

RECRUITMENT AND SELECTION POLICY

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1. Policy Purpose

1.1. The purpose of this policy is to set out the policy guidelines and principles regarding resourcing, more specifically in terms of recruitment and selection. This includes the following:

- 1.1.1. Introducing fair and objective principles and procedures for resourcing.
- 1.1.2. Providing guidelines for the appointment of candidates.
- 1.1.3. Establishing principles and procedures ensuring that the municipality complies with legislative principles in respect of employment equity and affirmative action.
- 1.1.4. Setting out the procedural steps for the advertisement of a vacant post, the selection of applicants for interviews, the conducting of interviews and the appointment of candidates to the permanent staff complement.
- 1.1.5. Engaging in a process to improve the demographics of the personnel establishment of the Municipality to reflect the racial and gender composition of the citizens of the Kouga Municipal area, whilst recognizing the needs of the community, standards of effectiveness and efficiency in service delivery and an absence of discrimination based on any form of stereotyping.

2. Policy Scope

2.1. This policy is applicable and binding on both the municipality and all candidates and shall become operative immediately after its approval by Council.

3. Policy Definition

For the purpose of this policy unless the context otherwise indicates:

3.1. “candidate”

Means an applicant for a post.

3.2. “disability”

Means long term or recurring physical or mental impairment which substantially limits a person towards performing his/her duties.

3.3. **“recruitment”**

Means the activities undertaken by human resources in order to attract sufficient job candidates who have the necessary potential, compliances and traits to fill job requirements and to assist the municipality in achieving its objectives.

3.4. **“reference check”**

Means the gathering of information about candidate's history from people with whom such candidate has been associated.

3.5. **“selection”**

Means the process of making decisions about the matching of candidates taking into account individual differences and the inherent requirements of the job.

4. **Legislative Framework**

4.1. This document is established within the framework of the following legislation and policies.

4.1.1. Employment Equity Act, (ACT 55 of 1998); Skills Development Act, 97 of 1998.

4.1.2. The Basic Conditions of Employment Act, 1997 (Act No.75 of 1997)

4.1.3. Labour Relations Act, (ACT 65 of 1995)

4.1.4. The Promotion of Equality and Prevention of Unfair Discrimination or the Equality Act, Act No. 4 of 2000 Act, 2000 (PEPUDA)

5. **General Policy Provisions**

The following sections reflect the provision applicable to this policy:

5.1. Policy Statements

Foundational principles for this policy are:

5.1.1. The resourcing policy and its implementation will be fundamentally aimed at matching the human resources to

the strategic and operational needs of the Municipality and ensuring the full utilisation and continued development of these employees.

- 5.1.2. Each appointment must be rationally and objectively justifiable by reference to the strategic and operational needs of the Municipality.
- 5.1.3. Appointments will vary depending on the needs of the municipality and may include the following:
 - (a) Permanent
 - (b) Fixed term contracts
 - (c) Learnership
 - (d) Internships
 - (e) In-service training
 - (f) Temporary appointments (not exceed a maximum period of 12 months).
- 5.1.4. The responsibility of the Municipality is to determine the strategic and operational needs of the Municipality.
- 5.1.5. All aspects of resourcing, structuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions, except as provided in this policy with reference to affirmative action and employment equity.
- 5.1.6. With reference to the Constitution of South Africa Act 108 of 1996 as amended and the provisions of Chapter II of the Employment Equity Act 55 of 1998, under no circumstances should any person be refused employment on any arbitrary or discriminatory basis, including but not limited to race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV Status, conscience, belief and/or opinion, taking into account the provisions of Chapter III of the EE Act, Act 55 of 1998.
- 5.1.7. The municipality is an equal opportunity employer, and, as such, preference will be given to suitably qualified candidates who are members of designated groups as defined in section 1 of the Employment Equity Act of 1998 as consisting of black people (African, Coloured and Indian) women and people with disabilities.
- 5.1.8. Recruitment shall be done according to the Human Resource Plans, aligned with the competency requirements of the post in accordance with the IDP and SDBIP and with consideration of the organisational culture.

5.2. **Employment Equity & Affirmative Action**

- 5.2.1. Elimination of Unfair Discrimination
 - 5.2.1.1. The municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.

- 5.2.1.2. It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of 1998 as set out in this policy or to distinguish, exclude or prefer any person on the basis of an inherent requirement of any job.
- 5.2.1.3. Harassment of an employee, including sexual harassment of any form, constitutes unfair discrimination and such harassment will attract disciplinary action against any employee found to have committed harassment.

5.2.2. **Application of the Employment Equity Act of 1998**

- 5.2.2.1. As a defined designated employer in terms of section 1 of the Employment Equity Act of 1998, and, as such, the provisions of Chapter the Employment Equity Act are directly applicable to the Municipality.
- 5.2.2.2. As an employer, the municipality must take reasonable steps to consult and reach agreement on matters listed in section 17 of the Employment Equity Act with its employees or representatives nominated by the employees, subject to the provisions of section 16 of the Employment Equity Act.
- 5.2.2.3. The municipality must collect information and conduct an analysis in the prescribed form, of its employment policies, practices, procedures and the working environment in order to identify employment barriers which adversely affect people from the designated groups in terms of the provisions of section 19 of the Employment Equity Act of 1998.
- 5.2.2.4. The municipality must prepare and implement an employment equity plan which will achieve reasonable progress towards employment equity in the Employer's workforce, and such plan shall contain, at the very least, the information listed in section 20[2] of the Employment Equity Act of 1998.
- 5.2.2.5. The municipality shall comply with the provisions of section 21 [reporting to the Department of Labour], section 23 [preparation of successive employment equity plans] and all other provisions of Chapter III of the Employment Equity Act of 1998.

5.2.3. **Authority**

- 5.2.3.1. The responsibility for implementing affirmative action measures and ensuring compliance with the provisions of the Employment Equity Act of 1998, rests with the Municipal Manager or his/her delegated assignee(s) in terms of the Employment Equity Act, 1998 (Act 55 of 1998).

5.2.4. **Affirmative Action**

5.2.4.1. As a designated employer the municipality must, in order to achieve employment equity, implement affirmative action measures for people from the designated groups as defined in section 1 of the Employment Equity Act of 1998. Designated Groups means black people, women and people with disabilities and black people is defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians. Affirmative Action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of the Employer.

5.2.5. **Affirmative Action Measures**

5.2.5.1. Affirmative Action measures include, but are not limited to, the following:

- (a) Measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups.
- (b) Making reasonable accommodation for people from designated groups in order to ensure that they enjoy equal opportunities and are equitably represented in the workplace.
- (c) Measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workplace.
- (d) Measures to retain and develop people from designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.
- (e) No provision in this policy should be construed as requiring the Municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.
- (f) This includes, but is not limited to, any decision relating to the termination of employment of any employee of the Municipality for reasons not relating to the conduct or capacity of the employee or the operational requirements of the employer in terms of the provisions of Chapter VIII of the Labour Relations Act of 1995 as amended.

5.3. **Elements of Recruitment & Selection**

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

The Municipal Manager, his or her delegate, may deviate from the provision(s) of this policy, where there is an existence of bona fide organisational or operational requirements.

5.3.1. **Recruitment**

5.3.1.1. Prior to filling a post, the necessity for filling shall be assessed and motivated by the Head of Department to the Municipal Manager or his delegate via completion of the *Request to fill a Vacancy* form.

5.3.1.2. Should a post, after having undergone scrutiny, be authorised for filling by the relevant authority, employees requiring re-deployment as and when required due to Organizational change and/ or restructuring will be considered in the first instance.

5.3.2. **Validation of Inherent Requirements**

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

5.3.2.2. Prior to the recruitment process commencing, the outputs, skills, knowledge and competencies and stated educational requirements as contained in the job description are scrutinized as to its relevance and applicability.

5.3.3. **Recruitment Advertisement**

5.3.3.1. Drafting of the Advertisement is done by the HR Department based on inherent job requirements and an approved job description from the relevant user department.

5.3.3.2. The validated information as referred to above shall form the basis for the advertisement and all advertisements shall clearly state the relevant job requirements, application procedures together with closing dates for the receipt of application.

5.3.3.3. All positions from task grade 1 – 13 will first be advertised internally for five (5) days.

(a) Criteria: At the outcome of the interviews, an internal candidate must meet a threshold of 65% or higher. The threshold can only be deviated from if the panel members are in consensus, and reasonable targets are set as per section 20(3) of the Employment Equity Act.

5.3.3.4. Advertisements to be compiled in accordance with the agreed municipality format.

(a) Internal: Advertisements shall be placed on designated notice boards and other appropriate places.

(b) External: Advertisements shall be placed in appropriate media/publications and community newspapers to ensure maximum access by the designated groups.

5.3.3.5. The Municipality's targets, inter alia, shall be taken into consideration when determining whether recruitment activities are internal or external or both.

5.3.3.6. All applications shall be on an official municipality Application form, which will be available in English and/or any electronic recruitment system adopted by the municipality.

5.3.3.7. The services of external employment/personnel agencies may where necessary be utilised for recruitment purposes. The selection of such agencies will comply with the SCM Policy.

5.3.3.8. Records shall be maintained for all applications received in response to advertised posts as well as ad-hoc applications received by Human Resources. Such records shall be kept for the prescribed period.

5.3.4. **Selection**

5.3.4.1. General principles governing selection:

(a) Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.

(b) 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.

(c) To give effect to the Employment Equity Plan, the margin between a targeted candidate and any other designated or non-designated candidate shall be 5%.

(d) 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.

(e) Canvassing, i.e. attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Municipality's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

5.3.5. **Selection Panel**

5.3.5.1. The Selection process will be conducted by a Selection Panel consisting of:

- (a) The Municipal Manager or his/her delegated assignee(s.) at his/her discretion based on the seniority of the position.
- (b) Head of Department or his/her delegated assignee(s.) at his/her discretion based on the seniority of the position.
- (c) Immediate supervisor to the position.
- (d) HR Department.
- (e) Employment Equity Manager or his/her delegated assignee.
- (f) Labour Unions – may attend the proceedings as observers only.
- (g) Relevant Portfolio Chairperson- may attend the proceedings as observer only.

5.3.6. **Compiling the Shortlist**

5.3.6.1. The shortlist will be drawn up by the Selection Panel in accordance with the approved selection criteria.

5.3.7. **Selection and Assessment Methodology**

5.3.7.1. The Municipality will only make use of assessment techniques which:

- (a) have been shown to be valid and reliable,
- (b) can be applied fairly to all employees,
- (c) are not biased against any employee or group
- (d) must include a competency-based assessment prepared by the relevant user department.

5.3.7.2. All parties will uphold the strictest confidentiality in respect of the entire recruitment process.

5.3.7.3. The assessment process is an integrated process and the final decision shall be based on the results of the whole process.

5.3.7.4. The Human Resources section is responsible for ensuring the integrity of the assessment process and the use and application of assessment techniques.

5.3.7.5. Medical testing will only be utilised if required or permitted by legislation or if it is justified in the light of medical facts with regard to the inherent requirements of the job.

5.3.8. **Reference checking**

5.3.8.1. Pre-screening to validate information on the Curriculum Vitae and/or application form may be conducted in relation to the inherent requirements of the job.

5.3.8.2. The following references can be contacted to verify the employment history of the applicant:

- (a) Current employer.
- (b) Previous employer.
- (c) References given by the applicant.

5.3.9. **Scoring**

Scoring of candidates against the identified competencies is to be done on the basis of a standardized methodology and the selection panel to be trained in such methodology.

5.3.10. **Record Keeping**

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

5.3.10.2. As in the recruitment process, these records need to be maintained for the prescribed period.

5.3.11. **The Selection Decision**

5.3.11.1. The selection decision is based on the assessment of the candidates in conjunction with section 20[3] and particularly 20[3]d of the Employment Equity Act and in the context of Municipality requirements. Targets, based on the Employment Equity Plan of the Municipality, will be set to guide the preferential order of appointment at the Municipality.

5.3.11.2. Head Hunting

Head hunting will be applied when your ordinary recruitment process failed to source a suitable candidate.

5.4. **Appointing Authority**

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

5.5. **Feedback to Candidates**

5.5.1. Human Resources will, on request, provide feedback to unsuccessful candidates for career development purposes.

5.5.2. When specifically requested, applicants for advertised posts will be informed in writing of the outcome of the selection process in regard to their

application. Ordinarily if applicant do not hear from the municipality within 30 days of application it is regarded as unsuccessful.

- 5.5.3. The Human Resources Practitioner informs the successful candidates and makes a verbal employment offer [remuneration, benefits, commencement date].
- 5.5.4. All persons appointed to the Municipality accept the appointment by way of signing the employment contract prior to commencement of duties within the prescribed time-frame as determined by the municipality.
- 5.5.5. The Human Resources Practitioner informs the unsuccessful short-listed candidates.

5.6. **Disputes**

- 5.6.1. Disputes concerning the appointment of a candidate are dealt with in terms of relevant Labour Legislation.

5.7. **Induction**

- 5.7.1. All newly appointed employees will participate in the Municipality's Induction Process. Existing employees may go through a process of re-induction.

5.8. **Nepotism**

- 5.8.1. Applicants must declare any relationship to existing employees.

5.9. **Authority**

- 5.9.1. The responsibility for the appointment of personnel rests with the Municipal Manager or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000). The Municipal Manager, his or her delegate, may deviate from the provision(s) of this policy, where there is an existence of bona fide organisational or operational requirements.

5.9.2. **Travelling and Related Expenses**

- (a) The Municipality, subject to the approval of the Municipal Manager will cover shortlisted candidates' travel and accommodation expenses, if and when justifiable.
- (b) Where shortlisted candidates have paid for their expenses in advance, with the prior approval of the Municipality, the shortlisted candidates will be reimbursed by the Municipality for reasonable expenses incurred.

- (c) The contract of employment shall include the undertaking to repay such expenses in the event of the incumbent resigning within 12 months of service.
- (d) At the onset of the recruitment process, shortlisted candidates will be required to sign an undertaking of reimbursement of expenses incurred by the municipality should he/she not accept the position.

5.9.3. Relocation and Removal Expenses

- (a) The Municipality, subject to the approval of the Municipal Manager will cover the cost of the temporary accommodation of the relocating successful candidate, for a maximum period of two months and/or a maximum value of R14 000.00.
- (b) In the event of the successful candidate requiring the services of a removal company, the normal SCM procedures will be adopted or in the event that the employee has paid his/her own removal costs, the municipality will reimburse such reasonable costs.
- (c) The contract of employment shall include the undertaking to repay such expenses in the event of the incumbent resigning within 12 months of service.
- (d) The municipality will cover removal costs where the prospective employee lives more than 250 km from the municipality.

5.10. Record and Reporting

- 5.10.1. Data relating to the recruitment process should be captured and analyzed to determine trends to facilitate improvements to the recruitment process. This information should be reported and evaluated by the municipality.



C DU PLESSIS
MUNICIPAL MANAGER

30 October 2018

DATE