



FETAKGOMO – GREATER TUBATSE
LOCAL MUNICIPALITY
(LIM476)



The **GTM**
GREATER TUBATSE
MUNICIPALITY

South Africa's first democratic platinum city

RECRUITMENT, SELECTION AND APPOINTMENT POLICY

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RECRUITMENT, SELECTION AND APPOINTMENT POLICY

1. DEFINITIONS

i **"induction"** initiation: a formal entry into an organization or position or office.

ii **"nepotism"** means favouritism on the basis of family relationship or friendship.

iii **"candidate"** means an applicant for a post.

iv **"recruitment"** means the activities undertaken in the human resources management in order to attract sufficient job candidate who have the necessary potential, compliances and traits to fill job requirement and to assist the municipality in achieving its objectives.

v **"reference check"** means the gathering of information about candidate's past history from people with whom such candidate has been associated.

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

vii **"observe"** means to look or to see

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

2. PREAMBLE

The employment policy and its implementation will be fundamentally aimed at matching the human resources to the strategic and operational needs of the 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 position, except as provided in this policy with reference to affirmative action and employment equity.

3. LEGAL FRAMEWORK

- a. The Constitution of RSA, 1996
- b. Local Government: Municipal System Act, 2000 (Act 32 of 2000)
- c. White Paper on Local Government
- d. Employment Equity Act (Act 55 of 1998).
- e. Basic Condition of Employment Act 1997 (Act No 75 of 1997).
- f. Labour Relations Act, (Act 66 of 1995).
- g. The Promotion of Administrative Justice Act, 3 of 2000
- h. Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000 (PEPUDA)
- i. Protection Of Personal Information Act (POPI)

4 SCOPE AND APPLICATION

To ensure a fair and equitable employment processes, this policy shall apply to all appointments made within the Municipality other than section 56 and 57 appointments. 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 PURPOSE AND OBJECTIVES OF POLICY

The Municipality recognises that its employment processes, 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 offices-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 human resources;
- c. Be conducted in an accountable manner;
- d. Be transparent;

- e. Promote good human resources 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. ADMINISTRATION OF THE POLICY

The Municipal Manager must ensure that the Director Corporate Services has an effective structure in HR to fulfil the functions of Administration and enforcement of the policy.

7. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Municipal Manager in terms of section 55(1) of the Local Government Municipal System Act, 2000 (Act 32 of 200) and council in the case of the Municipal Managers and managers reporting directly to the municipal manager.

7.1 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 Council.

7.2 Recruitment

7.2.1 Determining of inherent requirements

Prior to filling a post, the necessity for filling shall be assessed and motivated in writing by the relevant Director for that department to the Municipal Manager or his/her delegate.

7.2.2 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 shall be scrutinized as to relevance and applicability.

7.2.3 Recruitment Advertisement

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

- a. The name and location of the Municipality.
- b. A statement that the Municipality subscribes to the principles of employment equity.
- c. The designation of the position that is advertised.
- d. The minimum requirements in terms of qualification, skills expertise and other requirements for appointment.
- e. A summary of the key performance areas/ primary duties of the position.
- f. A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- g. A statement that candidates must be prepared to under vetting/security screening.
- h. The name and contact details of the person to whom enquiries may be directed.
- i. A statement that canvassing will disqualify any candidate from being considered for appointment.
- j. An indication of the at least the basic salary offered
- k. The format and content of applications.
- l. The address where, and person to whom, applications must be delivered.

- m. The closing date for the submission of applications.
- n. A statement that applications received after the closing date will not be accepted or considered.
- o. A statement that if an applicant does not hear from the municipality 60 days after the closing date, his/her application was unsuccessful.
- p. A statement that email and faxed applications will not be considered.
- q. A statement that misrepresentation of information by any candidate may result in disqualification or termination of service.

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

7.2.3.1 Nature of Post Advertising Medium

- a. Temporary elementary position Local newspaper or notice boards within the municipality
- b. Permanent elementary occupations notice boards within the municipality or local newspaper
- c. Entry and officers level occupations internally and local newspaper
- d. Middle, senior management and professional occupations internally, provincial and national newspaper.

7.2.4 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.

7.2.5 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 person 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.

7.2.6 Application Forms

The Director Corporate Services must design and ensure that a sufficient supply of official application forms is available and accessible at all times. Unless specifically allowed in a particular case, all applications must be submitted on an official application form.

7.3 Selection

7.3.1 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 qualification 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 influenced the selection process by job applicants, or any other on behalf of job applicants, for posts within the council service is prohibited and evidence therefor will disqualify the applicant's application for consideration for appointment.

7.3.1.1 Nepotism

The basis criteria for the appointment and/or promotion of employees in the municipality shall be appropriate qualification 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, in-laws of any of the foregoing.

7.3.1.2 Selection Process

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

The selection process will be conducted by a selection panel consisting of:

- a. The Municipality Manager or his delegated assignee(s)
- b. Director of relevant department or his/her designate
- c. Director Corporate Services or his/her designate
- d. Member of Employment Equity Committee as observer
- e. Labour Unions- may attend the proceedings as observers only.

The Municipal Manager shall appoint the shortlisting and the interview panel, where practically possible, the two panels should be comprised of the same members.

7.3.2 Compiling of master lists

After the closing date of advertisement all the application 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:

- a. The applicant's surname followed by her/his initials
- b. The applicant's gender;
- c. The applicant's race;
- d. The applicant's qualification and experience relevant to the job description and job specification; and
- e. If applicable, the nature of the applicant's disability
- f. The applicant's ID number.

The Director Corporate Services shall submit the master list, together with the applications to the relevant Director.

The Director Corporate Services must, during the compilation of the master list, takes all reasonable steps and actions to establish the validity and accuracy of any

certificate, 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 not recognised by SAQA, such information must be noted next to the name of the candidate in the master list.

7.3.3 Compiling short lists

The Director concerned or the Executive Committee, as the case may be, must 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 candidate to be subjected to the selection process.

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

- a. Internal applicants
- b. Local applicants
- c. District applicants
- d. Provincial applicants
- e. National applicants

The relevant Director or his/her designate must submit the particulars of the short listed candidates to the Director Corporate Services.

7.3.4 Notification of short listed candidates of selection proceedings

The Director Corporate Services 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.

7.3.5 Interviewing in respect of vacancies- Refer Annexure A

The interview process will be conducted by a interview panel consisting of:

- a. The Municipality Manager or his delegated assignee(s)
- b. Director of relevant department or his/her designate
- c. Director Corporate Services or his/her designate
- d. Member of Employment Equity Committee as observer
- e. Labour Unions- may attend the proceedings as observers only

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

- a. On the first level below that of a Director;
- b. manager directly accountable to her/him; and
- c. In her/his department/office

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

7.3.6 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 therefore is relevant to the expected job standards that would be expected of the employee and it relates to the job description.

7.3.7 Qualification Verification

7.3.7.1 Applicants must be requested to attach copies of their qualification certificates (certified in the past 12 months) to their applications.

7.3.7.2 When invited to attend an interview, the candidate must be re-requested to submit his/her original qualification certificate(s) to the HR representative at the interview. This will without exception also apply to internal candidates. The HR representative must verify in writing that the certificate of the qualification required in the advertisement (and listed in the candidate's CV) was presented to him/her at the interview (**Annexure D**). The municipality may also use the services of reputable service providers for verification of qualifications.

7.3.7.3 The nominated candidate's qualification(s), required in the advertisement of the post, must be verified in writing through an accredited Service Provider.

7.3.7.4 The burden of proof of qualification lies with the applicant for a post. Applicants must submit proof of qualifications obtained through Recognition of Prior Learning (RPL), under the NQF, for consideration that their prior learning and experience is equivalent to an NQF level required for a post advertised.

7.3.8 Reference Checking

7.3.8.1 The HR representative must do reference checks on the preferred first, second and third candidates. This is not required for employees who have been in the Municipality's service for more than 12 months. The checks are done to confirm employment and duties performed by the preferred applicants from the references whom the applicant listed on his/her CV.

7.3.8.2 The reference checks must be submitted on the format form (**Annexure D**) together with the submission for the approval of the nominated applicant(s).

7.3.9 NIA Vetting

The HR representative must facilitate the pre-employment screening by Requesting NIA to do:

7.3.9.1 Citizenship verification

7.3.9.2 Criminal record check

7.3.9.3 Credit check

7.4 Appointment

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

7.4.1 Appointment of employees to posts in the temporary establishment

A person appointed to a temporary position-

- a. Is appointed at the salary applicable to a comparable position on the permanent establishment;
- b. May not receive any housing and travelling benefits;
- c. May not become a member of a retirement fund or medical aid scheme to which the Municipality must contribute;
- d. 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;

- e. May not be appointed for a period exceeding six (6) months and may not be appointed for a consecutive period of six (6) months.

Employment of EPWP and CWP workers is in terms of the Ministerial Determination as approved from time to time by the Minister of labour.

7.4.2 Appointment of personnel in the office of any councillor

Only a full-time political office-bearer is entitled to one or more employees being assigned to her/him. Any position created with the sole purpose of providing administrative support to a councillor, is created in the department responsible for corporate services.

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 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.

7.4.3 Appointment of replacement labour in the event of a strike

The Municipal Manager may, after consultation with the relevant Director and the Chief Financial Officer, employ replacement labour during a strike in terms of, and consistent with, section 76 of the Labour Relation Act 1995.

Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of Employment Act of 1997. The letter of appointment must clearly stipulate that:

- a. The appointment is only for the duration of the strike and the services of the employee will terminate immediately when the regular employees of the Municipality return to work; and
- b. Termination of any replacement labour employment shall not constitute a dismissal of the person concerned and that she/he shall not be entitled to any additional remuneration or compensation in respect of the completion of such period.
- c. The person's employment with the Municipality will come to an automatic and on expiry the term and such termination shall not be construed as a

termination based on the Municipality's operational requirements, nor as an unfair dismissal.

- d. Accordingly, reference in this paragraph to 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.

7.4.4. Appointment to a permanent position

The Director Corporate Services must present every newly appointed employee with a letter of appointment not later than the date 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 Director must explain the content of such letter and any amendment thereof to such employee in a language that she/he understands.

7.4.4.1 Probation

Any permanent employee who is new must be appointed on probation. Any appointment on probation must also comply with the relevant legal prescripts of the Labour Relations Act, Act 66 of 1995 and any Code of Good Practice published in terms of the aforementioned Act.

The departmental head concerned must evaluate the progress and performance of an employee appointed on probation at least twice during the probation according to such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system.

7.4.4.2 Induction

On appointment, the respective HR manager will take full responsible for induction:

- a. The new incumbent will be introduced to his/her immediate staff/colleagues by the HR manager.

- b. The respective HR Manager shall ensure, in conjunction with incumbent, that all appointment documentation has been completed and processed.
- c. The responsible HR Manager will arrange a tour/explanation for the new incumbent of the range of services.
- d. The HR Manager 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).
- e. The HR manager will also explain and provide a copy of the approved relevant human resources policy documents.
- f. 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.

7.5 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 is during or after termination of employment.

8. DEFAULT

Non-compliance with the policy shall constitute a violation of the policy and shall be dealt with in accordance with municipal disciplinary code and procedures.

9. ADOPTION OR APPROVAL OF THE POLICY

This policy shall be adopted by the Local Labour Forum and eventually be approved by Council.

10. IMPLEMENTATION AND MONITORING

The policy shall be implemented after approval by Council

11. COMMUNICATION

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

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12. POLICY REVIEW

This policy will be reviewed after five years and/or when circumstances demand for a review.

13. BUDGET AND RESOURCES

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

14. RECORD KEEPING

Adequate record of the entire selection process need to be maintained, including selection and short listing criteria; reason for inclusion/exclusion of candidates; structure 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 record need to be maintained for the prescribed period.

15. PENALTIES

Non-compliances 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.

Council Resolution No:	
Date	:
Speaker	:
Reference	:

17/17

ANNEXURE A

Guidelines about conducting interviews

1. The Chairperson will welcome the candidate, thank the candidate for attending and introduce the candidate to the members of the panel.
2. The Chairperson will inform the candidate regarding the interview format, and mention the opportunity for question at the conclusion of the interview.
3. The Chairperson will confirm whether the candidate has come to the relevant interview.
4. The Chairperson and the Panel members will ask the candidate question in order to gain as much information about the candidate as possible,
5. All the responses by the candidate should be manually recorded
6. Each member of the panel must make individual assessments prior to discussion with candidate.
7. Candidate 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.
8. The Human Resources official in attendance will give a brief outline of the conditions of service.
9. The candidate will be invited to see the Human Resources official afterwards for a fuller explanation of the conditions, if the candidate so wishes.
10. After the candidate has asked questions regarding the post and the work environment and answers provided by the panel, the Chairperson should advise the candidate on the next step in the selection process.

After the interview is completed strictly within the timeframe provided, the Chairperson will thank the candidate