

WEST RAND DISTRICT MUNICIPALITY



RECRUITMENT, SELECTION AND APPOINTMENT POLICY

Status:	New
Custodian:	Corporate Services
Date approved at LLF:	8 July 2022 (Item 16)
Date approved at Section 80 Committee: Corporate Services	6 September 2022 (item 17)
Date approved at MayCom	21 September 2022
Approved at Council	27 October 2022
Item number:	Item 90
Implementation date:	As approved by Council
Due for review:	As and when needed
File number	1P & 4/8/1

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1. POLICY STATEMENT

The purpose of the Recruitment, Selection and Appointment of Staff Policy is to guide the process of recruitment, selection and appointment of staff in order to establish a consistent and fair recruitment methodology across the Municipality and to ensure that suitably qualified candidates are employed to assist the West Rand District Municipality in achieving its organisational objectives.

2. LEGISLATIVE FRAMEWORK

- 2.1 Constitution of South Africa, 1996
- 2.2 Local Government Municipal System Act, 2000 (Act 32 of 2000)
- 2.3 Labour Relations Act, No. 66 of 1995
- 2.4 Basic Conditions of Employment Act, No. 75 of 1997
- 2.5 Employment Equity Act, No. 55 of 1998 (as amended)
- 2.6 Local Government: Municipal Systems Act: Local Government staff regulations
- 2.7 Local Government: Municipal Staffing Regulations Government Notice No 890 of 20 September 2021

3. PRINCIPLES

- 3.1 The recruitment, selection and appointment of a staff member to a post on the staff establishment must—
 - 3.1.1 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 specialized scarce skills required for a specific post, the municipality must record reasons for deviation from the policy;
 - 3.1.2 be integrated with other human resource management systems and procedures;
 - 3.1.3 use objective competencies specified in the Regulations; and
 - 3.1.4 be filled through advertising in accordance with regulation 14.

4. DETERMINATION OF RECRUITMENT NEEDS

- 4.1 The municipality must—
 - 4.1.1 develop the strategy to –
 - 4.1.1.1 fill funded vacancies;
 - 4.1.1.2 reduce turnaround times for filling of approved vacant funded posts;

- 4.1.1.3 fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant.
 - 4.1.1.4 at all times have the capacity and capability to perform its functions.
- 4.2 A vacant post on the staff establishment may not be filled unless—
 - 4.2.1 the Municipal Manager or a staff member to whom this function is delegated has approved the filling of the post; and
 - 4.2.2 the post is budgeted for.
- 4.3 Deviation may be granted on the following ground-
 - 4.3.1 budget cut requiring prioritisation of personnel expenditure;
 - 4.3.2 impending re-structuring exercise; and
 - 4.3.3 alternative staffing solutions are adopted.

5. GENERAL REQUIREMENTS FOR APPOINTMENT OF STAFF

- 5.1 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—
 - 5.1.1 is a South African citizen, and
 - 5.1.2 possesses the relevant competencies, qualifications and experience.

6. COMPETENCY REQUIREMENTS FOR STAFF

- 6.1 A person appointed as staff member in the municipality must-
 - 6.1.1 have the necessary competencies;
 - 6.1.2 comply with the minimum requirements for education, qualifications, work experience and knowledge as set out in the Staff Regulations.
- 6.2 A staff member who was appointed before the Staff Regulations came into effect and who does not meet the minimum competency requirements of the relevant post as prescribed, shall be deemed to be meeting the requirements of the post. Despite the provision of this regulation the municipality may place a staff member on a programme to acquire the competency requirements as prescribed in order for the staff member to be eligible for career opportunities in the municipality.
- 6.3 If a staff member has not attained the competencies as prescribed in these Regulations, the municipality must utilise the workplace skills

plan to identify and address the staff member's competency gaps and development needs.

7. ADVERTISING OF VACANT POST

7.1 The municipality must advertise a vacant post after the approval has been obtained from the Municipal Manager within 6 months of which it has become vacant.

7.2 The advertisement must at least specify the following—

7.2.1 job title;

7.2.2 term of appointment;

7.2.3 place of work;

7.2.4 applicable salary scale or pay range;

7.2.5 competency requirements of the post, and where applicable the minimum qualifications and experience as set out in the Staff Regulations;

7.2.6 inherent requirements of the job;

7.2.7 summary of the core functions;

7.2.8 need for signing an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest;

7.2.9 address where applications must be sent;

7.2.10 place where applicants can obtain the application form;

7.2.11 contact person for any enquiries;

7.2.12 closing date for submission of applications.

7.3 A municipality shall advertise any funded vacant post within 6 months of the post becoming vacant, as a minimum, within the municipality, but may also advertise such post externally if no suitable internal candidate could be found; —

- locally for level 15 to 3;

- nationwide for Section 56 and 57 posts.

8. APPLICATION FOR VACANT POST

8.1 An application for a vacant post must be made on the prescribed form.

8.2 An applicant for a post must disclose—

8.2.1 his or her qualifications and experience;

8.2.2 his or her contactable references;

- 8.2.3 his or her registration with a relevant professional body, if applicable;
 - 8.2.4 full details of any dismissal for misconduct or substandard performance; and
 - 8.2.5 any disciplinary actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.
- 8.3 Any misrepresentation or failure to disclose material information, is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 of the Structure/Systems Act.
- 8.4 Applications not made on the prescribed application form will render any appointment or contract entered into, between the municipality and the successful candidate invalid.
- 8.5 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.
- 8.6 The record must contain—
- 8.6.1 the applicants' biographical details and contact information;
 - 8.6.2 the details of the post for which the applicants were applying;
 - 8.6.3 the applicants' qualifications; and
 - 8.6.4 any other requirements outlined in the application form.
- 8.7 No application will be accepted via e-mail or fax. Only original completed application will be accepted.
- 8.8 Internal advertisements will be displayed on the internal notice board and circulate via e-mails for a period of 14 calendar days before the closing date.
- 8.9 External advertisements will be for a period of 21 calendar days to ensure sufficient time before the closing date.

9. SELECTION AND SHORTLISTING PANEL

- 9.1 The selection and shortlisting panel must comprise of at least 3 but not more than 5 members.

- 9.2 The above panel will consist of the following members:
- 9.2.1 Executive Manager Corporate Services
 - 9.2.2 Relevant Head of Department
 - 9.2.3 HR Manager
 - 9.2.4 Corporate Services Portfolio Councillor or other MMC of department as observer to provide oversight.
 - 9.2.5 Labour unions as observers
- 9.3 The chairperson of the panel will be the relevant Executive Manager of the Department where the vacancy exist..
- 9.4 In deciding on the composition of the selection and shortlisting panel, the Municipal Manager must have regard to the following considerations:
- 9.4.1 The nature of the post;
 - 9.4.2 the gender and race balance of the panel; and
 - 9.4.3 the skills, expertise, experience and availability of the persons to be involved.
- 9.5 A member of a selection and shortlisting panel must—
- 9.5.1 disclose any interest or relationship with shortlisted candidates during the short listing process;
 - 9.5.2 recuse himself or herself from the selection panel if—
 - 9.5.2.1 his or her spouse, partner, close family member or close friend has been shortlisted for the post;
 - 9.5.2.2 the panel member has a *de facto* relationship or some form of indebtedness to a shortlisted candidate or vice versa; or
 - 9.5.2.2.1 any other conflict of interest; and
 - 9.5.2.2.2 sign a declaration of confidentiality as set out in the Staff Regulations to avert the disclosure of information to unauthorised persons.
- 9.6 All members of the panel and observers, **must** sign the declaration to prevent the disclosure of information to unauthorised persons.
- 9.7 The head of human resource or his or her delegate must facilitate and provide advisory services during the selection process to ensure compliance with the Staff Regulations in the recruitment and selection process.

- 9.8 A staff member delegated to provide secretarial services during the selection and shortlisting process may not form part of the selection panel.
- 9.9 Each panel member must disclose potential conflict to be considered by the full selection and shortlisting panel at the initial meeting of the panel.
- 9.10 If a conflict of interest becomes apparent during the selection process, the Municipal Manager 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.
- 9.11 The municipality must compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.
- 9.12 The selection and shortlisting panel must compile a shortlist based on the inherent requirements of the position as advertised and with due regard to Section 20 of the Employment Equity Act.

10. INTERVIEWS

- 10.1 The list of shortlisted candidates and copies of their applications must be submitted to the interview panel prior to the interviews taking place.
- 10.2 The shortlisting and interview panel for a post, once constituted, must remain the same at all times. If a member of the shortlisting panel is unable to proceed with the interviews due to circumstances beyond that member's control, such panel member may be replaced or withdrawn. If the interview panel does not quorate, the panel must be reconstituted.
- 10.3 The municipality must grant observer status to each of the recognised trade union representatives during the interviews: Provided that failure by the union to attend the interviews from proceedings will not invalidate the decision of the panel.
- 10.4 The interview panel must interview the shortlisted candidates.

- 10.5 Before the interview for a specific post commences, the panel must confirm the shortlisting criteria for the advertised post, based on the relevant competencies required for the advertised post.
- 10.6 The interview panel must keep a written record of the interviewed candidates.
- 10.7 After considering all the relevant information, the interview 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.
- 10.8 If it is determined that the recruitment process has not attracted suitable candidates, the post may be authorized to be advertised externally.
- 10.9 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.
- 10.10 The recommendations of the interview panel must be determined by—
- 10.10.1 highest scoring candidate;
 - 10.10.2 consensus; or
 - 10.10.3 where the panel fails to reach consensus, the matter shall be referred to the Municipal Manager or his or her delegate for mediation or resolution.
- 10.11 If the interview panel recommends an appointment to the post, it must submit its recommendation to the Municipal Manager or his or her delegate for approval.

11. PERSONAL CREDENTIAL VERIFICATION

- 11.1 Vetting and personal credential verification for recommended candidates who should be appointed must be conducted by—
- 11.1.1 establishing the validity of candidate qualifications and any other verification required by the position before appointment;
 - 11.1.2 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
- 11.1.3 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.
- 11.2 A written report on the outcome of the vetting process of personal credential verification must be available and considered before the appointment is concluded.
- 11.3 A candidate who does not have a previous employment record may not be disqualified as a candidate for appointment to an advertised post.
- 11.4 A candidate who has given false information and it was discovered during the vetting process will automatically be disqualified and the second highest scoring candidate will then be offered the position.

12. APPOINTMENT

- 12.1 A person may be appointed as a staff member only if he or she possesses the relevant competencies.
- 12.2 The Municipal Manager consider the recommendations of the interview panel; and decide whom to appoint; and the terms and conditions of employment.
- 12.3 Before making a decision to appoint, the Municipal Manager or delegate must satisfy himself or herself that the candidate meets the relevant requirements of the post.
- 12.4 An appointment may only take effect after the Municipal Manager or his or her delegate has approved the appointment in writing.
- 12.5 The Municipal Manager or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.
- 12.6 Unsuccessful candidates must, on request, be provided with reasons in writing as to why they were not successful.

13. RE-EMPLOYMENT OF DISMISSED STAFF

- 13.1 A person who was dismissed from a municipality for any reason may not be re-employed.
- 13.2 A person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.
- 13.4 The legal department must maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalization of any disciplinary proceedings.
- 13.5 The record must contain—
 - 13.5.1 the full names and identity number of the person,
 - 13.5.2 the title of the post that the person occupied,
 - 13.5.3 the nature of the misconduct.
 - 13.5.4 the date of suspension, if any,
 - 13.5.5 the conditions of suspension, if any;
 - 13.5.6 the date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration,
 - 13.5.7 the date of commencement of the disciplinary hearing or pre-dismissal arbitration,
 - 13.5.8 the finding,
 - 13.5.9 whether a dispute was referred to the bargaining council or the Labour Court,
 - 13.5.10 the costs incurred by the municipality; and
 - 13.5.11 the date of resignation or dismissal of the person.

14. PROBATION

- 14.1 The appointment of a person must be effected on a probationary period of three months.
- 14.2 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.
- 14.3 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.
- 14.4 The Municipal Manager or his or her delegate must—

- 14.4.1 inform the staff member within the first two weeks of employment of that member's performance requirements;
 - 14.4.2 ensure that the staff member completes the municipality's induction programme; and
 - 14.4.3 assess the staff member's performance; and provide the staff member with feedback on a quarterly basis on that member's performance.
- 14.5 If a staff member's performance is not satisfactory, the Municipal Manager or his or her delegate must advise the staff member of any aspects that the staff member is considered to be failing to meet.
- 14.6 If the Municipal Manager or his or her delegate believes that the staff member's performance does not meet the required standards, he or she may extend the probationary period, provided that—
- 14.6.1 the staff member shall first be given a reasonable period of time for assessment, training, guidance or counselling; and
 - 14.6.2 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.
- 14.7 The Municipal Manager or his or her delegate may extend the probationary period by a period not exceeding six months, in order to afford the municipality an opportunity to further assess the staff member's performance.
- 14.8 After the completion of the probationary period, the appointment is automatically viewed as a permanent appointment.

15. PROMOTION

- 15.1 A staff member who is appointed in accordance with this chapter 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.
- 15.2 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.

16. APPOINTMENT OF PERMANENT STAFF

Except as provided for in regulations 21 and 30, appointments of staff members made in terms of section 66 of the Act shall be on a permanent basis.

17. APPOINTMENT OF STAFF ON FIXED TERM CONTRACT

17.1 The municipality may, in exceptional circumstances and within its administrative and financial capacity, appoint a person or persons on fixed term contract without adhering to the procedures and processes as contained in this chapter.

17.2 The application of sub-regulation (1) is subject to the provisions of section 198B of the Labour Relations Act.

18. POLICY IMPLEMENTATION AND REVIEW

This Policy will be effective from date of approval by Council. This policy will be reviewed when Council deems it necessary in order to accommodate any amendments to legislation or any conditions of service.

19. DISPUTE RESOLUTION

Any dispute that may arise regarding the contents or implementation of this policy will be resolved per the guidelines contained in the South African Local Government Bargaining Council Collective Agreement on dispute resolution.