

BEAUFORT WEST MUNICIPALITY



The coat of arms of Beaufort West Municipality features a central shield with a grid of 16 smaller shields. Above the shield is a crest with a red shield and a white horse. The shield is supported by two figures, and a banner below it contains the motto 'FIDELIA BONA'.

POLICY	Recruitment, Selection and Appointment Policy
Approved	26th June 2023
Author(s)	Human Resources
Consultation	18 and 19 May 2023 Councillors Trade Unions and HOD's



A handwritten signature in black ink, consisting of a stylized 'D' shape with a loop at the top and a tail at the bottom.

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1. PREAMBLE

The Municipality endeavours to match the human resources to its strategic and operational needs whilst ensuring the full utilisation and continued development of the employees. All aspects of the employment – structures, recruitment, selection, interviewing and appointment of employees - shall be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions, except where explicitly provided for affirmative action and employment equity.

2. PURPOSE

2.1 The Municipality recognises that its employment policies, practices and procedures must comply with the principle of the rule of law. The principle of the rule of law includes the principle of legality, which requires the Municipal Council and its employees to comply at all times and without exception with the relevant legal prescripts governing the situation concerned.

2.2 This policy is further based on the principles of best practice human resource management that ensures the Municipality must –

2.2.1 Be characterised by a high standard of professional ethics;

2.2.2 Promote the efficient, economic and effective utilisation of employees;

2.2.3 Conduct human resources in an accountable manner;

2.2.4 be transparent;

2.2.5 Promote good human resource management and career development practices, to maximise human potential; and

2.2.6 ensure that its administration is broadly representative of the people of South Africa, with human resources management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.

3. SCOPE

To ensure a fair and equitable employment process, this policy shall apply to all permanent, fixed-term contract appointments, casual employees, temporary appointments, and fixed-term secondments made within the Municipality. This policy will not apply to appointments arising out of a procurement process, acting appointments or rotation of portfolios.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act 108 of 1996
- Municipal Systems Act 32 of 2000



- Municipal Structures Act 117 of 1998
- Municipal Finance Management Act 56 of 2003
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Skills Development Act 97 of 1998
- Local Government: Regulations on appointment and conditions of employment of senior managers, dated 17 January 2014
- Local Government: Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Local Government: Guidelines for the Implementation of the Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Basic Conditions of Employment Act 75 of 1997
- Occupational Health and Safety Act 85 of 1993
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act 58 of 1995
- Employment Services Act 4 of 2014
- Income Tax Act 58 of 1962
- Immigration Act 13 of 2002

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the applicable legislation, or as defined and / or explained in the Glossary of the Human Resources Policies Manual.

6. PROBLEM STATEMENT

High incidence of irregular and inappropriate appointments.

7. POLICY PROVISIONS

7.1 Principles

- 7.1.1 The recruitment, selection and appointment of a staff member to a post on the staff establishment shall –

- 7.1.2 Comply with the requirements of the Municipality's employment equity policy and plan
- 7.1.3 Be integrated with other human resource management systems and procedures
- 7.1.4 Use objective competencies specified in the job description; and
- 7.1.5 Be filled through advertising in accordance with this policy.

7.2 Vacancy rate and determination of recruitment needs

- 7.2.1 The Municipality shall –
 - 7.2.1.1 Fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant
 - 7.2.1.2 Develop a strategy to –
 - a. fill funded vacancies
 - b. reduce turnaround times for filling of vacant funded posts
 - 7.2.1.3 Maintain a vacancy rate of not more than 25% of the total posts on the staff establishment.
- 7.2.2 The strategy to fill funded vacancies shall include timeframes for the various activities included in the recruitment and selection process.
- 7.2.3 A vacant post on the staff establishment may not be filled unless –
 - 7.2.3.1 The municipal manager or a staff member to whom this function is delegated has approved the filling of the post; and
 - 7.2.3.2 The post is budgeted for.

7.3 General requirements for appointment of staff members

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 the Municipality, unless he or she –

- 7.3.1 Is a South African citizen or permanent resident; and
- 7.3.2 Possesses the relevant competencies, qualifications and experience, as set out in the Municipal Staff Regulations.

7.4 Competency requirements for staff members

A person appointed as staff member in the Municipality shall, where applicable, have competencies, and comply with the minimum requirements or education qualifications, work experience and knowledge as set out in Annexure A of the Municipal Staff Regulations.



7.5 Advertising of vacant post

- 7.5.1 The Municipality shall advertise the post after the Municipal Manager or assigned delegate has approved.
- 7.5.2 The advertisement shall, at least, specify the –
 - 7.5.2.1 Job title
 - 7.5.2.2 Term of appointment
 - 7.5.2.3 Place of work
 - 7.5.2.4 Applicable salary scale or pay range
 - 7.5.2.5 Competency requirements of the post, and where applicable minimum qualifications and experience as set out in Annexure A of the Municipal Staff Regulations
 - 7.5.2.6 Summary of the core functions
 - 7.5.2.7 Need for signing of employment contract and, where applicable, a performance agreement and disclosure of benefits and interest
 - 7.5.2.8 Address where applications must be sent
 - 7.5.2.9 Place where applicants can obtain the application form; and
 - 7.5.2.10 closing date for submission of applications.
- 7.5.3 The advertisement shall, where necessary and at the discretion of the Municipal Manager, also contain the following:
 - 7.5.3.1 Statement that Municipality subscribes to principles of employment equity.
 - 7.5.3.2 Name and contact details of person to whom enquiries may be directed.
 - 7.5.3.3 Statement that canvassing will disqualify any candidate from being considered for appointment.
 - 7.5.3.4 Statement that applications received after the closing date will not be accepted or considered.
- 7.5.4 The Human Resource Unit shall, where required, register job vacancies with the Public Employment Services (PES), as well as notify the PES when filling the vacancies.
- 7.5.5 Following the agreement entered in the Local Labour Forum, and approved by the Council, vacancies shall be advertised internally and may at the same time be advertised externally, provided that external advertisements may only be published in newspapers of record.



7.5.6 Where the Municipality does not have the capacity to manage recruitment processes, a recruitment agency shall be appointed to undertake the recruitment processes, including response handling, compilation of the long list of applicants who applied for the advertised post, preliminary list of applicants who meet the requirements, list of applicants who do not meet all requirements but have the potential and list of applicants who do not meet the requirements: Provided that the advertising and recruitment procedures comply with this policy, and that the appointed recruitment agency shall not undertake the selection process.

7.5.7 Unsolicited applications received during the course of the Municipality's operations shall 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 appointed recruitment agency shall not undertake the selection process. Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

7.5.8 Head hunting through recruitment agencies shall, where utilised, 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. The following conditions shall also apply:

7.5.8.1 Recruitment agencies on the preferred list of recruitment service providers shall be provided with a copy of the recruitment advert for use in finding suitable candidates.

7.5.8.2 The detailed head hunting principles and guidelines shall be agreed to in the Local Labour Forum, and approved by Council.

7.6 Application for vacant post

7.6.1 An application for a vacant post shall be made on the prescribed form of the Municipality, in both hard copy and online version.

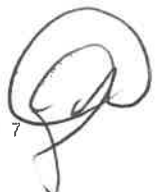
7.6.2 An applicant for a post shall disclose –

7.6.2.1 His or her qualifications and experience

7.6.2.2 His or her contactable references

7.6.2.3 His or her registration with a relevant professional body, if applicable

7.6.2.4 Full details of any dismissal for misconduct or substandard performance



7.6.2.5 Any disciplinary actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.

7.6.3 Misrepresentation or failure to disclose material information contemplated in clause 7.6.2 and the application form is a breach of the Code of Conduct for Municipal Staff and shall be dealt with in terms of the discipline policy.

7.6.4 The Municipality shall maintain a record of all applications received and the information contained in the applications shall 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 of South Africa Act.

7.6.5 The record shall contain –

7.6.5.1 The applicants' biographical details and contact information

7.6.5.2 The details of the post for which the applicants were applying

7.6.5.3 The applicants' qualifications; and

7.6.5.4 Any other requirements outlined in the application form.

7.7 Selection panel

7.7.1 The Municipal Manager or his or her delegate shall appoint a selection panel for each of the advertised post to recommend the appointment of suitable persons to the vacant post.

7.7.2 The selection panel shall comprise of not more than five persons.

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

7.7.4 In deciding on the composition of the selection panel, the Municipal Manager shall consider the following:

7.7.4.1 Nature of the post

7.7.4.2 Gender and race balance of the panel; and

7.7.4.3 Skills, expertise, experience and availability of the person to be involved.

7.7.5 A member of a selection panel shall –

7.7.5.1 Disclose any interest or relationship with shortlisted candidates during the short-listing process

7.7.5.2 Recuse himself or herself from the selection panel if –



- a. his or her spouse, partner, close family member or close friend has been shortlisted for the post
- b. the panel member has a de facto relationship or some form of indebtedness to a short-listed candidate or vice versa; or
- c. any other conflict of interest; and

7.7.5.3 Sign a prescribed declaration of confidentiality to avert the disclosure of information to unauthorised persons.

7.7.6 A human resource specialist may provide secretarial or advisory services during the selection process, but may not form part of the selection panel.

7.7.7 Each panel member shall disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.

7.7.8 If a conflict of interest becomes apparent during the selection process, the Municipal Manager or his or her delegate shall take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.

7.7.9 If a conflict of interest becomes apparent after the appointment, the Municipal Manager or his or her delegate shall report the matter to the Council, which shall take remedial action, including possible disciplinary action.

7.8 Compiling shortlist of applicants

7.8.1 The Municipality shall compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.

7.8.2 The selection panel shall compile a short-list based on the inherent requirements of the position and with due regard to Section 20 of the Employment Equity Act.

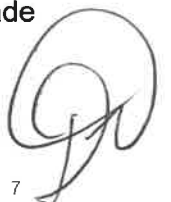
7.9 Interviews

7.9.1 The list of short-listed candidates and copies of their applications shall be submitted to the selection panel prior to the interviews taking place.

7.9.2 The selection panel for a post shall once constituted, 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 shall be reconstituted.

7.9.3 The Municipality shall grant observer status to each of the recognised trade union representatives during the interviews.

7.9.4 The selection panel shall interview the short-listed candidates.



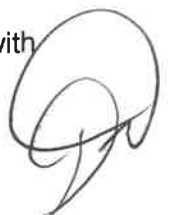
- 7.9.5 Before the interviews for a specific post commence, the selection panel shall confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.
- 7.9.6 The selection panel shall keep a written record of the interviewed candidates.
- 7.9.7 After considering all the relevant information, the selection panel shall 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.
- 7.9.8 If it is determined that the recruitment process has not attracted suitable candidates, the post may be re-advertised.
- 7.9.9 If the post is categorised as a critical and scarce skill post, alternative recruitment methods such as executive search, head-hunting, referrals and/ or re-advertising may be considered. The details of these alternatives shall be agreed to in the Local Labour Forum and approved by Council.
- 7.9.10 The recommendations of the selection panel shall be determined by –
- 7.9.10.1 Consensus; or
 - 7.9.10.2 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.
- 7.9.11 If the selection panel recommends an appointment to the post, it shall submit its recommendation to the Municipal Manager or his or her delegate for approval.

7.10 Conducting proficiency tests

- 7.10.1 One or more relevant proficiency tests (e.g. computer skills tests, operating equipment, writing tests, technical presentations, etc.) may be required to be conducted before or after an interview is conducted.
- 7.10.2 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.
- 7.10.3 A proficiency test shall be conducted under the supervision of the selection panel.

7.11 References and personal credential verification

- 7.11.1 Reference checks and personal credential verification for short-listed candidates shall be conducted by –
- 7.11.1.1 Verifying the candidate's inherent requirements of the job with the current or previous employer



7.11.1.2 Establishing the validity of candidate qualifications and any other verification required by the position before appointment

7.11.1.3 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

7.11.1.4 Verifying any other additional personal credentials as may be required by the nature of the job such as criminal records, credit checks, identification document, security clearance, etc.

7.11.2 A written report on the outcome of the reference checks and personal credential verification shall be compiled before the appointment is concluded.

7.11.3 Notwithstanding clause 7.11.1.1, the absence of a previous employment record shall not disqualify a candidate for appointment to an advertised post.

7.12 Appointment

7.12.1 An applicant may be appointed as a staff member only if they –

7.12.1.1 possesses the relevant competencies as prescribed in the Municipal staff Regulations

7.12.1.2 is not disqualified in terms of the policy provisions on the re-employment of dismissed municipal staff.

7.12.2 The Municipal Manager or the staff member to whom this function is delegated shall –

7.12.2.1 consider the recommendations of the selection panel; and

7.12.2.2 decide –

a. on whom to appoint; and

b. the terms and conditions of employment.

7.12.3 Before making a decision to appoint, the Municipal Manager or his/ her delegate shall satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in the competency framework of the Municipal Staff Regulations.

7.12.4 An appointment shall only take effect after the Municipal Manager or his or her delegate has approved the appointment.

7.12.5 The Municipal Manager or his or her delegate shall ensure that all the interviewed candidates are informed whether or not they were successful.



7.12.6 Unsuccessful candidates shall on request be provided with, or given reasons, in writing why they were not successful or appointed.

7.13 Appointment of permanent staff

Except where specifically determined in terms of this policy, appointments of staff members shall be on a permanent basis.

7.14 Appointment of support staff to offices of Mayor and Speaker.

7.14.1 An applicant appointed to a post on the staff establishment in order to support the offices of the Mayor, Speaker or Whip shall either be –

7.14.1.1 seconded from a post on that Municipality's staff establishment or another Municipality's staff establishment; or

7.14.1.2 appointed on a fixed-term contract of employment.

7.14.2 The duration of the secondment or fixed-term employment contract in this regard may not be longer than six months after the Mayor, Speaker or Whip vacates office.

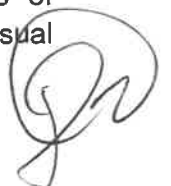
7.15 Appointment of temporary staff

7.15.1 Notwithstanding clause 7.13 and subject to the provisions of the Labour Relations Act, the Municipality may in exceptional circumstances and within the administrative and financial capacity appoint a person or persons on short term employment without adhering to the full provisions of this policy.

7.15.2 The Municipality may in accordance with this policy, and after satisfying reasons that there is an unforeseen temporary increase in the volume of work or need for additional capacity to perform functions, consider short term employment to complement the permanent staff under the followings circumstances:

7.15.1.1 Casual employment

- a. Casual employment may only be offered for:
 - i. relief purposes to meet special work demands; and
 - ii. seasonal work, where the work requirements may vary from day-to-day.
- b. A person engaged in casual employment may be employed in the Municipality on a day-to-day basis without an expressed or implied continuity.
- c. The casual employment shall terminate at the end of each day unless specified otherwise. In cases of misconduct, the Municipality can dismiss a casual worker instantly.



- d. Notwithstanding clause 7.15.1.1.c., a casual worker may be exempt from unfair dismissal access unless the casual worker:
 - i. is engaged by the Municipality on a regular and systematic basis for a sequence of periods of employment during a period of at least six months; and
 - ii. would, for purposes of dismissal, have had a reasonable expectation of continuing employment with the Municipality.
- e. Casual employment does not replace staff employed on permanent basis in the Municipality or cannot be used as a substitute for continuing or fixed term employment.

7.15.1.2 Fixed-term employment

- a. The Municipality may offer temporary employment for a period not exceeding three months only under the following conditions –
 - i. when the Municipality requires new skills to fill a vacant post to manage a new project or programme funded by an external source, which has a known fixed period
 - ii. when the Municipality is obliged to make a temporary appointment to replace a staff member who is absent from work for a period of three months or more
 - iii. when the Municipality is in a process to fill a part-time post of a staff member who works less than 24 hours per week
 - iv. when the Municipality is awaiting recruitment and selection processes to fill the post of a staff member who has reached the normal retirement age applicable to Municipalities
 - v. the fixed-term employment is for a minimum period of three months not exceeding a period of five years; and
 - vi. the post is budgeted for.

7.15.1.3 Notwithstanding clause 7.15.1.1, the Municipality may in exceptional circumstances appoint support staff to the office of the political office bearers for a period not exceeding six months after the Mayor, Speaker or Whip vacates office.



7.15.1.4 **Temporary employment**

- a. The Municipality shall offer temporary employment
 - i. to replace staff members on leave or any other extended period of leave; and
 - ii. as short-term secondments; and
 - iii. for temporary assistance to improve staff shortages.

7.16 **Appointment of replacement labour in the event of a strike**

The employment of replacement labour during a strike in terms of Section 76 of the Labour Relations Act shall be based on the main and divisional collective agreements entered in the SALGBC, and details agreed to in the Local Labour Forum.

7.17 **Re-employment of dismissed municipal staff**

7.17.1 A person who was dismissed from a municipality for any reason stated in the Municipal Staff Regulations may not be employed in the Municipality before the period set out, or any concurrent periods set out, has expired.

7.17.2 Notwithstanding clause 7.17.1, a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.

7.17.3 The Municipality shall maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings.

7.17.4 The record shall contain –

7.17.4.1 full names and identity number of the person

7.17.4.2 title of the post that the person occupied

7.17.4.3 nature of the misconduct

7.17.4.4 date of suspension, if any

7.17.4.5 conditions of suspension, if any

7.17.4.6 date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration

7.17.4.7 date of commencement of the disciplinary hearing or pre-dismissal arbitration

7.17.4.8 finding

7.17.4.9 whether a dispute was referred to the SALGBC or the Labour Court

- 7.17.4.10 costs incurred by the municipality; and
- 7.17.4.11 date of resignation or dismissal of the person.

7.18 Probation

7.18.1 The appointment of a person as per this policy shall be effective on a minimum probationary period of three months and a maximum probationary period of 12 months.

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

7.18.3 The Municipal Manager or his or her delegate shall –

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

7.18.3.2 ensure that the staff member completes the Municipality's induction programme; and

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

7.18.4 If a staff member's performance is not satisfactory, the Municipal Manager or his or her delegate shall advise the staff member of any aspects that the staff member is considered to be failing to meet the required performance standards.

7.18.5 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 –

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

7.18.5.2 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.

7.18.6 Notwithstanding clause 17.18.5, 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.

7.18.7 Within one month after the completion of the probationary period, the Municipal Manager or his or her delegate shall –

7.18.7.1 confirm the appointment if –



- a. the staff member's performance during the probationary period was satisfactory; and
- b. the staff member complied with all the conditions of the probationary appointment.

7.18.7.2 subject to the Labour Relations Act, terminate the appointment if –

- a. the staff member's performance was not satisfactory during the probationary period; and
- b. the staff member did not comply with all the conditions of the probationary appointment.

7.19 Induction

7.19.1 All new Municipal staff members shall attend a standardised induction programme within a month of commencing employment.

7.19.2 Induction programmes shall result in new staff members having a clear understanding of the operations of the Municipality, as well as its structure, strategy, objectives and culture.

7.19.3 The Municipality shall use induction programme to:

- 7.19.3.1 welcome new employees in a constructive way that projects a positive image of the Municipality
- 7.19.3.2 introduce the staff member to the working environment and his or her colleagues
- 7.19.3.3 facilitate integration into the job functions, the department, team and the Municipality as a whole
- 7.19.3.4 provide the new staff member with comprehensive information about the Municipality's policies, health and safety requirements, procedures, facilities, and services
- 7.19.3.5 highlight and introduce performance standards, expectations and required behaviour patterns for effective job performance
- 7.19.3.6 establish a solid foundation for the staff member to embrace the challenges of the post and to build commitment to the Municipality; and
- 7.19.3.7 open effective communication channels.

7.20 Roles and responsibilities

The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified



by the Human Resource Unit, in consultation with the Chief Financial Officer (CFO).

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as misconduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager:

Signature: _____ Date: _____