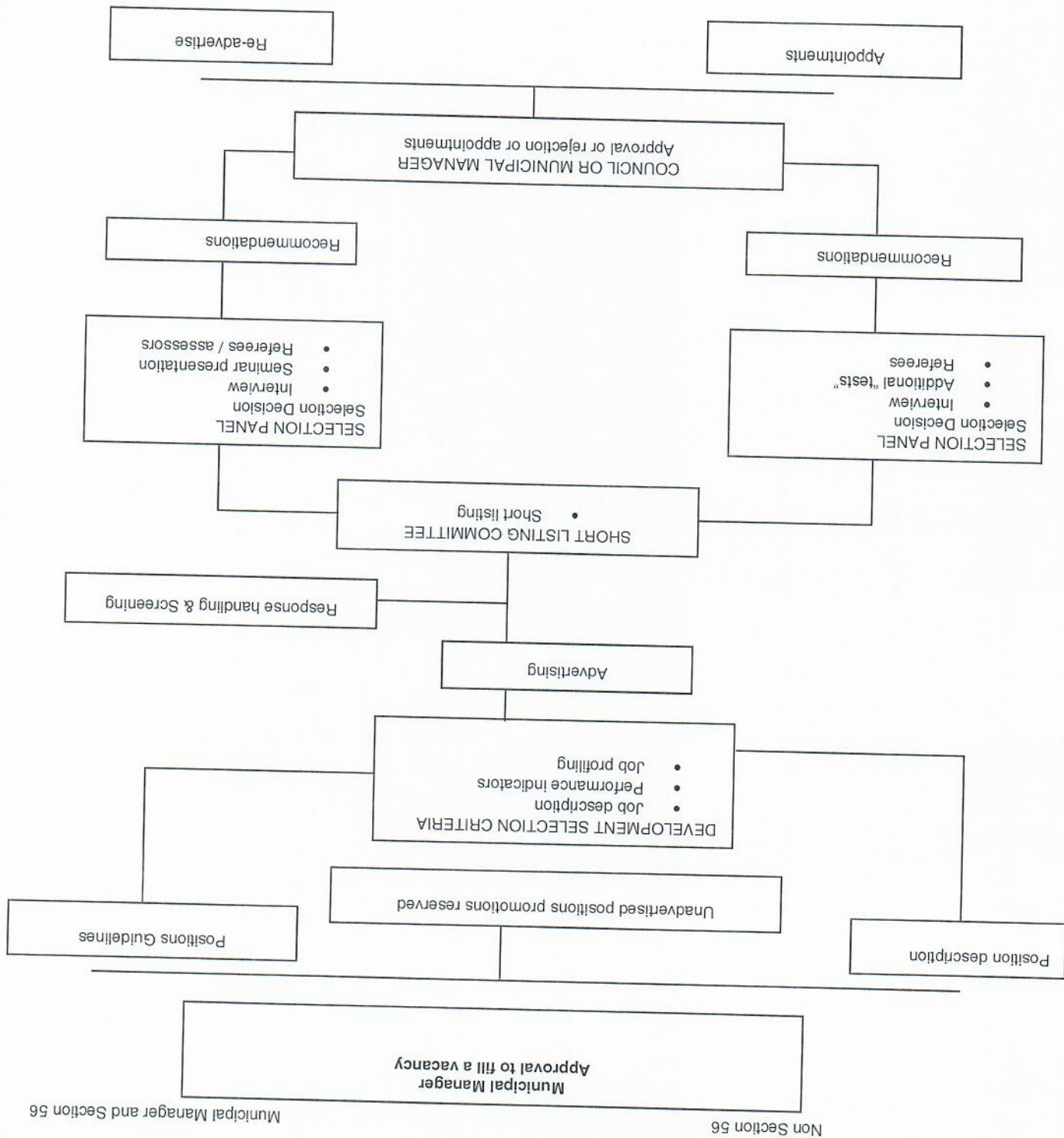
ACTIVITY	RESPONSIBILITY	TIME
<b>VACANCY</b> <ul style="list-style-type: none"> <li>• through resignation</li> <li>• dismissal</li> <li>• retirement</li> <li>• incapacity</li> <li>• other</li> </ul>	Line Manager to motivate filling of post to MUNICIPAL MANAGER	Within 2 (two) weeks of occurrence of vacancy or as soon as reasonably possible
<b>ADVERTISEMENT</b> <ul style="list-style-type: none"> <li>• internal</li> <li>• external</li> </ul>	Director: Corporate Services or Human Resources Department on referral by Director: Corporate Services to request job profiles and place advertisements	Advertisements are for 2 (two) weeks period with a grace of an additional 3 (three) days for posted applications
<b>SCREENING</b> <ul style="list-style-type: none"> <li>• rejecting non complying applications</li> <li>• filing complying application</li> </ul>	Recruitment Office	Within 3 (three) days from the closing date of applications in terms of the advertisement
<b>SHORTLISTING</b>	Short Listing Committee	Within a week from the closing date of applications in terms of the advertisement
<b>INTERVIEW</b>	Selection Panel	Within a week from the final short listing
<b>APPROVAL</b>	Municipal Manager authority or Council	Within a week after recommendations submitted by the Selection Panel
<b>APPOINTMENT</b>	Line Executive Manager after approval by Municipal Manager or Council	Immediately after approval by delegated authority or Council
		Average time frame from the date of advertisement to appointment is 8 (eight) weeks.

Same  
Week



ANNEXURE B

The following flow chart should serve as a guideline on Employee Selection Procedures:



Non Section 56

Municipal Manager and Section 56



## **Guidelines about Conducting Interviews**

## **ANNEXURE C**

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. 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.
7. Panel members will ask interview questions as pre-determined. Where a 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.
8. All the responses by the candidate should be recorded.
9. Each member of the panel must make individual assessments prior to discussion with candidates.
9. 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.
- 10 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.
11. 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.



12. After the interview is completed strictly within the timeframe provided the Chairman will thank the candidate and with one of the panel members, escort him out.