

DRAFT POLICY – EXIT MANAGEMENT OF STAFF

Dated March 2022

Principles

Exit of staff from the organisation can be regarded as dismissal, resignation, unfit for duty, retirement or death.

The following processes are followed when staff exit the organisation:

Resignation

An employee must inform the employer in writing of his/her intention to resign.

An employee must give one month (30 calendar days) notice. If an employee gives shorter notice than the one month period, no money will be subtracted for the shorter notice. The one month notice will however assist the personnel office to finalise the termination procedures. It is however still the prerogative of the Municipal Manager to make a decision to accept / not accept the shorter notice period.

The following procedures will be followed by the personnel office:

The employee must be notified in writing that the resignation is approved.

The employee must be presented with a service certificate. The reason for termination of service may only be mentioned if the employee requests the employer to do so.

An exit interview with the employee will be conducted by the Personnel office.

During the discussion the employee will be informed of the following:

- No leave may be taken during the month of notice, if applicable.
- The employee must inform the employer in writing which option they prefer regarding the payments of retirement-/pension funds. Whether the employee wants their money to be transferred or paid in cash.
- If the employee has annual leave, it will be transferred into the employee's bank account on the last day of service.
- Payment of salary will take place on the last day of the month. (Not the 25th as usual)
- Payment of pro rata service bonus will take place on the last day of the month.
- The relevant retirement- / pension fund will make payment. The normal time period is 6 weeks. The retirement- / pension fund will calculate the tax on the relevant payment.
- No continuation of the employee's medical fund will take place. Funds must be informed if the employee resigns. All leave will be cleared to zero on the PROMUN system.

If an employee's resignation is approved and the employee decides to withdraw his/ her resignation, the Manager: Human Resources will inform the Municipal Manager in writing for a decision.

Dismissal

After being informed in writing that services will be terminated, the following procedures will be followed by the personnel office:

The employee must be provided with a service certificate. The reason for termination may only be mentioned if the employee requests the employer to do so.

The personnel officer informs the employee of the following:

- The employee must inform the employer in writing which option they prefer regarding the payments of retirement- / pension funds. Whether the employee wants the money to be transfer or paid in cash.
- If the employee has annual leave and pro rata bonus, the financial department must be informed so that the leave and pro rata bonus can be paid out.
- Payment of salary as calculated will take place on the day of dismissal.
- The relevant retirement- / pension fund will make payment. The normal time period is 6 weeks. The retirement- / pension fund will calculate the tax on the relevant payment.
- The employee will qualify for unemployment insurance and the UI19 forms will be completed.
- No continuation of the employee's medical fund will take place. Funds must be informed if the employee has been dismissed.
- All leave will be cleared to zero on the PROMUN system.

Retirement (Normal and Early)

At normal retirement (65 years) the employee will receive a letter from the employer well in advance to inform them of the retirement at the age of 65 years.

An exit interview with the employee will be conducted by the Personnel office.

During the discussion the employee will be informed of the following:

- No leave may be taken during the month of notice.
- The employee must inform the employer in writing which option they prefer regarding the payments of retirement- / pension funds. Whether the employee want the money to be transferred or paid in cash.
- If the employee has annual leave, a tax indication will be requested from SARS. When the indication is received back, funds will be transferred into the employee's bank account or paid by cheque. This will not take place on the last day of service.
- Payment of salary will take place on the last day of the month.
- Payment of pro-rata bonus will take place after the tax calculations are received from SARS.
- The relevant retirement- / pension fund will make payment. The normal time period is 6 weeks. The pension fund will calculate the tax on the relevant payment.
- The employee will qualify for unemployment insurance and the UI19 forms will be completed.
- Should the employee belong to a medical aid the employee must apply in writing to continue with the appropriate medical fund. It will be presented to the Municipal Manager for approval.
- All leave will be cleared to zero on the PROMUN system.
- The employee must be presented with a service certificate. The reason for termination of service may only be mentioned if the employee requests the employer to do so.

Medical unfit for duty

Should an employee be declared medically unfit for duty the following procedures will be followed:

- A date will be determined when the employee's services will be terminated if the persons have not already been out of service. The date will be determined according to circumstances. During this discussions, the employee and his/her union representative will be present.
- The employee must inform the employer in writing which option they prefer regarding the payments of retirement- / pension funds. Whether the employee wants the money to be transferred or paid in cash.
- If the employee has annual leave, a tax indication will be requested from SARS. When the indication is received back, funds will be transferred into the employee's bank account or paid by cheque. This will not take place on the last day of service. Form D must be completed.
- Payment of salary will take place on the last day of service as determined.
- Payment of pro-rata bonus will take place after the tax calculations are received from SARS.

- If the member belonged to a group scheme, arrangements must be made for payment from the appropriate scheme. Applicable Group Insurance schemes will terminate with termination (WECLOGA for previous Robertson employees and SANLAM for previous Ashton and Bonnievale employees).
- The relevant retirement- / pension fund will make payment. The normal time period is 6 weeks. The pension fund will calculate the tax on the relevant payment.
- The employee will qualify for unemployment insurance and the UI19 forms will be completed.
- Should the employee belong to a medical fund the employee must apply in writing to continue with the appropriate medical fund. It will be presented to the Municipal Manager for approval.
- The employee must be presented with a service certificate. The reason for termination of service may only be mentioned if the employee requests the employer to do so.
- All leave will be cleared to zero on the PROMUN system.

Death

If an employee passes away the personnel office will proceed as follow:

- The beneficiaries will be requested to visit the personnel office to complete administrative processes. A death certificate must be presented before proceedings can start. First the process of the funeral claim will be finalized and the claim forms will be completed and send to the applicable fund.
- If the employee had annual leave, a tax indication will be requested from SARS. When the indication is received back, funds will be transferred into the employee's bank account or paid by cheque.
- It will be arranged that payment of pro-rata bonus will take place up to the date of death.
- It will be arranged that applicable group insurance schemes make payouts. The necessary forms will be completed by the beneficiaries. (WECLOGA for previous Robertson employees and SANLAM for previous Ashton & Bonnievale employees)
- Forms will be completed to claim for funeral costs.
- The relevant retirement- / pension fund will make payment. The normal time period is 6 weeks. The retirement- / pension fund will calculate the tax on the relevant payment.
- Beneficiaries must be provided with a service certificate.
- All leave will be cleared to zero on the PROMUN system.
- The medical fund must be informed that the member has passed away.
- The relatives will qualify for the unemployment insurance and the UI19 and UI53 forms and the salary statements of the last six months will be send to the employee.

When the personnel office are informed of a termination, the Personnel office will inform the following people by sending an e-mail namely; Municipal Manager, relevant Director and Manager, Manager: Administrative Support; Manager: Income Services, Manager: Budget Office, Manager: Expenditure Services, Stores, IT department, Manager: Labour Relations, Salary department, HR Clerks, Performance Management, IDP and Data Management.

Medical funds rules for retired employees

In respect of medical aid, the Main Collective Agreement applies to employees only, and not to retired employees.

The ceiling that applies to employees does not apply to pensioners.

Pensioners do not have any automatic right to change funds after retirement and then to expect the municipality to pay a higher contribution than would have been the case had he or she remained with the same fund as at retirement.

The municipality is only responsible for the contribution and concomitant increases in respect of the fund of which he or she had been member at retirement. Municipalities are not obligated to permit retired employees to change funds. However, Langeberg Municipality allows retired employees to change funds.

The rules of the fund of which the employee had been a member at retirement will regulate after-retirement contributions for pensioners.

Only the retired employee and his spouse, if applicable, can receive the continued membership. Children is not part of continued membership.

NOTE: The personnel office will only provide a service certificate.

The employee will be informed at the exit interview of the following:

- The employee will inform the personnel office in writing what their choice will be regarding their pension;
- No leave must be taken during the employee's notice month;
- The leave of the employee will be paid into their bank account at the end of the month if tax calculations are not applicable;
- The employee's pension fund will pay their money into their bank account. It normally takes about six weeks. If a tax calculation is needed, the pension will only be paid after the tax number is received;
- Payment of the employee's salary will take place on the date of their termination (last working day);
- The employee's U119 form will be send to them after termination. The employee must provide this information to the Department of Labour;
- At retirement and medical disability the employee can apply to continue with their medical fund. They must inform the personnel office of their decision beforehand.

CONFIDENTIAL EXIT INTERVIEW FORM

At the outset the staff member must be informed that the interview is confidential and that the staff member's name will not be attributed to the information provided.

Staff Member's Name:		Employee No.	
Department:		Post:	
Date of Interview:		Place:	
Interview conducted by:			
Designation:			
Date of Resignation:			
Last Day of Service:			
Tick	Reason for Exit	Tick	Reason for Exit
	Personal		Insufficient challenges
	Improved salary conditions		Inadequate support from management
	Lack of capacity for position		Poor communication/ relationship with superiors/colleagues/ subordinates
	Seeking better career advancement		Commuting difficulties
	Change in professional direction		Insufficient accommodation for specific needs
	Inadequate leadership or guidance		Unsatisfactory work environment
	Overloaded with responsibilities		Pay disparity
	Need to relocate/ emigrate		To avoid transfer
	To study full-time		To care for child/ children
	To care for elderly dependents		To retire early
	For personal/ family health reasons		Discrimination
	To avoid consequences of proposed or actual disciplinary action		Other
	Comments:		

DRAFT POLICY – RECRUITMENT, SELECTION AND APPOINTMENT OF STAFF
Dated March 2022

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Scope of policy

The Municipal Staff Regulations apply to all municipalities as defined in section 2 of the Act; and all staff members of a municipality.

These Regulations must be read in conjunction with the Local Government: Regulations on Minimum Competency Levels, 2007, Government Notice No. 493 as published in Government Gazette No. 29967.

Unless otherwise specified in these Regulations, these Regulations do not apply to all senior managers; and persons participating in the national public works programme or a similar scheme.

The Minister may, by notice in the *Gazette*, extend the application of these Regulations to a municipal entity.

Guidelines

These Regulations must be read in conjunction with the Guidelines published by the Minister in terms of section 72, read with section 120 of the Act.

Principles

10. (1) The recruitment, selection and appointment of a staff member to a post on the staff establishment must;
 - (a) comply with the requirements of the municipality's employment equity policy and plan: Provided that if a municipality is unable to adhere to the employment equity plan due to specialised scarce skills required for a specific post, the municipality must record reasons for deviation from the policy;
 - (b) be integrated with other human resource management systems and procedures;
 - (c) use objective competencies specified in the Regulations; and
 - (d) be filled through advertising in accordance with regulation 14.

Determination of recruitment needs

11. (1) Every municipality must-
 - (a) develop the strategy to;
 - (i) fill funded vacancies; and
 - (ii) reduce turnaround times for filling of approved vacant funded posts;
 - (b) fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant;
 - (c) at all times have the capacity and capability to perform its functions.
- (2) The strategy contemplated in sub-regulation (1)(a) must include timeframes for the various activities included in the recruitment and selection processes.
- (3) A vacant post on the staff establishment may not be filled unless-
 - (a) the Municipal Manager or a staff member to whom this function is delegated has approved the filling of the post and
 - (b) the post is budgeted for.
- (4) Deviation from the above-mentioned may be granted on the following grounds:
 - (a) budget cut requiring prioritisation of personnel expenditure;
 - (b) impending re-structuring exercise; and
 - (c) alternative staffing solutions are adopted.

General requirements for appointment of staff

- 12 (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-
- (a) is a South African citizen, permanent resident or foreign national with a valid work permit;
 - (b) and possesses the relevant competencies, qualifications and experience, as set out in Annexure A.

Competency requirements for staff

13. (1) A person appointed as staff member in terms of these Regulations must, where applicable-
- (a) have the necessary competencies; and
 - (b) comply with the minimum requirements for education qualifications, work experience and knowledge as set out in Annexure A.
- (2) A staff member who was appointed before these 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, a municipality may place a staff member on a program to acquire the competency requirements as prescribed in order for the staff member to be eligible for career opportunities in the municipality.
- (3) If a staff member has not attained the competencies as prescribed in these Regulations, the municipality must utilize the workplace skills plan to identify and address the staff member's competency gaps and development needs.
- (4) The Minister may issue a notice in the gazette determining uniform competency-based assessment for specific occupational streams.
- (5) The municipality must subject a staff member to a competency assessment for specific occupational streams as determined by the Minister in terms of sub-regulation 13(4) above.

Advertising of vacant post

14. (1) The municipality must advertise a post after the approval referred to in sub-regulation 11(3)(a) has been obtained.
- (2) The advertisement must at least specify the-
- (a) job title;
 - (b) term of appointment;
 - (c) place of work;
 - (d) applicable salary scale or pay range;
 - (e) competency requirements of the post, and where applicable the minimum qualifications and experience as set out in Annexure A;
 - (f) inherent requirements of the job;
 - (g) summary of the core functions;
 - (h) need for signing an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest;
 - (i) address where applications must be sent;
 - (j) place where applicants can obtain the application form;
 - (k) contact person;
 - (l) where necessary, the need to undergo screening and vetting; and
 - (m) closing date for submission of applications.
- (3) If a municipality does not have the capacity to manage recruitment processes, such municipality may appoint a recruitment agency to undertake the recruitment processes including-

- (a) response handling;
 - (b) compilation of -
 - (i) long list of all applicants who applied for the advertised post;
 - (ii) preliminary list of applicants who meet the requirements;
 - (iii) list of applicants who do not meet all requirements but have the potential; and
 - (iv) list of applicants who do not meet the requirements: Provided that the advertising and recruitment procedures comply with the provisions of the Act and these Regulations.
- (4) The recruitment agency contemplated in sub-regulation (3) shall not undertake the selection process.
- (5) An advertisement contemplated in sub-regulation (2) may be utilised to create a pool of potential candidates valid for a period not exceeding six months from the date of advertisement to fill any other vacancy in the relevant 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 contemplated in these Regulations has been complied with.
- (6) A municipality may advertise any funded vacant post, as a minimum, within the municipality, but may also advertise such post -
- (a) locally; or
 - (b) nationwide.

Application for vacant post

15. (1) An application for a vacant post must be made on the form that is attached as Annexure B.
- (2) Despite sub-regulation (1), a municipality may use an on-line application form that contains the information in Annexure B and is consistent with these Regulations.
- (3) An applicant for a post must disclose-
- (a) his or her qualifications and experience;
 - (b) his or her contactable references;
 - (c) his or her registration with a relevant professional body, if applicable;
 - (d) full details of any dismissal for misconduct or substandard performance; and
 - (e) any disciplinary actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.
- (4) Any misrepresentation or failure to disclose material information contemplated in sub-regulation (3) and the application form, is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 of the Act.
- (5) Applications not made on the prescribed application form will render any appointment or contract entered into, between the municipality and the successful candidate invalid.
- (6) The municipality must maintain a record of all applications received and the information contained in the applications must be kept confidential and stored in a secure place on the municipality's premises. A record of applications shall be disposed of in terms of the National Archives and Record Service of South Africa Act, 1996.
- (7) The record must contain-
- (a) the applicants' biographical details and contact information;
 - (b) the details of the post for which the applicants were applying;
 - (c) the applicants' qualifications; and
 - (d) any other requirements outlined in the application form.

Selection panel

16. (1) A Municipal Manager or his or her delegate must appoint a selection panel for each of the advertised post to recommend the appointment of a suitable person to the vacant post.
- (2) The selection panel must comprise of at least 3, but not more than 5 members.
- (3) The chairperson of the panel must be the supervisor or a staff member employed at least one job grade higher than that of the advertised post.
- (4) In deciding on the composition of the selection panel, the Municipal Manager must have regard to the following considerations:
- (a) The nature of the post;
 - (b) the gender and race balance of the panel; and
 - (c) the skills, expertise, experience and availability of the persons to be involved.
- (5) A member of a selection panel must-
- (a) disclose any interest or relationship with shortlisted candidates during the short listing process;
 - (b) recuse himself or herself from the selection panel if-
 - (i) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
 - (ii) the panel member has a *de facto* relationship or some form of indebtedness to a shortlisted candidate or vice versa; or
 - (iii) any other conflict of interest; and
 - (c) sign a declaration of confidentiality as set out in Annexure C to avert the disclosure of information to unauthorised persons.
- (6) If a union representative is allowed to attend interviews as an observer, he or she must sign the declaration as set out in Annexure C to prevent the disclosure of information to unauthorised persons.
- (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 Regulations in the recruitment and selection process.
- (8) A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.
- (9) Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.
- (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.
- (11) If a conflict of interest becomes apparent after the appointment, the Municipal Manager or his or her delegate must report the matter to the relevant delegated authority which must take remedial action and, where necessary, disciplinary action.

Shortlist of applicants

17. (1) The municipality must compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.
- (2) The selection 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.

Interviews

18. (1) The list of shortlisted candidates and copies of their applications must be submitted to the selection panel prior to the interviews taking place.
- (2) The selection panel for a post, once constituted, must remain the same at all times. If a member of the selection panel is unable to proceed with the interviews due to circumstances beyond that member's control, such panel member may be replaced or withdrawn. If the selection panel does not quorate, the panel must be reconstituted.
- (3) Despite the provisions of sub-regulation 2, a 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.
- (4) The selection panel must interview the shortlisted candidates.
- (5) Before the interview for a specific post commences, the selection panel must confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.
- (6) The selection panel must keep a written record of the interviewed candidates.
- (7) 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.
- (8) If it is determined that the recruitment process has not attracted suitable candidates, the post may be re-advertised.
- (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) The recommendations of the selection panel must be determined by-
- (a) consensus; or
 - (b) where the panel fails to reach consensus, the matter shall be referred to the Municipal Manager or his or her delegate for mediation or resolution.
- (11) If the selection panel recommends an appointment to the post, it must submit its recommendation to the Municipal Manager or his or her delegate for approval.

References and personal credential verification

19. (1) 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.
- (2) A written report on the outcome of the reference checks and personal credential verification must be compiled and considered before the appointment is concluded.

- (3) Despite sub-regulation (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.

Appointment

20. (1) A person may be appointed as a staff member only if he or she—
(a) possesses the relevant competencies as prescribed in Annexure A; and
(b) is not disqualified in terms of regulation 22.
- (2) The Municipal Manager or the staff member to whom this function is delegated must—
(a) consider the recommendations of the selection panel; and
(b) decide—
(i) whom to appoint; and
(ii) the terms and conditions of employment.
- (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 as provided in Annexure A.
- (4) If the decision of the Municipal Manager or the delegate does not accord with the recommendations of the selection panel, the reasons for such a decision must be recorded in writing.
- (5) An appointment may only take effect after the Municipal Manager or his or her delegate has approved the appointment in writing.
- (6) The Municipal Manager or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.
- (7) Unsuccessful candidates must, on request, be provided with reasons in writing as to why they were not successful.

Appointment of support staff to offices of public office bearers

21. (1) A person appointed to a post on the approved staff establishment in order to support the office of a public office bearer must either be—
(a) seconded from a post on that municipality's approved staff establishment or another municipality's staff establishment; or
(b) appointed on a fixed-term contract of employment linked to the term of office of the public office bearer.
- (2) The duration of the secondment or fixed-term employment contract contemplated in sub-regulation (1), may not be longer than 30 days after the public office bearer vacates office.

Re-employment of dismissed staff

22. (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.
- (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.
- (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.
- (4) A municipality must maintain a record of staff dismissed for misconduct and staff who resigned prior to

the finalisation of any disciplinary proceedings.

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

Probation

23. (1) The appointment of a person as contemplated in these Regulations must be effected on a minimum probationary period of three months and a maximum probationary period of 12 months.
- (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.
- (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.
- (4) The Municipal Manager or his or her delegate must-
- (a) inform the staff member within the first two weeks of employment of that member's performance requirements;
 - (b) ensure that the staff member completes the municipality's induction programme and
 - (c) assess the staff member's performance; and provide the staff member with feedback on a quarterly basis on that member's performance.
- (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.
- (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 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.
- (7) Despite sub-regulation 6, 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.
- (8) Within one month after the completion of the probationary period, the Municipal Manager or his or her delegate must—
- (a) confirm the appointment if-
 - (i) the staff member's performance during the probationary period was satisfactory; and
 - (ii) the staff member complied with all the conditions of the probationary appointment;
 - (b) subject to the Labour Relations Act, terminate the appointment if—

- (i) the staff member's performance was not satisfactory during the probationary period; and
- (ii) the staff member did not comply with all the conditions of the probationary appointment.

Promotion

24. (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.
- (2) A staff member who is promoted does not forfeit his or her years of service which accrued from those years of service.

Transfer of staff

25. (1) A municipality may transfer any staff member in the service of that municipality to any equivalent post in the municipality or, subject to section 197 of the Labour Relations Act, to an equivalent post in another municipality.
- (2) A staff member may only be transferred-
- (a) if the staff member requests or consents, in writing, to the transfer; or
 - (b) in the absence of consent, if the transfer is fair taking into consideration—
 - (i) the operational requirements of the affected institutions, including whether the transfer of the staff member would address such requirements;
 - (ii) written representations from the staff member prior to the proposed transfer; and
 - (iii) the extent to which the interests and circumstances of the staff member may be fairly accommodated.
- (3) The salary and other conditions of service of a staff member may not be adversely affected by a transfer under this regulation without the written consent of that staff member.
- (4) A staff member contemplated in this regulation may not be demoted, promoted or transferred to a position at a level which is lower or higher than the staff member's current post level.

Secondment of staff to another municipality

26. (1) A municipality may second a staff member with the relevant competencies to act in a post that is vacant in another municipality.
- (2) The municipalities contemplated in sub-regulation (1) must conclude a written agreement regarding the secondment that specifies-
- (a) the municipality responsible for the costs of secondment;
 - (b) the duration of the secondment, which may not in each case exceed a period of twelve months;
 - (c) the person to whom the seconded staff member must report;
 - (d) the place at which the seconded staff member must work; and
 - (e) the new job description of the seconded staff member.

Secondment of other government employees to municipality

27. (1) A municipality may request national or provincial government, another municipality or any state organ as the case may be, to second a person with the relevant competencies to act in a vacant post for a specified period or until such time that a suitable candidate has been appointed: Provided that the relevant legislation, terms and conditions of service of that person apply.
- (2) The parties contemplated in sub-regulation (1) must conclude a written agreement regarding the

secondment that specifies the issues set out in regulation 26(2).

(3) The municipality must inform the MEC of any such secondment and the terms and conditions associated with that secondment.

Acting appointment

28. (1) An acting appointment may be made to a funded post in order to ensure that the disruption of services is minimised.

(2) Unless indicated otherwise in the appointment to the acting post, a staff member of a municipality who is acting in a higher post in the same municipality must continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.

(3) A person acting in a higher post has no right or expectation to be appointed to that post, except as otherwise provided in these Regulations.

(4) A staff member may only act in a post that is equivalent to or one grade higher than the post that the staff member ordinarily occupies.

(5) The appointment to act in a post must be-

- (a) with the consent of the staff member;
- (b) in writing; and
- (c) authorised by the Municipal Manager or the person to whom this function is delegated.

(6) The staff member appointed to act in a post must have the requisite competencies to be able to perform the duties associated with the post.

(7) In selecting a person to act in a post, the following must be considered:

- (a) The relevant requirements of the post and that person's performance;
- (b) the municipality's developmental needs; and
- (c) the municipality's employment equity policy and plan.

(8) A person may only be appointed in an acting position for a period not exceeding three months.

(9) Despite sub-regulation (8), the Municipal Manager, or his or her delegate, may extend the period in sub-regulation (8) for a further period of three months, if there is a justifiable reason to do so.

(10) Any further extensions made under sub-regulation (9) shall not exceed a period of nine consecutive months, whereafter the post must be advertised and filled on a competitive basis.

(11) The performance of a staff member appointed to act in a post must be assessed in terms of these Regulations.

Appointment of permanent staff

29. 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.

Appointment of staff on fixed term contract

30. (1) Despite regulation 29, a 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.

(2) The application of sub-regulation (1) is subject to the provisions of section 198B of the Labour

Relations Act.

ANNEXURE B: APPLICATION FORM FOR EMPLOYMENT

The purpose of this form is to assist a municipality in selecting suitable candidates for an advertised post. 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. Candidates shortlisted for interviews may be requested to furnish additional information that will assist municipalities to expedite recruitment and selection processes.

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.

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	
Reference number	
Name of the Municipality	
Notice service period	

PERSONAL DETAILS

Surname					
First Names					
ID or Passport Number					
Gender	Male		Female		
Race	African	White	Coloured	Indian	
Do you have a disability?	Yes	No	If 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

CONTACT DETAILS

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

QUALIFICATIONS (please elaborate on your CV)

Highest educational qualification obtained		
Name of the School	Highest Grade	Year 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	No	
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 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.	
Signature:	Date:

ANNEXURE C

DECLARATION OF CONFIDENTIALITY BY THE SELECTION PANEL MEMBER

INTERVIEWS FOR THE ADVERTISED POST OF
(NAME OF THE ADVERTISED POST)
.....

Date: dd/mm/yy

I hereby declare that I have read the provisions of regulation 24 of the Local Government: Municipal Staff Regulations ("hereinafter referred to as the Regulations").

I hereby further declare that —

I have no personal interest in any of the interviewed candidates;

I do not have any relationship whatsoever with the interviewed candidates;

I am not indebted to any of the interviewed candidates or *vice versa*;

my participation in this interviews will not in any way constitute a conflict of interest or undue influence or attempt to influence the appointment or promotion for a spouse, partner, family member, friend or associate;

I will not discuss the outcome of these interviews or inform any candidate who has been interviewed about the outcome of these interviews.

(d) all the discussions emanating from the interview process will be kept strictly confidential and no information will be disclosed with any candidate or person who is not part of the Selection Panel until such time that the Municipal Manager or his or her delegate has approved the recommendations of the Selection Panel and the successful candidate has been duly informed about the outcome of the decision of Municipal Manager or his or her delegate.

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

.....
Signature: Selection Committee Member

.....
Signature: Chairperson

DECLARATION OF CONFIDENTIALITY BY THE STAFF MEMBER PROVIDING SECRETARIAL SERVICES DURING THE SELECTION PROCESS

INTERVIEWS FOR THE ADVERTISED POST OF
(NAME OF THE ADVERTISED POST)

Date: dd/mm/yy

I hereby declare that I have read the provisions of regulation 24 of the Local Government: Municipal Staff Regulations ("hereinafter referred to as the Regulations").

I hereby further declare that —

I have no personal interest in any of the interviewed candidates;

I do not have any relationship whatsoever with the interviewed candidates;

I am not indebted to any of the interviewed candidates or *vice versa*;

my participation in this interviews will not in any way constitute a conflict of interest or undue influence or attempt to influence the appointment or promotion for a spouse, partner, family member, friend or associate;

I will not discuss the outcome of these interviews or inform any candidate who has been interviewed about the outcome of these interviews.

all the discussions emanating from the interview process will be kept strictly confidential and no information will be disclosed with any candidate or person who is not part of the Selection Panel until such time that the Municipal Manager or his or her delegate has approved the recommendations of the Selection Panel and the successful candidate has been duly informed about the outcome of the decision of Municipal Manager or his or her delegate.

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

.....
Signature: Secretariat

.....
Signature: Chairperson

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

Column A ITEM	Column B CATEGORY OF MISCONDUCT	Column C PERIOD (YEARS)
11.	Breach of the Code of Conduct for Municipal Staff as contained in Schedule 2 of the Municipal Finance Management Act, other than misconduct referred to in item 1 to 10 in this table.	2

ANNEXURE F

PROBATION REVIEW FORM

You are NOT required to submit a copy of this form where the staff member's performance during probation is satisfactory. However, you MUST submit a copy and seek the advice of the Head of HR unit as soon as possible if difficulties arise during the probationary period which mean that extending the probationary period and/or non-confirming the staff member in post are possible outcomes. Non-reporting will result in the assumption that the staff member's probation period is progressing satisfactorily.

The supervisor should ensure that the staff member is given a copy of this document at each stage of their probation and should retain the original to monitor progress against set objectives at follow-up meetings.

Probation Record

Staff member name:		
Job Title:		
Grade:		
Department		
Start Date:		
Supervisor:		
	Date Due	Please tick when completed
Initial Meeting		
1-month review:		
3-month review:		
6-month review:		
9-month review:		
12-month review:		

PART 1

Initial meeting

This section should be completed by the supervisor within a week of the staff member commencing his or her employment.

SECTION A: Objectives	
The supervisor should identify specific performance requirements for the staff member. These will be statements of what should be achieved during the probationary period, including key performance indicators.	
SECTION B: Development Plan	
To support the staff member in achieving these requirements, the supervisor should identify any training and development needs and specify how and when these needs will be addressed during the probationary period.	
Staff member's Signature:	
Supervisor's Signature:	
Date:	

PART 2

First review (1 month) - a copy of PART 2 of this form may also be used to conduct a 3,6 and 9-month review with a staff member whose probationary period is 6, 9 or 12 months

To be completed by the supervisor in discussion with the staff member.

(please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				

If any areas of performance, conduct or attendance require improvement please provide details below.

Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.

Summarise the staff member's performance and progress over the period

Have the requirements identified for this period of the probation been met?	YES / NO	If NO, what further action is required?	Review Date
Have the training / development needs identified for this period of the probation been addressed?	YES / NO		
Staff member's Signature:			
Manager's Signature:			
Date:			

PART 3

Final Review

To be completed by the supervisor in discussion with the staff member:

(please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work				
Efficiency				
Attendance				
Time Keeping				
Work relationships (team work and interpersonal communication skills)				
Competency in the role				
Have the requirements identified for the probationary period been met?	YES / NO	If NO, please provide details		
Have the training / development needs identified for the probationary period been addressed?	YES / NO			
Summarise the Staff member's performance and progress over the period				
Is the Staff member's appointment to be confirmed?				YES / NO
If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.				
The Staff member may provide any comments about his or her experience of the probationary process here.				
Should the Staff member's probationary period be extended?				YES / NO

(please tick)	Improvement required	Satisfactory	Good	Excellent
If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.				
Length of the extension (max 3 months):				
New Probation Period completion date:				
Staff member's signature:				
Manager's signature:				
Date:				

DRAFT POLICY – INDUCTION OF NEW STAFF

Dated March 2022

Introduction

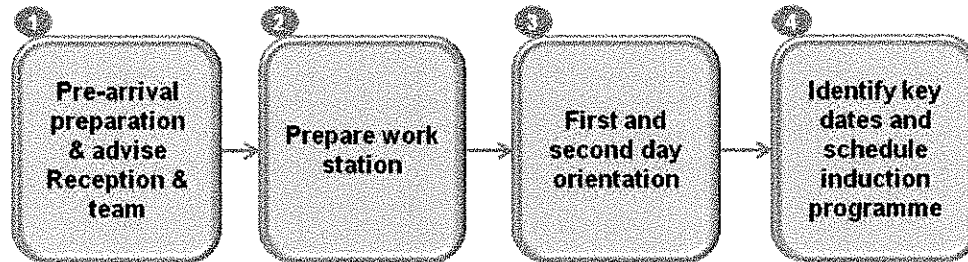
1. (1) The induction of staff is critical to ensuring—
 - (a) the comprehensive introduction of newly hired staff members to the operations, ethos and culture of a municipality; and
 - (b) the speedy integration and long-term retention of staff members.
- (2) Induction is an important component of the municipality's recruitment and selection, capacity building and retention of staff strategies and procedures.

Principles and purpose

2. (1) The importance of consistent induction requires all new municipal staff members to attend a standardised induction programme within a month of commencing employment.
- (2) Induction programmes should result in new staff members having a clear understanding of the operations of the municipality, as well as its structure, strategy, objectives and culture.
- (3) Municipalities should use induction programmes to:
 - (a) welcome new employees in a constructive way that projects a positive image of the municipality;
 - (b) introduce the staff member to the working environment and his or her colleagues;
 - (c) facilitate integration into the job functions, the department, team and the municipality as a whole;
 - (d) provide the new staff member with comprehensive information about the municipality's policies, health and safety requirements, procedures, facilities, and services;
 - (e) highlight and introduce performance standards, expectations and required behaviour patterns for effective job performance;
 - (f) establish a solid foundation for the staff member to embrace the challenges of the post and to build commitment to the municipality; and
 - (g) open effective communication channels.

Induction procedure guidelines

3. (1) The following steps are provided as a guideline for any induction programme:



- (2) **Step 1:** Pre-arrival preparation and advise reception and the team:

- (a) Prepare an information pack for the new staff member prior to arrival containing at least the following information:
 - (i) Welcome letter from the municipal manager and departmental head;
 - (ii) Offer letter and details of package;
 - (iii) Overview of benefits;
 - (iv) Code of conduct;
 - (v) Job description;
 - (vi) Start date, where and whom to report to;
- (b) One week prior to starting date, the supervisor should give the new staff member a courtesy call.
- (c) Prior to the arrival of the new staff member (i.e., a day or two before the new staff member commences employment), the supervisor should inform reception and the relevant team that the new staff member will be joining and provide information regarding the staff member's arrival in order to ensure a welcoming first day. The supervisor should ensure that reception knows that the new staff member will be arriving, and can direct the staff member to his or her new work station.

- (3) **Step 2:** Prepare work station: Ensure that the work area or desk is free and clean and provide some stationery. If the staff member requires a personal computer, arrange one and facilitate password access. Also organise parking and appropriate access cards, if necessary and applicable.

- (4) **Step 3:** First and second day orientation: This should be arranged and managed by Human Resources and the relevant supervisor. The orientation should entail at least the following:

- (a) Provide a workplace tour: Provide a guided tour of the municipality's work areas with which the staff member will have most contact, as well as staff and office facilities. Introduce the staff member to colleagues.
- (b) Support provided for general administration (personnel file created, payroll record created, benefits explained and finalised, uniform and work tools assigned, computer and e-mail address set up, telephone activated, keys and access cards provided, stationery and business cards issued, parking assigned), if and where applicable.
- (c) The staff member must receive the employment contract as well as copies of the municipality's applicable policies and be requested to sign the employment contract and a copy of it which he or she may keep.

- (d) Arrangements should be made for the staff member to meet supervisor for detailed discussion of—
- (i) expectations (for example, KPAs);
 - (ii) work timetable and tasks for the following two weeks;
 - (iii) accountability framework (meetings and reporting lines).
 - (iv) information on the department that he or she will be joining. This will include the organisational structure of the department, the role of the department and how it fits into the larger organisational structure, as well as its strategic drivers. The supervisor must also discuss the new staff member's role and how it fits into the municipality, provide him or her with specific tasks for the weeks ahead, identify any courses or events that the new staff member should attend and make the required bookings.
- (5) **Step 4:** Schedule and run an induction programme: The induction programme should at least be a one-day session at the beginning of the month in which the employee commences employment to—
- (a) understand the municipality and its integrated development plan;
 - (b) understand the structures of the municipality;
 - (c) understand the vision and strategy of the municipality;
 - (d) acquire insight into and understand the municipality's culture – "the way we do things" –and the municipality's values through messages from senior managers;
 - (e) obtain an overview of policies and the staff member's rights and obligations;
 - (f) meet peers from other departments; and
 - (g) discuss performance and reward management and how it affects the staff member.
- (6) For staff members who are at middle management levels in the municipality, the municipality should customise the orientation to include—
- (a) meeting with the senior manager to agree on a written performance agreement with clear and realistic goals so that he or she has an early sense of what is expected of him or her and to negotiate realistic timeframes for the new staff member to assume responsibility;
 - (b) providing guidance on managing relationships and coming to grips with the challenges and requirements of the new environment; and

DRAFT POLICY – ATTRACTION & RETENTION OF NEW STAFF

Dated March 2022

Introduction

1. (1) The attraction and retention of competent staff must form part of the municipality's talent management framework and strategy.
- (2) Talent management is an integrated process designed to attract, retain and develop competent staff.
- (3) Effective talent management ensures operational continuity and sustainability of the municipality by ensuring that the appropriate people, with the appropriate skills, are in the appropriate job at the right time.
- (4) The Municipal Manager must ensure that the municipality develops and implements an effective staff attraction and retention strategy and plan.
- (5) A committee of the municipal council established in terms of section 79 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) must monitor the implementation of the approved staff attraction and retention strategy and plan.

Attraction of competent staff

2. (1) In developing a staff attraction strategy and plan, the municipality must consider the following:
 - (a) The municipality's staff value proposition.
 - (i) A value proposition is the concise description of what the municipality has to offer potential staff.
 - (ii) The employee value proposition is a message designed to persuade and entice sought after professional and technical skills to consider being employed at the municipality.
 - (iii) The staff value proposition should be inspirational, motivational, attractive and distinctive.
 - (b) The municipality's long-term and current strategic organisational requirements in respect of leadership competencies, technical skills and public service imperatives.
 - (c) The municipality's ability as an employer to provide a favourable work environment for staff.
- (2) The attraction strategy and plan should include different techniques that can be used, and may include those set out in Table 3 below.

Table 3

Attraction of staff techniques

Item	Technique	Examples
1	Buying talent	Building relationships with important sources of talent such as tertiary institutions, business schools, using referral hiring, creating partnerships with staff search agencies, targeting potential staff members, building an internet recruitment strategy.
2	Building talent	Providing training and development for key staff members.
3	Borrowing talent	Forming alliances with organisations in the private and public sector, retaining consultants, building skills transfer programmes, outsourcing work, maintaining relationships with former staff members.
4	Bouncing talent	Investigating opportunities such as secondment, flexible work arrangements and contract work.
5	Binding talent	Offering financial and non-financial inducements to retain talent.
6	Boosting talent	Promotion and staff recognition schemes.

Identification of competent staff

3.
 - (1) The identification of scarce, critical and high-risk skills must form the basis of any talent management interventions.
 - (2) The manager responsible for human resources must develop a framework for the identification of competent staff.
 - (3) The framework must enable the identification of leadership groups and technical talent in the municipality.
 - (4) Supervisors, in consultation with the manager responsible for human resources, must identify competent staff members.

Retention strategy

4.
 - (1) The manager responsible for human resources must—
 - (a) oversee the retention strategy; and
 - (b) ensure that there is consistency in the way in which competent staff are managed and engaged by—
 - (i) ensuring that systems and processes are structured to provide flexibility within the legal framework so that staff can be managed effectively and differently, if necessary;
 - (ii) providing supervisors with the authority to act in this regard, whilst offering strategic advice and support;
 - (iii) reviewing policies and procedures to ensure that they provide the measure of flexibility necessary to accommodate competent staff members; and
 - (iv) developing an accountability framework that details the boundaries within which supervisors may act to retain staff.

Actions to retain staff

5.
 - (1) Each supervisor must engage on an individual basis with those staff identified as competent staff members to understand both their tangible and intangible motivations and aspirations.
 - (2) This engagement may be integrated with the performance management cycle and the formulation of personal development plans.
 - (3) The manager responsible for human resources and other human resources staff should support supervisors by providing them with the methodology and instruments to undertake this engagement.
 - (4) The engagement with a staff member should take into account—
 - (a) the staff member's interests, values, skills, and development needs; and
 - (b) the various options available to the staff member.
 - (5) Supervisors, in consultation with staff employed in the human resources function, must identify those tangible and intangible motivations that are not feasible and should consult with the staff member to find a satisfactory solution.
 - (6) The engagement must result in a plan that is signed off by both the staff member and the relevant supervisor and ratified by the manager responsible for human resources.
 - (7) The plan should contain both tangible and intangible actions, timelines, targets, and conditional requirements.
 - (8) The plan should become the basis for the development, engagement and retention of competent staff members.
 - (9) The manager responsible for human resources, together with the relevant supervisors, must develop and apply a talent exposure programme for new talent entering the municipality or entering a specific level within the municipality.
 - (10) The exposure programme should aim at providing competent talent with structured exposure to particular fields of work and roles.
 - (11) The manager responsible for human resources, or the person to whom this function is delegated, must ensure that the programme defines the roles that talent on the programme will perform so that their skills and development requirements are optimised during the exposure, and expectations are managed.
 - (12) Supervisors should engage with competent staff members in a discussion regarding their plan on an ongoing basis.
 - (13) The talent management plan must be reviewed annually and the review should coincide with the performance management cycle of the municipality.
 - (14) The review should consider the steps that have been completed in the plan, what is still required to be done, performance, next steps, amendments and support needed.
 - (15) The plan should be updated and sent to the manager responsible for human resources for ratification.

DRAFT POLICY – SKILLS DEVELOPMENT PLANNING
Dated March 2022

INDEX

1. Alignment to strategic planning cycles
 2. Determination of skills needs
 3. Skills needs analysis
 4. Staff skills audit
 5. Recognition of prior learning assessment
 6. Personal development plans
 7. Workplace skills plan
 8. Budgeting for skills development
- Part C Implementing Skills Development
Part D Reviewing Skills Development
Part E Payment for Skills Development Programmes

Objectives

(1) Skills development must-

support the achievement of the municipality's goals set out in the Integrated Development Plan by providing critical skills that ensure the delivery of quality services;

promote the development and retention of competent municipal staff, including the development of technical, professional and specialist staff who have the required qualifications and skills;

support the employment equity objectives of a municipality;

be based on high quality provision and effective workplace learning and development practices, including coaching, mentoring, on-the-job learning and opportunities for the practical application of skills in the workplace;

seek to continuously improve its results and the returns on learning investments, by defining measures of success, conducting regular evaluations and improving the impact of learning, training and development; and

be designed to support and reinforce other capacity-building programmes in municipalities.

A staff member must take responsibility for his or her development and own career growth.

A municipality must support its staff members by-

clarifying the skills required for jobs, identifying relevant skills needs and developing opportunities to satisfy the skills needs;

identifying new skills and knowledge required by staff to support their career growth and progression;

creating learning opportunities which will allow their staff to develop the skills and expertise to enable them to compete effectively for placement in new or vacant posts; and

ensuring that skills development is a KPA in senior managers and supervisors performance agreements. This is aimed at promoting career development through consultations with staff members.

The skills development process involves planning, skills assessment, implementation and review.

SKILLS DEVELOPMENT PLANNING

1. Alignment to strategic planning cycles

The determination of municipal skills needs, priorities and budgets must be—

developed once every five years at the commencement of the Integrated Development Planning process and may be reviewed annually thereafter; and
aligned to the strategic planning cycles associated with the-
integrated development plan;
municipal budget;
human resource planning; and
performance management cycle.

2. Determination of skills needs

Skills needs in municipalities must be determined by conducting—

skills needs analysis, in which the municipality must identify skills needs at municipal and department levels based on critical roles, job categories and associated competencies; and

a staff skills audit, which must identify skills needs for each staff member based on specific competency needs associated with current roles and future career aspirations.

3. Skills needs analysis

- (1) Every municipality must conduct a skills needs analysis that analyses the municipality's skills needs and assesses the skills constraints on service delivery in the municipality as a whole and in each department or function.

The skills needs analysis must identify the priority skills needs, which if effectively developed, will have a marked impact on the municipality's performance.

The process of identifying the skills needs must—

be guided by the critical and scarce skills lists for the sector published by the Minister for Higher Education and Training and the Local Government: Competency Framework for Occupational Streams as contained in Annexure A.

take into account the related institutional capacity needs and workplace skills plan of the municipality; and

cover all major roles in the municipality, including-
management and leadership;
technical, specialist, professional and administrative roles; and
specified priority skills needs.

The skills needs analysis must be based on—

a strategic evaluation of skills needs that have constrained the service delivery and performance of the municipality and each of its departments or functions in the current year;

a review of community feedback information and an assessment as to whether a lack of skills has contributed to the shortcomings in respect of service delivery;

a review of the effectiveness of the implementation of previous priority skills development programmes and interventions; and

an analysis of individual staff member personal development plans to identify common skills needs across job categories.

4. Staff skills audit

- (1) A municipality must conduct a skills analysis using programmes or systems determined by the Minister to ascertain the skills needs of staff members in respect of their current roles.

Skills audit may comprise-

- biographical audits, which includes information on the educational qualifications and experience of the staff member;

- perception based assessments; and

- evidence based assessments, including assessments using psychometric instruments.

Skills audit must be conducted once every five-years within 24 months from the election of the new council of a municipality.

5. Recognition of prior learning assessment

- (1) A recognition of prior learning assessment determines a staff member's skills and knowledge acquired through formal or informal training conducted by industry or educational institutions, work experience and on-the-job training.

Recognition of prior learning assessment must be conducted—

- by service providers that are accredited by the relevant Education and Training Quality Assurance Body; and

- in line with the provisions of the National Qualifications Framework established in terms of the National Qualifications Framework Act, 2008 (Act No.67 of 2008).

6. Personal development plans

- (1) Every staff member must have a personal development plan that sets out the strategies to-

- address the staff member's development needs and specific skills to be developed for their current roles arising from the skills audit, as well as the learning interventions required to build these skills; and

- develop new skills and provide exposure to new areas of work, which are aligned to the municipality's strategic objectives.

The personal development plan must take into account the skills audit and the requirements of the performance management system.

A staff member may only undergo training that is --

- (a) contained in personal development plan or

- (b) approved by the Municipal Manager or his or her delegate

7. Workplace skills plan

- (1) A municipality must, develop a workplace skills plan arising from the outcomes of institutional skills needs analysis and the individual skills audits.

The workplace skills plan must include-

The priority skills needs for the municipality and each department or function;
the associated interventions that the municipality intends conducting; and
an aggregation of the learning and development initiatives from staff personal development plans.

The workplace skills plan must be included in the municipality's integrated development plan.
A municipality must submit a completed workplace skills plan to the LGSETA on 30 April of each year.

8. Budgeting for skills development

- (1) A municipality must establish a skills development budget that provides funding for training and development identified in the workplace skills plan.

Funding for training and development of staff will derive from-
a municipality's own training budget;

the skills development levies as prescribed in terms of Skills Development Levies Act, 9 (Act No 9 of 1999);

discretionary and mandatory grants received from LGSETA; and

provincial and national government capacity building grants.

PART C

IMPLEMENTING SKILLS DEVELOPMENT

Types of skills development programmes

A municipality must focus on developing priority skills through—

structured learning programmes, which may include learnerships, apprenticeships, technicians-in-training programmes and graduates-in-training programmes;

structured on-the-job learning and development, which may include-
professional coaching of staff members by an external or internal expert coach, where such capacity exists;

coaching of staff by supervisors, including guiding a staff member to develop new skills;

mentoring staff to acquire technical, professional or specialist skills, which may include structured mentorship programmes;

the creation of work exposure opportunities that may accelerate learning and or skills development, including-

(aa) allocating staff members to a specific project;

(bb) seconding a staff member to another department or work area to increase the staff member's exposure to other work processes and systems;

- (cc) increasing the responsibilities allocated to a staff member;
- (dd) rotating staff through the full range of activities of a particular process or department; and
- (ee) work shadowing, where a staff member is given the opportunity to observe a more senior professional or manager at work, enabling the staff member to understand more complex and challenging roles in a structured and secure manner; and professional development programmes.

Obligations of municipality

- (1) Supervisors must ensure the development of employees through re-allocation, rotation and secondment of staff members across functions within a municipality with due regard to service delivery requirements, where applicable.

A municipality must ensure the effective management of the quality of learning delivery, especially that which is provided by the external training providers.

Supervisors must be encouraged to gain coaching skills, and should actively coach and support the development of staff members who report to them.

A municipality should prioritise the appointment of staff mentors who are experts in their fields to support structured skills transfers in order to achieve the required specialist and technical skills in respect of priority roles.

PART D

REVIEWING SKILLS DEVELOPMENT

Evaluating skills development quality and impact

- (1) A municipality must-
 - conduct regular evaluations of the workplace skills plan and personal development plans as well as their implementation; and
 - adjust its learning programmes to improve its effectiveness, including the impact on reducing the skills constraint on service delivery.

A municipality must ensure that-

- every supervisor annually report on progress on implementing staff personal development plans and the other programmes contained in the workplace skills plan;

the effect of implementing personal development plans for staff is evaluated;

evaluations, using standard benchmarks determined by the Minister, respond to priority learning programmes and contribute to the development of skills which result in improved performance and service delivery; and

regular skills development reports and evaluation results are-
integrated into the wider capacity building initiatives within the municipality; and

reported to the relevant provincial and national capacity building structures.

PART E

PAYMENT FOR SKILLS DEVELOPMENT PROGRAMMES

Conditions of payment

- (1) A municipality may agree to pay the full amount for, or part of, a staff member's learning programme and for reasonable travel and accommodation expenses on receipt of official proof of the structured learning programme as per the municipal training policy.

A municipality which agrees to pay for a learning programme must require the staff member to work for the municipality for a reasonable period after the completion of the programme, failing which the staff member must pay back the costs, or part of the costs, associated with the programme.

Despite sub-regulation (1), if a staff member fails to attend or fails a learning programme, the municipality must recover the costs associated with the programme after complying with section 34 of the Basic Conditions of Employment Act.