

OVERSTRAND MUNICIPALITY

RECRUITMENT AND SELECTION POLICY

1. PREAMBLE

The staffing 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 utilisation 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. ***This policy must however be read in conjunction with the Municipality's Policy on Employment Equity and Employment Equity Plan.***

2. DEFINITIONS

- “**induction**” initiation: a formal entry into the organisation 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 an competent job candidates who have the necessary potential, skills, experience and qualifications to fill job requirements to assist the Municipality in achieving its objectives;
- “**reference check**” means the gathering of information about a candidate's past history from people with whom such candidate has been associated; and
- “**selection**” means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job.

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

3. LEGAL FRAMEWORK

- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) [Systems Act];
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) [Structures Act];
- Employment Equity Act, 1998 (Act 55 of 1998) [EEA];
- Basic Conditions of Employment Act, 1997 (Act No 75 of 1997) [BCEA]; and
- Labour Relations Act, 1995 (Act 66 of 1995) [LRA]

4. SCOPE AND APPLICATION

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

This policy will not apply to

- appointments arising out of a procurement process;
- acting appointments;
- temporary relief staff;
- “Grey Power” mentors;
- “specialised” contract workers as determined by the Municipal Manager; and
- Replacement labour in the event of a strike

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

This policy will furthermore not apply to

- contract workers (other than section 56 employees); and
- season workers

except for paragraphs 1, 2, 3, 5 and the preamble to paragraph 6 and paragraphs 6.2, 6.3, and 6.4.3 which paragraphs are to be applied to the extent that it can be applied.

5. OBJECTIVES OF POLICY

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

This policy is further based on the principles set out below. Human resource 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 resource management practices based on ability, objectivity and fairness.

6. POLICY CONTENT

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

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

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

6.1 Post Establishment

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

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

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

motivated by the Director requesting new posts and or the restructuring of (a) post(s), taking into account the strategic and operational needs of the municipality.

6.2 Recruitment – Refer to Annexure A

6.2.1 *Determining recruitment needs*

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

6.2.2 *Validation of inherent requirements*

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

Prior to the recruitment process commencing, the outputs, skills, knowledge and competencies and stated educational requirements as contained in the competency/ job profile or job description are to be scrutinised as to relevance and applicability.

6.2.3 *Recruitment Advertisement*

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

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

- The minimum requirements in terms of qualification, skills, expertise and other requirements for appointment.
- A summary of the key performance areas/primary duties of the position.
- A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- In the case of the Municipal Manager and a Director, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- The name and contact details of the person to whom enquiries may be directed.
- A statement that canvassing will disqualify any candidate from being considered for appointment.
- An indication of the remuneration offered.
- The format and content of applications.
- The address where, and person to whom, applications must be delivered.
- The closing date for the submission of applications.
- A statement that applications received after the closing date will not be accepted or considered.
- A statement that if an applicant does not hear from the municipality within 30 days his/her application was unsuccessful.

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

6.2.4 *Unsolicited applications*

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

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

6.2.5 *Head hunting*

Head hunting will be applied with caution at all times, and it may only be employed with the explicit approval of the Municipal Manager and only after the selection panel, in consultation with the relevant Director, if applicable, is of the opinion that the assessed candidates are not suitable and / or do not meet the requirements of the position advertised.

Normally targeted persons will be provided with the copy of the recruitment advertisement and allowing them to apply of their own accord.

6.2.6 *Application forms*

All applications must be submitted by way of a comprehensive Curriculum Vitae. The Municipal Manager or his delegatee may exclude any category of applicants from this requirement and such categories must complete an official application form.

6.3 Selection

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 taking into account the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

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 Municipality's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

6.3.1.1 Nepotism

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

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

For the purpose of this policy "close relative" is defined as spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, child, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandchild, aunt, uncle, nephew, niece and first cousin.

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

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

If a situation arises to deviate from the above provisions, a detailed motivation must be submitted to the Municipal Manager via the Director: Management Services to consider the individual case.

6.3.1.2 Cooling-off period for re-appointments

Former staff of the Municipality who left the employ of the Municipality for whatever reason can only be short-listed as provided for in paragraph 6.3.4

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

6.3.2 Selection Process

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

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

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

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

- the relevant Director;
- representatives of the Department: Human Resources; and
- Labour Unions – as observers only.

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

- the Manager of the Department;
- representatives of the Department: Human Resources; and
- Labour Unions – as observers only.

6.3.3 *Compiling of master lists*

After the closing date of an advertisement all the applications received for every specific position are to be captured on the master list compiled by the Department: Human Resources. 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 and contact telephone number;
- the applicant's gender;
- the applicant's race;
- the applicant's qualifications;
- The applicant's employment history and experience relevant to the job description and job specification; and
- if applicable, the nature of the applicant's disability

The Department: Human Resources must submit the master list, together with the applications to the relevant selection panel.

6.3.4 *Compiling short lists*

The selection panel 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 their opinion would be the most suitable candidates to be subjected to the selection process.

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

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

The Department: Human Resources must, during the compilation of the short list, take all reasonable steps and actions to establish the validity and accuracy of any certificates, diplomas and other information supplied by an applicant. If any candidate submitted or claimed that he/she had some or other certificate or diploma, qualification, experience or disability that is disproved, such candidate must be disqualified forthwith.

6.3.5 Notification of short listed candidates of selection proceedings

The Department: Human Resources must notify every candidate whose name has been short listed of the venue, date and time and nature of the selection proceedings he/she must attend using the most reliable communications methods available.

6.3.6 Interviewing in respect of vacancies – Refer to Annexure B

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

- the relevant Director and/or the Manager of the Department;

- not more than one, if any, other senior employee from the relevant department;
- representatives of the Department: Human Resources; and
- Labour Unions – as observers only.

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

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

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

Completed score sheets 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.

6.3.8 Reference checking

Reference checks must only be carried out for applicants recommended by an

interviewing panel. Reference checks must be conducted by the Manager: Human Resources or his/her nominee.

The person performing the reference check must obtain, but not limited to, the following information during the course of the reference check:

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

6.4 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.

6.4.1 Appointment of Municipal Manager and Directors

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

Such appointments must take place in terms of section 82 of the Structures Act, sections 56 and 57 of the Systems Act and the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006 (Regulation R805 dated 1 August 2006) or any amendments of same from time to time.

6.4.2 Appointment to a permanent position

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

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

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

6.4.2.1 Probation

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

The Director and/or Manager concerned must evaluate the progress and performance of an employee appointed on probation on a two monthly basis according to such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system. An employee must be given reasonable evaluation, instruction, training, guidance or counselling in order to allow the employee to render a satisfactory service.

If it is determined that the employee's performance is below standard, the relevant Director and/ or Manager should advise the employee of any aspects in which the he/she considers the employee to be failing to meet the required performance standards. If the relevant Director and/or Manager believe that the employee is incompetent, the Director and/or Manager must advise the employee

of the respects in which the employee is not competent. The relevant Director and/or Manager may either extend the probationary period for a further maximum period of 6 (six) months or recommend the dismissal of the employee to the Municipal Manager or his/her delegate only after complying with the following, as the case may be:

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

If the Municipal Manager and/or his delegatee decide to dismiss the employee or the relevant Director and/or Manager decide to extend the probationary period, the employee must be advised of his/her right to dispute such decision in terms of paragraph 8.

6.4.2.2 Induction

The Manager: Human Resources will take full responsibility for induction of persons appointed in a permanent position.

As such

- the new incumbent will be introduced to his/her immediate staff/colleagues by the Manager: Human Resources or his/her delegatee;
- the Manager: Human Resources shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed;
- the Manager: Human Resources will arrange a tour/explanation for the new incumbent of the range of services;

- the Manager: Human Resources will explain and provide a copy of the job description relating to the new employee's specific position/job function whilst the respective line managers are expected to conduct a full job orientation; and
- the Manager: Human Resources will also explain and make available copies of the Municipality's Human Resources Policies and the Code of Conduct of Municipal Staff Members as provided for in Schedule 2 of the Systems Act.

The relevant Manager 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

6.4.3 Appointment of employees as contract workers, “specialised” contract workers, “Grey Power” Mentors, season workers or temporary relief staff

Persons appointed to the above temporary positions –

- is appointed at the salary as approved by the Municipal Manager;
- may not receive any housing and travelling benefits;
- may not become a member of a retirement fund, medical aid scheme or group life scheme to which the Municipality must contribute; and
- earns leave and sick leave in accordance with the provisions of the BCEA, as amended from time to time.

6.4.4 Appointment of replacement labour in the event of a strike

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

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

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

6.5 Reimbursement of interview related costs

Any prospective applicant, who is invited to attend an interview, shall be paid the running costs tariff as determined from time to time by the South African Revenue Services in accordance with the cylinder capacity of the applicant's vehicle.

In the event of an applicant making use of air travel, the applicant shall be paid the cost of a South African Airways economy class return ticket. The municipality will also provide transport by means of car rental or otherwise from and back to the Cape Town International Airport.

In the event of a prospective applicant spending the night away from his place of residence, he/she shall be paid in accordance with the Municipality's Travel and Subsistence Policy.

The successful applicant will receive his/her reimbursement only upon reporting for duty at the Municipality.

6.6 Relocation of Newly Appointed Employees

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

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

If and when an employee relocates from abroad, such employee's cost of moving shall only be determined from the port nearest to the Municipality, to wit Cape Town.

Should the Employee leave the service of the Municipality before the expiration of twenty four months since commencement of duties, the removal costs calculated on a pro rata basis from the date of his/her appointment will immediately be payable to the Municipality. In this regard the employee must, prior to the removal costs being paid, authorise the Municipality to deduct the outstanding amount from any source which is due to him/her by the Municipality and which is to be paid to him/her on the date of the termination of the employee's service with the Municipality.

7. RECORD KEEPING

Adequate records of the entire selection process need to be maintained, including selection and short listing criteria: reasons for inclusion/exclusion of candidates; structured interview guide; copies of all other assessments utilised; comprehensive notes on assessment of each candidate; assessment ratings; reference checks. As in the recruitment process, these records need to be maintained for the prescribed period.

8. DISPUTE RESOLUTION

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

POLICY SECTION :	HUMAN RESOURCES
CURRENT UPDATE :	N/A
PREVIOUS REVIEW :	N/A
APPROVAL BY COUNCIL :	23 September 2009

ANNEXURE A

RECRUITMENT TIME FRAMES

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

ACTIVITY	RESPONSIBILITY	TIME
VACANCY <ul style="list-style-type: none"> • through resignation • dismissal • retirement • incapacity • other 	Line Manager to motivate filling of post via his/her Director to Municipal Manager or his/her delegate	Within 2 (two) weeks of occurrence of vacancy or as soon as reasonably possible
ADVERTISEMENT <ul style="list-style-type: none"> • internal • external 	Department: Human Resources on referral by Municipal Manager or his/her delegatee	External advertisements are for a 2 (two) weeks period. Internal advertisements are for a 2 (two) weeks period but not less than a 1 (one) week period.
COMPILING MASTER LIST <ul style="list-style-type: none"> • rejecting non complying applications • filing complying application 	Department: Human Resources	Within 3 (three) days from the closing date of applications in terms of the advertisement
SHORTLISTING	Selection Panel	Within a week from the closing date of applications in terms of the advertisement
INTERVIEW	Interview Panel	Within a week from the final short listing
APPROVAL	Municipal Manager/ Council or its delegatee after considering recommendation of relevant Director, if applicable.	Within a week after recommendations submitted by the Selection Panel
APPOINTMENT	Department: Human Resources after approval by Municipal Manager /Council or its delegatee	Immediately after approval by Municipal Manager/Council or its delegatee
		Average time frame from the date of advertisement to appointment is 5 (five) weeks



Same Week

ANNEXURE B

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;
 - inform the candidate regarding the interview format, and mention the opportunity for questions at the conclusion of the interview;
 - confirm that the candidate has read the position description;
 - provide some brief scene setting about the organisational structure and how the position fits; and
 - outline the duties of the post concerned and will invite the candidate to ask questions.

2. The Chairperson 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 must include, but is not limited to: personal qualifications, experience, work history, personal achievements, social activities, and any special circumstances applicable to the candidate.

3. Panel members will ask same/similar interview questions as pre-determined to all candidates. 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.

4. All the responses by the candidate should be recorded by the member of the Department: Human resources attending the interview.

5. Each member of the panel must make individual assessments prior to discussion.
6. Candidates must be advised about any special conditions (leave period, overtime, transfers, and locations) that are applicable to the post. Candidates must be asked if they are comfortable with and can meet special conditions presented to them regarding the post.
7. The official of the Department: Human Resources in attendance must give a brief outline of the conditions of service. The candidate must be invited to see the Human Resources official afterwards for a fuller explanation of the conditions, if the candidate so wishes.
8. After the candidate has asked questions regarding the post and the work environment and answers provided by the panel, the Chairperson should advise the candidates on the next step in the selection process and timing for decision making.
9. After the interview is completed strictly within the timeframe provided the Chairperson will thank the candidate and with one of the panel members, escort him/her out.

