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VHEMBE DISTRICT MUNICIPALITY

ENQ : GENERAL MANAGER: CORPORATE SERVICES
TEL : (015) 960 2034

RECRUITMENT AND SELECTION POLICY

Policy Number:	Approved Date:
Effective Date:	Review Date:

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

This policy is intended to create a framework for decision-making in respect of employment practice/s in the Municipality. As such it attempts to establish a set of rules for the consistent interpretation and application of collective agreements and legislation governing the acquisition of staff by Vhembe District Municipality.

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VHEMBE DISTRICT MUNICIPALITY POLICY ON RECRUITMENT AND SELECTION

THE POLICY

1. PREAMBLE / BACKGROUND

1.1 For Vhembe District Municipality (VDM) to be able to achieve its objectives, the municipality aims to adopt the best recruitment procedures that provide support services.

1.2 This policy aims at directing employment practices to ensure that the objectives of VDM are attained especially those which relate to structural and operational efficiency within the Municipality, the demographic composition of the workforce, and providing equal development opportunities for all the employees.

1.3 The Municipality must therefore ensure that all employees are familiar with the content and application of the policy and that they act within its spirit.

2. DEFINITIONS (Definitions will be done after policy is finalised)

2.1 All expressions used in this policy which are defined in the relevant legislation and guidelines in **Section 5** below, shall bear the same meaning as in those documents, unless the contrary intention appears.

2.2 Words importing the masculine gender shall include the feminine.

3. PURPOSE

The purpose of this policy is to direct and regulate employment practices within Vhembe District Municipality.

4. SCOPE OF APPLICATION

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

This policy is applicable to all employees and employers of Vhembe District Municipality. It must be noted that this policy pertains to current employees as *well as* recruits

5. OBJECTIVES OF THE POLICY

This policy is aimed at achieving the following objectives:-

- a) To characterise the employment practices through high standard of professional ethics;
- b) To promote the efficient, economic and effective utilisation of employees;
- c) To promote employment practices in an accountable manner
- d) To be transparent in the implementation of employment practices
- e) To promote good human resources management and career development practices, to maximise and exploit human potential.
- f) To ensure that the Municipality's administration is broadly representative of the population demographics, with human resources management practises based on ability, objectivity, fairness and the need to redress the imbalances of the past.

6. Legislative Framework (Check legislature for vetting)

- 6.1 The *Basic Conditions of Employment Act* (no.75 of 1997) (BCEA)
- 6.2 The *Employment Equity Act* (no.55 of 1998) (EEA)
- 6.3 The *Labour Relations Act* (no.66 of 1995) (LRA)
- 6.4 The SALGA / DPLG/ DPSA *Comparative Study on Remuneration and Conditions of Service in Local Government and Public Service* (2002)
- 6.5 Government Gazette (no.5416 of 1994)
- 6.6 The SALGA *HR Handbook*
- 6.7 Vhembe District Municipality Human Resources Policies and Procedures
- 6.8 South African Local Government Bargaining Council (SALGBC)
- 6.9 Constitution Act 1996 (Act no 108 of 1996)

7. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Accounting Officer or the delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act 2000 (Act 32 of 2000).

7.1 Post Establishments

The Municipality will maintain a record of all approved posts and shall monitor all appointments against posts according to the organ gram.

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 organogram of the Municipality.

Therefore, all requests for new positions and /or unfreezing of the posts must be approved by the Accounting Officer or the delegated.

7.2 Recruitment – Refer Annexure A

7.2.1 Determining recruitment needs

Prior to filling a post, the necessity for filling shall be assessed and motivated in writing by the Head of Department to the Municipal Manager or the 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 are scrutinised as to relevance and applicability.

7.2.3 Recruitment Advertisement

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

- 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 manager directly accountable to the Municipal Manager, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- 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 and other benefits offered.
- The application should be submitted in VDM application form (HR49) obtainable in Human Resources Office (VDM), Website, all Local Municipalities and Thusong Services Centre.
- The address where, and person to whom, applications must be delivered.
- The closing date for the submission of application.
- 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 after the closing date the applicant must consider the application unsuccessful.
- A statement that email and faxed applications will not be considered.

- The municipality reserves the right not to appoint or freeze the post without prior notification.

Vacancies must be advertised internally first and may be advertised externally, provided that external advertisements shall 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	Local and National newspapers
Permanent occupations	Internal and External
Entry and middle level occupations	Internally, National and local newspaper
Senior management and professional Occupations	Internally, provincial and national newspapers

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.

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

7.2.5 Head hunting

This practice is strictly applicable where a selection committee could not find a suitable candidate under regular processes.

Skills search or head-hunting through recruitment agencies in consultation with the Accounting Officer or the delegate may be used to identify candidates for senior posts or where skills are scarce after the Labour Market has been tested. Once the candidates have been identified, the principles of selection on merit shall apply. (See Annexure)

7.2.6 Application forms

The General Manager: Corporate Services must design and ensure that a sufficient supply of official application form are available and accessible at all times. 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 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 application for consideration for appointment.

7.3.1. Nepotism

The basic criteria for the appointment 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.

Parties agreed that the paragraph is irrelevant.

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.

7.3.3. 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.

The Selection process will be conducted by a Selection Panel consisting of (depending and with due cognisance of the posts):

- The Accounting Officer or the delegated assignee(s) by the Accounting Officer.
- General Manager of Department or the assignee
- Senior Manager or the delegated assignee

- Section head or the delegated assignee
 -
 - A professional in the field (includes professionals from sister Municipalities, sector departments and COGHSTA)
 - An Official from HR as a resource person but not scoring
 - Employment Equity Officer as an observer
- Both Parties agreed on the above changes

Recognised Labour Unions – shall attend the proceedings as observers only.

7.3.4. Compiling of Master lists/Schedules (current practice)

Refer to procedure manual

7.3.5 Compiling short lists (current practice)

7.3.6 Notification of short listed candidates of selection proceedings

The General Manager 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, seven (7) days before the interview.

7.3.7 Interviewing in respect of vacancies – Refer Annexure C

Except for appointments that must be made by the Council, the General Manager Corporate Services or his/her designated representative, the departmental head concerned, the head of section, the immediate supervisor and not more than three other senior employee from the relevant department must conduct interview for all positions. Where necessary external experts must be called in.

The parties agreed that the matter will be put in abeyance for further consultation by the labour representatives.

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

- on the first level below the level of departmental head;
- as manager directly accountable to her/him; and
- in her/his department/office
- At least two external experts

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

7.3.8 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. This should be done by an expert in the field or the authorised person. E.g. Traffic Officer for driving test.

Both parties agreed on the comment/suggestion by labour representatives.

7.4 Appointment

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

7.4.1 Appointment for a fixed term

A person appointed as –

- Municipal Manager
- Manager directly accountable to the Municipal Manager(Section 57)

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 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;
- 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.

7.4.2 Appointment of employees to posts in the temporary establishment

A person appointed to a temporary position –

- is appointed at the salary applicable to a comparable position on the permanent establishment;
- may not receive any housing and travelling benefits;
- may not become a member of a retirement fund or medical aid scheme to which the Municipality must contribute;
- earns leave in terms of relevant collective agreement; and subject to the attendance requirements, rules of conduct and grievance procedures in terms of the Municipality's conditions of service;
- May not be appointed for a period exceeding six (6) months and may not be appointed for a consecutive period of six (6) months.

The matter was clarified and both parties agreed.

7.4.3 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 him/her. 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 fulltime councillor of the Municipality, whichever event happens first.

7.4.4 Appointment of Personal Assistants to section 57 Managers.

Any person employed in a post assigned to any section 57 manager referred to as personal assistant. The appointment must be in terms of a fixed term contract entered into with the section 57 manager. The term of an appointment in terms of this paragraph expires automatically when the section 57 manager to whom the employee had been assigned, ceases due to redeployment or termination of contract, whichever event happens first.

Both parties agreed that the matter should be put in abeyance for further consultation by labour representative.

7.4.5 Appointment of replacement labour in the event of a strike

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

Both parties agreed to reject the comment from labour union and agreed that a paragraph that deals with the exclusion of essential workers should be inserted.

Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of Employment Act 1997. 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; and
- 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 a period.
- The person's employment with 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.
- 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.
- Labour referred to in 6.4.5 excludes essential services workers.

7.4.6. Appointment to a permanent position

The General Manager 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 General Manager: Corporate Services must inform the employee in writing of such changes.

Both parties agreed to the input by labour.

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.

7.4.6.1 Probation

Any permanent employee who is newly appointed must be appointed on probation. The appointing authority must determine the period of probation at the time of making the appointment having regard for the inherent requirements of the position concerned. 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.

Both parties agreed that the probation period should be 6 months.

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

7.4.6.2 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 complete and processed.
- The responsible HR Manager will arrange a tour/ explanation for the new incumbent of the range of services.
- 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).
- 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 appointment.

Both Parties agreed that IDP is also included in the induction package and it is therefore unnecessary to put the matter as a separate subject.

7.4.7 Counter-Offer (outstanding)

This practice is utilised when the prospective candidate's remuneration package is more than the remunerative package offered by the Vhembe District Municipality. A Counter-Offer is calculated within the salary range applicable to the advertised post. Therefore, a justifiable Counter-offer may be made on the following conditions:

(a) The all-inclusive salary package. This include *inter alia*:

- The basic monthly salary
- Non pensionable allowances
- Service Bonus
- Home owner's allowance
- Pension contribution
- Medical allowance

- (b) Other serving officials may not be adversely affected by such an appointment.
- (c) VDM must ensure that adequate proof of the candidate's remuneration package is obtained.
- (d) The Labour Market must be tested and no other persons who comply with the prescribed requirements must be available to fill the vacancy.

7.4.7.1 Before a Counter-Offer can be considered or is made to the prospective candidate, the recruiting manager should ensure that funds are available.

7.4.7.2 Once the prospective candidate accepts the offer in writing, the recruiting manager is not obliged to review the package after the assumption of duty.

7.5 Relocation of Newly Appointment Employees

The Municipality shall pay 75% of an employee's cost (excluding VAT) of moving from another place to a place closer to her/his appointment, including transit insurance, but excluding any packing and packaging cost, as indicated on the cheapest of the quotations, regardless of the quotation the employee accepts.

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

The employee must reimburse the full amount of the subsidy to the Municipality if her/his employment with the Municipality is terminated for whatever reason within one year after the subsidy had been paid. If her/his employment with the Municipality is terminated for whatever reason after completion of one year, but before two years have been completed, the employee must reimbursement the Municipality for 75% of the subsidy.

7.6 Confidentiality

By signing , the Contract of employment, all employee 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. IMPLEMENTATION AND MONITORING

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

9. COMMUNICATION

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

10. POLICY REVIEW

This policy will be reviewed annually and revised as necessary. This policy replaces the various policies and procedures previously in place to address the filling of vacancies, preferential re-employment and inter-

department transfers and directives relating to employment practices within the municipality.

This policy will be amended from time to time to remain in line with new changes in prescripts and legislation. Amendment pages will accordingly be issued in this regard from time to time and human resources practitioners will ensure that copies are made and the policy is kept updated.

11. BUDGET AND RESOURCES

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

12. ROLES AND RESPONSIBILITIES

Designation	Responsibilities
Municipal Manager (subject to its delegations if any)	Approves the establishment and all appointments other than section 57 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 57 Employees
Departmental Manager	Reviews the operational needs for advertising the positions and appoints in terms of authority and delegations by the Municipal Manager.
Selection Panel	Short-lists, conducts interviews and make recommendations on suitability of candidates.
Human Resources	Custodian of recruitment selection, placement and induction processes and quality assurance

Labour Representatives	Ensures transparency and openness in the selection processes Inputs were welcomed by both parties
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13. RECORD KEEPING

Adequate records of the entire selection process need to be maintained, including selection and short listing criteria: reason 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.

Both parties agreed that the Municipality should use the prescription provided for by National Archives.

14. 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.

15. 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.

16. AUTHORITY

Formulated by: Chairperson of _____ Date
Policy Committee

LLF _____ Date

Municipal Manager _____ Date

Council _____ Date