



## ANNEXURE 19

MOGALE CITY LOCAL MUNICIPALITY

# RECRUITMENT POLICY

2023 -2024

DRAFT

**DOCUMENT MANAGEMENT**

Document Name	Draft Recruitment Policy
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Custodian	Assistant Manager: Recruitment & Human Capital Administration
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## 1. EXECUTIVE STATEMENT

- 1.1 As Head of administration, the MM, subject to the policy direction of the Municipal Council, is responsible and accountable for the appointment of staff other than those referred to as follows:
- 1.1.1 in terms of Section 56/57 of the Systems Act.
  - 1.1.2 those in the Employment Equity Act, 1998 (Act No 55 of 1998).
  - 1.1.3 including (section 55 (1) of Municipal Systems Act of 2000 (Act No 32 of 2000).
  - 1.1.4 Municipal Staff Regulations, promulgated 2021.
- 1.2 MCLM recognizes that the achievement of its IDP and strategic objectives can only be realized when the right employees are recruited at the right time and are placed/ recruited and performing accordingly in the right positions.

## 2. ACRONYMS, ABBREVIATIONS AND DEFINITIONS

### 2.1 Acronyms

ACRONYM	DEFINITION
AA	Automobile Association
CSS	Corporate Support Services
EE	Employment Equity
EE & T Committee	Employment Equity & Transformation Committee
HCA	Human Capital Administration
HCD & T	Human Capital Development and Training
HCM	Human Capital Management
IDP	Integrated Development Plan
MCLM	Mogale City Local Municipality
MM	Municipal Manager
MSR	Municipal Staff Regulations
NIA	National Intelligence Agency
OD	Organizational Development
R & S	Recruitment and Selection
R&HCA	Recruitment & Human Capital Administration
SAQA	South African Quality Authority
SDBIP	Service Delivery Budget Implementation Plan
SOP	Standard Operating Procedure

NB: for the purpose of this policy the word MCLM and Municipality will be used interchangeably.

### 2.2 Definitions

For the purpose of this policy, the following definitions apply:

TERM	DEFINITIONS
Advertisement	Means public announcement of vacant posts in MCLM
Affirmative Action	This is an act designed to promote active recruiting of all qualified members of the workforce and to

TERM	DEFINITIONS
	correct previous wrongs in the composition of the workforce
Close relative/ Family	Is defined as a 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, stepsister, sister-in-law, grandchild, aunt, uncle, nephew, niece and first cousin
Internal Advertisement	The advertisements on internal notice boards, circulars, internal emails and the intranet meant solely for employees on Municipality's Payroll or unless otherwise communicated formally through a circular by the Executive Manager: CSS.
Internal Applicant	Are all internal employees of MCLM with valid and recognized pay number applying for positions advertised; and are on the payroll of the Municipality (including permanent, contract and temporary employees) at the time of the internal advert or unless otherwise communicated formally through a circular by the Executive Manager: CSS.
Applicant	An applicant is any person who applies for a position and/ or responds to an advert at MCLM
Application Form	A form that must be completed in an application for a position of employment with MCLM
Appointee	Is a candidate who has been made an offer of employment but has not accepted it, or has accepted the offer but has not yet started service
Appointment	Means the final step in the recruitment processes where a successful applicant/candidate who has been selected through a process of short-listing and interviewed with a view to possible employment.
Candidate	Means an applicant for a post or an applicant who has been selected through a process of short-listing, to be interviewed with the purpose of possible employment if successful
Cost Centers	<ul style="list-style-type: none"> <li>a) A Cost Centre represents a separate location for cost capture;</li> <li>b) Payroll costs are posted to a cost Centre;</li> <li>c) Cost centers are set-up based on how we manage our business;</li> <li>d) This is the level to which employee salaries and benefits are charged from the HR module.</li> </ul>
Council	Means a municipal council referred to in section 157 of the Constitution.
Designated Groups	<ul style="list-style-type: none"> <li>a) Means black people, women, and people with disabilities as further elaborated in the Employment Equity Act No. 55 of 1998;</li> </ul>

TERM	DEFINITIONS
	<ul style="list-style-type: none"> <li>b) It goes on to state that, these are people who must be citizens of RSA by birth or descent;</li> <li>c) Alternatively, they must have become citizens of the Republic through naturalization;</li> <li>d) However, they were not able to do so earlier because of apartheid.</li> </ul>
Employee	<ul style="list-style-type: none"> <li>a) Means a person employed by the Employer and shall include a permanent employee or an employee as defined by the Act</li> <li>b) An employee means any person, excluding an independent contractor, who works for another person or for the state and who receives, or is entitled to receive any remuneration.</li> <li>c) Any other person who in any manner assists in carrying on or conducting the business of an employer.</li> <li>d) Employee” – any person, excluding an independent contractor, who works for MCLM and who receives, or is entitled to receive any remuneration</li> </ul>
Employer	Refers to Municipalities that fall under the jurisdiction of the Gauteng Division of the SALGBC
Executive Manager	Managers directly accountable to the MM
External Advertisement	Is an advertisement meant for all South African citizens and Foreign Nationals with a valid working permit
External Candidates	Are all South African citizens and Foreign Nationals with a valid working permit not on the Municipality's payroll
Financial Year	Means the financial year of a municipality as prescribed in terms of the Municipal Finance Management Act
Fixed term contract	Employees appointed on a five-year contract and/ or on employment linked to the Term of Office of the Political Office Bearers
Head Hunting	This is a process whereby a suitable candidate is sourced through word of mouth or referral. (This usually occurs when the skill is considered to be scarce or where a candidate could not be found through the normal process of internal and external recruitment. Therefore, Head Hunting is considered the last step of endeavoring to find suitable candidates).
Induction	The action or process of inducting someone to a post or an organization
Internship	Is a planned structured and managed work experience that is occupationally based and is

TERM	DEFINITIONS
	undertaken by graduates who already completed their qualification preferably age 18-35
Organizational Structure	<ul style="list-style-type: none"> <li>a) A representation of the reporting structure and the distribution of tasks using units (e.g. Departments) in an organization.</li> <li>b) An Organizational Structure is made up of Organizational Units, which represents the departments, divisions and sections within MCLM</li> </ul>
Placement	<ul style="list-style-type: none"> <li>a) Deals with the appointment and placement of a successful job applicant into a position through the formal written offer of employment.</li> <li>b) This is the responsibility of the Human Capital Management as per the panel's approved recommendations or report signed by MM in line with approved Organogram</li> </ul>
Competency Assessments	<ul style="list-style-type: none"> <li>a) Refers to the assessment of personality, ability, attitude, motivation, interest, needs, emotional, intelligence, among others.</li> <li>b) All assessment are classified psychological tests and administrators are registered with the HPCSA</li> </ul>
Job Description	A description of any knowledge, skill, attitudes, behavior, motive or other personal characteristic that is essential for an individual to perform a job, or more importantly; differentiates "solid" from outstanding performance
Job Specification	A specification of the Key Performance Areas, required qualifications, experience, competencies, etc. required for a job/ position
Jobs	Means the basic duties, functions, tasks, competency requirements and responsibilities according to which one or more posts of the same grade are established.
Learnership	Is a training programme which leads to a qualification that relates to an occupation and consists of a structured learning component and practical work experience.
Local	Means residents of Mogale City as first preference consequently extended to the West Rand in general (Randfontein, Westonaria and Carletonville)
Nepotism	Means favoritism on the basis of family relationship or friendship
Non-Permanent Employee	<p>Means a:</p> <ul style="list-style-type: none"> <li>a) Contract Employee who is employed for a specified period of time</li> </ul>

TERM	DEFINITIONS
	<ul style="list-style-type: none"> <li>b) Temporary Employee who works for a specified period</li> <li>c) Intern a person who is on an internship program for a specific period</li> </ul>
Selection	<ul style="list-style-type: none"> <li>a) Means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job;</li> <li>b) Deals with the choosing of the applicant who is regarded as “the best fit” according to the criteria set out and meet requirements of the job;</li> <li>c) The purpose of selection systems should be to determine which candidates from a group of applicants are most likely to be successful in performing the job.</li> </ul>
Post	<ul style="list-style-type: none"> <li>a) Means a position on employer’s approved organizational structure to which specific duties are coupled.</li> <li>b) Means a position to which a person is appointed on the approved staff establishment for which financial provision exists.</li> </ul>
Promotion	Employee who is appointed to a position that is higher in salary level/job grade than the one they previously occupied is deemed to be promoted.
Recruitment	Means the activities undertaken in the human resources management in order to attract sufficient job candidates It also covers the enlisting of job applicants through fair, open, and consistent internal/ external advertisements, employee referrals, and utilization of employment agencies, adoption of recruitment campaigns / head - hunting and executives search firms to secure the most suitably qualified candidate for a vacant or new position.
Reference check	Means the gathering of information about a candidate’s history from people with whom such candidate has been associated
Scarce Skills	<ul style="list-style-type: none"> <li>a) Refers to the inability to find suitably qualified and experienced people to fill occupational vacancies either at an absolute level of scarcity (no suitable people available) or at a relative level of scarcity (no suitable equity candidates available);</li> <li>b) These are skills that are needed to realize the IDP programmes but are difficult to recruit and expensive to replace.</li> <li>c) These skills will not always be the same.</li> </ul>



TERM	DEFINITIONS
Security Screening	Means checking of criminal record, credit record and citizenship by the relevant institution
Short-listing	<p>a) A process whereby preliminary screening is undertaken to include and exclude applicants who qualifies and those who do not competitively comply with minimum requirements for a particular post;</p> <p>b) This is also to develop a list of those best suitable for interview purposes or otherwise to be indicated.</p>
Staff Establishment	Means the approved jobs and number of posts created for the normal and regular requirements of a municipality, also referred to as the organizational structure or organogram.
Staff or staff member	For the purpose of these regulations means an employee of a municipality, but excludes senior managers
Suitably qualified	<p>a) Means any one of, or any combination of formal qualifications, relevant experience capacity to acquire, within a reasonable time, the ability to do the job</p> <p>b) This refers to an applicant who as a result of any one of, or any combination of that person's:</p> <ul style="list-style-type: none"> <li>- Formal qualifications;</li> <li>- Relevant experience; or</li> </ul> <p>c) Capacity/ potential to acquire, within a reasonable time the ability to do the job; represents the best available candidate from a pool of job applicants</p>
Temporary Assignment	<p>a) Means to temporarily carry out work in a different position;</p> <p>b) This may be with or without vacating his/her post.</p>
Temporary employees	Means an employee appointed full-time or part-time for a maximum period of twelve (12) months to undertake and complete a specified task
Trade Union(s)	<p>Means either IMATU and/ or SAMWU</p> <p>Or</p> <p>A Trade Union with organizational rights in terms of the Labour Relations Act (Act 66 of 1995)</p> <p>Or</p> <p>Means the trade unions recognised within the bargaining council established for municipalities nationally</p>
Transfer	Means the permanent movement of an employee from one position to another position in the same or another job category, which may include the physical transfer from one location to another

TERM	DEFINITIONS
Vacant position	Means a position that is in the approved establishment plan, which is vacant or has become vacant as a result of resignation, death, retirement, dismissal, demotion, promotion, transfer or medical boarding

NB: The following words shall be used interchangeably in this policy:

1. employee and staff member.
2. post and position.

### 3. INTRODUCTION

#### 3.1 Rationale and Objectives of the Recruitment Policy:

3.1.1 The Recruitment Policy is therefore crucial in providing guidelines on the recruitment, selection and placement of quality, competent and suitably qualified and skilled employees.

3.1.2 These policy guidelines will ensure that the best possible talent is attracted to contribute to the achievement of the Municipality's mandate, as well as strategic and operational objectives, whilst enjoying long-term career success.

3.1.3 This policy seeks to attract the best candidates both from within and outside the Mogale City area.

3.2 MCLM does not allow the practice of volunteering in any form.

3.3 The existing employees should only comprise of Permanent employees, Contract employees, Fixed Term employees, Interns and Learners (Apprenticeship, Work Integrated Learning).

3.4 The guiding process in dealing with the recruitment of staff encapsulates the rationale and objectives of this Recruitment Policy in the following manner:

3.4.1 Provide the minimum standards to enable a consistent, fair and merit-based approach to the recruitment process in accordance with Employment Equity Policy and relevant employment legislation;

3.4.2 Provide guidelines for the recruitment and selection processes within the Municipality;

3.4.3 Ensure fair and equitable treatment of external and internal candidates;

3.4.4 Ensure that all appointees are competent and/ or have the potential to fulfill the required performance outputs of their respective descriptions;

3.4.5 Ensure that all recruitment activities are handled according to best practice and professional guidelines;

- 3.4.6 Establish principles and procedures that comply with legislative principles in respect of employment equity and affirmative action;
- 3.4.7 Ensure that consistent and non-discriminatory recruitment and selection practices and processes are implemented at all times;
- 3.4.8 Ensure that employees are utilized for the purposes of meeting Mogale City human resources requirements and to provide measures for transfer, secondment and deployment of employees;
- 3.4.9 Provide regulations for transfer, secondment and deployment of employees on grounds of incapacity, reasonable accommodation or operational requirements;
- 3.4.10 Ensure that MCLM appointees are competent and/ or have the potential to fulfill the required performance outputs of their respective job competency profiles;
- 3.4.11 Ensure standardization, transparency, consistency, fairness and best practice with regards to the recruitment and selection process; and
- 3.4.12 Attract, obtain and retain suitably qualified candidates that would meet MCLM's immediate and future human resource needs.

#### **4. LEGISLATIVE FRAMEWORKS**

- 4.1 The legislative framework includes, but not limited to:
  - 4.1.1 Basic Conditions of Employment Act 75 of 1997 as Amended
  - 4.1.2 Labour Relations Act 66 of 1995
  - 4.1.3 Employment Equity Act No 55 of 1998
  - 4.1.4 Skills Development Act of 1998
  - 4.1.5 Municipal Systems Act 32 of 2000
  - 4.1.6 Municipal Structures Act 117 of 1998
  - 4.1.7 Constitution of the Republic of South Africa, Act No 108 of 1996
  - 4.1.8 SALGBC Main Collective Agreement, 2015 -2023
  - 4.1.9 Municipal Staff Regulations, 2021 as promulgated.

#### **5. LINK TO HUMAN CAPITAL MANAGEMENT POLICIES**

In addition to the legislative frameworks, the Recruitment Policy should be read in conjunction with, the following policies:

- i. Probation Policy
- ii. Employment Equity Policy & EE Plan
- iii. Promotion and Succession Planning Policy
- iv. Performance Management Policy
- v. Induction and Orientation Policy

- vi. Transfer and Secondment Policy
- vii. Retention Strategy
- viii. EE Group Plan and EE Departmental Sub-plans

## **6. SCOPE AND APPLICABILITY**

6.1 This policy is applicable to:

6.1.1 All vacancies across the Municipality.

6.1.2 Recruitment of graduates, learnership, contract workers and other forms of employee intake.

6.1.3 Applicants for vacant positions

## **7. KEY PRINCIPLES**

7.1 The recruitment, selection and appointment of a staff member to a post on the staff establishment must:

- a) Comply with the requirements of the municipality's employment equity policy and plan: Provided that if a municipality is unable to adhere to the employment equity plan due to specialised scarce skills required for a specific post, the municipality must record reasons for deviation from the policy;
- b) Be integrated with other human resource management systems and procedures;
- c) Use objective competencies specified from the Regulations as well as Job Description; and
- d) Be filled through advertising in accordance with the contents of the Policy.

## **8. ROLES AND RESPONSIBILITIES**

The implementation of the recruitment policy is the responsibility of the Human Capital Management in conjunction with Executive Managers and Line Managers.

### **8.1 Council**

8.1.1 It is the responsibility of Council to:

8.1.2 Approve the Recruitment Policy.

8.1.3 To delegate where possible.

### **8.2 The MM**

8.2.1 It is the responsibility of the MM to:

8.2.1.1 Approve the Recruitment Standard Operating Procedure (SOP).

8.2.1.2 Account for the overall policy implementation.

8.2.1.3 Reserve the right to approve or decline the recommendation from the Panel.

8.2.1.4 Appoint the panel members for shortlisting and interviewing applicants/candidates;

8.2.1.5 Approve or decline the recommendations made for the appointment of a candidate(s).

### **8.3 The Corporate Support Services (CSS) Department**

8.3.1 The CSS Department shall be responsible for administering the recruitment process in that it shall, amongst other things: -

8.3.1.1 Provide assistance in defining job specifications for vacant positions.

8.3.1.2 Process departmental recommendations for the filling of a vacant position.

8.3.1.3 Prepare all advertisements for the position to be filled in consultation with the relevant Department.

8.3.1.4 Prepare report for the MM on envisioned recruitments.

8.3.1.5 Responsible for enquiries concerning advertised post.

### **8.4 Executive Managers (S56) and Line Managers**

8.4.1 It is the responsibility of all S56 Managers and Line Managers to:

8.4.1.1 Acquaint themselves with all relevant legislation related to the Recruitment Policy.

8.4.1.2 Take all the necessary steps to ensure that all employees who report to them are aware of and comply with the recruitment policy.

8.4.1.3 Ensure recruitment, selection and appointment of staff in the Municipality is done in accordance with the Recruitment Policy and its SOP.

8.4.1.4 Ensure the correct implementation of and adherence to the approved Recruitment Policy.

8.4.1.5 Support/ not support the recommendations made on the appointment report developed for MM's approval.

### **8.5 The Human Capital Management**

8.5.1 It is the responsibility of the HCM Division to:

8.5.1.1 Advise the Executive Manager:CSS on matters related to the Policy.

8.5.1.2 Advise other Executive Managers and/ or the MM through Executive Manager: Corporate Support Services.

8.5.1.3 Monitor and evaluate the correct implementation of the Recruitment Policy.

8.5.1.4 Ensure that the Recruitment Policy comply with the Council resolutions, applicable legislation, conditions of service and relevant bargaining council agreements.

8.5.1.5 Ensure that there is fairness and consistency in terms of all relevant legislation, in particular; the Employment Equity Act provisions.

### **8.6 The Recruitment and Human Capital Administration**

8.6.1 It is the responsibility of the R& HCA Sub-division to:

8.6.1.1 Advise all Executive Managers directly or through the HCM Manager on matters related to the Policy.

- 8.6.1.2 Conduct all administrative aspects related to recruitment, selection and appointment of permanent, fixed term and temporary employees.
- 8.6.1.3 Compile the names of newly appointed employees and submit them to HCA Subdivision for capturing of personal data, to L&D Subdivision for induction and orientation coordination.
- 8.6.1.4 Clarify the employment offer to newly appointed employees.
- 8.6.1.5 In conjunction with L&D, ensure that relevant training is provided to all departments for the successful implementation of this policy.
- 8.6.1.6 Prepare regular statistical reports on appointments in the Municipality.
- 8.6.1.7 Where relevant ensure that Pre-employment medicals are conducted prior appointment.
- 8.6.1.8 Ensure that the Policy is reviewed and updated on an ongoing basis.

## **8.7 Organisational Development & Design Sub-division**

8.7.1 It is the responsibility of the Organizational Development & Design to:

- 8.7.1.1 Ensure that the job description is developed before the position is advertised / filled.
- 8.7.1.2 Ascertain the vacancy of position(s).
- 8.7.1.3 Determine whether the said vacant position is funded.
- 8.7.1.4 To advise on whether the said position is eligible for filling.
- 8.7.1.5 Keep updated job descriptions.
- 8.7.1.6 Submit an approved job description to R&S Section when requested.

## **8.8 Recruitment and Selection Panel**

8.8.1 It is the responsibility of the approved Shortlisting and Interviewing Panel to:

- 8.8.1.1 Safeguard the integrity of shortlisting and interviewing process.
- 8.8.1.2 Provide guidance on the adherence of confidentiality.
- 8.8.1.3 Respect candidates' privacy and maintain confidentiality at all times.
- 8.8.1.4 To submit a report reflecting a Panel outcome with recommended name(s).

## **8.9 Trade Unions**

8.9.1 It is the responsibility of the Trade Unions to:

- 8.9.1.1 Observe the fairness of the on shortlisting and interviewing process.
- 8.9.1.2 To sit in the short listings/ interviews as an observer.
- 8.9.1.3 To ensure fairness and transparency during the recruitment processes.
- 8.9.1.4 Ensure that a maximum of 1 representative per union attends the interview.
- 8.9.1.5 To adhere to the confidentiality of the processes.

## **8.10 Employees**

All employees are responsible for complying/ adhering to the approved Recruitment Policy.

## **9. DETERMINATION OF RECRUITMENT NEEDS**

9.1 Every municipality must—

- 9.1.1 Develop the strategy to fill funded vacancies; and
- 9.1.2 Reduce turnaround times for filling of approved vacant funded posts;
- 9.1.3 Fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant;
- 9.1.4 Have the capacity and capability to perform its functions. at all times.

9.2 A vacant post on the staff establishment may not be filled unless—

- 9.2.1 The MM or a staff member to whom this function is delegated has approved the filling of the post; and
- 9.2.2 The post is budgeted for.

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

- 9.3.1 budget cut requiring prioritisation of personnel expenditure;
- 9.3.2 impending re-structuring exercise; and
- 9.3.3 alternative staffing solutions are adopted.

## **10. GENERAL REQUIREMENTS FOR APPOINTMENT OF STAFF MEMBERS**

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

- 10.1.1 is a South African citizen, permanent resident or foreign national with a valid work permit; and
- 10.1.2 Possesses the core and relevant competencies, qualifications, and experience, as set out on the Job description (as directed from the Regulations).

## **11. COMPETENCY REQUIREMENTS FOR STAFF MEMBERS**

11.1 A person appointed as staff member in terms of this Policy must, where applicable-

- 11.1.1 have the necessary competencies; and
- 11.1.2 comply with the minimum requirements for education qualifications, work experience and knowledge as set out in the Job description.

11.2 A staff member who was appointed before the regulations and Policy came into effect and who does not meet the minimum competency of the current position as prescribed, shall be deemed

meeting the requirements of the post. Despite the provision of the Regulations, the municipality may place an employee on a programme to acquire the competency requirements as prescribed in order for the employee to be eligible for career opportunities in the municipality.

- 11.3 If an employee has not attained the competencies as prescribed in the Job Description, the municipality must utilize the workplace skills plan to identify and address the employee's competency gaps and development needs.
- 11.4 Where the Minister issues a notice in the Gazette determining uniform competency-based assessment for specific occupational streams, the municipality must subject employees to the competency assessment for specific occupational streams as determined by the Minister in the Gazette.

## **12. ADVERTISING OF VACANT POSTS**

- 12.1 The municipality must advertise a post after an approval has been obtained.
- 12.2 The advertisement must at least specify the—
- (a) job title;
  - (b) term of appointment;
  - (c) place of work;
  - (d) applicable salary scale or pay range;
  - (e) competency requirements of the post, and where applicable the minimum qualifications and experience as set out on the Job description
  - (f) inherent requirements of the job;
  - (g) summary of the core functions;
  - (h) need for signing an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest;
  - (i) address where applications must be sent;
  - (j) place where applicants can obtain the application form;
  - (k) contact person;
  - (l) where necessary, the need to undergo screening and vetting; and
  - (m) closing date for submission of applications.
- 12.3 If the municipality does not have the capacity to manage recruitment processes, a recruitment agency may be appointed to undertake the recruitment processes including-
- 12.3.1 response handling;
- 12.3.2 compilation of—
- i) long list of all applicants who applied for the advertised post.
  - ii) preliminary list of applicants who meet the requirements.
  - iii) list of applicants who do not meet all requirements but have the potential.
  - iv) list of applicants who do not meet the requirements.
- 12.4 The recruitment agency contemplated in sub-section (10.3) shall not undertake the selection process.



12.5 An advertisement contemplated in sub-section (10.2) may be utilised to create a pool of potential candidates valid for a period not exceeding six months from the date of advertisement to fill any other vacancy in the municipality if—

12.5.1 the job title, core functions, inherent requirements of the job and the salary level of the other vacancy is the same as the post advertised; and

12.5.2 the recruitment process contemplated in these Regulations has been complied with.

12.6 A municipality may advertise any funded vacant post within the municipality but may also advertise such post locally or nationwide.

12.7 The advertisement must be written in a universal language (English) and where possible, use local language.

### **13. APPLICATION FOR VACANT POST**

13.1 An application for a vacant post must be made on the form that is attached as Annexure A.

13.2 Despite sub-regulation (11.1), the municipality may use an on-line application form that contains the information in Annexure A and is consistent with Regulations.

13.3 An applicant for a post must disclose—

(a) qualifications and experience;

(b) contactable references;

(c) registration with a relevant professional body, if applicable;

(d) full details of any dismissal for misconduct or substandard performance; and

(e) any disciplinary actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.

13.4 Any misrepresentation or failure to disclose material information contemplated in sub-regulation (11.3) and the application form, is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 of the Municipal Systems Act.

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

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

13.7 The record must contain—

(a) the applicants' biographical details and contact information;

(b) the details of the post for which the applicants were applying;

(c) the applicants' qualifications; and

(d) any other requirements outlined in the application form.

#### 14. SELECTION PANEL

- 14.1 The MM or his or her delegate must appoint a selection panel for each of the advertised posts to recommend the appointment of a suitable person to the vacant post.
- 14.2 The selection panel must comprise of at least 3 but not more than 5 members. Within this panel, there must be a pre-approved panel member who will serve as an alternate.
- 14.3 Where possible, every panel member must be at least one level above the position being filled.
- 14.4 In deciding on the composition of the selection panel, the MM must have regard to the following considerations:
- (a) the nature of the post;
  - (b) the gender and race balance of the panel; and
  - (c) the skills, expertise, experience and availability of the persons to be involved.
  - (d) an alternative panel member, should the other panel member be not available.
- 14.5 A member of a selection panel must—
- 14.5.1 be sworn-in by the commissioner of oaths, using the declaration of confidentiality form (Annexure B) during shortlisting and interviewing process.
- 14.5.2 disclose any interest or relationship with shortlisted candidates during the short listing process;
- 14.5.3 recuse himself or herself from the selection panel if—
- (i) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
  - (ii) the panel member has a *de facto* relationship or some form of indebtedness to a shortlisted candidate or vice versa; or
  - (iii) any other conflict of interest; and
- 14.5.4 sign a declaration of confidentiality as set out in Annexure B to avert the disclosure of information to unauthorized persons.
- 14.6 A union representative is allowed to attend interviews as an observer, he or she must sign the declaration as set out in Annexure B to prevent the disclosure of information to unauthorized persons.
- 14.7 The Manager: Human Capital Management or his /her delegate must facilitate and provide advisory services during the selection process to ensure compliance with the Regulations and Policy in the recruitment and selection process.
- 14.8 A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.
- 14.9 Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.

- 14.10 If a conflict of interest becomes apparent during the selection process, the MM or his or her delegate may take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.
- 14.11 If a conflict of interest becomes apparent after the appointment, the MM or his or her delegate must report the matter to the relevant delegated authority which must take remedial action and, where necessary, disciplinary action.

## **15. SHORTLIST OF APPLICANTS**

- 15.1 The shortlisting session must be recorded through voice recording which may be used as evidence should there be a dispute.
- 15.2 No cellphone will be allowed during the proceedings until the session comes to an end.
- 15.3 A list of all applications received will be compiled for the post evaluated against the relevant competency requirements for the post.
- 15.4 The HCM must come to the shortlisting meeting with a pre-screened shortlist that meets the minimum criteria as per the advertisement and another list of applications that do not meet the minimum criteria. Should the panel decide to move a CV from non-compliant to compliant shortlist, the panel must provide reasons and put them on record.
- 15.5 The selection panel must compile a final shortlist based on the inherent requirements of the position as advertised and with due regard to Section 20 of the Employment Equity Act. Under no circumstances that the panel is authorized to do shortlisting outside the prescribed minimum requirements as set out in the advertisement.
- 15.6 Since MCLM is committed to employing people with disabilities, it will therefore guarantee an interview with all the applicants with disability who meet the minimum shortlisting criteria for the role.

## **16. INTERVIEWS**

- 16.1 The list of shortlisted candidates and copies of their applications must be submitted to the selection panel prior to the interviews taking place.
- 16.2 The selection panel for a post, once constituted, must always remain the same as that of the shortlisting panel, including the observers from the unions. 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 by an alternative panel member, subject to approval by the chairperson of the panel. If the selection panel does not quorate, the panel must be reconstituted for a later date.
- 16.3 Despite the provisions of sub-regulation (16.2), the municipality must grant observer status to each of the recognised trade union representatives during the interviews. Failure by the union to attend the interviews from proceedings will not invalidate the decision of the panel.
- 16.4 During the shortlisting and interviewing process:

- 16.4.1 the selection panel must confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.
- 16.4.2 the panel shall under no circumstances deviate from the minimum requirements as advertised, unless there are substantive reasons that must be approved and recorded by the panel.
- 16.4.3 the selection panel must keep a written and voice recording of the interviewed candidates.
- 16.4.4 After considering all the relevant information, the selection panel must recommend candidates in order of preference. If the recommended candidate declines an offer of employment, the next suitable candidate, where applicable, may be considered for appointment.
- 16.4.5 If it is determined that the recruitment process has not attracted suitable candidates during the internal process, the post may be re-advertised externally.
- 16.4.6 If the post is categorised as a critical and scarce-skill post, alternative recruitment methods such as executive search, head-hunting, referrals and re-advertising may be considered only if the recruitment process has not attracted suitable candidates.
- 16.4.7 The recommendations of the selection panel must be determined by—  
(a) consensus; or  
(b) where the panel fails to reach consensus, the matter shall be referred to the MM or his or her delegate for mediation or resolution.
- 16.4.8 If the selection panel recommends an appointment to the post, it must submit its recommendation to the MM or his or her delegate for approval.

## **17. REFERENCES AND PERSONAL CREDENTIAL VERIFICATION**

- 17.1 Reference checks and personal credential verification for recommended candidates for the positions of Security and Traffic Officials; Licensing; Financial Management Services (all positions from job grade 6-5 upwards, cashiers; Supply Chain Management, Expenditure and Revenue); By-Law Enforcement Officers; Testing Officers / Examiners must be conducted by—
- 17.1.1 verifying the candidate's suitability for the job with the current or previous employer;
- 17.1.2 establishing the validity of candidate qualifications and any other verification required by the position before appointment;
- 17.1.3 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
- 17.1.4 verifying any other additional personal credentials as may be required by the nature of the job such as criminal records, identification document, security clearance and, where necessary, credit checks.
- 17.2 A written report on the outcome of the reference checks and personal credential verification must be compiled and considered before the appointment is concluded.

- 17.3 Despite sub-regulation (15.1.1), a candidate who does not have a previous employment record may not be disqualified as a candidate for appointment to an advertised post.
- 17.4 All other candidates from other divisions (other than those mentioned under 17.1) may be verified subject to availability of funds and also at the request of the Executive Manager concerned.

## **18. APPOINTMENT**

- 18.1 A person may be appointed as a staff member only if he or she—
- 18.1.1 possesses the relevant competencies as prescribed in Advert as per Job description; and
  - 18.1.2 is not disqualified in terms of Section 19 of this Policy as per Regulations
- 18.2 The MM or the staff member to whom this function is delegated must—
- 18.2.1 consider the recommendations of the selection panel; and
  - 18.2.2 decide on whom to appoint and the terms and conditions of employment.
  - 18.2.3 Before making a decision to appoint, the MM or his delegate, must be satisfied that the candidate meets the relevant requirements of the post as provided on the advert and as per Job description.
- 18.3 If the decision of the Municipal Manager or the delegate does not accord with the recommendations of the selection panel, the reasons for such a decision must be recorded in writing.
- 18.4 An appointment may only take effect after the MM or his or her delegate has approved the appointment in writing.
- 18.5 The MM or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.
- 18.6 All newly appointed staff shall occupy the new position for a maximum period of one year within the Municipality before they can apply for another position.
- 18.7 Unsuccessful candidates must, on request, be provided with reasons in writing as to why they were not successful.

## **19. APPOINTMENT OF SUPPORT STAFF TO OFFICES OF PUBLIC OFFICE BEARERS**

- 19.1 A person appointed to a post on the approved staff establishment in order to support the office of a public office bearer as per as per Annexure C must either be –
- 19.1.1 seconded from a post on that municipality's approved staff establishment or another municipality's staff establishment; or
  - 19.1.2 appointed on a fixed-term contract of employment linked to the term of office of the public office bearer through recruitment process.

19.2 The duration of the secondment or fixed-term employment contract contemplated in sub-regulation (17.1), may not be longer than 30 days after the public office bearer vacates office.

## **20. RE-EMPLOYMENT OF DISMISSED MUNICIPAL STAFF**

20.1 A person who was dismissed from a municipality for any reason stated in column B of the table in Annexure D may not be employed in any municipality before the period set out in column C of the table has expired.

20.2 Despite sub-regulation (18.1), a person who has lodged a dispute in terms of any applicable legislation may be appointed subject to the outcome of the dispute.

20.3 The periods set out in column C of the table in Annexure D, run concurrently in respect of a person who was dismissed for more than one category of misconduct set out in column B of the table in Annexure D.

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

20.5 The record must contain—

- (a) the full names and identity number of the person;
- (b) the title of the post that the person occupied;
- (c) the nature of the misconduct;
- (d) the date of suspension, if any;
- (e) the conditions of suspension, if any;
- (f) the date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration;
- (g) the date of commencement of the disciplinary hearing or pre-dismissal arbitration;
- (h) the finding;
- (i) whether a dispute was referred to the bargaining council or the Labour Court;
- (j) the costs incurred by the municipality; and
- (k) the date of resignation or dismissal of the person.

## **21. PROBATION**

21.1 The appointment of a person must be effected on a minimum probationary period of three months and a maximum probationary period of 12 months.

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

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

21.4 The MM or his or her delegate must—

- (a) inform the staff member within the first two weeks of employment of that member's performance requirements;
- (b) ensure that the staff member completes the municipality's induction programme; and
- (c) assess the staff member's performance; and provide the staff member with feedback on a quarterly basis on that member's performance.

21.5 If a staff member's performance is not satisfactory, the MM or his or her delegate must advise the staff member of any aspects that the staff member is considered to be failing to meet **(Management of performance by probation)**.

21.6 If the MM 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—

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

21.6.2 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.

21.6 Despite sub-regulation (19.6.2), the MM 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.

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

21.8.1 confirm the appointment if—

- (i) the staff member's performance during the probationary period was satisfactory; and
- (ii) the staff member complied with all the conditions of the probationary appointment;

21.8.2 Subject to the Labour Relations Act, terminate the appointment if—

21.8.2.1 the staff member's performance was not satisfactory during the probationary period; and

21.8.2.2 the staff member did not comply with all the conditions of the probationary appointment.

21.9 Probational restrictions would include the following:

21.1.1 candidate shall not be shortlisted for another position;

21.1.2 transferred to another position;

21.1.3 seconded nor be promoted during the probation period;

21.1.4 an appointed candidate must remain in one permanent position for a period of 12 months before applying for another internal position (i.e. Internal employees shall only be considered for other positions after a twelve(12) months cycle).

## 22. PROMOTION

22.1 Promotion is not automatic but involves applying for a higher-level position and become successful through participation in the interview process and defined in this policy.



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

## **23. CREATION AND FILLING OF POSITIONS**

- 23.1 The MM shall, within a policy framework determined by the Municipal Council and subject to applicable legislations, observe the following;
- 23.1.1 Develop a staff establishment for the municipality; and  
23.1.2 Submit the staff establishment to the Municipal Council for approval.
- 23.2 Before creating a post for any newly defined job the following process must be undertaken:
- 23.2.1 Review the organizational structure in line with the strategic plan and/or national directive for a particular year.  
23.2.2 The new organizational structure be presented to Council for approval.  
23.2.3 Job Analysis be undertaken.  
23.2.4 Determine a budget package including the total cost to company as well as cost of office space.  
23.2.5 Determine the nature of the post (Affirmative Action post) and;  
23.2.6 Advertise in accordance with the legislative requirements.
- 23.3 No person may be employed in the municipality unless the post to which he or she is appointed is provided for in the staff establishment of that municipality.

## **24. PLACEMENT OF ADVERTISEMENTS**

- 24.1 Advertising of vacancies for levels five (5) and lower will be placed internally first to provide opportunities for Council's employees; unless the position falls under scarce skill and may be difficult to find suitable skills internally.
- 24.2 Advertisements will be placed on noticeboards and all-users email for internal advertisement, and for external advertisement will be published on the MCLM websites and national newspapers where applicable.
- 24.3 All internal adverts will be for a period of seven (7) calendar working days unless stated otherwise by the Executive Manager: CSS;
- 24.4 If no suitable internal candidates are available, then the panel may recommend the external advertisement of the position.

## **25. APPLICATION PROCESS**

- 25.1 All advertisements shall have a closing date and no late applications shall be accepted;



25.2 Issues of applicants shall be handled as follows:

25.2.1 No acknowledgement of receipt will be sent to applicants. Only shortlisted applicants will be contacted and invited to interviews; this will be stipulated in the advertisement.

25.2.2 All applications shall be submitted in writing through a covering letter stating the position one is applying for, accompanied by a detailed CV and requested documentation as stated in the advert, e.g., copies of all relevant qualifications;

25.3 If an applicant fails to submit the required documentation with the application such application shall be disqualified;

25.4 An applicant may be required to subject him /herself to medical examination by the Medical Officer nominated by the Municipality (depending on the nature and requirements of job applied for);

25.6 Municipal Finance Management personnel must have a clear credit and criminal check before any confirmation of the appointment

## **26. GRIEVANCE AND DISPUTES**

26.1 In the case of a grievance or dispute with regard to recruitment and selection, the following routes should be followed:

26.1.1 Internal applicants should lodge a grievance in terms of the Council's grievance procedure;

26.1.2 In the case where this procedure has been exhausted, the relevant dispute resolution mechanisms stipulated by the Labour Relations Act must be followed;

26.1.3 External applications are entitled to lodge a dispute in terms of the relevant dispute resolution mechanisms of the Labour Relations Act;

26.1.4 Should a dispute arise during the interviews or selection process, the following steps shall be followed during an objection:

26.1.4.1 Three (3) working days to lodge an objection (through a normal way to lodge a dispute.

26.1.4.2 The MM/Executive M:CSS should be empowered to sit for the objection within 7 days. MM may appoint a committee that will look into a dispute within 7 days; and

26.1.4.3 Give legal recourse to the affected party, about the legal process that should be followed if aggrieved or not satisfied.

## **27. APPOINTMENT OF REPLACEMENT LABOUR IN THE EVENT OF A STRIKE**

27.1 The MM may, after consultation with the relevant Executive Manager, employ replacement labour during a strike in terms of, and in consistent with section 76 of the Labour Relations Act.

27.2 Every person appointed as a replacement labour must receive a letter of appointment that complies with section 29 of the BCEA

27.3 The letter of appointment must clearly stipulate that:

27.3.1 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;

- 27.3.2 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;
- 27.3.3 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 termination based on the Municipality's operational requirements, nor as an unfair dismissal; and
- 27.4 Accordingly, reference in this paragraph to additional remuneration or compensation to which the person shall not be entitled, includes but 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.

## **28. IMPLEMENTATION OF THE POLICY**

The implementation of the Recruitment Policy shall be effected a day after approval by Council.

## **29. FINANCIAL IMPLICATIONS**

- 29.1 The implementation of the Recruitment Policy shall have financial implications for the Municipality.
- 29.2 Implementation of some of the provisions of the Recruitment Policy shall be subject to the financial viability of the Municipality.

## **30. MONITORING AND EVALUATION OF THE POLICY**

- 30.1 Corporate Support Services department shall monitor and evaluate the implementation and compliance of the Recruitment Policy.
- 30.2 No deviation to this policy and procedure requirements is permitted.
- 30.3 Any possible breaches of the Recruitment Policy and SOP would be monitored by the R&HCA Sub-division.

## **31. POLICY REVIEW**

This policy will be reviewed regularly or on an annual basis and revised as necessary.

## **32. COMMUNICATION**

The Recruitment Policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

## **33. COMPLIANCE**

Any contravention to this policy shall be constituted as misconduct.

**34. PRECEDING POLICIES RESCINDED**

The previous policies in respect of this subject are RESCINDED and REPLACED with this new policy.

**35. ANNEXURES**

Annexure A -Application of Employment Form

Annexure B= Confidentiality Form

Annexure C- Number of Support Staff in the Political office

Annexure D – Categories of misconduct and time periods that must expire before a person may be re-employed by a municipality.

**36. SIGNATURES**

The Council:	
Signature:	
Date Approved:	
Effective Date:	

**ANNEXURE A**  
**APPLICATION FORM FOR EMPLOYMENT**

1. The purpose of this form is to assist the municipality in selecting suitable candidates for an advertised post.
2. This form must be completed in full, accurately, and legibly. All substantial information relevant to a candidate must be provided in this form. Any additional information may be provided on the CV.
3. Candidates shortlisted for interviews may be requested to furnish additional information that will assist municipalities to expedite recruitment and selection processes.
4. All information received shall be treated with strict confidentiality and shall not be used for any other purpose that to assess the suitability of the applicant.
5. This form is designed to assist the municipality with recruitment, selection and appointment of staff members in terms of the Municipal Systems Act, 2000 (Act No. 32 of 2000)

**DETAILS OF THE ADVERTISED POST (as reflected in the advert)**

Advertised post applying for:	
Reference Number:	
Name of the Municipality:	
Notice service period:	

**PERSONAL DETAILS**

Surname:					
First Names:					
ID or Passport Number:					
Gender:	Male		Female		
Race:	African	White	Coloured	Indian	
Do you have a disability:	Yes	No	If no, elaborate		
Are you a South African Citizen?	Yes	No	If not, what is your nationality?		
			Do you have a valid work permit?	Yes	No
Do you hold a professional membership with any professional body?	Yes	No	Name of professional body	Membership Number	Expiry Date

**CONTACT DETAILS**

Telephone number during office hours:	(      )				
Mobile phone number:					
Postal Address:					
				Code	
Email Address					
Preferred language of communication					

<b>QUALIFICATIONS (Please elaborate on your CV)</b>						
Highest Educational qualification obtained:						
Name of the School:			Highest Grade		Year Obtained	
Highest tertiary qualification obtained:						
Name of Institution:		Name of qualification		NQF Level		Year Obtained
<b>WORK EXPERIENCE (Please elaborate on your CV)</b>						
Employer (Starting with the most recent:	Position held	From		To		Reason for Leaving
		Month	Year	Month	Year	
<b>DISCIPLINARY RECORD</b>						
Have you been dismissed for misconduct during the past ten (10) years?		Yes		No		
If yes, Name of Municipality / Employer						
Type of a Misconduct / Disciplinary case finalized / Dismissal						
Award / Sanction						
Have you been accused of an alleged misconduct and resigned from your job pending finalization of the disciplinary proceedings?		Yes		No		
<b>CRIMINAL RECORD</b>						
Have you been convicted of any criminal offence in a court of law during the past ten (10) years?		Yes		No		
If yes, type of criminal act						
Date criminal case finalized						
Outcome /Judgement						
<b>REFERENCES (Please elaborate on your CV)</b>						
Name of Referee		Relationship	Tel (Office hours)	Cellphone Number		E-mail

<p><i>I hereby declare that the information provided in this application and any attachments in support thereof is to the best of my knowledge true and correct. I understand that any misrepresentation or failure to disclose any information may lead to my disqualification or termination of my employment contract, if appointed.</i></p>					
Signature:		Date:			

DRAFT

ANNEXURE B

CONFLICT OF INTEREST DECLARATION BY INTERVIEW / SHORTLISTING PANEL MEMBER



-----  
**DECLARATION OF CONFIDENTIALITY BY THE SELECTION PANEL MEMBER ON SHORTLISTING  
/INTERVIEWS FOR THE ADVERTISED POST OF -----  
(NAME OF THE ADVERTISED POST)**  
-----

In terms of regulation 24 of the Local Government Municipal Staff Regulation,  
I \_\_\_\_\_ (*Name and Surname*)

hereby declare that \_

- a) I have no personal interest in any of the shortlisted /interviewed candidates.
- b) I do not have any relationship whatsoever with the shortlisted /interviewed candidates.
- c) I am not indebted to any of the shortlisted/ interviewed candidates or vice versa.
- d) My participation in these shortlisting /interviews will not in any way constitute a conflict of interest or unduly influence or attempt to influence the appointment or promotion for a spouse, partner, family member, friend, or associate.
- e) I will not discuss the outcome of these shortlisting / interviews or inform any candidate who has been shortlisted / interviewed about the outcome of these interviews / shortlisting.
- f) All the discussions emanating from the shortlisting / interview process will be kept strictly confidential and no information will be disclosed with any candidate or person who is not part of the Selection Panel until such time that the Municipal Manager or his or her delegate has approved the recommendations of the Selection Panel, and the successful candidate has been duly informed about the outcome of the decision of the Municipal Manager or his or her delegate

Signed at ..... on this ..... day of.....20 .....

.....  
**Signature: Panel Member**

.....  
**Signature: Commissioner of Oaths**

**ANNEXURE C**

**CATEGORY B MUNICIPALITY**

Executive mayor	Mayor	Deputy Executive Mayor/ Deputy Mayor	Speaker	Chief Whip / Whip	Councillor Support	
					Member of Executive Council/ Mayoral Committee/Chairperson of a sub-council	Party Office
Chief of Staff	Head of the Office	Head of the Office	Head of the Office of the Speaker	Support Officer	Manager: Councillor Support	
Administrative Secretary	Administrative Secretary	Administrative Secretary	Administrative Secretary	Secretary	Executive Support Officer per POB	Executive Support Officer per POB
Private Secretary	Private Secretary	Private Secretary	Public Participation and Outreach Coordinator		Secretary per POB	Researcher per POB
Special Advisor	Special Advisor	Driver	Public Officer: Petitions and Hearings			Secretary per POB
Community Liaison Officer	Community Liaison Officer		Ward Coordinator			
Receptionist	Receptionist		Coordinator: Community Development Workers			
Driver	Driver		Senior / Administrative Officer			
			Receptionist			
			Driver			
<b>Possible Shared Resources:</b>						
<ol style="list-style-type: none"> <li>1. Researcher and Speech Writer</li> <li>2. Committee Support Administration</li> </ol>						



ANNEXURE D  
CATEGORIES OF MISCONDUCT AND TIME PERIODS THAT MUST EXPIRE BEFORE A  
PERSON MAY BE REEMPLOYED IN A MUNICIPALITY

Column A ITEM	Column B CATEGORY OF MISCONDUCT	Column C PERIOD (YEARS)
.1	Financial misconduct contemplated in section 171 of the Municipality Finance Management Act, corruption or fraud	10
2.	Misconduct involving elements of dishonesty or negligence.	5
3.	(a) Assault with intent to do grievous bodily harm where a staff member has been criminally charged and convicted.	5
	(b) Sexual harassment	5
4.	Colluding or acceding to an influence of any councillor not to enforce an obligation in terms of this Act, any other legislation or by-law or a decision of the municipal council of the municipality, and who has been found guilty of an offence and convicted to a fine or to imprisonment for a period not exceeding one year.	5
5.	Facilitating or aiding an occupier of premises in a municipality to deny an authorised representative of the municipality or a service provider access at all reasonable times to the premises in order to read, inspect, install, or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service.	5
6.	Convicted of an offence and sentenced to more than 12 months imprisonment without the option of a fine.	5
7.	(a) Used the position as a staff member or confidential information for private gain or to improperly benefit another person.	5
	(b) Disclosed of any privileged or confidential information obtained as a staff member of a municipality to an unauthorised person or persons.	5
	(c) Took a decision on behalf of the municipality concerning a matter that the senior manager's spouse, partner or business associate, has a direct benefit or private business interest.	5
8.	Being party to or beneficiary under a contract for the provision of goods and services to any municipality or any municipal entity established by a municipality.	5
9.	Soliciting or accepting directly or indirectly any gift or favour that may influence the exercise of his or her functions, the performance of his or her duties, or judgment.	5
10.	Discrimination against others on the basis of race, gender, disability, sexual orientation or other grounds prohibited by the Constitution.	5
1 1.	Breach of the Code of Conduct for Municipal Staff as contained in Schedule 2 of the Municipal Finance	2