



## **RECRUITMENT & SELECTION POLICY**

FOR ALL PERMANENT APPOINTED OFFICIALS  
EXCLUDING SENIOR MANAGERS IN TERMS OF LOCAL  
GOVERNMENT REGULATIONS OF 2014

---

**Date Approved:** 27/03/2024 | **Council Resolution:** E4

## CONTENTS

1. INTRODUCTION.....	3
2. DEFINITIONS .....	4
3. PURPOSE .....	10
4. PRINCIPLES.....	10
5. RECRUITMENT AND SELECTION.....	12
5.1. Advertisement .....	12
5.2. Headhunting.....	16
5.3. Applications.....	167
5.4. Short Listing .....	18
5.5 Employment Equity .....	224
5.6 Interviews .....	224
5.7 References and Personal credential verification .....	246
5.8 Nepotism.....	257
5.9 Appointment .....	257
5.10 Deviations .....	268
5.11 Re-Appointment of Former Employees .....	268
5.12 Appointment of candidates on remuneration above minimum notch .....	29
5.13 Screening of candidates .....	29
5.14 Probation period .....	29
5.15 Trade Union Representation .....	30
6. CONFIDENTIALITY .....	31
7. EMPLOYMENT OF PERSONS WITH CRIMINAL RECORD.....	31
8. RE-EMPLOYMENT OF DISMISSED STAFF.....	291
9. ADDENDUMS TO THIS POLICY.....	314
10. ACKNOWLEDGEMENT & APPROVAL .....	315

# 1 INTRODUCTION

Garden Route District Municipality recognises that staff is its most important asset in ensuring that effective, efficient services are delivered to the community it services in accordance with objectives and priorities as set out in its Integrated Development Plan (IDP). Therein Garden Route District Municipality strives to attract and appoint the most suitable candidates, creating and maintaining a diverse workforce for permanent posts.

This Policy is applicable on permanent appointments for filling of posts as identified on the approved organizational structure and excludes the fixed term contracts and section 54A and 56 appointments.

Contract appointments will be dealt with in accordance with a separate policy (Contract Appointment Policy).

## 1.1. SCOPE OF APPLICATION

- 1.1.1. This policy is applicable to all staff members and prospective staff members of the municipality but excludes the following:
- 1.1.2. Appointments under the Extended Public Works Programme / Community Development Workers; and
- 1.1.3. Appointments of students and interns.

## 1.2. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Income Tax Act, 1962 (Act No. 58 of 1962)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Immigration Act, 2002 (Act No. 13 of 2002)
- Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Employment Services Act, 2014 (Act No. 4 of 2014)
- Local Government: Regulations on appointment and conditions of employment of senior managers, 2014
- Local Government: Municipal Staff Regulations, 2021

- Local Government: Guidelines for the Implementation of the Municipal Staff Regulations, 2021
- National Skills Development Strategy
- National Qualifications Framework

## 2 DEFINITIONS

All definitions used in this policy are defined in the Main Collective Agreement of the South African Local Government Bargaining Council (SALGBC) of 1 July 2015 until 30 June 2020, unless stated otherwise with the relevant definition.

Words indicating the masculine gender shall include the feminine gender.

**Approved Job Description** *"signed Job Description by Incumbent; Supervisor; HOD; and Trade Unions, which is further subjected to the full Task Evaluation process, and approved by the Municipal Manager"*.

**Black People (as per Employment Equity Act 55 of 1998)** – *"is a generic term which means Africans, Coloureds and Indians"*

**Candidate** *for the purposes of this policy is an applicant for a post*

**Categories of learners** – *As defined in the attached Annexure A*

**Competency** *for the purposes of this policy refers to knowledge, skills, attitude or behaviour pertinent to the advertised position*

**Council** *"means Garden Route District Council"*

**Confidentiality** – *"means keeping information private and not telling others including co-workers, friends, family, etc."*

**Conflict of Interest** – *"means a situation in which an individual has competing interests or loyalties" see par 7.5*

**Criminal Record-** *means you have been charged with a crime and found guilty and/or sentenced*

**Day** – *"means Monday to Friday, excluding public holidays, unless indicated otherwise by the context"*

**Designated group (as per Employment Equity Act 55 of 1998)** - *"means black people, women and people with disabilities"*

**Earnings threshold (as per Collective Agreement on Conditions of Service)**

- “means the top notch of the salary scale (T-grade) within which the Basic Conditions of Employment Act, 1997 earnings threshold determination falls, as amended from time to time”

**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”

**(As per Employment Equity Act 55 of 1998)** – “(b) means any other person who in any manner assists in carrying on or conducting the business of an employer”

**Employer** -“means Garden Route District Municipality”

**Employment Equity Plan** - is an implementation program to assist the employer to achieve equitable representation and fair treatment of the designated groups (i.e. black people [referring to: Africans, Coloureds, and Indians], women and person with disabilities) in the workplace across all occupational levels.

**Employment equity targets** – refers to the numerical targets which are designated employer's projection for what it seeks to achieve at the end of its current reporting period (annually) and over a maximum period of five years.

**Essential job requirements** for the purposes of this policy is the skills, knowledge or experience that are necessary to perform a job as defined in the Job Description

**Fixed term contract employee**

“for the purposes of this policy is a person who is employed on a contract that includes an agreement detailing the relationship between the employer and employee, which is determined by an objective condition that creates no false expectations of renewal of the contract, and is based on a specific duration or time frame with dates or the completing of a specific task, project or event, other than the normal agreed retirement age,” In terms of Sec 198B of the LRA-<sup>1</sup>

**Headhunting** for the purposes of this policy is the process of selecting individuals with a proven track record (reputation, work history, professional acquaintance and minimum academic qualification) within a particular field, who can be evaluated to fill a vacant post.

---

<sup>1</sup> Contract appointment policy

**IMATU** – “means the Independent Municipal and Allied Trade Union”

**Job Description (as defined in the Task Memorandum of Understanding)** – “means a job description, as contemplated in section 66 of the MSA, describing the content, duties, reporting lines and other specifications of a position or job”

**Medical Practitioners** – “means all practitioners as defined by the Health Professions Council of South Africa (Medical and Dental Practitioners)”

**Medical surveillance (as per Occupational Health and Safety Act 85 of 1993)**

– means a planned programme of periodic examination (which may include clinical examinations, biological monitoring or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner”

**Medical testing (as per Employment Equity Act 55 of 1998)** - “includes any test, question, inquiry or other means designed to ascertain, or which has the effect of enabling the employer to ascertain, whether an employee has any medical condition”. (As per statutory requirement or validated by the Health Professional Council of SA and as per ruling of the Labour Court)

**Municipality** -”means Garden Route District Municipality”

**Occupational Health (as per Occupational Health and Safety Act 85 of 1993)**

– includes occupational hygiene, occupational medicine and biological monitoring”

**Occupational Health Practitioner (as per Occupational Health and Safety Act 85 of 1993)** – means an occupational medicine practitioner or a person who holds a qualification in occupational health recognized as such by the South African Medical and Dental Council as referred to in the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), or the South African Nursing Council as referred to in the Nursing Act, 1978 (Act 50 of 1978)

**Occupational Qualification (as per Skills Development Act 97 of 1998)** – means a qualification associated with a trade, occupation or profession resulting from work-based learning and consisting of knowledge unit standards, practical unit standards and work experience unit standards”

**Occupational Qualification Framework (as per Skills Development Act 97 of 1998)** – means the sub-framework for occupational qualifications which forms an integral part of the National Qualifications Framework”

**Office Bearer** (as per SALGBC Main Collective Agreement) – “means the elected president, deputy president, vice-president, chairperson, vice-chairperson, treasurer or secretary of the Trade Unions”

**Official** (as per SALGBC Main Collective Agreement) – “means a full-time employee of IMATU, SAMWU or SALGA”

**People with disabilities (as per Employment Equity Act 55 of 1998)** – “means people who have a long-term or recurring physical or mental impairment which substantially limits their prospects of entry into, or advancement in employment”

**Placement (as per Skills Development Act 97 of 1998)** - “means placing an individual in a placement opportunity, with due regard to the Code of Good Practice on the Integration of Employment Equity in Human Resources Policies and Practices in terms of the Employment Equity Act, 1998 (Act 55 of 1998)

**Placement Opportunity (as per Skills Development Act 97 of 1998)** – means any opportunity for work or learning that could be offered to an individual and includes a vacancy for employment, an opportunity for self-employment, a learning programme and community service”

**Position (as defined in the Task Memorandum of Understanding)** – “means an individual position on the staff establishment of a Municipality which is occupied by an individual employee”

**Reasonable accommodation (as per Employment Equity Act 55 of 1998)** - "means any modification or adjustment to a job or to the working environment that will enable a person from a designated group to have access to or participate or advance in employment”

**Recognition of Prior Learning (as defined by South African Qualification Authority (SAQA)** – “is a process whereby people's prior learning can be formally recognized in terms of registered qualifications and unit standards, regardless of where and how the learning was attained. RPL acknowledges that people never stop learning, whether it takes place formally at an educational institution, or whether it happens informally”

**Recruitment** for the purposes of this policy is the set of activities undertaken by the Corporate Services Department to attract sufficient job candidates who have the necessary potential and competencies needed to assist Garden Route District Municipality achieve its strategic objectives as defined in the Integrated Development Plan

**Reference check** for the purposes of this policy is the process of gathering

information about the candidate's past work history from people and/or institutions or organisations with whom such candidate/s have been associated

**Registered Medical Practitioner (as per Collective Agreement on Conditions of Service)** – “means a person entitled to practice as a medical practitioner in terms of section 17 of the Medical Dental and Supplementary Health Services Professions Act, 1974 (Act 56 of 1974)”

**Regulation of Non-Standard Employment and General Provisions (as per Labour Relations Amendment Act, 2014, Section 198 (b-d)** –

Section 198B – Fixed term contracts with employees earning below earning threshold  
Section 198C – Part-time employment of employees earning below earning threshold  
Section 198D – General provisions applicable to sections 198A to 198C

**Remuneration (as per Employment Equity Act 55 of 1998)** - "means any payment in money or in kind, or both in money and in kind, made or owing to any person in return for that person working for any other person, including the State"

**Representative Trade Union** – “means the Trade Unions parties to this Policy, IMATU and SAMWU”

**Roles and Responsibilities of a Municipal Manager** – “As head of Administration the Municipal Manager is responsible for the appointment of staff other than those referred to in section 56 (a), subject to the Employment Equity Act, 1998 (Act 55 of 1998);

**SALGA** – “means the South African Local Government Association”

**SAMWU** – “means the South African Municipal Workers' Union”

**Scarce skills:** “Means those skilled people with the required academic and/or technical qualifications, knowledge in their field of expertise, including those specialised supporting functions to essential services, with the appropriate work experience and/or supervisory/management skills that are not easily obtained and which, if not in supply or available, can seriously disrupt effective and efficient service delivery to the community.” Scarce skill positions (as per LGSETA guidelines, policies and other applicable legislation or sectoral determinations.)

**Seasonal Employee** – “means an employee who is employed to work a full season, of not less than a continuous period of six months and who should qualify for all benefits in terms of employment conditions, except housing and pension benefits”



**Suitably qualified person (as per Employment Equity Act 55 of 1998)** – “means a person contemplated in sections 20(3), (4), (5) and (6);

20 (3) a person may be suitably qualified for a job as a result of any one of, or any combination of that person's-

6.4.1.1 formal qualifications;

6.4.1.2 prior learning;

6.4.1.3 relevant experience; or

6.4.1.4 capacity to acquire, within a reasonable time, the ability to do the job.

20 (4) when determining whether a person is suitably qualified for a job, an employer must-

6.4.1.5 review all the factors listed in subsection (3); and

6.4.1.6 determine whether that person has the ability to do the job in terms of any one of, or any combination of those factors.”

20 (5) “in making a determination under subsection (4), an employer may not unfairly discriminate against a person solely on the grounds of that person's lack of relevant experience”.

20 (6) “an employment equity plan may contain any other measures that are consistent with the purposes of this Act”.

All applicants must meet the essential job requirements.

**Senior Manager** (regulations on appointment and conditions of employment of senior managers) – “means a municipal manager or acting municipal manager, appointed in terms of section 54A of the Act, and includes a manager directly accountable to a municipal manager appointed in terms of section 56 of the Act; refer to local government regulations of 2014”

**Selection** for the purposes of this policy is the process of making a choice from a list of candidates, the person or persons who best meet the selection criteria or the set performance standards for the position available

**Shop Steward** – “means a Trade Union representative as defined in the Act”

**Temporary Employee** – “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 Unions** – “means either IMATU and/or SAMWU” and trade unions means IMATU and/or SAMWU;

**Workplace** – “means the location at which an employee provides work for an employer as per employment letter”

**Upper Limits** – “these regulation are applicable to Section 54 and Section 56 appointees”.

### 3 PURPOSE

The purpose of this policy is to:

- 3.1. Establish fair and objective principles for the staffing for Garden Route District Municipality.
- 3.2. Provide guidelines for the recruitment, selection and appointment of staff for Garden Route Municipality.
- 3.3. Establish principles and procedures to ensure that the aims and objectives of the Employment Equity Plan of Garden Route District Municipality are attained.

### 4 PRINCIPLES

1.1 The following principles will apply in the implementation of this policy:

- 1.1.1 Transparency,
- 1.1.2 confidentiality,
- 1.1.3 objectivity,
- 1.1.4 ethical and
- 1.1.5 Non-discriminatory.

1.2 The above-mentioned principles will be underpinned by the following:

- 1.2.1 Align its human resources with the strategic and operational needs of Garden Route District Municipality.
- 1.2.2 Each appointment must be rationally and objectively justifiable by reference to the strategic and operational needs of the Employer as reflected in the IDP.
- 1.2.3 To determine the relevant reporting and managerial structures of the organization for the recruitment and selection process.

- 1.2.4 All aspects of staffing, 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.
- 1.2.5 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<sup>2</sup>
- 1.2.6 With reference to the Constitution of South Africa Act No 108 of 1996 as amended and the provisions of Chapter II of the Employment Equity Act No 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, beliefs and/or opinion, taking into account the provision of Chapter III of the Employment Equity Act No 55 of 1998 as well as the Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices (Published on 04 August 2005).
- 1.2.7 Garden Route District Municipality is a designated employer in terms of the Employment Equity Act, 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 No 55 of 1998.
- 1.2.8 To distinguish, exclude or prefer any candidate based on an inherent or statutory requirement/s of a specific job will not be regarded as unfair discrimination. Refer to Section 6(2) of the Employment Equity Act.
- 1.2.9 Garden Route District Municipality recognizes the intentions of the South African Qualifications Authority Act No 58 of 1995, one of which is to provide for a national qualifications' framework giving recognition to prior learning.
- 1.2.10 Selection criteria shall be objective and related to the essential requirements of the job and the realistic future needs of Garden Route District Municipality.
- 1.2.11 The central guiding principle for selection shall be competence in relation to the essential 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.
- 1.2.12 Unless 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.

---

<sup>2</sup> Refer to Staff regulations Chapter 3 section 10 (1)(a)

- 1.2.13 Canvassing, i.e. attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Council's service, is prohibited and evidence thereof will disqualify such person's application for that appointment.
  - 1.2.14 Compliance with POPI Act means Protection of Personal Information. (The submission of personal information will only be utilised for Recruitment & Selection purposes).
- 1.3 Determination of recruitment needs: Every municipality must-
- 1.3.1 Develop the strategy to-
  - 1.3.2 Fill funded vacancies; and
  - 1.3.3 Reduce turnaround times for filling of approve vacant funded posts
  - 1.3.4 Fill all funded posts on the staff establishment within six months of a funded post becoming vacant
  - 1.3.5 The strategy contemplated subsection 4.1, 4.2, 4.3 must include timeframes for the various activities included in the recruitment and selection processes.<sup>3</sup>

## **5 RECRUITMENT AND SELECTION**

### **5.1. Advertisement**

#### 5.1.1. Determining The Recruitment Need:

The municipality is obliged to advertise a vacant funded post as prescribed in the Regulations: Provided that during emergency situations, the municipality may use alternative recruitment methods, including but not limited to short term project linked contracts, temporary appointment, fixed term contracts, internal transfer, secondments, alternative placement, job rotation, promotion and acting appointment. The nature of the recruitment methods required will determine the nature of the sourcing mechanism to be utilised.

Due consideration regarding financial availability will play a critical factor in applying the above recruitment process.

#### 5.1.2. Before Granting an Approval:

- a) the post exists on the approved staff establishment of the municipality; and
- b) the post has been budgeted for.

---

<sup>3</sup> Refer to Staff Regulations Chapter 3 section 11(1)

5.1.3. Each post should have a job description explaining the purpose, tasks and responsibilities attached to the post as well as a job specification indicating the qualifications, skills, knowledge etc. required for the particular post.

5.1.4. Advertising of vacant post:

Prior to recruitment or advertising a vacant post, the relevant delegated authority, in consultation with Human Resources, should ascertain whether the job description and job specification should be adapted in response to any change in inherent and competency requirements. If any changes are necessary, the proper procedure that may include the involvement of job evaluation should be followed.

5.1.4.1 The job description and job specifications referred to in par. 5.1.3 should form the basis of an advertisement. The advertisement shall, 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 minimum qualifications and experience as set out in Annexure A of the Municipal Staff Regulations
- f) Inherent requirements of the job
- g) summary of the core functions
- h) need for signing of 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.

5.1.4.2. A shortened advertisement in one **of the three** official language (English/**Afrikaans/Isixhosa**), namely English, will be placed in the relevant newspapers and on relevant digital mediums as pre-approved by the Municipality. The full advertisement shall be available on the Municipal website and at the Human Resources Division. **The Human Resources Division will on request from candidates provide the full advertisement in the language requested by the candidate (English/Afrikaans/Isixhosa).**

5.1.4.3 The advertisement must, where necessary and at the discretion of the Municipal Manager, also contain the following:

- a) Statement that Municipality subscribes to principles of employment equity

- b) Statement that canvassing will disqualify any candidate from being considered for appointment; and
- c) Statement that applications received after the closing date will not be accepted or considered.
- d) Statement that it is the responsibility of the applicant to evaluate all foreign qualifications by SAQA prior to submission of application.
- e) The municipality reserves the right of employment.

5.1.4.4 The advertisement 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—

- a) 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
- b) the recruitment process as per this policy has been complied with.

5.1.4.5 The municipality may advertise any funded vacant post, as a minimum, within the municipality, but may also advertise such post—

- a) locally; or
- b) nationwide.

5.1.4.6 Vacancies must be advertised internally and externally, provided that external advertisements may only be published in terms of section 21 (1) of the Municipal Systems Act, as follows:

- a) Internal and external advertisements shall be circulated electronically and placed on designated notice boards, website and/or other places as agreed as deemed appropriate to the recruitment.
- b) External advertisements shall be placed in appropriate media / publications/ Website / Social Media Sites ensuring maximum access by designated groups as determined by Human Resources, in consultation with relevant delegated authority.

5.1.5. All permanent<sup>4</sup> vacant positions on approved organogram must be budgeted before being advertised in the medium communication language which is English. In the event of language or disability barrier the recruitment and selection office will assist explaining advert in Afrikaans and/or isiXhosa.

5.1.6. All advertisements must be published 10 working days.

5.1.7. Advertisement shall be placed in bulk as far as reasonable after the municipal budget has been approved in June and thereafter as and when a position becomes vacant.

5.1.8. Positions becoming vacant during the year may be advertised during the

---

<sup>4</sup> Refer 8.1 for contract appointment longer than 12 months must be advertised in terms of Contract policy

notice period the official is serving.

5.1.9. The relevant Department shall complete a personnel requisition form on Collaborator and submit this to the Human Resource Section for the Recruitment and Selection Process to start, which includes the compilation of an advertisement. This Staffing Requisition form shall comprise of the criteria and requirements as contained in the signed and approved TASK Job Description<sup>5</sup> for the vacancy. The criteria and requirements<sup>6</sup> will be informed by the approved job description of the post<sup>7</sup>. (Job descriptions must be signed by the relevant Head of Department, direct supervisor, incumbent and Trade unions)

5.1.10. A person appointed as staff member in terms of the Regulations must where applicable have the necessary competencies; and comply with the minimum requirements for education qualifications, work experience and knowledge set out in Annexure A<sup>8</sup>

5.1.11. The Human Resource Section should compile the advertisement which should reflect the following:

- a) Name of post
- b) Department/section
- c) Core Duties
- d) Essential Requirements
- e) Salary details
- f) Closing Date
- g) Contact Details

5.1.12. The following parties shall be consulted with the drafting of the advertisement:

- a) Relevant user department
- b) Unions

5.1.13. Section 54 and 56 Managers shall be advertised internally and externally simultaneously.

5.1.14. All external advertisements will also be placed on the Garden Route District Municipality website.

5.1.15. **Vacancies will be advertised as follows:**

5.1.15.1. National advertising for Section 54 and Section 56 Managers as per regulations.

5.1.15.2. Scarce skill positions (as per LGSETA guidelines, policies and other applicable

---

<sup>5</sup> Ensure that minimum requirement on JD remains the same on the advertisement

<sup>6</sup> If user department wants to change the minimum requirement it must be referred to TASK to provide accurate T-grading

<sup>7</sup> Any deviation from policy in terms of 5.10.2 as well as 5.10.3 should be accompanied with a signed memo from the Municipal Manager

<sup>8</sup> Refer to Staff Regulations Chapter 3 section13(1)

legislation or sectoral determinations) will be advertised nationally.

5.1.15.3. Vacancies from post grades T15 and above must be advertised nationally apart from it also being advertised on a district level.

5.1.15.4. Vacancies from post grades T10 – T14 must be advertised at provincial level apart from it also being advertised on a district level.

5.1.15.4.1. Vacancies for post grades T3 to T9 must be advertised in the Regional newspapers level and internally.

5.1.15.4.2. *Municipality may advertise post as a minimum requirement, as locally, regionally and nationally (As stated in the Staff regulations).*

5.1.16. There may not be deviations from the essential requirements in the advertisement, as depicted in the job description and prevailing statutory requirements. The advertisement may only contain the essential requirements as depicted in the JD.

5.1.17. The choice of the media for recruitment purposes shall comply with the requirements of the Municipal Systems Act, 32 of 2000.

5.1.18. Vacant posts should only be advertised twice. Where such posts cannot be filled after the second advertisement, the filling of such a post/s should be referred to the Municipal Manager and/or permission for head hunting must be obtained from the Municipal Manager.

## **5.2. Headhunting**

5.2.1 After second round of advertising process has been completed and no competent candidate could be found to fill the vacant post then headhunting should be done.

5.2.2 Headhunting can be done for scarce and critical skills<sup>9</sup> if no competent candidates could be found after the first recruitment process.

5.2.3 If a person is being headhunted, he/she will still be subjected to an administrative and interview procedure<sup>10</sup>.

5.2.4 The Municipal Manager will approve headhunting, CV's to be sourced by user department and HR to facilitate recruitment and selection process.

## **5.3. Applications**

5.3.1 All manual applications (internal and external) must consist of a completed standard application form and curriculum vitae, however curriculum vitae will not be compulsory for Task- grades T3-T4.

5.3.2 After the launch of the online system, applicants will be invited to register and create profiles on the system. (No manual applications will be received when

---

<sup>9</sup> Refer attached scarce and critical skills list

<sup>10</sup> To be subjected to a recruitment assessment



the system is fully launched)

- 5.3.3 Online applications must register on the e-recruitment site (website: [www.gardenroute.gov.za/vacancies](http://www.gardenroute.gov.za/vacancies)) E-recruitment system is applicable for the following post levels:
- T6 to **T8 - clerical positions only**
  - T9 to T18 and
  - Section 54 and 56 vacancies.
- 5.3.4 The Human Resource Section shall ensure that application forms are available in English at offices of Garden Route District Municipality. In the event of a language or disability barrier the recruitment and selection office will assist person with completion of the application form.
- 5.3.5 Applications shall be addressed to Registration & Archives, Garden Route District Municipality. Enquires must directed to the Recruitment & Selection Section, Human Resources.
- 5.3.6 Applications dated and/or received after the closing date will not be considered. Applications with a date received stamp from any of the Garden Route District Municipality offices before/on the closure date but received at Head Office after closure will be considered provided that it is not received more than 5 working days after the date of closure.
- 5.3.7 The Human Resource Section and Registry and Archives Section<sup>11</sup> shall be responsible to provide administrative support to the recruitment and selection process including, but not limited to, the admission of receipt and the compilation of a register of applications.
- 5.3.8 Applicants should confirm their employment history by submitting the following supporting certified documentation not older than 3 months:
- 5.3.8.1 Qualifications (Diploma/Degree/ Relevant documentation must be attached).
  - 5.3.8.2 Identity Document (SA)
  - 5.3.8.3 Valid Driver's license / Valid PrDP (where applicable)
  - 5.3.8.4 Confirmation of current/previous employment
  - 5.3.8.5 Any other applicable documentation required (Statement of academic records)
  - 5.3.8.6 In the absence of the above required documentation, the applicant will automatically be disqualified.
  - 5.3.8.7 Any misrepresentation or failure to disclose material information contemplated in sub section 5.3.8.1 to 5.3.8.6 and the application form, is a

---

<sup>11</sup> Assist applicants with E-recruit application process

breach of the Code of conduct<sup>12</sup>

5.3.8.8 Applicants not made on the prescribed application form will render any appointment of contract entered into, between the municipality and the successful candidate invalid<sup>13</sup>

5.3.9 All applications will first be received by Registration and Archives, before they go through to the Recruitment and Selection office, to ensure application gets the official stamp and for record keeping purposes.

5.3.10 Manual applications for positions from T3 to **T8** can also be received via post and hand delivery and **email** for the following vacancies: **General Attendants/ Supervisor/ Handyman/ Grader Operators/ Operators/ Workshop Assistants**

Please note: No faxed applications will be accepted.

#### 5.4. Short Listing

5.4.1 The Human Resource Section shall initiate a process to compile a shortlist of possible candidates. This should be done in conjunction with the relevant department. External subject matter experts, where required, may be invited to form part of the selection process.

5.4.2 That the Municipal Manager appoints and reconstitutes the selection panel.

5.4.3 That the Municipal Manager also to consider gender empowerment in the appointment of panel members.

5.4.4 The selection panel must comprise of at least 3 but no more than 5 members<sup>14</sup>

5.4.5 The chairperson of the panel must be the supervisor or a staff member employed at least one grade higher than that of the advertised post.

5.4.6 In deciding on the composition of the selection panel, the municipal manager must have regard to the following considerations:

5.4.7 (a) the nature of the post

5.4.8 (b) the gender and race balance of the panel; and

5.4.9 (c) the skills, expertise, experience and availability of the persons to be involved

5.4.10 Trade unions will have observer status in this process.

5.4.11 The shortlisting panel may consist of the following:

5.4.11.1 A representative from the Human Resource Section (Advisor)

5.4.11.2 A representative from Trade unions (Observer)

5.4.11.3 Employment Equity Manager (Advisor) / Representative – Provide input EE target.

---

<sup>12</sup> Refer to Staff Regulations Chapter 3 section 15(4)

<sup>13</sup> Refer to Staff Regulations Chapter 3 section 15(5)

<sup>14</sup> Refer to Staff Regulations Chapter 3 section 16(3)

- 5.4.11.4 Subject matter expert (Advisor) as required.
  - 5.4.11.5 The representatives from the department should remain the same for the interview process as well.
  - 5.4.11.6 The quorum will be 50% + 1 official representatives of which one must be from the user department.
- 5.4.12 A maximum of six (6) and a minimum of (one) 1 candidate shall be shortlisted for one vacancy.
- 5.4.13 In case of candidates earmarked for the shortlisting of a post but failed to attach copies of qualifications, identity documents, drivers licences and/or other documents/ as proof thereof, as per the requirements on the advertisement to the application, can be considered only where the application clearly stated that the applicant is in possession of such qualifications/requirements, the Human Resources Division, **must** upon confirmation with the selection panel request the candidates to submit such documentation prior to the finalisation of the shortlist of candidates. Applicable to **all** applications.
- 5.4.14 A recommended shortlist should be compiled in such a manner that all candidates who meet the essential requirements are shortlisted except for over-represented external candidates.
- 5.4.15 In the event of there being many qualifying candidates, the following considerations **must** be taken into consideration during the shortlisting in order to prioritize based on the list below:
- (a) Candidates who meet the essential requirements as well as the preferred requirements **can** be shortlisted;
  - (b) when a post is advertised regionally, candidates from the Garden Route **can** be shortlisted. Costs for subsistence and travel needs to be approved by the Municipal Manager subject to availability of budget and the prior approval before inviting candidates to attend interviews.
- 5.4.15.1 The selection process may not be applied in such a way as to place absolute barriers on the appointment and advancement of candidates from non-designated groups as stipulated in section 15(4) of the Employment Equity Act, but rather with emphasis on the acknowledgement of competence, experience and skills. Therefore both internal and external candidates from the non-designated and or over-represented group (meaning those who are not part of the numerical goals of the EE Plan), who meets with the requirements of the job, may be shortlisted.<sup>15</sup>
- 5.4.15.2 Should the panel not find any suitable candidates based on the target groups that meets the min requirements, then the panel **must** take a

---

<sup>15</sup> Consider overrepresented groups

unanimous decision to consider it be permissible to shortlist candidates from over-represented groups, preference should be given to those persons from non-designated groups which are under-represented and the group which is the least in the over-represented.

- 5.4.15.3 The latest available employment equity targets will be used in the compilation of a shortlist.
- 5.4.16 A member of the interview panel is required to withdraw from the panel should a conflict of interest arise vis-à-vis any of the applicant/s. This includes the panel member being a relative of the applicant, is part of the applicant's reference, or the panel member the author of applicant's testimonial.
- 5.4.17 If a conflict of interest becomes apparent during the selection process, the municipal manager or his delegate may take the appropriate steps to remedy the situation, which may include declaring the process invalid and commencing a new process.<sup>16</sup>
- 5.4.18 If a conflict of interest becomes apparent after the appointment, the municipal manager or his delegate must report the matter to the relevant authority which must take remedial action and, where necessary, disciplinary action.<sup>17</sup>
- 5.4.19 The recommendations of the selection panel must be determined by consensus; or where the panel fails to reach consensus, the panel must have a deadlock breaking mechanism. The panel can vote and make a recommendation to the Municipal Manager and if there is a panel member with a deconsenting view, that view must be included in the report submitted to the Municipal Manager for consideration. The matter shall be referred to the municipal manager or his delegate for mediation or resolution.<sup>[3]</sup>
- 5.4.20 The Human Resource Section should provide the following documentation/ information to the participants in the shortlisting process:
- 5.4.20.1 Agenda for shortlisting process
  - 5.4.20.2 Copy of Advertisement
  - 5.4.20.3 Copy of longlist of applicants
  - 5.4.20.4 Applications forms of applicants and CV's
  - 5.4.20.5 Approved (signed) Job Description
  - 5.4.20.6 EE Targets
  - 5.4.20.7 Approved structure of the relevant department

---

<sup>16</sup> Refer to Staff Regulations Chapter 3 section 16(10)

<sup>17</sup> Refer to Staff Regulations Chapter 3 section 16(11)

<sup>[3]</sup> Refer to Staff Regulations Chapter 3 section 18(10)

- 5.4.21 Deviation from essential post requirements (As per the Job Description) will not be allowed.<sup>18</sup>
- 5.4.22 A register should be kept of all applications that were received for a specific advertisement.
- 5.4.23 All parties to the recruitment and selection process should treat any information in the strictest confidentiality.
- 5.4.24 The selection process will be recorded and proper minutes will be kept by Human Resources.
- 5.4.25 The weights for the required minimum competency levels must be confirmed in writing by the selection panel at the shortlisting process (T3 – T5 no practical required for head office vacancies, T6 - T8 practical where applicable 50 and interview 50, T9 – T13 practical 50 and interview 50, T14 and above practical 40 and interview 60)
- 5.4.26 The relevant short-listing panel will apply the Norms and Standards as provided by the relevant professional body pertaining to the psychometric/skills testing, medical/health fitness and other relevant testing. These tests will conform to the under mentioned criteria:
- 5.4.27 Has been scientifically shown to be valid and conform to the Labour Relations Act
- 5.4.28 Can be applied fairly and consistently to all employees and is not biased against any employee or group.

Total = 20 Points

---

<sup>18</sup> Subject to develop deviation guideline

## 5.5 Employment Equity

5.5.1 The District Municipality is an Employment Equity Employer and preference should be given to suitably qualified candidates who fall within the designated and under-represented groups as defined in Sections 1 & 20 of the Employment Equity Act.

5.5.2 Cognisance should be taken of the targets set out in the Employment Equity Plan and all reasonable attempts should be made to reach such targets. Reaching the targets is however subordinate to the following stipulations of the Employment Equity Act:

- (a) Section 15(4), that prohibits an employer to establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.
- (b) Section 20(3) and (4) describes the criteria for determining suitably qualified candidates for a job namely:
  - a) Formal Qualifications
  - b) Prior learning
  - c) Relevant experience
  - d) Capacity to acquire, within a reasonable time, the ability to do the job. Referring to one or any combination of the above.

Should section 20(3)(d) be applicable, the indicated reasonable time, should be coupled to the duration and the conditions of the probation period (as referred to in section 5.14) to the job in question. The selection panel needs to determine the impact of the capacity to acquire against the minimum/inherent or statutory requirements of the specific job based on the non-formal qualifications/experience that can be obtained within the reasonable time within the probation period.

- (c) From the above, the District Municipality's primary objective is to appoint suitable candidates as described in section 20(3) and (4) of the employment equity Act and to reach the targets as set out in the Employment Equity plan.

5.5.3 Cognisance should be given to internal applicants that does meet the minimum and is seen as suitable candidates for a specific position that they have applied for. Areas of where the position/s are based at, should also be considered during the short-listing process.

## 5.6 Interviews

5.6.1 All interviews must be conducted in accordance with Council's Language Policy.

5.6.2 The interview panel must be the same as the shortlisting panel.

- (a) A representative from the Human Resource Section (Advisor)
- (b) A representative from Trade unions (Observer)

- (c) Employment Equity Manager (Advisor) – Provide input EE target.
  - (d) Subject matter expert (Advisor).
- 5.6.3 The quorum will be two official representatives of which one must be from the user department.
- 5.6.4 The Human Resource Section should provide the following documentation/information to the participants in the recruitment and selection process:
- (a) Date, time and venue of interview
  - (b) Copy of Advertisement
  - (c) Copy of interview schedule
  - (d) Individual panel members score sheet and one (1) combined panel average score sheet.
  - (e) Obtain interview questionnaire from user department with possible answers
  - (f) Application forms and CV's of applicants
  - (g) Approved (signed) Job Description
- 5.6.5 A reputable Registered Medical Practitioner(s) will be procured that is registered with the Health Professional Council of South Africa.
- 5.6.6 The recruiting/user Department shall prepare a standard script of written questions and possible answers which will be posed to all candidates applying for the same position.
- 5.6.7 The interview panel may structure the interview questions and practical assessment around the following format:
- (a) Job Requirements
  - (b) Job Knowledge
  - (c) Simulation
  - (d) Case study
- 5.6.8 Prior to the interview process the questions (interview/practical) will be assessed to determine whether it is fair, equitable and reasonable by the interview panel.
- 5.6.9 Practical test from T3 – T8 conducted for Roads vacancies. Re-Adjustments of the test shall be considered.
- 5.6.10 No practical test from T3 – T10 for vacancies at GRDM head office.
- 5.6.11 Practical Test optional from T11 – T13
- 5.6.12 Presentation or theoretical test required from T14 – T17.
- 5.6.13 Questions should be based on the essential requirements for the job.
- 5.6.14 HOD/representative from the relevant department will pose the prepared questions to the applicants.
- 5.6.15 The assessment process shall be competency based. The weighting for the required minimum competency levels must be confirmed by the selection panel at the shortlisting process. (Please refer to paragraph 5.4.24)

- 5.6.16 Separate score cards must be completed by scoring panel members and final score to be calculated by HR representative and validated by the Human Resource Manager. The person with the highest score will be the preferred candidate.
- 5.6.17 A member of the interview panel is required to withdraw from panel should a conflict of interest arise vis-à-vis any of the applicant/s.
- 5.6.18 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.<sup>19</sup>
- 5.6.19 The recommendations of the selection panel must be determined by consensus; or where the panel fails to reach consensus, the matter shall be referred to the municipal manager or his delegate for mediation or resolution.<sup>20</sup>
- 5.6.20 (Only the Recruitment and Selection electronic recording device) will be allowed during the interviewing process including virtual recordings.

## **5.7 References and Personal credential verification**

- 5.7.1 References which have been provided by the applicant (on the application form) can be contacted. (Any one of the applicant's references can be contacted) .Reference checks should be conducted before the appointment memo has been approved by the Municipal Manager.
- 5.7.2 The purpose of reference checking shall be to:
- (a) Obtain information and not opinions.
  - (b) Verify the information supplied on an applicant's application form.
- 5.7.3 Reference checks and personal credential verification for shortlisted candidates must be conducted by:
- (a) verifying the candidate's suitability for the job with the current or previous employer;
  - (b) establishing the validity of candidate qualifications and any other verification required by the position before appointment;
  - (c) 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
  - (d) 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.
- 5.7.4 A written report on the outcome of the reference checks and personal credential

---

<sup>19</sup> Refer to Staff Regulations Chapter 3 section 18(7)

<sup>20</sup> Refer to Staff Regulations Chapter 3 section 18(10)



verification must be compiled and considered before the appointment is concluded.

- 5.7.5 Despite sub-regulation (5.7.1)(a), a candidate who does not have a previous employment record may not be disqualified as a candidate for appointment to an advertised post.

## **5.8 Nepotism**

- 5.8.1 Family members and relatives of current employees or Councillors will be allowed to apply and will be considered for appointment in the same manner as any other applicant.
- 5.8.2 In order to act in a fair and transparent manner, any member of a selection panel (during the short listing and/or interview process) that is related to an applicant must recuse him/herself as soon as he or she becomes aware that a family member or relative has applied for a position. Such a person must not participate or be present during the short listing or interview process.
- 5.8.3 Where employees are appointed as in section 5.7.1 above, they are deemed to have been appointed on merit.

## **5.9 Appointment**

- 5.9.1 Before the appointment of the preferred candidate, the Human Resource Section shall perform a reference check, criminal record verification and vetting of the minimum requirements and any other related checks.
- 5.9.2 If a candidate has been appointed for a specific position, the incumbent must remain in the position for 12 months.
- 5.9.3 Dispute Resolution
- (a) Where a dispute may arise, this shall be referred to the relevant structures for internal resolution.
  - (b) A dispute should be lodged in writing to the Executive Manager: Corporate Services or representative, whereby the HR Manager should investigate the dispute by meeting with disputed parties, recruitment officials and EE officials to resolve the dispute.
  - (c) A report should be submitted for recommendation to the Municipal Manager.
  - (d) All parties shall be heard in the dispute resolution process.
  - (e) In the event of the dispute not being resolved internally, it shall be referred to the Bargaining Council.

### **5.9.4 Appointment on a Higher Salary Notch**

- (a) Appointment of an employee on a higher salary notch either than the entry level of a post may only be considered in exceptional cases by the

Municipal Manager, but not limited:

- 5.9.4.a.1 The profession/ skill/ expertise is regarded as a scarcity. (Use LGSETA Critical and Scarce Skills Guideline as well as Department of Higher Education – Guidelines on Critical and Scarce skills).
- 5.9.4.a.2 The employee possesses more than 5 years working experience relevant to the position he/ she applied for or
- 5.9.4.a.3 The employee possesses a higher qualification in relation to the minimum qualification required for the post he/ she applied for.
- 5.9.4.a.4 Performance of candidate be evaluated over a period of six months to determine whether the request for a higher notch could be considered.
- 5.9.4.a.5 The Municipal Manager has the right to counter offer to an employee that is intending to exit the organisation for the purpose retention of staff and succession planning<sup>21</sup> .

## 5.10 Deviations

In exceptional cases the Municipal Manager may deviate from Employment Equity targets to make an appointment.

5.10.1 The Municipal Manager may deviate from the Recruitment and Selection Policy in the following situations.

- (a) In terms of capacitation in sections where there it is necessary.
- (b) As a result of agreements emanating from Intergovernmental/ Governmental Relations.

## 5.11 Re-Appointment of Former Employees

- 5.11.1 An employee with expert knowledge in a specialised field who has retired may be re-appointed if it is in the interest of Council and the officer consents to his or her re-appointment. The officer may be so retained from time to time, with the approval of the Municipal Manager. Insert into contract appointment policy
- 5.11.2 A former employee who opted for early retirement may be re-appointed, where the original grounds for the termination of service do not militate against re-appointment. Insert into contract appointment policy
- 5.11.3 A former employee who left the service due to ill-health may be re-appointed if he or she can provide recent and conclusive evidence of recovery by a certified medical practitioner.
- 5.11.4 An employee whose services were terminated as a result of misconduct in terms of the Disciplinary Code of Conduct for staff members will be dealt with in

---

<sup>21</sup> Municipal Staff regulations section 4(2) (c)

accordance with the Labour Relations Act, 1995 and the Municipal Staff Regulations Annexure E.

### **5.12 Appointment of Candidates on Remuneration above the Minimum Notch of the Salary Range (T- Grade)**

5.12.1 If there is a need to appoint a competent employee with exceptional expertise and skills and such an employee cannot be recruited at the salary level indicated by the job weight, the Municipal Manager may authorise the granting of a salary above the minimum notch, but not exceeding five notches of the salary level as indicated by the job weight. This will depend on the competencies of the candidate and the availability of funds. Internal candidates who are currently personal-to-incumbent will be offered one salary notch higher than their existing salary notch on the relevant T-grade of the position where their salary notch can be placed. Deviation from this must be approved by the MM. Other exceptions with external candidates will be dealt with in the same way.

### **5.13 Screening of Candidates**

5.13.1 Screening of candidates must take place after recommendation for appointment.

### **5.14 Probation Period**

5.14.1 The appointment of a person as per this policy shall be effective on a minimum probationary period of six (6) months period. The probation period can be extended to a maximum of the 12 months probationary period.

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

5.14.3 The Municipal Manager or his or her delegate shall –

- (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 their performance on a quarterly basis.

5.14.4 If a staff member's performance is not satisfactory, the Municipal Manager or his or her delegate shall advise the staff member of any aspects that the staff member is failing to meet the required performance standards within the (6) months of the probation period.

5.14.5 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 or dismiss the staff member, provided that –

- (a) the staff member shall first be given a reasonable period of time for assessment, training, guidance or counselling; and
- (b) 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.

5.14.6 The Municipal Manager or his or her delegate may extend the probationary period by an additional period not exceeding six months, to afford the Municipality an opportunity to further assess the staff member's performance.

5.14.7 Within one month after the completion of the probationary period, the Municipal Manager or his or her delegate shall –

- (a) confirm the appointment if –

5.14.7.a.1 the staff member's performance during the probationary period was satisfactory; and

5.14.7.a.2 the staff member complied with all the conditions of the probationary appointment.

- (b) subject to the Labour Relations Act, terminate the appointment if –

5.14.7.b.1 the staff member's performance was not satisfactory during the probationary period; and

5.14.7.b.2 the staff member did not comply with all the conditions of the probationary appointment.

## **5.15 Trade Union Representatives (Role of Trade Unions in Recruitment Process)**

5.15.1 Allowing Trade Union Observers to be present during recruitment and selection demonstrates Council's commitment to a fair and transparent selection process and increases employee confidence in the process.

5.15.2 In terms of section 14(4) (b) and (c) of the Labour Relations Act trade union representatives have the right to observe the staffing process and report alleged contraventions to the employer. To enable trade union representatives to

perform such duties, they must be allowed to observe the selection process. A complaint on alleged contraventions should be lodged with the Municipal Manager within two working days of the alleged contravention. The Municipal Manager must respond to the reporting trade union representative within seven working days after receiving the complaint.

## **6 CONFIDENTIALITY**

Any breach in confidentiality will be viewed in a serious light and will result in appropriate disciplinary actions.

## **7 EMPLOYMENT OF PERSONS WITH CRIMINAL RECORD**

Refer to SALGA guidelines and draft policy

## **8 RE-EMPLOYMENT OF DISMISSED STAFF**

- 8.1 A person who was dismissed from a municipality for any reason stated in column B of the table in Annexure E, may not be employed in any municipality before the period set out in column C of the table has expired.
- 8.2 Despite sub-regulation (1), a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.
- 8.3 The periods set out in column C of the table in Annexure E, 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 E.
- 8.4 A municipality must maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings.
- 8.5 The record must contain-
  - 8.5.1 the full names and identity number of the person.
  - 8.5.2 the title of the post that the person occupied.
  - 8.5.3 the nature of the misconduct.
  - 8.5.4 the date of suspension, if any.
  - 8.5.5 the conditions of suspension, if any.
  - 8.5.6 the date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration.
  - 8.5.7 the date of commencement of the disciplinary hearing or pre-dismissal arbitration.
  - 8.5.8 the finding.
  - 8.5.9 whether a dispute was referred to the bargaining council or the Labour Court.
  - 8.5.10 the costs incurred by the municipality; and
  - 8.5.11 the date of resignation or dismissal of the person.

## STAFF REGULATIONS ANNEXURE: E

**CATEGORIES OF MISCONDUCT AND TIME PERIODS THAT MUST EXPIRE BEFORE A PERSON  
MAY BE RE-EMPLOYED 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.	<i>(a)</i> Assault with intent to do grievous bodily harm where a staff member has been criminally charged and convicted.	5
	<i>(b)</i> 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.	<i>(a)</i> Used the position as a staff member or confidential information for private gain or to improperly benefit another person.	5
	<i>(b)</i> Disclosed of any privileged or confidential information obtained as a staff member of a municipality to an unauthorised person or persons.	5
	<i>(c)</i> 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.	

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 others grounds prohibited by the Constitution.	5
11.	Breach of the Code of Conduct for Municipal Staff as contained in Schedule 2 of the Municipal Finance Systems Act, other than misconduct referred to in item 1 to 10 in this table.	2

## 9 ADDENDUMS TO THIS POLICY

- Contract policy
- Acting allowance policy
- Transfer policy
- Scarc Skills Policy
- LG SETA List for scarce skills
- Staff utilization Policy
- Career pathing & Succession Planning Policy

The Recruitment & Selection policy will be reviewed after the implementation of the online system.

## 10 ACKNOWLEDGEMENT & APPROVAL

This document was signed at ..... on the .....  
of ..... 20.....

.....  
**MUNICIPAL MANAGER**

.....  
**UNION REPRESENTATIVE (SAMWU)**

.....  
**UNION REPRESENTATIVE (IMATU)**

**ANNEXURE B**  
**APPLICATION FORM FOR EMPLOYMENT**

1. The purpose of this form is to assist a 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 than to assess the suitability of the applicant.
  5. This form is designed to assist municipality with the 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					
<b>Reference number</b>					
Name of the Municipality					
Notice service period					
<b>PERSONAL DETAILS</b>					
<b>Surname</b>					
First Names					
ID or Passport Number					
Gender	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>	
Race	African	<input type="checkbox"/>	White	<input type="checkbox"/>	Coloured <input type="checkbox"/> Indian <input type="checkbox"/>
Do you have a disability?	Yes	No	If yes, 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

<b>CONTACT DETAILS</b>	
Telephone number during office hours	(      )
Mobile phone number	
Postal address	
Code:	
Email Address	
Preferred language of communication	

<b>QUALIFICATIONS</b> (please elaborate on your CV)			
Highest educational qualification obtained			
Highest tertiary qualification obtained			
Name of Institution	Name of a qualification	NQF level	Year Obtained



WORK EXPERIENCE(please elaborate on your CV)						
Employer (starting with the most recent)	Post held	From		To		Reason for leaving
		Month	Year	Month	Year	

DISCIPLINARY RECORD				
Have you been dismissed for misconduct during the past ten (10) years?	Yes		No	
If yes, Name of Municipality/ Employer				
Type of a Misconduct Transgression				
Date of Resignation/ Disciplinary case finalised/Dismissal				
Award/ sanction				
Have you been accused of an alleged misconduct and resigned from your job pending finalisation of the disciplinary proceedings?	Yes		No	

CRIMINAL RECORD	
Have you been convicted of any criminal offence in a court of law during the past ten (10) years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, type of criminal act	
Date criminal case finalised	
Outcome/ Judgment	

REFERENCES (please elaborate on your CV)				
Name of Referee	Relationship	Tel (office hours)	Cellphone Number	Email

DECLARATION
<i>I hereby declare that all 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>
Signature: _____ I Date: _____

**ANNEURE C**

**DECLARATION OF CONFIDENTIALITY BY MEMBER OF  
SELECTION PANEL INTERVIEWS FOR THE ADVERTISED  
POST OF**

\_\_\_\_\_  
**DATE:** .....

**I,** \_\_\_\_\_ hereby declare that I have read the provisions of regulation 25 (5)(c) of the Local Government: Municipal Staff Regulations.

I hereby further declare that-

- (a) I have no personal interest in any of the interviewed candidates;
- (b) I do not have any relationship whatsoever with the interviewed candidates;
- (c) I am not indebted to any of the interviewed candidates or vice versa;
- (d) My participation in these interviews will not in any way constitute a conflict of interest;
- (e) I will not unduly influence or attempt to influence the appointment or promotion of a spouse, partner, family member or associate;
- (f) I will not discuss the outcome of these interviews or inform any candidate who has been interviewed about the outcome of these interviews; and
- (g) I commit to keep all the discussions emanating from the interview process strictly confidential and I will not disclose any information to any candidate or person who is not part of the selection panel prior or after the interviews.

**SIGNED** at ..... on this ..... of ..... 20.....

\_\_\_\_\_  
**SIGNATURE OF PANEL MEMBER**

\_\_\_\_\_  
**SIGNATURE OF CHAIRPERSON**