



**Draft Matjhabeng Local
Municipality's Human
Resources Policy Manual
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MATJHABENG LM HUMAN RESOURCES POLICY MANUAL

INTERNAL ONLY

The Municipal Council is responsible for reviews of this policy document as necessitated by occurrences listed in the preamble.

All Municipal staff members have a duty to ensure adherence to policies as contained in the document.

Applicable Principal Risk	Municipal Staff
Principal Risk Owner	Municipal Manager
Reviewed Date	2023/05
Responsible Person/s	Senior Manager: Human Resources
Policy Custodian	Senior Manager: Human Resources

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GLOSSARY OF TERMINOLOGY

In this manual, any word or expression to which a meaning has been assigned by the Regulations, shall bear the same meaning assigned to it in the Regulations and unless the context indicates otherwise in the applicable legislation.

- **“accreditation”**, refers to a process through which an organisation's capability to perform or deliver training and / or assessment is recognised and approved to fulfil the intended outcomes;
- **“active bursary”**, refers to a bursary awarded for a course which has not been worked back, or which is still being paid back;
- **“Annual Training Report (ATR)”**, refers to a report that reflects the education, training and development activities within the Workplace Skills Plan (WSP) of a Municipality, that were implemented;
- **“assessment”**, refers to a process of gathering sufficient information for evaluating what learners know and can do, this may take place through several methods, for example, portfolios, simulations, workplace assessments or written and oral examinations;
- **“black people”**, refers to a generic term meaning African, Coloured and Indian persons in South Africa;
- **“blue collar duties”**, refers to manual work/labour
- **“bursary”**, refers to a conditional bursary granted to a staff member for study purposes;
- **“career pathing”**, refers to ensuring that each staff member's potential is developed to its fullest extent and that there is a career mapped out for him/her in the Municipality;
- **“casual and temporary staff”**, refers to a staff member who performs seasonal or short-term work on a fixed term contract and compensated for services rendered;
- **“CCMA”**, refers to the Commission for Conciliation, Mediation and Arbitration established in terms of Section 112 of the Labour Relations Act 66 of 1995;
- **“CFO”**, refers to the Chief Financial Officer;
- **“close family member”**, refers to a staff member's spouse; the staff member's and the spouse's grandparents, parents, siblings, children, nieces, nephews, aunts, uncles and first cousins; the spouse of any of these people; and any other individuals who share the same household with the staff member;
- **“designated group”**, refers to Black people, women and people with disabilities;
- **“disadvantaged persons”**, refers to persons or categories of persons disadvantaged by past or present unfair discrimination;
- **“dispute”, or “alleged dispute”**, refers to any disagreement about a matter of mutual interest between, on the one side the union and / or staff member (s) and, on the other side, the Municipality;

- **“education, training and development”**, refers to practices which directly or indirectly promote or support learning;
- **“Staff member Wellness Programme”**, refers to a confidential and professional programme using the holistic and developmental approach to identify, treat and manage staff members' personal and work-related problems that impact on work performance and their wellness. The scope covers, but is not limited to, financial, health, family, marital, stress, interpersonal relationships, and illness;
- **“grievance”**, refers to any dissatisfaction, perceived or otherwise, on the part of a staff member arising from factors that include a staff member's job, working environment or the municipality's employment practices;
- **“harassment”**, refers to, but is not necessarily limited to slurs, jokes, other verbal, graphic or physical conduct relating to a person's race, colour, gender, religion, natural origin, age, physical appearance, sexual orientation or disability and can include malicious gossip, public criticism, teasing or the spreading of rumours about a fellow staff member and stalking of a staff member. Harassment is conduct that is unwelcome and can either be insulting, degrading, exploitative, abusive or offensive to the recipient of such conduct. Harassment, be it of any nature, may occur as a single incident or as a series of repeated incidents, with varying gravity.
- **“headhunting”**, refers to a process of recruitment of a prospective staff member, who is working elsewhere and who has a relevant work experience for a particular job profile. Head hunting is carried out by the HR Unit or is outsourced to an agency or job consultant, and is one of the most effective methods for sourcing and getting candidates for top positions, who might not necessarily look for a job change;
- **“HIV/AIDS”** means Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome;
- **“human resource planning”**, refers to a continuous process of systematic planning ahead to achieve optimum use of the Municipality's staff members, ensuring the best fit between staff members and jobs while avoiding workforce shortages or surpluses;
- **“immediate family”**, refers to the staff member's spouse and / or dependent children;
- **“in-house”**, refers to programmes that are presented to staff members of the Municipality by internal service providers;
- **“induction”**, refers to initiation, or a formal introduction into the Municipality or position;
- **“Integrated Development Plan (IDP)”**, refers to a plan envisaged in Section 25 of the Local Government: Municipal systems Act (Act 32 of 2000), and sets out the Municipality's policy priorities, programmes and project plans for a five-year period, as approved by the Municipal Council and the MEC, within the scope of available resources;
- **“job description”**, refers to a simpler version of the job profile with brief overview of the role, list of key responsibilities, requirements and qualifications, and is developed by conducting a job analysis which includes examining the tasks and

- sequences of tasks necessary to perform the job to meet operational objectives, and drafted in a format that feeds into the job evaluation and grading system;
- **“job evaluation”**, refers to the grading of jobs according to a specifically planned procedure and reliable methodology in order to determine the relative worth of each job in the municipality;
 - **“job grade”**, refers to a grouping that encompasses positions with the same or similar values in order to assign compensation rates and structures;
 - **“job profile”**, refers to a description of a particular work function that includes the elements deemed necessary to perform the post effectively. Specifically, might include such things as duties or job responsibilities, required qualifications, advancement prospects, and the initial pay or salary associated with the position;
 - **“learnership”**, refers to a combination of structured learning and work experience which may lead to a registered qualification;
 - **“market-related premium payment”**, refers to an addition to salary for a specific individual post, or group or sub group of posts, paid where other employers' higher pay rates (the market rate) prevent the Municipality from being able to recruit or retain staff on the salary indicated for their role by role analysis alone;
 - **“nepotism”**, refers to favouritism based on family relationship or friendship;
 - **“office hours”**, refers to the official working hours for staff members as determined by the Municipality from time to time with due consideration of the staff member's designation;
 - **“organisational structure”**, refers to a chart that shows the organisational design of the Municipality and the description of the purpose, functions, role types and headcount for each business unit at branch, departmental, division, regional and section levels;
 - **“organogram”**, refers to a diagram that shows the organisational chart of the Municipality and the relationships between the different people, departments, and jobs at different levels;
 - **“people with disabilities”**, refers to 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”**, refers to a system of assessment and selection by which vacancies are filled by either a staff member already serving in the Municipality (i.e. internal filling of vacancies), or from external recruitment. Placement is a process of assigning a specific job to each of the selected candidates. It involves assigning a specific rank and responsibility to an individual. It implies matching the requirements of a job with the qualifications and experience of the candidate;
 - **“poor work performance”**, refers to the inability or failure of a staff member to meet the required standard(s) or output(s) for the position in which he / she is employed. Poor work performance could include: less than expected output and poor quality; failure to meet set targets; work requiring rework / repair; unnecessary material wastage; any non-conformance to reasonable or agreed standards; time wasting;

- **“private work”**, refers to when a staff member performs private work apart from his / her duties at the Municipality, works for remuneration at another place;
- **“racial harassment”**, refers to unwelcome remarks, jokes, innuendoes or taunting about a person’s racial or ethnic background, the displaying of racial graffiti or material, refusing to talk to or work with a staff member because of his/her ethnic/racial background, insulting gestures or practical jokes based on racial or ethnic grounds which cause embarrassment or awkwardness, attempted or actual assault relating to racial or ethnic origins;
- **“recruitment”**, refers to the activities undertaken through human resource management to attract job candidates who have the necessary potential, compliances and traits to fill jobs and thus assist the Municipality in achieving its objectives;
- staff member **“reference check”**, refers to the gathering of information about candidate’s history from people with whom such candidate has been associated;
- **“relatives”**, refers to husband, wife, parent, child, brother, sister, and in-laws of the staff member;
- **“remuneration”**, refers to all rewards earned by staff members in return for their labour, such as direct financial remuneration consisting of pay received in the form of wages, salaries, bonuses, overtime pay provided at regular and consistent intervals, and indirect financial remuneration including all financial rewards that are not included in direct remuneration and understood to form part of the social contract between the Municipality as employer and the staff members, such as benefits, leaves, retirement or pension plans, education, and staff member services. It also includes non-financial remuneration such as career development and advancement opportunities, opportunities for recognition, as well as work environment (ergonomics) and conditions;
- **“selection”**, refers to the process of making decisions of matching of candidates considering individual differences and requirements of the job;
- **“Service Delivery and Budget Implementation Plan (SDBIP)”**, refers to a document that details the specific performance targets that the Municipality will aim to achieve in the budget year and the next two years of the Medium-Term Expenditure Framework (MTEF) in pursuit of strategic outcomes, oriented goals and objectives set out in its Integrated Development Plan (IDP)
- **“sexual harassment”**, refers to:
 - unwelcome and unsolicited conduct of a sexual nature, be it verbal, visual or physical such as unwelcome remarks, jokes, innuendoes or taunts about a person’s body, clothing or sex;
 - threats, demands or suggestions that a staff member’s work status or any employment decision or condition affecting a staff member is contingent upon the staff member’s tolerance of or submission to sexual advances or requests for sexual favours (*quid pro quo* harassment);
 - abusing the dignity of a staff member through unwelcome, insulting, degrading, exploitative or offensive sexual remarks or conduct;
 - unreasonably interfering with a staff member’s work performance or creating an intimidating, hostile or offensive work environment;

- sexual favouritism in the workplace which results in the granting or offering of employment opportunities or benefits based on submission to sexual advances or requests for sexual favours;
- where a recipient has made it clear that the behaviour is considered offensive and unacceptable, and the perpetrator had continued with such behaviour;
- leering (*an unpleasantly lustful or malicious look or smile*), insulting gestures and practical jokes of a sexual nature which causes awkwardness or embarrassment;
- displaying pornographic, pin-up pictures, graffiti or other offensive material;
- coercion related to power, such as physical conduct of a sexual nature that includes all unwanted physical contact, ranging from touching to sexual assault, strip search by or in the presence of another person;
- o **“shop steward”**, refers to a permanent staff member in the Municipality, elected to represent the Union and its members in terms of the Union’s constitution and the Recognition Agreement;
- o **“spouse”**, refers to a person registered with the Municipality as the lawful husband or wife / wives, or life partner, by the staff member at the time of use of the benefit, provided that a staff member may register all spouses in terms of customary or indigenous law, may register only one life partner at a time, and if has a spouse/s registered with the Municipality in terms of the recognition of Customary Marriages Act, 1998 and Marriages Act, 1961, may not register a life partner with the Municipality;
- o **“staff establishment”**, refers to approved jobs and number of posts created for the normal and regular requirements of a municipality, also referred to as the organisational structure or organogram;
- o **“subsistence and travel expense (S&T)”**, refers to an amount of money paid by the Municipality to a representative to cover expenses such as meals, incidentals such as refreshments, snacks, soft drinks and newspapers, and all business-related travel; but exclude any personal recreation, such as visits to a cinema, theatre, clubs, or sightseeing;
- o **“succession planning”**, refers to making the necessary arrangements to ensure that suitably qualified people are available to fill posts which will arise within any specific department over forthcoming years;
- o **“suitably qualified person”**, refers to a person who has the abilities, formal qualifications, relevant experience or potential to acquire, within a reasonable time, the skills and competencies necessary to perform a particular job;
- o **“telework”**, refers to the practice of working from home, making use of the Internet, email, and the telephone (also referred to as telecommute);
- o **“Workplace Skills Plan (WSP)”**, refers to a plan that allows the Municipality to identify areas where skills are needed and plan interventions to answer the needs, as per guidelines provided by the relevant Sector Education and Training Authority (SETA);

POLICY DEVELOPMENT

IMPORTANCE OF HUMAN RESOURCE POLICIES

Relevant and updated Human Resource Policies are important for the following reasons:

- To drive corporate governance and ensure compliance with legislation
- To align with strategic organisational objectives
- To ensure equitable, fair and standard practices
- To adapt to market trends and best practice
- To achieve overall service excellence and optimisation

STATUS OF THE HUMAN RESOURCES POLICY MANUAL

The policies in this Manual, once supported by the Local Labour Forum and recommended by the relevant Council Committee, and approved by the Council, shall supersede all previous policies from the date of Council approval. Any dispute arising from this policy due to ambiguous wording or phrasing shall be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum shall be incorporated into the policy.

HOW THE POLICIES WERE DEVELOPED

Human Resource Policies in this Manual were developed using the following principles:

- Alignment with organisational objectives and values
- The policy will contribute to efficiency and effectiveness in the Municipality
- The policy addresses the following:
 - Adaptation to environmental circumstances influencing the Municipality
 - Enhancement of the Municipality's organisational environment
 - Acknowledgement of current practises and processes

NECESSITY FOR HUMAN RESOURCES POLICY UPDATES

The Municipality shall review and update human resources policies as per events below:

OCCURRENCE	DESCRIPTION
New / updated legislation	New legislation may impact conditions of service, which require updates to policies. As legislation is passed, the impact on policies should immediately be assessed.
Periodic review	Regular review of policies should take place to ensure alignment and compliance. This should happen annually, at the start of the new financial year.
Operational issues	Operational process issues can highlight inadequacies in existing policies. This can happen on an <i>ad hoc</i> basis.
Risk assessment	Risk assessments or policy implementation audits can identify policy issues.

OCCURRENCE	DESCRIPTION
Collective agreements	Collective agreements impact internal conditions of service, which require updates to policies. Impact on policies should be assessed once an agreement is signed.

PART A: HUMAN RESOURCE PLANNING

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STAFF ESTABLISHMENT POLICY

1. PREAMBLE

The Municipality intends to determine its staff establishment necessary to perform its functions, and to implement its staff demand planning.

2. PURPOSE

The purpose of the policy is to provide a standard framework for staff establishment in the Municipality.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality, including senior managers.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- 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

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy attempts to address the need for strategic planning and forecasting of human resource needs within an organization, including identifying current and future skills requirements, determining staffing levels, and planning for recruitment, retention, and training.

7. POLICY PROVISIONS

7.1 Determination of staff establishment

7.1.1 Municipality shall establish separate departments within its administrative and financial capacity, at least:

- (a) for development and town planning functions;
- (b) to provide municipal public works and basic services to communities;
- (c) to provide community services;
- (d) to manage the municipality's finances; and
- (e) to provide corporate support services.

7.1.2 The municipality shall apply the organisation design metrics with the four key dimensions of the organisation design as set out in the table below when determining the staff establishment:

Dimension	Category A	Category B	Category C
Structural layers	<ul style="list-style-type: none"> • Six to Seven (6-7) layers 	<ul style="list-style-type: none"> • Five to Seven (5-7) layers. 	<ul style="list-style-type: none"> • Five to Six (5-6) layers.
Structural shape	<ul style="list-style-type: none"> • Strategic: 0.2 - 1% • Managerial/ Specialist: 1 - 20% • Operational: 80 - 90% 	<ul style="list-style-type: none"> • Strategic: 1% • Managerial/ Specialist: 1% - 15% • Operational: 85% - 95% 	<ul style="list-style-type: none"> • Strategic: 1% • Managerial: 5% - 15% • Specialist: 30% - 55% • Operational: 15% - 30%
Span of control	<ul style="list-style-type: none"> • Municipal Manager: 7 - 8 • Directors: 6 - 7 • Divisional Managers: 5 - 6 • Managers: 5 - 6 • Supervisors: 9 - 15 	<ul style="list-style-type: none"> • Municipal Manager: 6 - 8 • Directors: 5 - 7 • Divisional Managers: 5 - 6 • Managers: 5 - 6 • Supervisors: 9 - 15 	<ul style="list-style-type: none"> • Municipal Manager: 6 - 8 • Directors: 5 - 6 • Divisional Managers: 4 - 5 • Managers: 4 - 5 • Supervisors: 9 - 12
Core to support staff member ratio	<ul style="list-style-type: none"> • Core to support staff member ratio of 80:20 • The ratio is based on actual headcount and not number of roles 		

- 7.1.3** The number of posts on the approved staff establishment of the offices of the political office bearers shall be provided as per Annexure W under Chapter 4, and in line with the category, size and affordability of municipality, including approval by council of the municipality.
- 7.1.4** Unless specified, personal security of POBs is subject to a threat and risk analysis conducted by the South African Police Service.
- 7.1.5** Municipality shall deviate from the thresholds proclaimed by the Minister, and in consultation with the MEC responsible for local government, after careful consideration of the following factors:
- (a)** The unique and important matters related to the category or type of the municipality.
 - (b)** The changes in the duties and scope of functions of the municipality.
 - (c)** The gross income, the area of jurisdiction and the nature of the settlement within the municipality.
 - (d)** The financial capacity of the municipality.
 - (e)** The need for the promotion of equality and uniform norms and standards.

7.2 Triggers for the review of the staff establishment

The Municipality shall review the staff establishment by following, or when one or more of the following occur:

- 7.2.1** Regulations on staff establishment proclaimed by the Minister.
- 7.2.2** Matters listed in Part B of Schedule 4 to the Constitution and Part B of Schedule 5 to the Constitution.
- 7.2.3** Chapter 5 of the Municipal Structures Act.
- 7.2.4** Municipality's strategic objectives including its core and support functions, within 12 months of one of the following:
- (a)** the promulgation of Regulations on staff establishment by the Minister;
 - (b)** the election of a new municipal council;
 - (c)** the adoption of a new integrated development plan (IDP) of the municipality as contemplated in section 25 of the Municipal Systems Act;

- (d) material changes to the functions of the Municipality; and
- (e) the determination of new municipal boundaries.

7.3 Core process for determining staff establishment

The Municipality shall follow the following core process when reviewing its staff establishment:

- 7.3.1** Conduct a diagnosis that involve an analysis of the staff establishment and service delivery model's alignment to the legislative and political mandates, congruence with regulatory framework, supporting of the IDP and SDBIP, envisaged changes and their financial implications, and risks and mitigation thereof;
- 7.3.2** Develop or review the service delivery model to ensure that it reflects the Municipality's mandate and meets its obligations to the community;
- 7.3.3** Review the organisational design principles to set parameters (guardrails) for organisational design choices;
- 7.3.4** Review levels of work (strategic, operational, transactional) to guide staff on where they should focus their energies;
- 7.3.5** Review the span of control (the number of direct reporting lines);
- 7.3.6** Review the macro structure, being the top three levels in the Municipality, and which involves the disaggregation of each service or cluster of services identified in the service delivery model into roles by determining various components of economic development services (e.g., electricity, water, roads, refuse removal) and human resources management (e.g., talent management, staff member relations, human resources information management);
- 7.3.7** Review key processes that underpin each of the services in the service delivery model (e.g., policies on services, and streamlining of processes), and the micro structure that covers work study investigation to determine headcount for each service or product;
- 7.3.8** Determine a balance between operational (line, core, direct) and support (ancillary, indirect) functions, aiming for a direct : indirect (core : support) ratio of 3 : 1;
- 7.3.9** Develop an implementation plan and a change management plan to support any change;
- 7.3.10** Consult the staff establishment with recognised trade unions within the local labour forum;

7.3.11 Submit a report and proposed staff establishment to Council for approval within 30 days of reviewal. The report shall cover the following:

- (a)** Outline of the process followed in drafting the staff establishment;
- (b)** Mandate and service delivery priorities for the Municipality and how the proposed staff establishment addresses these;
- (c)** Summary of the proposed posts that will -
 - (i)** materially change;
 - (ii)** change to a limited or non-material degree;
 - (iii)** be abolished; and
 - (iv)** not be affected by the changes.
- (d)** Motivation of any proposed changes, including an analysis of the strengths, weaknesses and limitations of the current establishment;
- (e)** Details of the financial implications of the changes, including but not limited to the outcomes of job evaluation processes, staff remuneration costs, costs for the relocation of staff, if any, and costs of new facilities and equipment, if any;
- (f)** Outline of the non-financial implications of the changes, including the impact on existing staff and key stakeholders within the Municipality;
- (g)** Proposed project plan that specifies the timeframes within which the implementation will take place; and
- (h)** Outline of the stakeholder and change management requirements.

7.3.12 Approval of staff establishment by Council, with or without amendments.

7.3.13 Municipal Manager shall, within 14 days of the municipal council approving the staff establishment, submit to the MEC a copy of the -

- (a)** staff establishment;
- (b)** council resolution; and
- (c)** reports informing the staff establishment, if any.

7.3.14 The municipal council shall adopt the municipality's staff establishment after consideration of the MEC's comments, or without MEC's comments if not received within one month of submission to the MEC.

7.3.15 The mayor shall, within 30 days of the municipal council adopting the staff establishment, submit to the MEC -

- (a) a copy of the adopted staff establishment;
- (b) the council resolution adopting the staff establishment;
- (c) the reports informing the staff establishment, if any; and
- (d) the reasons for rejecting the MEC's submissions, if any.

7.4 Roles and responsibilities

7.4.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.4.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management, and went through consultation in the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date:

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date:

Approved by Municipal Council:

Signature: _____ Date:

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HUMAN RESORUCES MANAGEMENT STRATEGY

PREAMBLE

The Municipality has set, through the Integrated Development Plan (IDP), a business strategy to attain all its objectives. The overarching Human Resources Management (HRM) Strategy sets the vision and strategic initiatives for human resources to reach the goals given by the business strategy.

Firstly, this overarching HRM Strategy is not a document about the small adjustments in HRM processes, but about an integrated human resources approach and systems in different areas of the Municipality's business to achieve the overall mission, strategies, and success of the Municipality while meeting the needs of staff members and other stakeholders.

Secondly, this HRM Strategy describes the general intentions of the Municipality about how people should be managed and developed and what steps should be taken to ensure that the Municipality can attract and retain the people it needs and ensure so far as possible that staff members are committed, motivated and engaged.

Thirdly, this HRM Strategy is concerned with overall Municipality effectiveness by employing better people in its ranks with better process, developing high-performance work processes and generally creating a great place to work.

Fourthly, this comprehensive HRM Strategy plays a vital role in attaining Municipality's overall strategic objectives, and it visibly illustrates that the human resources function fully understands and supports the direction in which the Municipality is moving. This HRM Strategy also supports other specific strategic objectives undertaken by the Council and Offices of the Speaker, Mayor, Whip, and Municipal Manager, and other departments in the Municipality.

Lastly, this HRM Strategy is accepted and supported by the rest of the Municipality. This has been ensured, and would continue to be driven, through the following:

- Consultation with all stakeholders (line departments and labour unions) on the nature and envisaged impact of the strategy was carried out
- Quantifiable benefits and outcomes that are easily monitored and evaluated to measure impact are built into the strategy
- Signed, real commitment to the HRM Strategy at all managerial levels of the Municipality
- The HRM Strategy is part of the induction process - especially for senior managers.

1. INTRODUCTION

1.1. Mission of the Municipality

The mission statement of the Municipality is:

[Insert mission of the Municipality here]

1.2. Human Resources and Municipal Performance

Human resources management is unique in that it is multidisciplinary. It applies the disciplines of Economics (wages, markets, resources), Psychology (motivation, satisfaction), Sociology (organisational design, culture) and Law (minimum wage, labour relations, employment equity, etc.). For the Municipality, human resources is embedded within the work of all managers, and most individual contributions due to the need of managing people (subordinates, peers and superiors) as well as teams to get things done. The Municipality is a local community service entity. Service is delivered by people. Low quality human resources lead to low quality community services. Effective management of knowledge inherent in people within the Municipality translates into optimum performance required to attain service excellence and sustenance for the benefit of the local community.

1.3. Purpose of the HRM Strategy

1.3.1 The overall purpose of HRM Strategy is to:

1.3.1.1 Ensure adequate human resources to meet the strategic goals and operational plans of the Municipality - the right people with the right skills at the right time

1.3.1.2 Keep up with social, economic, legislative and technological trends that impact on human resources in the area and in the municipal sector

1.3.1.3 Remain flexible so that the Municipality can manage change if the future is different than anticipated

1.3.2 In essence, this HRM Strategy aims to capture the people element of what the Municipality hopes to achieve in the medium to long term, ensuring that it has the right people in place, the right mix of skills, staff members display the right attitudes and behaviours, and staff members are developed in the right way.

2. CURRENT SITUATION AND GAPS

2.1. Human Resources Management Unit

2.1.1 The Human Resources Management Unit supports the Municipality's mission of investing in talented human capital through a set of key services which:

- (a) provide support to the strategic leadership of the Municipality, and
- (b) deliver administrative support on human resources practices

2.1.2 The Human Resources Management Unit is organised as follows:

[Insert organogram, purpose, and functions of the Department Human Resources here]

2.2. Operating context for Human Resources at Municipality

2.2.1 The External Environment

- (a) The Municipality's human resources practices recognise the economic, social and political factors that create the external context in which the Municipality operates. Factors with significant implications for effective human resource management relate to the changing composition of the local workforce in terms of age, gender, skill type and racial distribution. The Municipality seeks to ensure that its workforce is a reflection of the local community. To that end the Municipality continues to analyse and remove the systemic organisational barriers to the advancement of all people and encourage diversity in its staff.
- (b) There are significant challenges in maintaining high level service delivery in a labour market with scarce technical skills and ensuring that the Municipality is successful in recruiting and retaining high quality staff at a time of significant competition, nationally and in technical disciplines.
- (c) The remuneration parity in the private sector has also contributed to difficulties in recruiting and retaining quality staff in professional areas such as in the built environment, information technology, and project management.
- (d) The Municipality operates within a complex legal framework. A number of items of legislation and collective bargaining are directly relevant to day-to-day human resource management, such as the Municipal Staff Regulations and collective agreements from the South African Local Government Bargaining Council (SALGBC).
- (e) [Insert additional external factors as they become relevant here]

2.2.2 The Internal Environment

- (a) HRM is a function that operates within a complex and dynamic framework where a range of external challenges intersect with the Municipality's unique culture or, to be more accurate, a municipality culture. Its role is to provide advice and support to line management on human resources issues.

(b) [Insert all internal factors that affect, influence, drive HR in the Municipality here]

2.3. Strategic HRM challenges

[Insert strategic HRM challenges and the description of the nature of challenge here, such as:

Organisational structure
Competency assessments
Restructuring and Placements
Remuneration of scarce skills and senior managers
Change management
Capacity for Department Human Resources
Delegations of authority for HRM functions
Performance management
HRM business management systems infrastructure
Skills development
Staffing demand schedule (HR planning)
Organisational culture
Retention strategy
Staff member health and wellness]

2.4. Ongoing HRM challenges

Municipality has identified the following HRM challenges to resolve in the immediate time period. This is based on the understanding that these challenges could escalate into bigger problems and thereby frustrate the attainment of strategic objectives:

[Insert ongoing HRM challenges and the nature of the challenges here, such as:

HRM audit queries such as auditing of accrued leave
Grading of posts to attain salary parity
Staff member records management
Assessment of recognition of prior learning
HR service standards
Payroll and staff establishment verification
Skills audit]

3. GOAL OF THE HRM STRATEGY

3.1. The HRM Strategy will contribute towards the long-term mission that seeks to develop the vision of an area that fulfils its potential and provides sustainable development opportunities for all. The goal of the HRM Strategy is to foster sustainable human resource management, thereby contributing to increased local competitiveness. The objectives of the HRM Strategy are to:

3.1.1 Support HRM initiatives that directly facilitate the process of human resources management in the Municipality (e.g. harmonising HRM national

regulations and standards to facilitate the effective utilisation of the Municipality's human resources)

3.1.2 Address the capacity issues directly linked to the Municipality's success in managing the full scope of human resources functions

3.2. In support of the HRM Strategy and objectives, the Municipality -

3.2.1 Has developed an action plan for 2022/23 – 2024/25 consisting of [state applicable number] strategic thrusts, and

3.2.2 shall develop an effective and sustainable enabling organisational and operational framework to deliver on the objectives and close all HRM delivery gaps

4. HRM STRATEGIC THRUSTS

The HRM Strategy will be implemented through [state applicable number] strategic thrusts. Each of the strategic thrusts consists of priority programmes and projects, each of which is at a different stage of preparation, planning, and implementation. Implementation of these projects will contribute to the attainment of the HRM objectives. The proposed strategic thrusts are:

[Insert a list of proposed strategic thrusts here, such as:

Review the organisational structure to match IDP outcomes
Develop placement and match criteria
Capacitate Department Human Resources
Develop HRM delegations of functions
Design a staff member wellness programme
Design and implement a records management system for HRM]

[Insert descriptions of the strategic thrusts and approaches to driving them here]

5. HRM ACTION PLAN

5.1. The HRM Action Plan is broadly based on the strategic objectives endorsed at the facilitated HRM Workshop of the Municipality's Management and Staff member Unions. The strategic thrusts have been revised to incorporate the ideas expressed during the said workshop.

5.2. The Action Plan reflects the priorities presented in the HRM strategic challenges with a clear focus on HRM issues that require conscious institutionalising and implementation. Many of the issues are complex and require a phased approach over a period of time. The Action Plan is a living document, subject to refinement and adjustment as the Department Human Resources may deem appropriate. The design of the initiatives will consider sustainability of the outputs. The HRM Action Plan (2022/23 – 2024/25) is presented in Appendix 1.

6. HRM STRUCTURE AND IMPLEMENTATION ARRANGEMENTS

6.1. Institutional arrangements

The structures and operations of the institutional arrangements for implementation of the HRM Strategy would be revised and restructured to support and facilitate continuity and more regular interaction between the stakeholders. It is proposed that this will be done through more frequent meetings and feedback among stakeholders. The Department Human Resources's structure and institutional arrangements will be strengthened at all levels.

6.1.1 Municipal Council, EXCO and Portfolio Committee on HRM

The Municipal Council, EXCO and Portfolio Committee would agree to and endorse the HRM Strategy and Action Plan. This may seem like a redundant step as everyone has been involved all the way along, but it is always good to get final confirmation on the strategy and plan, the changes brought to them, and the progress made with implementation.

6.1.2 Local Labour Forum

The need to coordinate HRM initiatives with staff member unions was recognised from the outset and reinforced by the workshop. Staff member unions in the Local Labour Forum are the strategic partners in the HRM Strategy and Action Plan. Staff member unions are critically important to the success of the HRM Strategy, contributing to the technical content and providing information on practical activities that facilitate coordination of HRM Strategy and Action Plan with other ongoing HRM initiatives at the coalface.

6.1.3 [Insert the appropriate Governance structure such as MANCO/ EXCO or Top Management Committee]

Whether the HRM Strategy and Action Plan is increasing or rearranging the number or positions of staff members, there are implications for space and equipment, and on existing resources such as payroll and benefit plans. The Municipal Manager and Heads of Department (insert appropriate committee name) would ensure that these needs are fully quantified along the IDP and SDBIP before implementation goes ahead.

6.1.4 Department Human Resources

The Department Human Resources is the technical driver of the HRM Strategy and Action Plan. In so doing, the Department Human Resources shall carry out the following:

- (a)** Communicate, without risking communicating too much or too little, and varying the amount of detail depending upon the audience, the HRM Strategy and Action Plan throughout the Municipality on:
 - (i)** How the HRM Strategy and Action Plan ties to the IDP and SDBIP

- (ii) What changes and additions in HRM will be made to support the IDP
 - (iii) How staff will be supported through any changes
 - (iv) How any changes and additions in HRM systems will impact on staff, including a timeframe if appropriate
 - (v) How each individual staff member can contribute to the HRM Action Plan
 - (vi) How the Municipality will be different in the future
- (b) Update and continuously align the actions within the HRM Action Plan with existing laws, regulations, the constitution, and Council mandate, resolutions, and budget allocations.
 - (c) Establish the information necessary to evaluate the success of the HRM Strategy and Action Plan. Benchmarks shall be selected and measured over time to determine if the HRM Strategy and Action Plan are successful in achieving the desired objectives and vision.

6.2. Financing

It is recognised that additional financing would be needed to undertake HRM priorities. Increased visibility and cooperation of the Department Human Resources with the Municipal Council, EXCO, MANCO, line departments and staff member unions is expected to help in attracting additional resources. Financing for HRM initiatives would continue to be provided by the Corporate Services Vote during 2022/23–2024/25, but with increased levels of co-financing expected from other Votes.

It is expected that the number and importance of strategic priorities requiring attention should justify and motivate an increase in HRM funding during this period.

Estimated costs of programmes are included in the HRM Action Plan (2022/23–2024/25) presented in Appendix 1.

6.3. Monitoring

The Results Framework (2022/23–2024/25) is presented in Appendix 2. A report on the progress of the implementation of the HRM Action Plan will be presented at the EXCO meeting before or by end of the ninth (9) month of each financial year (i.e. before or by end of March of each financial year) until 2025.

APPENDIX 1: HRM PLAN (2022/23–2024/25)

A. Summary List of HRM Plan Programmes

No.	Programme	Key objective	Indicative Time Frame	Estimated Cost
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

B. HRM PLAN PROGRAMMES

[Use this template for each programme identified under the list of potential strategic thrusts]

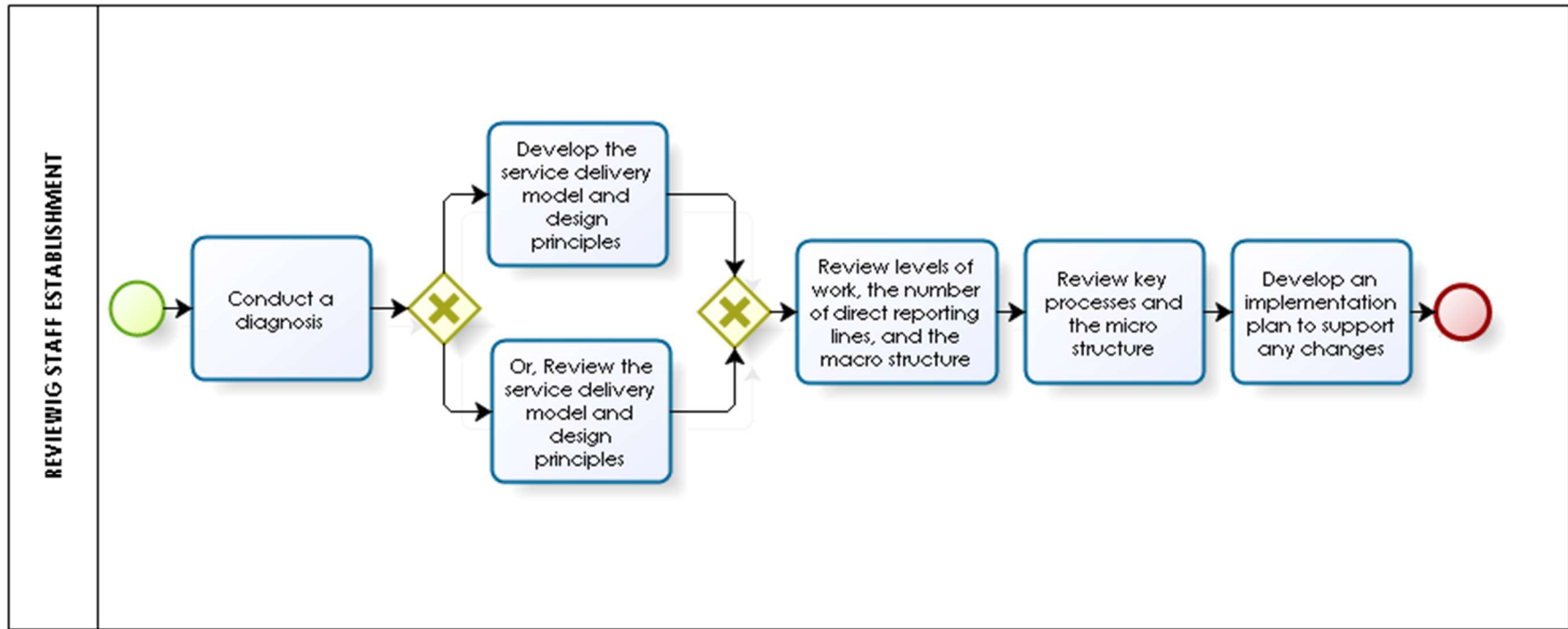
PROGRAMME 1: [Insert name of programme here]
<p>STRATEGIC IMPORTANCE OF THE PROGRAMME (WHY IT IS INCLUDED IN THE ACTION PLAN)</p> <ul style="list-style-type: none">■ [Insert reasons for importance here]■
<p>PROGRAMME OBJECTIVES (AIMS OF THE PROGRAMME)</p> <ul style="list-style-type: none">■ [Insert aims of the programme here]■
<p>PROGRAMME RECOMMENDATIONS (SET OF ACTIONS WITHIN PROGRAMME THAT WILL BE CARRIED OUT)</p> <ul style="list-style-type: none">■ [Insert actions for the programme here]■

APPENDIX 2: RESULTS FRAMEWORK (2022/23–2024/25)

Strategic Directions / Opportunities		Indicators	Data Sources / reporting Mechanisms
Impact			
Outcome/s			
Strategic Thrusts / Outputs			
1.			
2.			
3.			
4.			
5.			

ANNEXURE B: REVIEWING STAFF ESTABLISHMENT

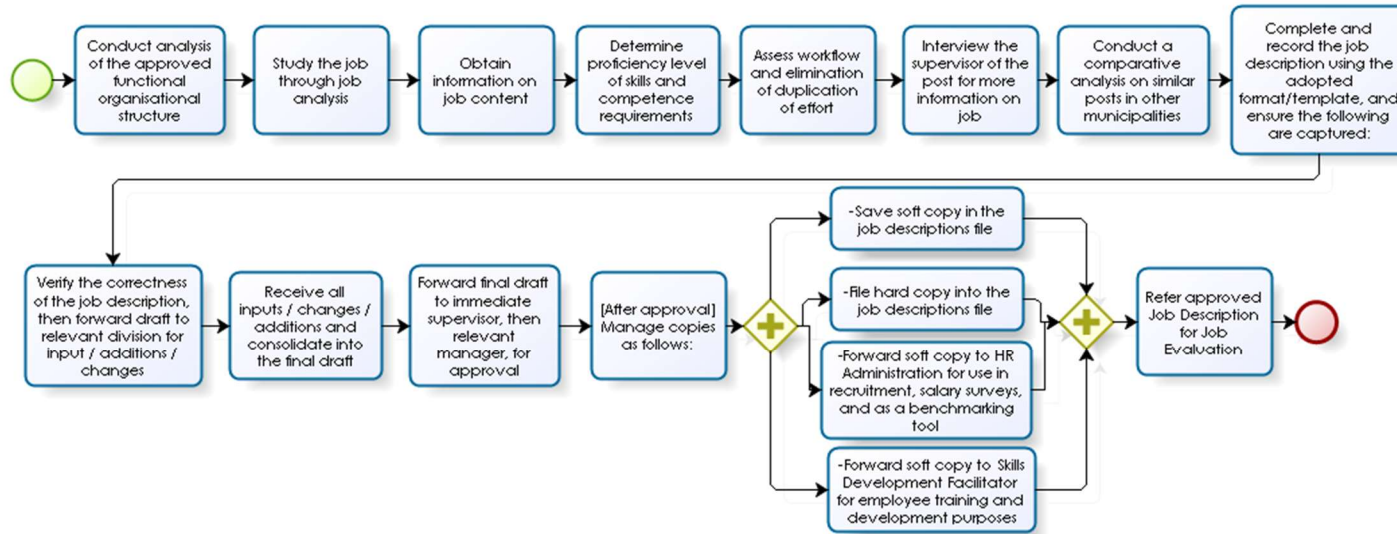
REVIEWING STAFF ESTABLISHMENT				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Conduct a diagnosis			
2.	Develop the service delivery model and design principles [OR , Review the service delivery model and design principles]			
3.	Review levels of work, the number of direct reporting lines, and the macro structure			
4.	Review key processes and the micro structure			
5.	Develop an implementation plan to support any changes			



ANNEXURE C: DEVELOPING A JOB DESCRIPTION

DEVELOPING A JOB DESCRIPTION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Conduct analysis of the approved functional organisational structure			
2.	Study the job through job analysis			
3.	Obtain information on job content			
4.	Determine proficiency level of skills and competence requirements			
5.	Assess workflow and elimination of duplication of effort			
6.	Interview the supervisor of the post for more information on job			
7.	Conduct a comparative analysis on similar posts in other municipalities			
8.	Complete and record the job description using the adopted format/template, and ensure the following are captured: <ul style="list-style-type: none"> - Title of the position - Department / location of post - To which position the staff member needs to report to - Subordinate positions, if any - Purpose of the job / position - Details of duties (what, how, and why thereof, and frequency) - Authority or powers that goes with the post - Essential (minimum) requirements of the post, covering qualifications & competences, reasons for such qualifications, and experience - Preferred (additional, if desirable) requirements of the post, covering qualifications & competences, and experience - Physical requirements of the post, where directly relevant to the performance of duties - Special conditions attached to the position, such as hazards, statutory requirements, circumstances such as elements of the weather, etc 			
9.	Verify the correctness of the job description, then forward draft to relevant division for input / additions / changes			
10.	Receive all inputs / changes / additions and consolidate into the final draft			
11.	Forward final draft to immediate supervisor, then relevant manager, for approval			
12.	[After approval] Manage copies as follows: <ul style="list-style-type: none"> - Save soft copy in the job descriptions file - File hard copy into the job descriptions file - Forward soft copy to HR Administration for use in recruitment, salary surveys, and as a benchmarking tool - Forward soft copy to Skills Development Facilitator for staff member training and development purposes 			
13.	Refer approved Job Description for Job Evaluation			

DEVELOPING A JOB DESCRIPTION



-Title of the position
 -Department / location of post
 -To which position the employee needs to report to
 -Subordinate positions, if any
 -Purpose of the job / position
 -Details of duties (what, how, and why thereof, and frequency
 -Authority or powers that goes with the post
 -Essential (minimum) requirements of the post, covering qualifications & competences, reasons for such qualifications, and experience

-Preferred (additional, if desirable) requirements of the post, covering qualifications & competences, and experience
 -Physical requirements of the post, where directly relevant to the performance of duties
 -Special conditions attached to the position, such as hazards, statutory requirements, circumstances such as elements of the weather, etc

ANNEXURE D: JOB DESCRIPTION TEMPLATE

SECTION A: JOB TITLE AND INFORMATION SECTION

A.1 POST IDENTIFICATION	
1. Municipality	
2. Job/Post Title	<i>Job title as per proposed new structure</i>
3. Number of Posts	<i>As per proposed new structure</i>
4. Job Grade	<i>Do not complete, to be graded later</i>
5. Date Grade Authorised	<i>Do not complete</i>
6. Post Identification Number(s)	<i>Do not complete</i>
7. Name of Incumbent(s) and Service Number(s)	<i>Complete if you have details</i>
A.2 LOCATION OF JOB/POST	
Department	<i>As per structure</i>
Unit	<i>As per structure</i>
Section	<i>As per structure</i>
A.3 SURROUNDING JOBS/POSTS	
Immediate Superior	
Job Title	Post Identification Number
<i>Job title of immediate superior</i>	
Immediate Subordinates	
Job Title(s)	Post Identification Number(s)
<i>Job title of subordinates</i>	
Frequency of supervision	

SECTION B: JOB PURPOSE, DUTIES AND RESPONSIBILITIES

B.1 JOB PURPOSE				
Explain the main objective of the job, preferably in one or two sentences.				
B.2 DUTIES OF THE POST				
NO.	KEY PERFORMANCE AREAS (What)	INPUT (Methods Used) (How)	Output (Expected Results) (Why)	FREQUENCY
	What? Refers to the most visible concrete actions or major activities which the job does	How? Refers to the methods, processes and tools required to carry out the actions required?	Why? Refers to the reason why the main activity is performed or the overall purpose of that specific task. What is the end objective?	What is the frequency of each activity? <ul style="list-style-type: none"> • Ongoing • Daily • Weekly • Monthly • As and when required
	E.g. Receptionist Controlling Reception area	E.g. <ul style="list-style-type: none"> • Greet visitors and establishing nature of the call • Direct visitors to appropriate individuals • Ensure that waiting visitors are offered refreshments • Tidy the reception area 	E.g. <ul style="list-style-type: none"> • To ensure that professionalism and front line image are maintained 	E.g. <ul style="list-style-type: none"> • Ongoing
	E.g. Secretary Sort and route incoming and outgoing correspondence and mail of the Office	E.g. <ul style="list-style-type: none"> • Communicate and distribute correspondence and information as and when required • Record accurately and manage incoming correspondence of the Director in order of priority on daily basis • Check fax, email and postal correspondence and replies are made on behalf of the Director • Respond directly to mundane correspondence of behalf of the Director 	E.g. <ul style="list-style-type: none"> • So that there is no backlog, items are prioritised and each person receives the correct mail. 	E.g. <ul style="list-style-type: none"> • Daily

B.3 AUTHORITY OF THE POST

This outlines the authority the jobholder has to make decisions or to take independent action without reference to a superior. Limits of authority may also be included (e.g. not permitted to...).

The post is accountable for all outcomes associated with _____ (function, e.g. HR Management) and is authorised to take decisions on operational issues within the ambit of departmental policy and procedures and laws regulating action in cases of non-compliance.

Must ensure that all _____ (function, e.g. HR Management) policies, procedures and strategies are in line with relevant legislative and statutory rules, regulations and prescriptions.

Manage the _____ (Department) in terms of financial and operational delegated powers.

Responsible for the enforcement of all council policies on _____ (function, e.g. HR Management and related procedures).

Approval of appointments, organisational structure and new policies must be reported to council for approval.

Management of resources allocated to the Department in line with Council policies

Act independently with reference to the Line Manager and in terms of the following legislations and regulations: -

- All policies, procedures and strategies in line with legislative and statutory rules, regulations and Municipal by-laws
- Municipal Systems Act, Municipal Structures Act, Employment Equity Act, Skills Development Act, BCOE, LRA SALGA guidelines, etc.
- Any other legislation that has a bearing in local government and human resources
- All applicable Council Policy, Procedural Imperative, Administrative processes and procedures
- NEMA Act and MFMA

SECTION C: JOB SPECIFICATION

Skills relevant to a job include education or experience, specialised training, personal characteristics or abilities.

C.1 ESSENTIAL REQUIREMENTS OF THE POST State the minimum educational, qualifications and experience that are required to perform the job competently.		
Qualification	<i>Enter the minimum education level (e.g. Grade 10 / B.Com) in order to do the job competently. These qualifications may not necessarily be what the incumbent is in possession of but rather what is considered to be essential in order to do the job competently.</i>	
Reasons for essential Qualification	<i>Intrinsic job requirement</i>	
Experience	<i>Record the minimum amount of time and type of experience needed before appointment into this job – not necessarily what the incumbent possesses, but rather what the job requires.</i>	
C.2 PREFERRED REQUIREMENTS OF THE POST		
Qualification	<i>Additional on top of essential requirements stated above. e.g. Post graduate qualification in _____ (functional area) or related</i>	
Reasons for preferred qualification	<i>Job requirement</i>	
Experience	<i>Record additional amount of experience needed</i>	
C.3 COMPETENCY REQUIREMENTS OF THE POST Only where directly relevant to the performance of the job		
1.	<i>Strategic Management Skills</i>	
2.	<i>Business Management Skills</i>	
3.	<i>Communication Skills (verbal and written)</i>	
4.	<i>Planning and Organising Skills</i>	
5.	<i>Financial Management Skills</i>	
6.	<i>Must be able to work under pressure</i>	
7.	<i>Good interpersonal skills</i>	
8.	<i>Negotiation skills and conflict handling skills</i>	
C.4 SPECIAL CONDITIONS AND PHYSICAL REQUIREMENTS ATTACHED TO THE POST		
1.	<i>Healthy person – ability to work long hours and meet deadlines</i>	
2.	<i>Must be able to visit outside workplace if and when needed or attend meetings after hours</i>	
C.4 INFLUENCE AND COMMUNICATION Illustrate the stakeholders that this post will influence, including the purpose for the communication		
List key customers / stakeholders	Purpose of interaction	Frequency of interaction

SECTION D: APPROVAL OF JOB DESCRIPTION

D.1 CERTIFIED CORRECT				
We the undersigned confirm that we have consulted on the content contained in the job description and hereby confirm that we consider that the information contained is a correct reflection of the context of the post and its content.				
TITLE	NAME	STAFF MEMBER NO	SIGNATURE	DATE
Head of Department				
Immediate Supervisor				
Trade Union Representative				
Incumbent				

CHAPTER 2: EMPLOYMENT EQUITY POLICY

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EMPLOYMENT EQUITY POLICY

1. PREAMBLE

The Municipality has embarked on a process to implement the provisions of the Employment Equity Act. A consultation process to ensure that the process is fully inclusive and transparent would be followed with all interest groups, namely designated and non-designated staff members, staff members in all the job categories and occupational levels, and senior managers responsible for implementation of the programme.

2. PURPOSE

2.1 The broad objectives of Employment Equity are the following:

2.1.1 To address under-representation of designated groups in all occupational categories and levels in the workforce. Specifically, under-representation of black people, as defined in the Employment Equity Act and people with disabilities would be identified during the numerical analysis as presenting special challenges which the Municipality has to address.

2.1.2 To identify and develop strategies for the elimination of employment barriers in the employment policies and practices of the Municipality. All barriers identified by the Municipality would be addressed in this policy.

2.1.3 To develop operations-oriented strategies for the achievement of numerical goals and timetables for the implementation of affirmative action measures, taking into account the mission of the Municipality.

2.1.4 To establish procedures for monitoring and enforcing the implementation process.

2.1.5 To establish procedures to address and resolve disputes regarding implementation and enforcement of Employment Equity.

2.2 The purpose of Employment Equity is also to develop an Employment Equity Plan that provide for a timetable for the fulfilment of specific objectives, and these objectives should:

2.2.1 Take into account the output of the Municipality planning phase;

2.2.2 The particular circumstances of the Municipality; and

2.2.3 The alignment and inclusion of the plan in the broad strategy of the Municipality.

3. SCOPE OF APPLICATION

The policy shall apply to all permanent and fixed-term contract staff members, and candidates who apply to the Municipality for employment, including designated groups as well as non-designated groups.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- 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
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000)
- Department of Employment and Labour: Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices, 2005
- Department of Employment and Labour: Code of Good Practice on the Preparation, Implementation and Monitoring of the Employment Equity Plan, 2017

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy aims to address and regulate discrimination in the workplace, promote diversity and inclusion, and ensure equal opportunities for all employees, regardless of race, gender, age, disability, or other factors.

7. POLICY PROVISIONS

7.1 Underlying principles for prevention of unfair discrimination

- 7.1.1** No person may unfairly discriminate, directly or indirectly, against a staff member in any employment policy or practice, or one or more grounds including race, gender, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth.
- 7.1.2** It is not unfair to promote affirmative action consistent with applicable legislation or to prefer or exclude any person on the basis of an inherent job requirement.
- 7.1.3** Medical testing may only be permissible when legislation requires testing or when this is justifiable on various reasons.
- 7.1.4** HIV testing is prohibited unless such testing is determined to be justifiable by the Labour Court.
- 7.1.5** Psychological testing and similar assessments are prohibited unless the test is scientifically valid, and reliable, can be applied fairly to all staff members and is not biased against any staff member or group.
- 7.1.6** Disputes regarding unfair discrimination shall be handled in terms of the grievance procedure.

7.2 Affirmative Action Measures

7.2.1 Increasing the pool of available candidates

Policies on employment practices adopted by the Municipality shall provide for the internal and external recruitment of suitable candidates from designated groups. A concerted effort will further be made to increase the level of interest of potential candidates from designated groups in applying for vacancies.

7.2.2 Appointment of staff members from designated groups

- (a)** In support of the employment practices policies, selection criteria and selection panels will ensure that fair and non-discriminatory selection procedures are implemented to contribute to the appointment of suitable candidates from designated groups
- (b)** More efforts to advance appointment of staff members from designated groups shall include:
 - (i)** The review of employment application forms and contracts so that all discriminatory or prejudicial provisions and clauses are removed.

- (ii) Increased awareness that psychometric tests and evaluation methods tend to be culturally biased and discriminatory and have low predictive validity of true ability of candidates to perform in a work environment.
- (iii) The increased use of competency-based recruitment and selection methods, whereby the potential of the candidate and the ability to perform the job plays an increasingly prominent role.
- (iv) Compliance with numerical targets and annual benchmarks.
- (v) The advancement of designated groups but bearing in mind that the Municipality will not resort to window-dressing, tokenism and favouritism, but will advance designated groups by providing the necessary guidance, training and development, and support.
- (vi) Recognising that the appointment of members of designated groups will help create a more diverse workforce, which holds social and economic benefits for the Municipality.

7.2.3 Training and development of people from designated groups

The Municipality recognises the obligations placed on it by the Skills Development Act of 1998 to train and develop staff members and has adopted structured training programmes for staff members. These programmes include:

- (a) Bursaries for tertiary education
- (b) Job-related training
- (c) Training in line function, management, and supervisory skills
- (d) Learnerships
- (e) Skills programmes
- (f) Mentorship and coaching of new staff members
- (g) Career planning and development

7.2.4 Retention of people from designated groups

The Municipality is committed to lowering the turnover rates and increasing the retention rates of designated groups and shall accordingly conduct exit interviews to develop further strategies regarding the retention of people from designated groups.

7.2.5 Reasonable accommodation of people with disabilities

The Municipality shall adopt practices regarding the accommodation of people with disabilities and their employment and career development, within justifiable resource means, and as follows:

- (a)** Adapt or replace existing physical facilities such as offices, ablutions, canteens, parking, office equipment, etc., to make them accessible and usable
- (b)** Reorganise workstations for, example, free movement of wheelchairs
- (c)** Adapt training and assessment materials, systems and facilities, by consulting staff members with disabilities on their career advancement and possible needs
- (d)** Consult staff members with disabilities, as well as obtain expert advice to establish appropriate mechanisms to optimise accommodation
- (e)** Create practical environment and provide necessary tools and aids for optimal participation in social and developmental activities
- (f)** Indicate welcoming of people with disabilities through explicit stating of such fact on job advertisements, using disability-friendly application methods, direct advertisements to organisations promoting issues of people with disabilities
- (g)** Identify and remove all job requirements that unfairly discriminate against some or all disabilities. Place requirements upfront in all job advertisements to aid screening, and not during interviews, selection, job offers and induction
- (h)** Re-integrate staff members who became disabled at work by exploring, where reasonable, the possibility of offering alternative, reduced or flexible work placement, so that they are not compelled to terminate their employment
- (i)** Provide additional work tools and aids, such as readers, Braille equipment, sign language, interpreters
- (j)** Encourage disclosure to ensure optimisation of accommodation measures
- (k)** Provide specialised supervision, training and support

7.2.6 Meaningful participation in strategic decision-making processes

The Municipality shall appoint and promote suitable candidates from the designated groups in positions where they could participate meaningfully in decision-making.

7.2.7 Affirming diversity and harnessing potential of all staff members

- (a)** The consultation at the Municipality shall include staff members from different levels and seniority and be representative of all designated and non-designated groups.
- (b)** The Municipality shall adopt an overall HR strategy which highlights the importance of managing a diverse, multiracial and multicultural workforce, for the purposes of ensuring the maximum utilisation of all staff members.
- (c)** This HR strategy shall include reducing negative stereotyping and discrimination, creating an acceptable and welcoming environment, and integrating affirmative action programmes with general management practices and strategies.

7.3 Corrective measures to eliminate barriers identified during the survey

- 7.3.1** Employment policies and practices shall be continuously reviewed by the Municipality in order to remove any possible discriminatory content and to eliminate employment barriers from the policies and practices.
- 7.3.2** The affirmative action measures implemented at the Municipality are designed to prevent the creation of absolute barriers for the appointment or promotion of persons from non-designated groups, and care is taken to ensure that the measures adopted does not discriminate in any way against persons from the non-designated groups.

7.4 Procedure for numerical goals

- 7.4.1** A numerical analysis shall be carried out to determine representation of staff members internally in every employment level and job category as well as externally to determine the external representation of the various groups on a national level.
- 7.4.2** On the basis of the analysis, the Municipality shall set quantitative targets which are realistic and attainable given the particular circumstances of the Municipality.
- 7.4.3** Numerical goals shall be developed for the appointment and promotion of people from designated groups to address under-representation of the designated groups.
- 7.4.4** The following factors shall be taken into consideration in developing numerical goals:
 - (a)** Degree of under-representation of designated groups in various employment categories at the Municipality as determined by the numerical analysis.

- (b) Determine staff turnover rate at the Municipality to guide implementation rate of affirmative action measures and the setting of numerical goals.

7.5 Consultation and consensus with staff members

- 7.5.1 Prior to implementing this policy, the Employment Equity Officer shall ensure that staff members are consulted within the Local Labour Forum (LLF), which shall also serve as, among other things, the *de facto* Employment Equity Committee. Efforts shall be made to reach consensus on all key issues relating to this policy.
- 7.5.2 In particular, staff members (or their nominated representatives) shall be consulted about:
 - (a) the conducting of the employment equity survey;
 - (b) the preparation and implementation of the employment equity plan; and
 - (c) the submission of statutory reports to Department of Employment and Labour.
- 7.5.3 In the course of the above-mentioned consultations, all relevant information to allow effective consultation shall be disclosed by the Municipality.
- 7.5.4 Where confidential information is disclosed in the course of consultations, it shall be clearly identified as confidential information and staff members shall be informed that it is a criminal offence to breach such confidentiality. Staff members may be required to sign confidentiality agreements in certain circumstances.
- 7.5.5 In addition, staff members shall be informed of, and given access to:
 - (a) the most recent statutory report submitted to Department of Employment and Labour;
 - (b) any compliance order, arbitration award or court order concerning the provisions of the Employment Equity Act and Municipality;
 - (c) any current employment equity plan and other documents prescribed by the Act

7.6 Roles and responsibilities

7.6.1 Employment Equity Officer

- (a) The Municipal Manager is appointed as the Employment Equity Officer to take specific responsibility to implement and monitor employment equity in the Municipality. The Municipal Manager is entitled to delegate

this responsibility to any senior manager in the Municipality.

- (b) The Employment Equity Officer shall report directly to the Council who, will have free access to all information on employment within the Municipality, and will be entitled to attend any meeting or hearing dealing with any employment issue.

7.6.2 Duties of Employment Equity Officer

The duties of the Employment Equity Officer and any staff assigned by him/her are to:

- (a) conduct employment equity surveys in accordance with this policy;
- (b) keep and monitor lists of the designated group members employed;
- (c) collect and analyse external data on the profile of suitably qualified applicants available for employment;
- (d) based on these surveys, lists and external data, prepare and recommend an employment equity plan including the setting of measurable goals and timetables for the recruitment, advancement and enhancement of the work environment of members of the designated groups;
- (e) comply with the relevant statutory reporting requirements;
- (f) identify discriminatory or potentially discriminatory practices and devise strategies and systems to eliminate such practices;
- (g) devise and recommend training and sensitisation strategies relating to affirmative action for members of the designated groups;
- (h) co-ordinate recruitment strategies, policies and procedures to ensure compliance with this policy;
- (i) advise and assist in carrying out recruitment programmes and training and sensitisation sessions;
- (j) monitor performance under this policy, receive complaints and recommend strategies for improvement;
- (k) obtain legal advice where necessary and ensure that the policies and practices comply with legal requirements;
- (l) provide periodic reviews of the implementation of this policy;
- (m) ensure that notices about the provisions of the Employment Equity Act (in a format prescribed by the Act) are prominently displayed in the workplace

7.6.3 Employment Equity Committee

- (a) The Local Labour Forum (LLF) shall also serve as, among other things, the *de facto* Employment Equity Committee for the Municipality.
- (b) The main role of the committee is to –
 - (i) conduct an analysis of the workplace;
 - (ii) prepare and implement an employment equity plan; and
 - (iii) assist with the drafting of the employment equity report by reporting on those trained, promoted and recruited.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 3: JOB EVALUATION (JE) POLICY

PLEASE NOTE THAT THE JE POLICY MUST BE CONSISTENT WITH THE APPLICABLE COLLECTIVE AGREEMENT

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JOB EVALUATION POLICY

PLEASE NOTE THAT THE JE POLICY MUST BE CONSISTENT WITH THE APPLICABLE COLLECTIVE AGREEMENT

1. PREAMBLE

The Municipality is committed to ensuring that all jobs are correctly evaluated, and thereby provides the basis for a fair and orderly grading structure that underpins its commitment to equal pay for work of equal value.

2. PURPOSE

The purpose of the policy is to ensure that the process of job evaluation is both equitable and transparent, irrespective of the size or level of the job, in order to:

- 2.1** Determine the intrinsic worth of all jobs
- 2.2** Systematically assess the degree of complexity of the job content, discretion and requirements, independent of any preconceived standards of remuneration and without regard to the qualities and performance of the incumbent of the job
- 2.3** Create a rational rank order of jobs, and job structure based on a system that is readily understood, fair and defensible, for all stakeholders (e.g. Human Resources, management, staff members and representative staff member union)
- 2.4** Create a rational basis for establishing competitive salary ranges that take internal equity into account, apart from other factors such as national labour market surveys (for external pay equity), skill and performance
- 2.5** Provide human resources management with key data for organisational design, recruitment and selection, performance management, training and development, career planning and pathing, and succession planning.

3. SCOPE OF APPLICATION

This policy applies to all jobs in the Municipality, both permanent and fixed term contract positions.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)

- 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

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy outlines the process for assessing the relative worth of different jobs within an organization, based on factors such as skill level, responsibility, and complexity, and determining appropriate compensation levels.

7. POLICY PROVISIONS

7.1 Job evaluation principles

- 7.1.1** Job evaluation shall ensure that work done at similar levels have a similar salary range so that disparities or inequalities in the payment of salaries are minimised.
- 7.1.2** Every staff member is entitled to know the grade of the post that he or she occupies.
- 7.1.3** Posts shall be evaluated –
- (a)** within six months of a material and permanent change to the job content of or job requirements for a post; or
 - (b)** before a new post is filled.
- 7.1.4** The head of the relevant department and the manager responsible for human resources shall provide the job evaluation committee with their representations as to whether the job description has materially and permanently changed.
- 7.1.5** The evaluation of the job may result in the job being –
- (a)** upgraded
 - (b)** downgraded; or
 - (c)** remaining on the same grade.
- 7.1.6** All jobs shall be evaluated using the Council-approved Job Evaluation System.

- 7.1.7 Job evaluation shall centre on the job, and not the staff member performing the job.
- 7.1.8 All jobs shall be evaluated as they are, not as what the evaluator or incumbent imagine it could or should be.
- 7.1.9 Job evaluation shall not be used as a means to a promotion or reward, though a properly authorised job evaluation of a particular job may result in a higher grading.

7.2 Job evaluation system

- 7.2.1 The Municipality must utilise a job evaluation system to determine the job grade

7.3 Job descriptions

- 7.3.1 Every post on the staff establishment of the Municipality shall have a written job description.
- 7.3.2 The municipality shall keep a record of job descriptions for all posts.
- 7.3.3 The supervisor shall develop, and where appropriate, review a job description for a post that the supervisor is responsible for.
- 7.3.4 A job description shall contain at least the job title, objectives of the job, the location of the job on the staff establishment, key responsibilities, competencies and requirements of the relevant job.
- 7.3.5 A job description may be reviewed at least once every five years following the reorganisation of the municipal administration resulting in significant changes to the jobs to ensure that the job description remains relevant and current.
- 7.3.6 The Municipality shall, from time to time, align job descriptions to the standards and guidelines, as well as adopt generic jobs and benchmarking of critical jobs, set by the Minister.

7.4 Establishment of Job Evaluation Committee

- 7.4.1 A Job Evaluation Committee is hereby established to evaluate all jobs in the Municipality.
- 7.4.2 The Municipality shall consider evaluating all jobs in the Municipality using the district-level job evaluation committee, subject to a written agreement with the participating local municipalities in the district, a representative committee, as well as the proportional sharing of costs.

7.5 Composition of Job Evaluation Committee

- 7.5.1** The job evaluation committee shall consist of the following:
- (a)** Manager responsible for job evaluation or any person delegated by that manager.
 - (b)** Two representatives from each trade union who shall be released from their responsibilities to attend meetings of the job evaluation committee.
 - (c)** Four suitable additional members, each from different functional areas within the Municipality to undertake the grading of the jobs.
 - (d)** [In the case of a district level committee, representatives from the local municipalities.]
- 7.5.2** The municipal manager shall approve the composition of the job evaluation committee.
- 7.5.3** The municipal manager, or delegate, may appoint an external independent advisor with sufficient experience and knowledge in job evaluation to —
- (a)** provide support to and assist the job evaluation committee in carrying out its roles and responsibilities; or
 - (b)** conduct the job evaluation on behalf of the committee and to present the outcomes of the job evaluation to the committee for ratification.
 - (c)** The manager responsible for the job that is being evaluated may attend the meeting of the job evaluation committee by invitation.
- 7.5.4** Members of the job evaluation committee shall —
- (a)** appoint a chairperson; and
 - (b)** receive adequate training to perform their duties on the committee.
- 7.5.5** The job evaluation committee shall appoint a secretary to support it in carrying out its functions.
- 7.5.6** The job evaluation committee's quorum is 50% plus one of the members. In the event that a meeting does not quorate, the meeting shall be postponed, and another date set where the members present form the quorum.
- 7.5.7** If a member of the job evaluation committee's job is being evaluated, he or she shall be recused from the meeting until the relevant agenda item has been disposed of.
- 7.5.8** Decisions of the job evaluation committee shall be taken by consensus, and if the committee fails to reach consensus, by a majority of the members of the committee, with the chairperson having a casting vote, in addition to a deliberative vote.

7.5.9 The meetings of the job evaluation committee shall be recorded.

7.5.10 Should the Municipality's capacity to conduct job evaluation become inadequate, the bargaining council shall be requested to assist: Provided that a job evaluation committee is established at a district level by written agreement of the participating local municipalities, and the membership of the committee is representative of each of the affected municipalities.

7.6 Rules governing Job Evaluation Committee and Appeal Committee

7.6.1 A member of the Job Evaluation Committee and Appeal Committee shall recuse himself or herself in the event of a conflict of interest.

7.6.2 The members of the Job Evaluation Committee and Appeal Committee shall maintain confidentiality on all grading outcomes prior to formal notification of the outcomes and may not disclose any information about the job evaluation process in a manner that may prejudice the implementation of the committee's outcomes.

7.6.3 The members of the Job Evaluation Committee and Appeal Committee shall conduct themselves in a fair, transparent and impartial manner and shall not unduly influence or interfere with the grading process.

7.7 Consequences of re-graded post

7.7.1 The salary attached to a post that has been re-graded shall be adjusted as follows:

- (a)** If the current salary of a staff member in that post is within the salary scale of the new grade, the staff member shall be placed on the salary notch immediately above the staff member's current salary
- (b)** If the current salary of the staff member in that post is below the minimum of the new grade, the staff member shall be placed on the minimum notch of the salary scale for the new job grade; and
- (c)** If the current salary of the staff member in that post is higher than the new grade maximum, the staff member shall retain his or her existing salary and annual cost of living adjustments shall be applied to the retained salary.

7.7.2 The municipal manager shall approve the staff members grading outcome within 30 days of such grading having been approved by the job evaluation committee: Provided that sufficient budgeted funds have been made available for the grading of such post and that no post shall be graded retrospectively.

7.7.3 Notwithstanding clause 7.7.2, a new staff member appointed to the re-graded post shall be paid according to the job grade.

7.7.4 If a filled post is downgraded, the municipality may, if practicable —

- (a)** first attempt to re-design the job; or
- (b)** offer the incumbent a transfer to a vacant post with an equivalent grading to the staff member's job before the downgrading.

7.8 Appeal about job evaluation outcome

7.8.1 The Municipality hereby establishes a Job Evaluation Appeals Committee to process and determine job evaluation appeals of staff members.

7.8.2 The rules, procedures and composition of the Job Evaluation Committee shall apply to the Job Evaluation Appeals Committee, along with changes where necessary.

7.8.3 A staff member who is dissatisfied by a decision of the Job Evaluation Committee may lodge an appeal to the Job Evaluation Appeals Committee within 30 days of being informed of the decision of the Job Evaluation Committee.

7.8.4 The following may be grounds for appeal and review:

- (a)** An inaccurate job description in relation to the post or job
- (b)** Procedural irregularity
- (c)** Evidence of discrimination and/or bias
- (d)** Inconsistent results in comparison with similar positions within the Municipality

7.8.5 The appeal or review may not be based on the grounds of:

- (a)** the incumbent's performance, skills, knowledge or any other personal attribute
- (b)** the budget or affordability

7.8.6 Once the appeal or review has concluded, the outcome of the appeal or review shall be communicated to the Head of Department, line manager and the complainant, through the Human Resources Unit.

7.8.7 Once the appeal or review has concluded, no further appeal is available through the job evaluation process.

7.8.8 Should the complainant be dissatisfied with the outcome of the appeal or review, then this shall be addressed via the grievance procedure.

7.9 Job grade implementation

- 7.9.1** Once the grade has been ratified by the Job Evaluation Committee, the grade is then communicated to the relevant Head of Department and line manager through the Human Resource Unit.
- 7.9.2** The Human Resource Unit shall advise line management on the options regarding the implementation of the outcome. The outcome could include:
- (a)** A commensurate salary adjustment for the incumbent in line with the new job responsibilities and the new grade
 - (b)** The reinstatement of the previous job description at the old grade, with a commensurate adjustment in job responsibilities and performance management indicators for the incumbent; or
 - (c)** An adjustment of working conditions in order to afford the commensurate salary range for the new job at the new grade.
- 7.9.3** The Human Resource Unit shall proceed to implement the outcomes in line with the Municipality's policies and the delegated authority.

7.10 Roles and responsibilities

7.10.1 Job Evaluation Committee

The Job Evaluation Committee shall –

- (a)** Ensure that a job evaluation system is applied consistently for all jobs in the Municipality
- (b)** Plan and prioritise the grading needs of the Municipality
- (c)** Recommend to the relevant approving authority the grading of the post and the date when any new grading may take effect: Provided that no post shall be upgraded unless sufficient budgeted funds have been made available, including funds for the remaining period of the relevant medium-term revenue and expenditure framework for purposes of upgrading of posts; and
- (d)** Monitor the quality of job descriptions.

7.10.2 Job Evaluation Appeals Committee

The job evaluation appeals committee shall process and determine job evaluation appeal of staff members.

7.10.3 Municipal Manager

The Municipal Manager shall ensure that –

- (a) A job evaluation system is in place
- (b) The Council approves the job evaluation system insofar as the Minister determines more than one system in terms of the Regulations
- (c) Each post on the staff establishment has a job description
- (d) A job evaluation committee and job evaluation appeals committee are established and functional; and
- (e) Every staff member is advised of the grade of the post that the staff member occupies.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

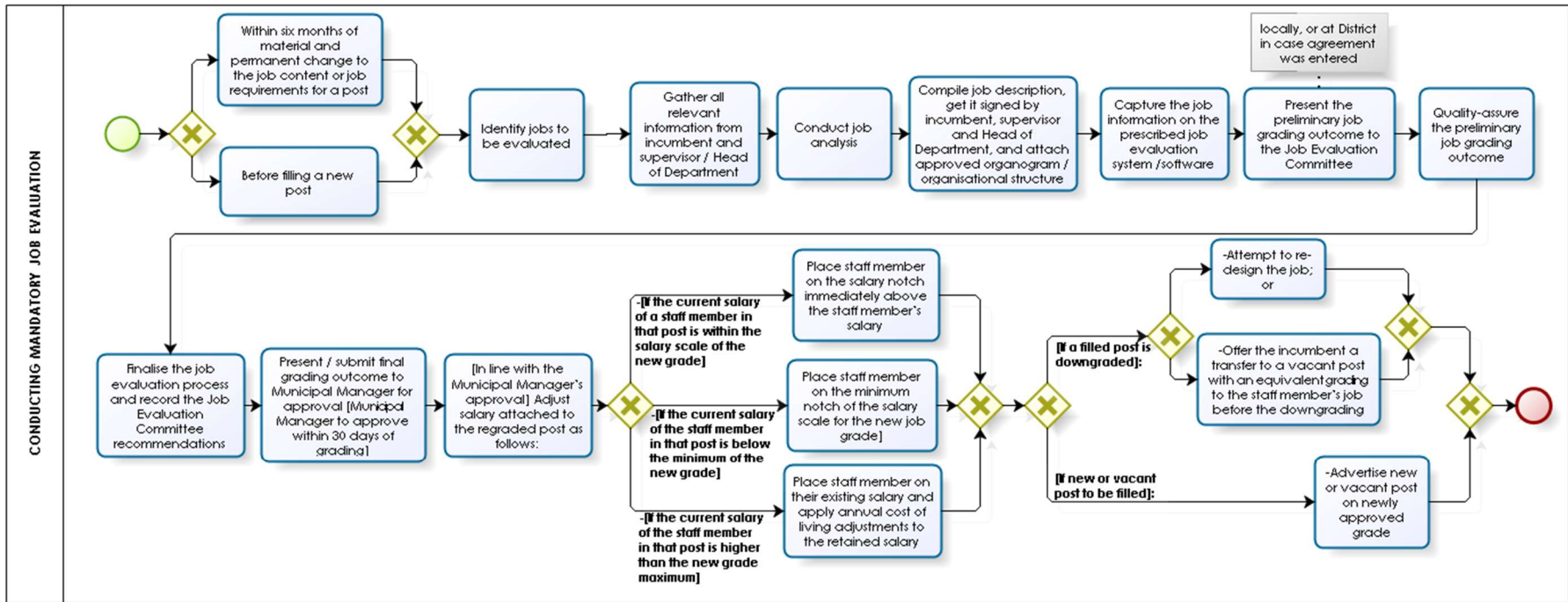
Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: CONDUCTING MANDATORY JOB EVALUATION

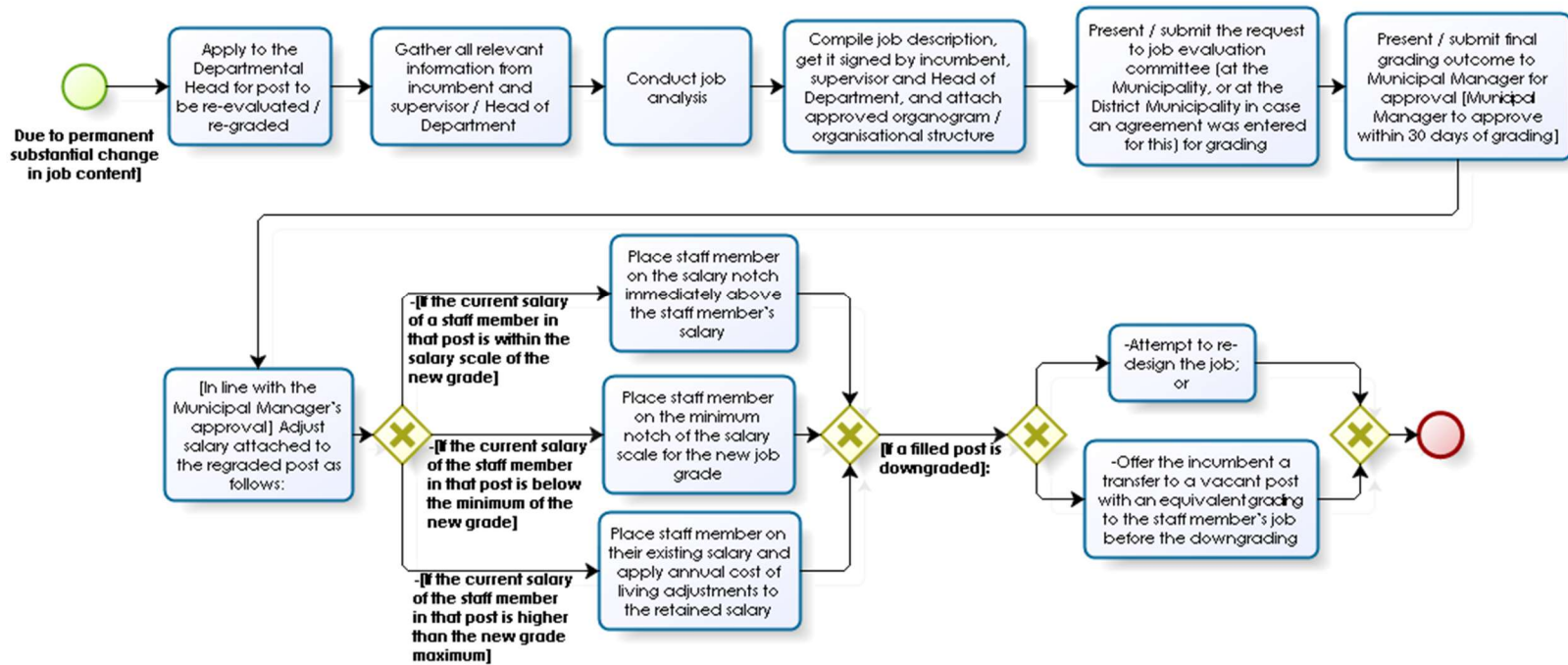
CONDUCTING MANDATORY JOB EVALUATION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	<i>[Within six months of material and permanent change to the job content or job requirements for a post; OR Before filling a new post]</i> Identify jobs to be evaluated			
2.	Gather all relevant information from incumbent and supervisor / Head of Department			
3.	Conduct job analysis			
4.	Compile job description, get it signed by incumbent, supervisor and Head of Department, and attach approved organogram / organisational structure			
5.	Capture the job information on the prescribed job evaluation system /software			
6.	Present the preliminary job grading outcome to the Job Evaluation Committee <i>[locally, or at District in case agreement was entered]</i>			
7.	Quality-assure the preliminary job grading outcome			
8.	Finalise the job evaluation process and record the Job Evaluation Committee recommendations			
9.	Present / submit final grading outcome to Municipal Manager for approval <i>[Municipal Manager to approve within 30 days of grading]</i>			
10.	<p><i>[In line with the Municipal Manager's approval]</i> Adjust salary attached to the regraded post as follows:</p> <ul style="list-style-type: none"> - <i>[If the current salary of a staff member in that post is within the salary scale of the new grade]</i> Place staff member on the salary notch immediately above the staff member's salary - <i>[If the current salary of the staff member in that post is below the minimum of the new grade]</i> Place staff member on the minimum notch of the salary scale for the new job grade] - <i>[If the current salary of the staff member in that post is higher than the new grade maximum]</i> Place staff member on their existing salary and apply annual cost of living adjustments to the retained salary 			
11.	<p><i>[If a filled post is downgraded]:</i></p> <ul style="list-style-type: none"> - Attempt to re-design the job; or - Offer the incumbent a transfer to a vacant post with an equivalent grading to the staff member's job before the downgrading 			
12.	<p><i>[If new or vacant post to be filled]:</i></p> <ul style="list-style-type: none"> - Advertise new or vacant post on newly approved grade 			



ANNEXURE B: CONSEQUENCES OF A RE-GRADED POST

CONSEQUENCES OF A RE-GRADED POST				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	<i>[Due to permanent substantial change in job content]</i> Apply to the Departmental Head for post to be re-evaluated / re-graded			
2.	Gather all relevant information from incumbent and supervisor / Head of Department			
3.	Conduct job analysis			
4.	Compile job description, get it signed by incumbent, supervisor and Head of Department, and attach approved organogram / organisational structure			
5.	Present / submit the request to job evaluation committee (at the Municipality, or at the District Municipality in case an agreement was entered for this) for grading			
6.	Present / submit final grading outcome to Municipal Manager for approval [Municipal Manager to approve within 30 days of grading]			
7.	<p><i>[In line with the Municipal Manager's approval]</i> Adjust salary attached to the regraded post as follows:</p> <ul style="list-style-type: none"> - <i>[If the current salary of a staff member in that post is within the salary scale of the new grade]</i> Place staff member on the salary notch immediately above the staff member's salary - <i>[If the current salary of the staff member in that post is below the minimum of the new grade]</i> Place staff member on the minimum notch of the salary scale for the new job grade] - <i>[If the current salary of the staff member in that post is higher than the new grade maximum]</i> Place staff member on their existing salary and apply annual cost of living adjustments to the retained salary 			
8.	<p><i>[If a filled post is downgraded]:</i></p> <ul style="list-style-type: none"> - Attempt to re-design the job; or - Offer the incumbent a transfer to a vacant post with an equivalent grading to the staff member's job before the downgrading 			

CONSEQUENCES OF A RE-GRADED POST



PART B: EMPLOYMENT PRACTICES

CHAPTER 4: RECRUITMENT, SELECTION AND APPOINTMENT POLICY

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RECRUITMENT, SELECTION AND APPOINTMENT POLICY

1. PREAMBLE

The Municipality endeavours to match the human resources to its strategic and operational needs whilst ensuring the full utilisation and continued development of the staff members. All aspects of the employment – structures, recruitment, selection, interviewing and appointment of staff members - shall be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions, except where explicitly provided for affirmative action and employment equity.

2. PURPOSE

- 2.1 Enable the Municipality to recruit suitable candidates for appointment in specific posts in order to deliver the required services to the community and to assist in the optimal development of the municipal area and its residents;
- 2.2 Ensure that the process of recruitment, selection and appointment is objective, transparent and equitable as required by the Employment Equity Act, Labour Relations Act and other applicable legislation;
- 2.3 Establish proper structures and clear responsibilities for the purpose of recruitment;
- 2.4 Establish clear procedures for all role-players participating in the recruitment process;
- 2.5 This policy is further based on the principles of best practice human resource management that ensures the Municipality must –
 - 2.5.1 be characterised by a high standard of professional ethics;
 - 2.5.2 promote the efficient, economic and effective utilisation of staff members;
 - 2.5.3 conduct human resources in an accountable manner;
 - 2.5.4 be transparent;
 - 2.5.5 promote good human resource management and career development practices, to maximise human potential; and
 - 2.5.6 ensure that its administration is broadly representative of the people of South Africa, with human resources management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.

3. SCOPE OF APPLICATION

3.1 This policy is applicable to all staff members and prospective staff members of the municipality but excludes the following:

3.1.1 Appointments under the Extended Public Works Programme / Community Development Workers; and

3.1.2 Appointments of students and interns.

4. 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

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. POLICY INTENT

[Unique to each Municipality's situation: state prevailing problems that the policy shall regulates and provide framework for managing them]

7. PRINCIPLES

7.1 The Recruitment Policy and its implementation will be aimed at ensuring the right people with the right skills and competencies in the right place at the right time.

- 7.2 Each appointment shall be rationally and objectively, justifiable by reference to the strategic and operational needs of municipality.
- 7.3 All aspects of the staffing process shall be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions in line with the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) as amended and the relevant provisions of the Employment Equity Act, 1998 (Act No. 55 of 1998).
- 7.4 Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the organisation.
- 7.5 The selection shall be competency based in relation to the inherent requirements of the job provided that selection shall favour, as determined by the approved Employment Plan suitably qualified applicants as defined in section 20(3) of the Employment Equity Act, 1998 (Act No. 55 of 1998).
- 7.6 Canvassing or use of undue influence by job applicants or any other person on behalf of job applicants, for posts within the municipality's service is prohibited and evidence thereof will disqualify the applicant's application for consideration.
- 7.7 The expeditious filling of posts within prescribed time frames will require an active partnership between Line Departments and Corporate HR.
- 7.8 The recruitment process will be non-discriminatory and no person should be refused employment on any arbitrary or discriminatory basis such as race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth except for the purpose of affirmative action as stipulated in section 6(1) of the Employment Equity Act (referred to herein as EEA).
- 7.9 The municipality is an Employment Equity Employer and preference should thus be given to suitably qualified candidates who fall within the designated and under-represented groups as defined in section 1 of the EEA.

8. RECRUITMENT

8.1 Determination of recruitment needs

- 8.1.1 Prior to filling a post, the need will be assessed with due consideration to and compliance with all applicable policy or legislative requirements.
- 8.1.2 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.

- 8.1.3** If a funded post on the approved staff establishment becomes vacant or is due to become vacant the relevant head of department must submit a recruitment requisition form for approval by the Municipal Manager or delegate. No post may be filled unless and until approval has been granted by the Municipal Manager or delegate.
- 8.1.4** The Municipal Manager or delegate must confirm the following before granting an approval:
- (a) the post exists on the approved staff establishment of the municipality; and
 - (b) the post has been budgeted for.
- 8.1.5** 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.

9. INHERENT AND COMPETENCY REQUIREMENTS FOR STAFF MEMBERS

- 9.1** A person appointed as staff member in terms of this policy shall, where applicable have the necessary competencies; and comply with the minimum requirements for education qualifications, work experience and knowledge as set out in Annexure A of the Regulations.
- 9.2** In the event that the inherent and competency requirements do not appear in Annexure A of the Regulations, the municipality must adopt the same in line with the framework provided in the Regulations.
- 9.3** The inherent requirements of a job shall refer to the key performance areas, competencies, knowledge, skills and qualifications required in order to perform in that role to achieve the service mandate of the organisation.
- 9.4** Prior to the process commencing, the key performance areas, skills, knowledge, competencies and stated educational requirements as contained in the competency framework and job description are determined for utilisation in the selection and assessment process.
- 9.5** The inherent and competency requirements must be so stated as to attract the right pool of applications and not to unfairly exclude potential applications to the position.

10. ADVERTISING OF VACANT POST

- 10.1** 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.

- 10.2** The job description and job specifications referred to in par. 10.1 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.
- 10.3** A shortened advertisement in two official languages may be placed in the relevant newspapers and on relevant digital mediums as pre-approved by the Municipality, but the full advertisement (in all two official languages) shall be available on the Municipal website and at the Human Resources Division.
- 10.4** 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.

10.5 The Human Resource Unit shall, where required, register job vacancies with the Public Employment Services (PES), as well as notify the PES when filling the vacancies.

10.6 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.

10.7 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.

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

Nature of post	Advertising medium
Low level staff members	Local newspapers, billboards or internally
Middle management	National and provincial newspaper
Senior management and professional occupations	Internally, or provincial or national newspapers

10.9 Internal advertisements shall be circulated electronically and placed on designated notice boards and/or other places as agreed as deemed appropriate to the recruitment.

10.10 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.

11. UTILISATION OF RECRUITMENT AGENCY

Where the municipality does not have the capacity to manage recruitment processes, the services of external employment / personnel agencies may be utilised for recruitment processes subject to compliance with the Supply Chain Management Policy and in terms of an approved tender. The recruitment agency shall not undertake the selection process

12. UNSOLICITED APPLICATIONS

Unsolicited applications received during the course of the Municipality's operations shall be returned forthwith to the applicant stating that the Municipality did not have any vacancies at the time when the application was submitted and that should any vacancy arise, the Municipality would advertise such vacancy. Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

13. HEAD HUNTING

13.1 Head hunting through recruitment agencies shall, where utilised, be applied with caution at all times, and it may be employed at any stage of the selection process, when the selection panel is of the opinion that the assessed candidates are not suitable and / or do not meet the requirements of the employment equity plan. The following conditions shall also apply:

13.1.1 Recruitment agencies on the preferred list of recruitment service providers shall be provided with a copy of the recruitment advert for use in finding suitable candidates.

13.1.2 The detailed head-hunting principles and guidelines shall be agreed to in the Local Labour Forum and approved by Council.

14. APPLICATION FOR VACANT POST

14.1 An application for a vacant post must be made on the prescribed form of the Municipality, in both hard copy and online version. Any applicant or category of applicants, who has not complied with this requirement and did not complete the official application form, will be automatically disqualified.

14.2 Human Resources must ensure that a sufficient supply of official application forms is available and accessible at all times.

14.3 An application for a post must disclose an applicant's –

14.3.1 qualifications and experience;

14.3.2 contactable references.

14.3.3 registration with a relevant professional body, if applicable;

14.3.4 full details of any dismissal for misconduct or substandard performance; and

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

14.4 Misrepresentation or failure to disclose material information contemplated in clause 14.3 and the application form is a breach of the Code of Conduct for Municipal Staff.

14.5 Applications not made on the prescribed application form for employment shall render any appointment or contract entered into, between the municipality and the successful candidate invalid.

14.6 Record of all applications received in response to advertisements as well as ad hoc applications received by Human Resources, should be maintained and disposed in line with the National Archives of South Africa Act

14.7 The record shall 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.

15. SELECTION

15.1 Selection panel (NB: A municipality must categorise the selection panel according to different categories of staff members)

15.1.1 The Municipal Manager or his or her delegate shall appoint a selection panel for each of the advertised post to recommend the appointment of suitable persons to the vacant post.

15.1.2 The selection panel for a post shall once constituted, always remain the same. 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 shall be reconstituted.

15.1.3 The selection panel shall comprise of at least 3 but not more than 5 members.

15.1.4 The chairperson of the panel shall be the supervisor, or a staff member employed at least one job grade higher than that of the advertised post.

15.1.5 In deciding on the composition of the selection panel, the Municipal Manager shall consider the following:

(a) nature of the post;

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

(c) skills, expertise, experience and availability of the person to be involved.

15.1.6 A member of a selection panel shall –

- (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 short-listed candidate or vice versa; or
 - (iii)** any other conflict of interest.
- (c)** sign a prescribed declaration of confidentiality to avert the disclosure of information to unauthorised persons.

15.1.7 Where a union representative is allowed to attend interviews as an observer, he or she shall sign the declaration as prescribed to prevent the disclosure of information to unauthorised persons.

15.1.8 The head of human resources or his or her delegate shall facilitate and provide advisory services during the selection process to ensure compliance with the Regulations in the recruitment and selection process.

15.1.9 A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.

15.1.10 Each panel member shall disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.

15.1.11 If a conflict of interest becomes apparent during the selection process, the Municipal Manager or his or her delegate shall take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.

15.1.12 If a conflict of interest becomes apparent after the appointment, the Municipal Manager or his or her delegate shall report the matter to the Council, which shall take remedial action, including possible disciplinary action.

15.2 Compiling shortlist of applicants

15.2.1 The Municipality shall compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.

15.2.2 The selection panel shall compile a short-list based on the inherent requirements of the position and with due regard to Section 20 of the Employment Equity Act and Employment Equity Plan of the municipality.

- 15.2.3** Any candidate, internal or external, should be placed on the shortlist only if they meet the requirements of the advertisement and the selection criteria. If a large number of applicants meet the minimum selection criteria, a further shortlisting process may be required.
- 15.2.4** If a post is advertised locally, only applicants residing within the municipal, district or provincial boundaries shall be considered for the shortlisting.
- 15.2.5** If a post is advertised provincially only applicants residing in the Province may be considered for the shortlisting.
- 15.2.6** If a post is advertised nationally all applicants shall be considered for the shortlisting.
- 15.2.7** If a post is advertised internally, only internal candidates shall be considered for the shortlist of candidates.
- 15.2.8** The criminal record and disciplinary record of applicants shall be taken into consideration when compiling a shortlist.
- 15.2.9** If no candidate matches the inherent and prescribed competency requirements during the shortlisting process, the municipality must re-advertise the post.

15.3 Interviews

- 15.3.1** The Human Resource functionary must notify shortlisted candidates of their shortlisting, the venue, date, time and nature of the selection process at least five (5) days prior to the interviews using the contact details provided by the candidate on the Application Form for Employment.
- 15.3.2** Where necessary, travel and accommodation arrangements may be organised in terms of the municipality's travel and subsistence policy.
- 15.3.3** On the day of the interview, the Human Resource functionary must provide the selection panel with the list of short-listed candidates, screening reports and copies of applications prior to the commencement of interviews.
- 15.3.4** The Municipality shall grant observer status to each of the recognised trade union representatives during the interviews: Provided that failure by trade union representatives to attend the interview shall not invalidate the outcome of the selection process.
- 15.3.5** All selection panel members and trade union representatives must sign the Declaration of Confidentiality Form as contained in Annexure C of the Regulations to prevent the disclosure of information to unauthorised persons.
- 15.3.6** Before the interviews for a specific post commence, the selection panel shall confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.

- 15.3.7** The selection panel must compile a list of questions relating directly to the job concerned, to be asked during the interview and a score sheet and such questions and score sheets to all persons who would be involved in the interview.
- 15.3.8** The selection panel must utilise the Interview Assessment Form, Evaluation Rating Scales as contained in Guideline 2C of the Guidelines and scoring sheet to evaluate candidates.
- 15.3.9** Completed score sheets and any written record must be kept in safe storage for a period of at least twelve (12) months after an appointment decision has been made.
- 15.3.10** After considering all the relevant information, the selection panel shall 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.
- 15.3.11** If it is determined that the selection process has not attracted suitable candidates, the post may be re-advertised provided that reasons are recorded.
- 15.3.12** If the municipality is unable to attract suitable candidates after re-advertising the post, head-hunting may be considered provided that the post is categorised as a critical and scarce skill post.
- 15.3.13** The municipality must utilise the critical and scarce skills list determined by the Minister responsible for higher education and training.
- 15.3.14** All candidate headhunted shall be subjected to an assessment and interview process as outlined in this Policy.
- 15.3.15** A candidate must score at least 60% in the interview and 60% in the practical test in order to be declared as competent.
- 15.3.16** The recommendations of the selection panel shall 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.
- 15.3.17** If the selection panel recommends an appointment to the post, it shall submit its recommendation to the Municipal Manager or his or her delegate for approval.

15.4 Competency/proficiency tests

- 15.4.1** One or more relevant proficiency tests (e.g. computer skills tests, operating equipment, writing tests, technical presentations, etc.) may be required to be conducted before or after an interview is conducted.

- 15.4.2** A proficiency test may only be required if the outcome thereof is relevant to the expected job standards that would be expected of the staff member and it relates to the job description.
- 15.4.3** A proficiency test shall be conducted under the supervision of the selection panel.
- 15.4.4** A candidates may be subjected to competency tests / assessments. In terms of section 8 of the Employment Equity Act, assessments may only be used if they can be applied fairly to all candidates and are not biased against any staff member, candidate or group. Competency/practical assessments should be accompanied by a pre-determined memorandum of response (set of answers) and candidates should score at least 60% in the assessments. During the conduction of competency assessments, candidates shall be identified by a pre-determined number and not by his/her name.
- 15.4.5** The results of the competency/practical assessments of candidates who passed the test may only be made available by the Human Resources Practitioner to the Selection Panel after interviews have been conducted.

16. REFERENCES AND PERSONAL CREDENTIAL VERIFICATION

- 16.1** The Human Resources section and/or external Service Provider appointed for such purpose must –
- (a)** verify the candidate's inherent requirements of the job with the current or previous employer;
 - (b)** establish the validity of candidate qualifications and any other verification required by the position before appointment;
 - (c)** determine 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)** verify 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.
- 16.2** Medical testing will only be utilised if required or permitted by legislation or if it is justified in light of health conditions as an inherent requirement of a job.
- 16.3** When it is expected from a person to register as a Peace Officer, proof of a clean criminal record must be submitted by the shortlisted candidate prior to finalisation of shortlisted candidates to be invited for practical assessments.
- 16.4** A written report on the outcome of the reference checks and personal credential verification shall be compiled before the appointment is concluded.

16.5 The absence of a previous employment record shall not disqualify a candidate for appointment to an advertised post.

17. APPOINTMENT

17.1 An applicant may be appointed as a staff member only if they –

- (a)** possesses the relevant competencies as prescribed in the Municipal Staff Regulations; and
- (b)** is not disqualified in terms of the policy provisions on the re-employment of dismissed municipal staff.

17.1.1 The Municipal Manager or the staff member to whom this function is delegated shall –

- (a)** consider the recommendations of the selection panel; and
- (b)** decide –
 - (i)** on whom to appoint; and
 - (ii)** the terms and conditions of employment.

17.1.2 Before deciding to appoint, the Municipal Manager or his/ her delegate shall satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in the competency framework of the Municipal Staff Regulations.

17.1.3 If the decision of the municipal manager or the delegate does not accord with the recommendations of the selection panel, the reasons for such a decision shall be recorded in writing.

17.1.4 An appointment shall only take effect after the Municipal Manager or his or her delegate has approved the appointment.

17.1.5 Successful candidates should be informed by the Human Resources Division within 7 working days of the final selection decision, if possible. This communication should be in the form of an offer of employment stipulating remuneration, benefits and commencement date. Should such an offer be accepted, communication to the successful candidate in the prescribed manner should be dispatched as soon as possible.

17.1.6 The successful candidate must confirm acceptance or decline of offer within five (5) working days from the date the written employment offer was received by the candidate.

17.1.7 The Human Resources section should inform unsuccessful candidates who attended interviews of the outcome, in writing, no later than 7 working days after the appointment has been accepted by the successful candidate.

17.1.8 Unsuccessful candidates shall on request be provided with, or given reasons, in writing why they were not successful or appointed.

17.1.9 Disputes resulting from the appointment of a candidate should be dealt with in terms of the Bargaining Council's dispute resolution process and applicable labour laws.

17.2 Appointment of permanent staff

17.2.1 Except where specifically determined in terms of this policy, appointments of staff members shall be on a permanent basis.

17.3 Appointment of support staff to offices of Public Office Bearers

17.3.1 An applicant appointed to a post on the approved staff establishment in order to support the office of a public office bearer shall either be –

(a) seconded from a post on the 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.

17.3.2 The duration of the secondment or fixed-term employment contract in this regard may not be longer than 30 days after the public office bearer vacates office.

17.4 Appointment of staff on fixed term contract

17.4.1 Notwithstanding clause 17.2 above and subject to the provisions of section 198B of the Labour Relations Act, the Municipality may in exceptional circumstances and within the administrative and financial capacity appoint a person or persons on fixed term contract without adhering to the full provisions of this policy.

17.4.2 Procedures and criteria for such appointments shall be agreed to in the Local Labour Forum.

17.5 Appointment of replacement labour in the event of a strike

17.5.1 The employment of replacement labour during a strike in terms of Section 76 of the Labour Relations Act shall be based on the main and divisional collective agreements entered in the SALGBC, and details agreed to in the Local Labour Forum.

17.6 Re-employment of dismissed municipal staff

17.6.1 A person who was dismissed from a municipality for any reason stated in the Category of Misconduct in Annexure E of the Municipal Staff Regulations may

not be employed in the Municipality before the period set out, or any concurrent periods set out, has expired.

17.6.2 Notwithstanding clause 17.6.1, a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.

17.6.3 The Municipality shall maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings.

17.6.4 The record shall contain –

(a) full names and identity number of the person;

(b) title of the post that the person occupied;

(c) nature of the misconduct;

(d) date of suspension, if any;

(e) conditions of suspension, if any;

(f) date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration;

(g) date of commencement of the disciplinary hearing or pre-dismissal arbitration;

(h) finding;

(i) whether a dispute was referred to the SALGBC or the Labour Court;

(j) costs incurred by the municipality; and

(k) date of resignation or dismissal of the person.

17.7 Probation

17.7.1 The appointment of a person as per this policy shall be effective on a minimum probationary period of three months and a maximum probationary period of 12 months.

17.7.2 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.

17.7.3 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.

- 17.7.4** 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.
- 17.7.5** 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.
- 17.7.6** 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.
- 17.7.7** Notwithstanding clause 17.7.1 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.
- 17.7.8** Within one month after the completion of the probationary period, the Municipal Manager or his or her delegate shall –
- (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.

17.8 Completion of probation period

- (a)** The Municipal Manager or his/her delegate shall confirm the appointment of the staff member after completion of the probation period if:
 - (i)** The staff member's performance during the probation period was satisfactory (the staff member was awarded at least 66% for each probation assessment); and
 - (ii)** The staff member complied with all the conditions of the probation appointment.
- (b)** On submission of the final probation report and upon approval of the director or Municipal Manager, the Human Resources Division shall notify the staff member in writing of his/her permanent appointment within one (1) month after completion of the probation period.
- (c)** Should the Director or Municipal Manager not recommend appointment after completion of the initial probation period, he/she must refer to the Human Resources division in writing that:
 - (i)** The probation period be extended; or
 - (ii)** The service of the staff member be terminated, subject to the stipulations of paragraphs 8 and 9 of Schedule 8 of the Labour Relations Act (Act 66 of 1995) as amended.
- (d)** If a staff member on probation works beyond the initial probation period without being evaluated and informed of the permanent appointment or extension of the probation period, the staff member will be regarded as having successfully completed the probation requirements.

17.9 Underperformance during probation

During the initial probation period, the relevant line manager/supervisor and director (in terms of their delegated powers) must express in writing to the Human Resources division should they be of the opinion that the incumbent not perform up to standard in terms of his/her job requirements. The Human Resources division shall as a result advise the line manager/supervisor and director as to the necessary steps (refer to clause 7.20.11 and 7.20.12) to initiate in order to provide guidance or training to the incumbent, or to conduct further investigation.

17.10 Extension of the probation period

- (a)** Should the relevant director and/or Municipal Manager be of the opinion that the staff member's performance does not meet the required standards of the post, he/she may extend the probation period on the basis of performance and provided that the extension is not disproportionate to the legitimate purpose that the employer seeks to achieve. The performance of the staff member should be assessed on an ongoing basis during the

probation period to ensure that shortcomings in performance are identified and the necessary corrective action taken immediately.

- (b) The staff member on probation is entitled to be given reasonable evaluation, instruction, training, guidance and/or counselling where necessary to enable him/her to render satisfactory performance.
- (c) Should a staff member not meet the required performance standard(s) or is alleged to be incompetent for the post during the probation period, the line manager must advise the staff member on aspects in which he/she does not meet the required performance standards of the post or is alleged to be incompetent and record such detail on the prescribed form. The line manager and director must furthermore supply written reason to the staff member as to why an extension of the probation period is necessary and the terms thereof. Areas of under-performance must be indicated on the probation record form.
- (d) 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. It is the responsibility of the relevant line manager to obtain the staff member's leave record from the Human Resources Division and to ensure that the probation period less leave taken amounts to three (3) months.

17.11 Termination of employment based on incapacity and/or poor performance during the probation period

- (a) In dealing with poor performance or incapacity issues in this regard, the provision of fair labour practice indicated in the Labour Relations Act shall be adhered to the following:
 - (i) For posts on levels ... to ..., the relevant director may, after thorough investigation of reports, approve termination of employment of a staff member based on incapacity and/or under-performance after sufficient reasons have been recorded in writing (on Collaborator task or per memorandum) for termination.
 - (ii) For posts on levels ... and above, the relevant director shall motivate and give reasons in writing (on Collaborator task or per memorandum) to the Municipal Manager as to why permanent appointment of the specific incumbent is not recommended. The report to the Municipal Manager should contain results of monthly probation reports extracted from Collaborator, evidence of support and/or training provided to the staff member for improvement of performance, and any written correspondence to the staff member regarding the probation period and/or extension thereof.
 - (iii) The Municipal Manager may approve the termination (on post levels ... and above) of an incumbent in terms incompetence after satisfactory

consultation with the relevant report(s) from the Directorate in which the post exists.

(iv) A staff member may not be dismissed for unsatisfactory performance unless the employer has provided the staff member with appropriate evaluation, instruction, training, guidance and/or counselling. Furthermore, reasonable time for improvement should have been provided to the staff member before dismissal is considered. The procedure leading to dismissal should include an investigation to establish reasons for the unsatisfactory performance and the employer should consider other ways, short of dismissal, to remedy the matter.

17.12 Induction

17.12.1 All new municipal staff members shall attend a standardised induction programme within a month of commencing employment.

17.12.2 Induction programmes shall result in new staff members having a clear understanding of the operations of the Municipality, as well as its structure, strategy, objectives, and culture.

17.12.3 The Municipality shall use induction programme to:

- (a)** welcome new staff members 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.

17.12.4 The Human Resource Practitioner responsible for Recruitment and Selection, must ensure that the new staff member receives the following documentation/information as part of the employment contract:

- (a)** Appointment letter welcoming the new staff member at the Municipality
- (b)** Details of package (basic salary)

- (c) Overview of benefits
- (d) Code of conduct
- (e) Job description
- (f) Start date, where and whom to report to
- (g) Recruitment specialist contact name

17.12.5 One week prior to the starting date, the supervisor should give the new staff member a courtesy call. This is not compulsory but is recommended.

17.12.6 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 the Director/Line Manager and the relevant team of the new staff member and provide information regarding his/her arrival in order to ensure a welcoming first day. The supervisor should ensure that the Director/Line Manager knows that the new staff member will be arriving and will accordingly direct the staff member to his/her new workstation.

17.12.7 The supervisor must ensure that the new staff member's workstation, access to equipment, passwords, protective clothing, etc. is prepared and ready prior to the new staff member's arrival.

17.12.8 The Human Resources Division must schedule and run an induction programme. The induction programme should be a one-day session before the end of the month in which the staff member commences employment. During the induction programme information should be shared and explained to the new staff member:

- (a) An overview and purpose of the Municipality's integrated development plan
- (b) The structures of the Municipality
- (c) The Vision and Mission of the Municipality
- (d) The Municipality's culture and values ("the way we do things")
- (e) Overview of policies
- (f) Performance management including reward & recognition structures.

17.13 Roles and responsibilities

The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by the Human Resource Unit, in consultation with the Chief Financial Officer (CFO).

18. POLICY MONITORING AND EVALUATION

18.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

18.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

18.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

19. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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1. DEFINITION OF TALENT MANAGEMENT

- 1.1 Talent management is the systematic attraction, identification, development, engagement, retention and deployment of those individuals who are of particular value to the Municipality, either in view of their high potential for the future or because they are fulfilling business / operation-critical roles.
- 1.2 Whereas workforce planning is about the identification of needs, talent management and succession planning are about the development of individuals and the wider workforce, in order to be able to meet those identified needs.
- 1.3 The Municipality's nature of business and workforce is diverse, and therefore an inclusive approach is adopted to enable all staff to have the opportunity to identify their skills, knowledge, abilities and potential through the various human resource process.

2. IMPORTANCE OF TALENT MANAGEMENT FRAMEWORK

The Municipality's talent management framework sets out to:

- 2.1. Act as a tool towards ensuring a high-performance workforce on a continuous basis.
- 2.2. Encourage a learning organisation.
- 2.3. Add value to the competitive position of the Municipality in the labour market.
- 2.4. Contribute to the realisation of the employment equity targets.

3. BENEFITS AND OUTCOMES OF SYSTEMATIC APPROACH TO TALENT MANAGEMENT

The systematic approach to talent management shall benefit the Municipality as follows:

- 3.1. Enable the Municipality to identify the skills and competencies required to support the IDPs and cultivate high performing staff members.
- 3.2. Enable the Municipality to develop staff members to progress within its ranks.
- 3.3. Identify and develop the Municipality's future leaders.
- 3.4. Increase staff member engagement and retain key talent.

4. FOCUS OF THE TALENT MANAGEMENT FRAMEWORK

The talent management framework focus on the following:

- Talent management strategy
- Talent identification

- Monitoring talent management

5. COMMON THEME OF THE TALENT MANAGEMENT FRAMEWORK

The common theme of this framework is that managers need to engage in:

- 5.1.** Workforce planning, the analysis of current workforce to identifying future skills and competencies required to deliver services;
- 5.2.** Succession planning, having plans in place to meet future workforce demands, ensure continuity; and
- 5.3.** Planning, development and review process, individual performance management tool, used to formally identify potential and talent, and to develop staff members.

6. TALENT MANAGEMENT STRATEGY

The Municipality's talent management is embedded in and supports the strategy. Talent management is based on the purpose for managing talent (e.g., enabling the development of human resources, among others, succession planning). This is amplified in the policies and other practices of human resource management. Demographic changes in the Municipal area led to a scarcity of the workforce. Therefore, having talents in the Municipality, retaining them, and recruiting new talents, has become a critical success factor. The Municipality's talent management framework is defined and developed based on the municipal environment, the municipal strategy, and the related objectives for talent management. In other words, the Municipality confronted the following questions: What are the skills and capabilities required in individuals to support the strategy? What are the necessary leadership qualities required? What needs to be thought about in terms of succession planning that aligns to the current workforce? Does this achieve short-term and long-term results? To this end, the following interventions shall be in use:

6.1. Attraction and retention of talented staff members

6.1.1 To attract talents from the labour market and retain them, the Municipality understands the needs of the staff members, and shall then design and promote incentive systems accordingly. These systems shall include, but not limited to, job security in return for high performance and engagement, and development opportunities and employability in exchange for staff member loyalty and engagement. The Municipality shall thus deploy multiple techniques to attract staff, such as:

- (a)** 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.
- (b)** Building talent: Providing training and development for key staff members.

- (c)** 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.
- (d)** Bouncing talent: Investigating opportunities such as secondment, flexible work arrangements, and contract work.
- (e)** Binding talent: Offering financial and non-financial inducements to retain talent.
- (f)** Boosting talent: Promotion and staff recognition schemes.

6.1.2 To retain staff, the Municipality shall embark on the following:

- (a)** Each supervisor shall engage on an individual basis with those staff identified as competent staff members to understand both their tangible and intangible motivations and aspirations. The Department Human Resources shall support supervisors by providing them with the methodology and instruments to undertake this engagement.
- (b)** The engagement shall be integrated with the performance management cycle and the formulation of personal development plans. The engagement with a staff member shall take into account the following:
 - (i)** the staff member's interests, values, skills, and development needs; and
 - (ii)** the various options available to the staff member.
- (c)** The engagement shall result in a plan that is signed off by both the staff member and the relevant supervisor and ratified by the Department Human Resources. The plan shall contain both tangible and intangible actions, timelines, targets, and conditional requirements.
- (d)** The plan shall become the basis for the development, engagement and retention of competent staff members.
- (e)** The Department Human Resources and supervisors shall develop and apply a talent exposure programme for new talent entering the Municipality or entering a specific level within the Municipality. The exposure programme shall aim at providing competent talent with structured exposure to particular fields of work and roles.
- (f)** The Department Human Resources shall 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.
- (g)** Supervisors shall engage with competent staff members in a discussion regarding their plan on an ongoing basis.

- (h) The talent management plan shall be reviewed annually, and the review shall coincide with the performance management cycle of the Municipality.
- (i) The review shall consider the steps that have been completed in the plan, what is still required to be done, performance, next steps, amendments, and support needed.
- (j) The plan shall be updated and sent to the Department Human Resources.

6.2. Development of human capital

6.2.1 The objective of the Municipality is to qualitatively improve its human capital. Development opportunities in the Municipality are therefore geared at satisfying the needs of the talent for career opportunities and advancement.

6.2.2 The Municipality shall have implicit agreements with staff members regarding talent management, staff member development, and career opportunities as the currency offered to gain staff member engagement and loyalty.

6.3. Succession planning

To ensure an adequate talent pipeline and make it easier to fill strategic positions with suitable staff members, an adequate talent succession pool shall be created to have the right number of people with the right skills ready when they are needed.

6.4. Supporting the Municipal strategy

Talent management supports the Municipality by implementing the Municipality's strategy. Talent management is therefore recognised as part of the overall strategy to establish a Municipality-wide mindset, and as a tool to motivate and value staff members to attain their commitment to the Municipality.

7. TALENT IDENTIFICATION

The identification of talent is to be based on pre-defined criteria followed by development measures to support talent staff members in achieving the set objectives or the target position. The Municipality shall identify talent through the following means:

7.1. Talent identification by the direct manager, using the elements:

7.1.1 personal experience with the person;

7.1.2 performance appraisal; and

7.1.3 past performance and results.

7.2. For each category of talent requiring identification, the Municipality shall clearly define and practically describe criteria to help managers evaluate staff member potential. Potential indicators, such as the capability to cope with change, flexibility, and agility, to have a positive attitude, and to be a convincing and ambitious person, shall be applied.

In addition, potential shall be considered, each time, under one or a combination of the following components:

7.2.1 Fundamental components are stable and not changeable over a lifetime (e.g., personality and cognition).

7.2.2 Latent components need the right context and support to express themselves (e.g., motivation).

7.2.3 Intervening components influence the degree an individual can grow and develop in different areas (e.g., openness to feedback).

7.2.4 Evolving components are acquired by an individual through career experience (e.g., technical knowledge).

7.3. The willingness to move into a key position and commitment to the Municipality.

7.4. Mobility of the staff member or candidate, in terms of acquiring knowledge and filling in expert positions in different locations of the Municipality.

7.5. The history and ability with social and business networks and relationships that are critical for the Municipality's success and coming with respectable referees.

8. MONITORING TALENT MANAGEMENT

8.1. Evaluating talent management effectiveness

The Municipality shall regularly evaluate the effectiveness of talent management to ensure it supports the Municipal strategy, and whether the Municipality identified the right staff members as talents. The following key performance indicators shall be utilised:

8.1.1 Rate of positions filled with internal candidates instead of external recruits (internal development rate).

8.1.2 Share of staff members staying with the Municipality (retention rate). This shall be divided into critical skills and generic skills.

8.1.3 Rate of staff members promoted from the identified talents (talent promotion rate). This shall be divided into promotions of identified talents, and all other promotions.

8.1.4 Staff members who were not confirmed as talents in the next cycle of performance appraisal (false nominations).

8.1.5 Share of specific staff member groups among talents, such as race, gender, disability, youth, military veterans (culture and diversity).

8.2. Transparency about talent management

8.2.1 The share of new talent and of unconfirmed talents shall be balanced for a sustainable talent pipeline, and to manage negative side effects of staff members

outside the talent pool. The unconfirmed talents segment shall be rather small to avoid false nominations.

8.2.2 To avoid false expectations, the benefits, and costs of being a talent shall be communicated and managed well.

8.2.3 Communication shall emphasise the need not to raise staff member expectations too high.

8.2.4 Transparent communication of talent management shall be treated as important for credibility.

8.2.5 Communication shall not involve any worries about disclosing confidential information, as HR managers have a professional discretion and obligation about talent identification.

8.3. Talent management and service provision

8.3.1 The Municipality recognises talent management as a core business process with an impact on overall service provision. To this effect, managers are accountable for talent management, just as they are for team performance and operational success.

8.3.2 To drive talent management into the culture of the Municipality's service, managers shall integrate it with critical processes like selection, performance management and workforce planning.

8.3.3 At an individual level, managers shall ensure staff are receiving their personal development interventions.

8.4. Aggressive internal development

8.4.1 The Municipality shall address talent gaps with aggressive internal development. In other words, managers shall not default to external recruitment when a vacancy occurs.

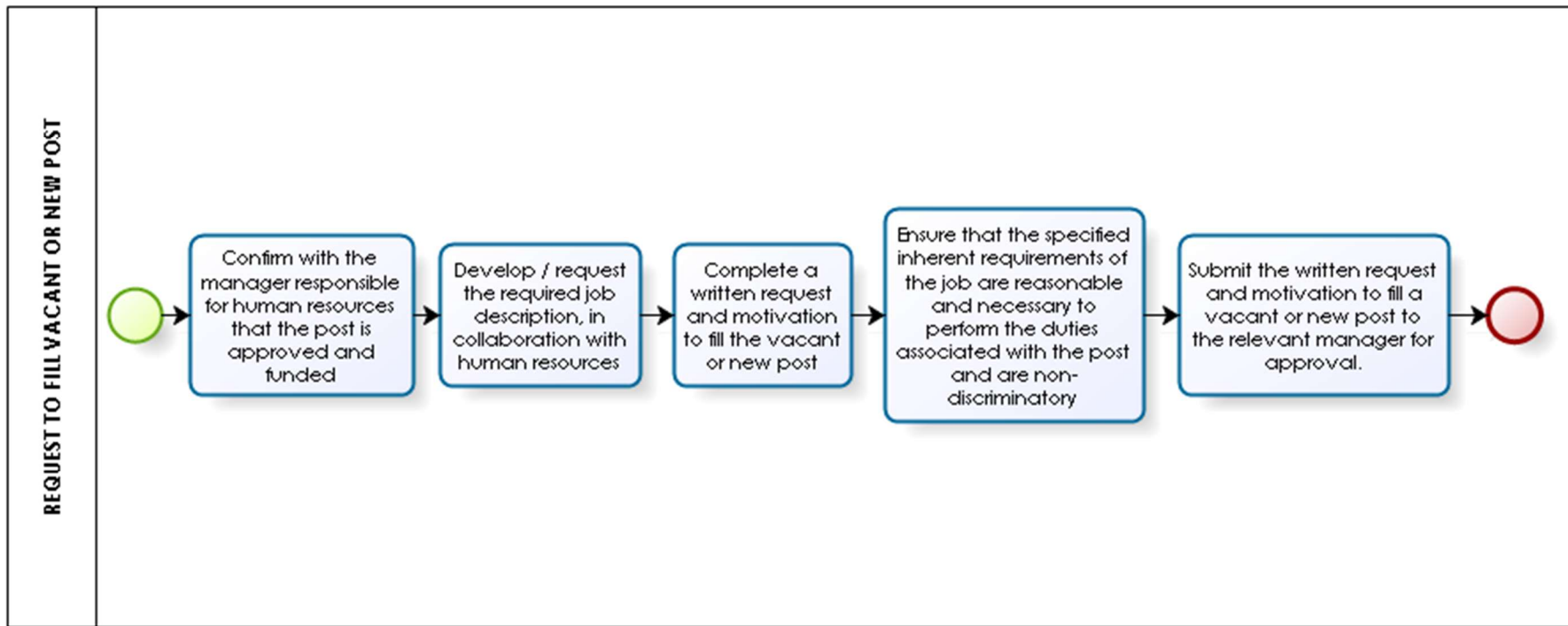
8.4.2 The approach, however, shall be to infuse outside talent with internal talent to get new skills and drive innovation, where needed.

8.4.3 The Municipality shall exploit the probability that internal talent with potential could feasibly have a shorter learning curve than external recruits in several occupational areas due to established internal networks that can support a more rapid path to success.

ANNEXURE B: REQUEST TO FILL VACANT OR NEW POST

TO FILL VACANT OR NEW POST

PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS MONTH (OR YEAR)
Confirm with the manager responsible for human resources that the post is approved and funded			
Develop / request the required job description, in collaboration with human resources			
Complete a written request and motivation to fill the vacant or new post			
Ensure that the specified inherent requirements of the job are reasonable and necessary to perform the duties associated with the post and are non-discriminatory			
Submit the written request and motivation to fill a vacant or new post to the relevant manager for approval.			

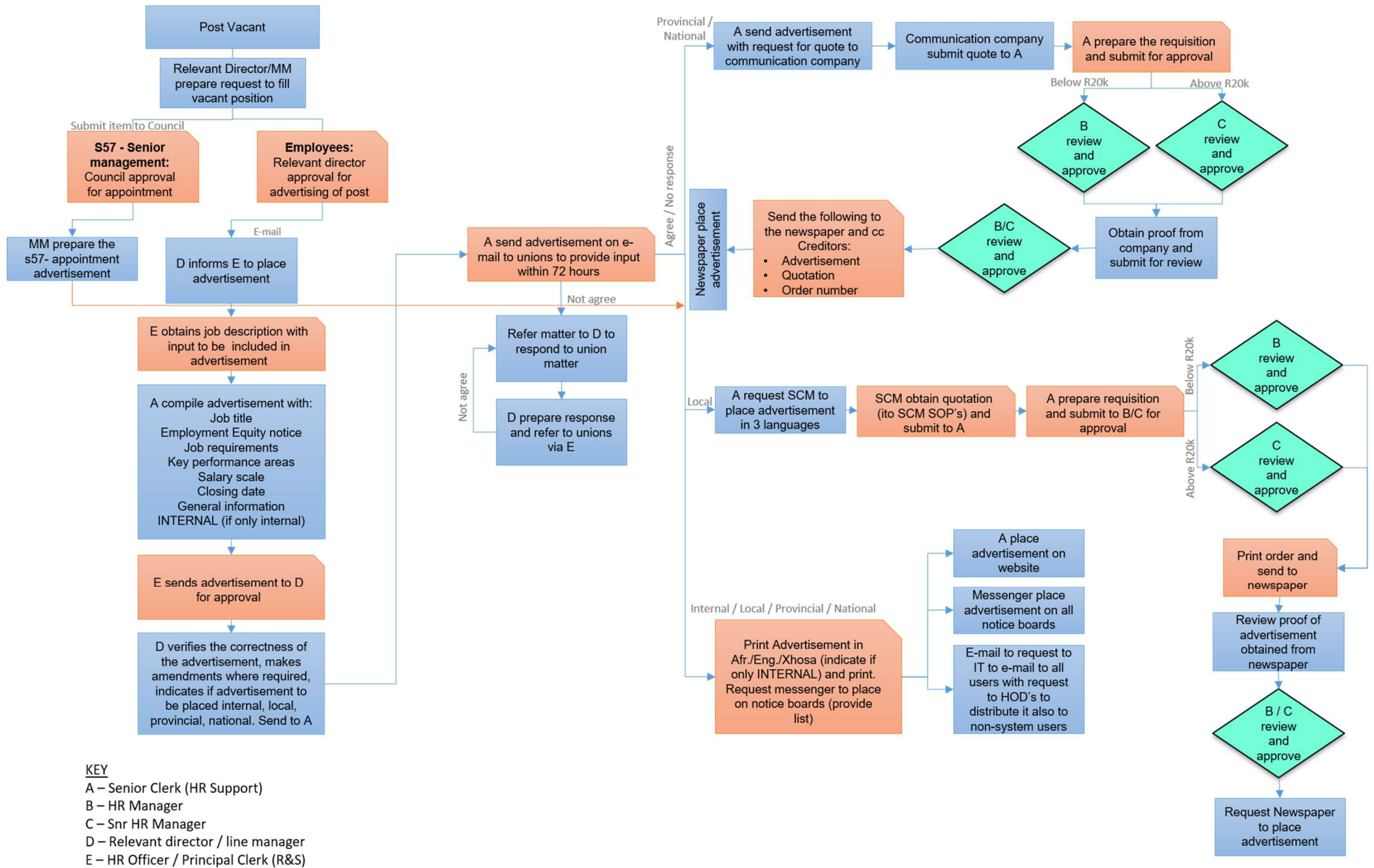


ANNEXURE C: ADVERTISING A VACANT POST

Standard Operating Procedure

SOP #	KD/1/0002	Version #	1	Date/...../20.....
Responsible Directorate	Corporate Services	Responsible Person	Manager: Human Resources	Author	
Delegation ref #		Description/ Delegation Name			
SOP Title	Advertisement process for appointment of staff members				
Purpose	This SOP deals with the placement of advertisements for the permanent and temporary appointment of staff members				

Standard Operating Procedure Process Flow:



References:

Reference #	Reference Name	Requirements
Internal	Recruitment Policy	Advertisement procedures when staff members need to be appointed (define the different types of advertisements)

Definitions:

Name	Description
HOD	Head of Department

Procedure Outline:

Action ref	Procedure Description	Time-frame	Person(s) Responsible	Resources Required	Deliverables	Dependencies	Links to SOP
1	Prepare request to HR to fill the vacant post	When required	Relevant Director		E-mail request to HR / via Collaborator		Recruitment and Selection / Terminations
2	In instance of a senior manager (s57) to be appointed, the Municipal Manager prepare a Council item and the advertisement	1 day	Municipal Manager		Council item		Submission of Council items
3	In the instance of any other vacancy, submit the approval by the MM for the appointment to HR	1 day	Relevant Director		Appointment request approval via e-mail		
4	Request the HR Officer to draft advertisement	Same day	Line Manager / Director			Approval from the MM / Council approval	
5	Obtain the job description and input of what needs to be included in the advertisement	1 day	HR Officer	Job description with information to be included in the advertisement			
6	Compile the advertisement to include the following: <ul style="list-style-type: none"> • Municipality name • Employment equity commitment • Job title • Job requirements (obtained from the HR Man.) • Key performance areas / duties • Salary scale • Closing date • General information as per the attached advertisement 	Same day	HR Officer	Example of advertisement	Draft advertisement	Job description and requirements obtained from the HR Manager / HR Officer	
7	Send the draft advertisements to the relevant Line Manager and Director for approval	Same day	HR Officer				

Action ref	Procedure Description	Time-frame	Person(s) Responsible	Resources Required	Deliverables	Dependencies	Links to SOP
8	Verify the correctness of the advertisement in line with the job description and requirements and make amendments where required	1 day	Relevant Director / Line Manager		Approved draft advertisement		
9	Make amendments where required and send copy to the relevant Director / Line Manager	Same day	HR Officer				
10	Determine whether the advertisement should be placed internally / externally and in which media		Relevant Director				
11	Forward the approved / amended advertisement to the Senior Clerk (HR Support) with an indication if the advertisement should be placed internally / locally / provincially and/or nationally	Same day	HR Officer				
12	In the instance where the advertisement is only placed internally, indicate INTERNAL APPLICATION ONLY on advertisement	1 day	Senior Clerk (HR Support)	Example of internal advertisement	Draft internal advertisement	Complete advertisement	
13	In the instance where the advertisement will be placed in the newspaper, prepare a short version of the advertisement to include the following: <ul style="list-style-type: none"> • Employment equity commitment • Job title • Relevant department and division • Salary scale • Link to http://www.mosselbay.gov.za/vacancies where the complete advertisement will be uploaded • Closing date • Details of where the full advertisement will be available in the 3 languages 	Same day	Senior Clerk (HR Support)	Example of advertisement	Draft short advertisement	Complete advertisement	

Action ref	Procedure Description	Time-frame	Person(s) Responsible	Resources Required	Deliverables	Dependencies	Links to SOP
14	Send advert to Unions and indicate how advert will be advertised (internally only or externally – locally, provincially and/or nationally). Allow Unions 3 days to respond	Same day	Senior Clerk (HR Support)				
15	Respond to the questions / issues from Unions in writing and forward it to the Senior Clerk (HR Support) and HR Officer.	1 day	Relevant Director / MM		e-mail		
16	Forward the response received from the Director to the Unions and repeat the process until the Director / Snr HR Manager indicate that the matters have been finalised.	Same day	HR Officer / Senior Clerk (HR Support)		e-mail		
17	If no response received from the Unions within 72 hours / matter been finalised, follow the procedures below depending on the advertisement type required	72 hours	Senior Clerk (HR Support)		Draft approved advertisement issued to unions		
18	Send advertisement for translation by translators		Senior Clerk (HR Support)				
19	<u>PROVINCIAL / NATIONAL ADVERTISEMENTS</u>						
19.1	Send the shortened advertisement to the appointed communication company with a request to submit a quotation.	1 day	Senior Clerk (HR Support)		e-mail		
19.2	Prepare a requisition after the quote has been received from the communication company	1 day	Senior Clerk (HR Support)		Requisition		
19.3	Submit the requisition for approval to: - HR Manager if quote is below R20 000 - Snr HR Manager if quote is above R20 000	Same day	Senior Clerk (HR Support)				

Action ref	Procedure Description	Time-frame	Person(s) Responsible	Resources Required	Deliverables	Dependencies	Links to SOP
19.4	Review and approve the requisition. If incorrect, refer back for corrections	Same day	HR Manager / Snr HR Manager		Approved requisition		
19.5	Print the order received from SCM on collaborator	1 day	Senior Clerk (HR Support)	Sufficient budget	Order	Approved requisition	SCM SOP's
19.6	Obtain the proof from the communication company and submit it to the manager for review	Same day	Senior Clerk (HR Support)				
19.7	Review and approve the proof. If incorrect, refer back for corrections	Same day	HR Officer / HR Manager		Approved advertisement		
19.8	Send the following to the relevant newspaper and cc creditors: - Approved advertisement - Quotation - Order number	Same day	Senior Clerk (HR Support)		Advertisement placed in relevant newspapers	Signed order / approved advertisement	
20	<u>LOCAL NEWSPAPER ADVERTISEMENTS</u>						
20.1	Send a request to SCM to place advertisement in 3 languages	1 day	Senior Clerk (HR Support)				SCM SOP's
20.2	SCM obtain the quotations and submit to HR Secretary	3 days	Finance: SCM		Quotations		SCM SOP's
20.3	Prepare a requisition after the quotation has been received	Same day	Senior Clerk (HR Support)				
20.4	Submit the requisition for approval to: - HR Manager if quote is below R20 000 - Snr HR Manager if quote is above R20 000	Same day	Senior Clerk (HR Support)				
20.5	Review and approve the requisition. If incorrect, refer back for corrections	Same day	HR Manager / Snr HR Manager		Approved requisition		
20.6	Print the order received from SCM on collaborator	1 day	Senior Clerk (HR Support)	Sufficient budget	Order	Approved requisition	SCM SOP's

Action ref	Procedure Description	Time-frame	Person(s) Responsible	Resources Required	Deliverables	Dependencies	Links to SOP
20.7	Submit the order and shortened advertisement to the newspaper and request proof	Same day	Senior Clerk (HR Support)				
20.8	Review the proof received from the newspaper and submit to the Sr. HR Manager / HR Manager for approval	Same day	Senior Clerk (HR Support)				
20.9	Review and approve the proof. If incorrect, refer back for corrections	1 day	HR Officer / HR Manager		Approved advertisement		
20.10	Forward the signed proof to the newspaper and request them to place the advertisement	Same day	Senior Clerk (HR Support)		Advertisement placed in relevant newspapers	Approved advertisement	
21	<u>INTERNAL ADVERTISEMENTS & ALL NEWSPAPERS</u>						
21.1	Print approved advertisements in Afr. / Eng. / Xhosa (indicate where only internal) and request the messenger of Support Services to place advertisements on all the municipal notice boards	As soon as advertisements are approved	Senior Clerk (HR Support)				
21.2	Place advertisement on all notice boards on list provided by the Senior Clerk (HR Support)	1 day	Support Services Messenger		Advertisements placed on notice		
21.3	E-mail the advertisements to IT to e-mail to all the users with the request to HOD's to distribute it to non-system users	Same day	Senior Clerk (HR Support)				
21.4	Place advertisement on website	Same day	Senior Clerk (HR Support)		Advertisement on website		
21.5	Distribute per e-mail as requested by HR	Same day	IT				

Competencies and Approvals:

Competency Category	Competency Requirement	Competency Assessment
N/A		

Health & Safety Considerations / other:

Name	Description
N/A	

Applicable Standard Forms/Documents:

Form #	Name	Description
1	Internal Advertisement	Example of internal advertisement
2	Complete Advertisement	Example of external advertisement
3	Summary Advertisement	Example of advertisement to be placed in newspaper
4	Requisition	Form to be completed to appoint service provider

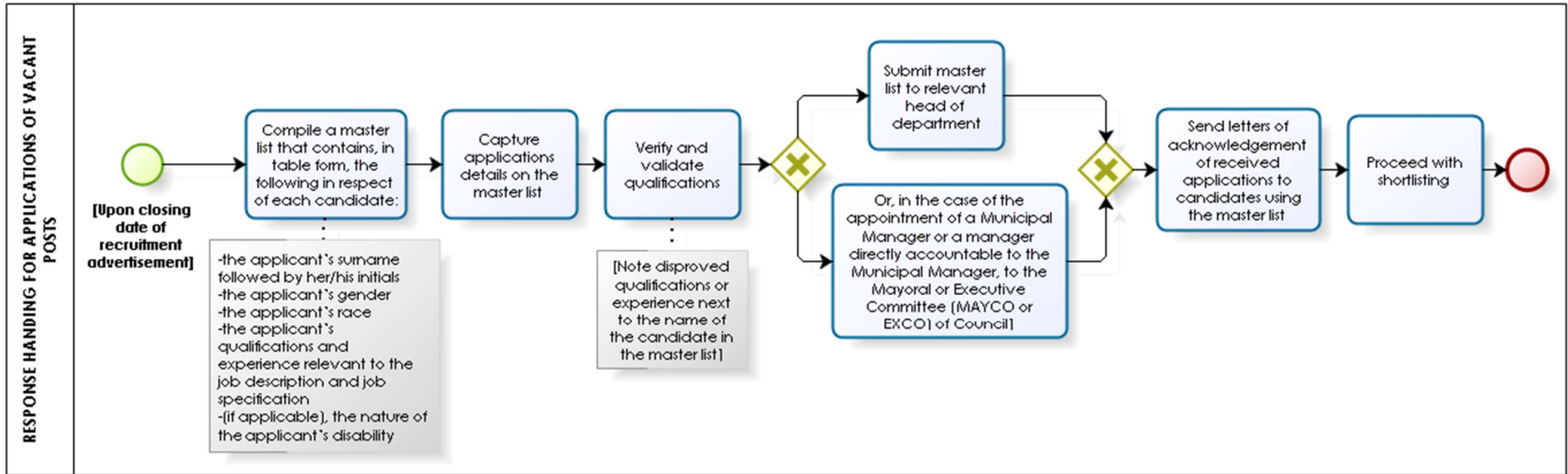
Performance Measurement:

KPI	Unit of Measurement	Target/targets
Place advertisements for appointing staff members within 5 days after the request has been received	% of advertisements placed within the timeframe	100%

Developed with the support of Ignite Advisory Services

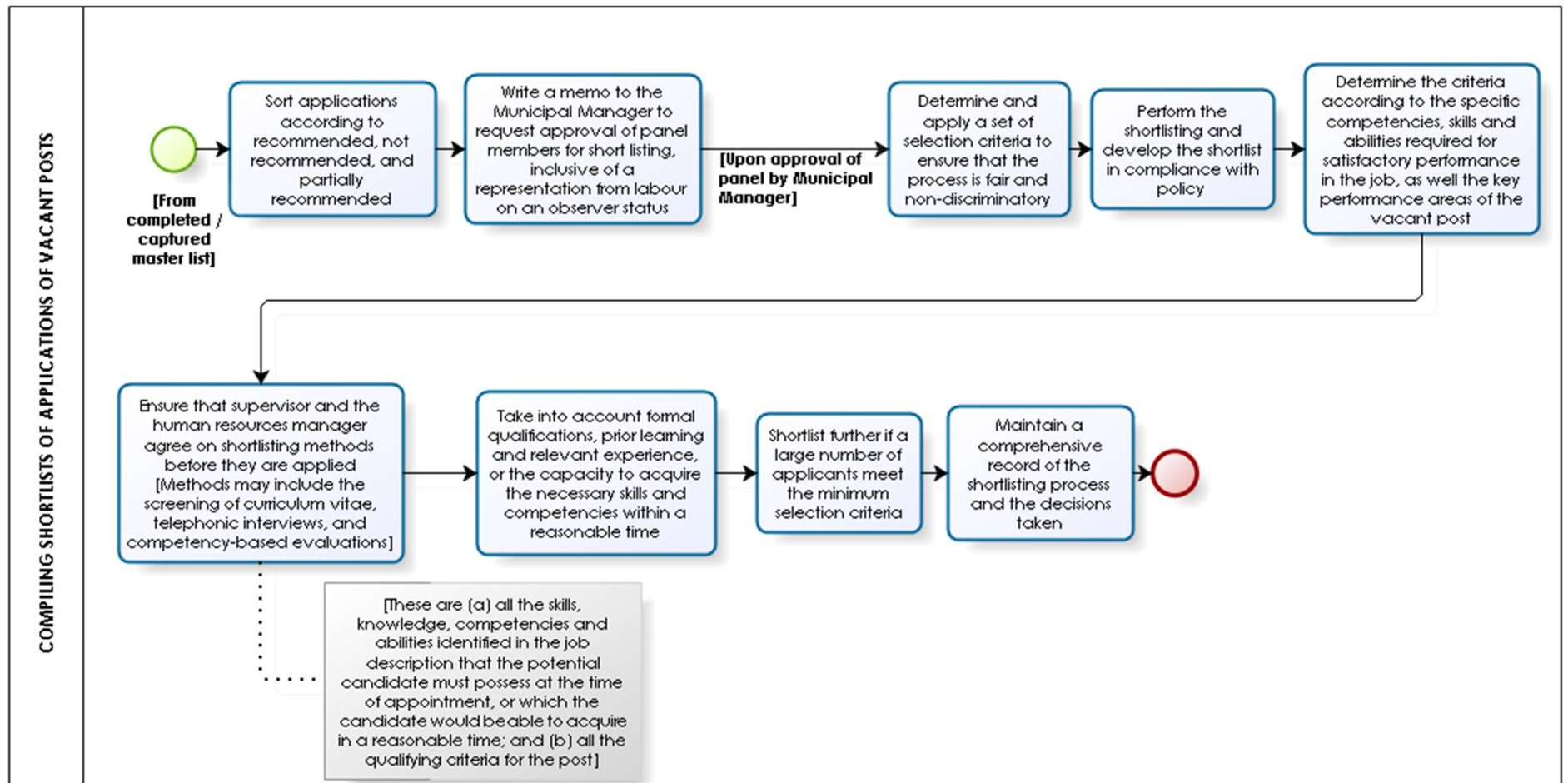
ANNEXURE D: RESPONSE HANDLING FOR APPLICATIONS OF VACANT POSTS

RESPONSE HANDLING FOR APPLICATIONS OF VACANT POSTS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	<p>[Upon closing date of recruitment advertisement] Compile a master list that contains, in table form, the following in respect of each candidate:</p> <ul style="list-style-type: none"> - the applicant's surname followed by her/his initials - the applicant's gender - the applicant's race - the applicant's qualifications and experience relevant to the job description and job specification - (if applicable), the nature of the applicant's disability - The applicant's contact details 			
2.	Capture applications details on the master list			
3.	Submit master list to relevant head of department [<i>Or, in the case of the appointment of a Municipal Manager or a manager directly accountable to the Municipal Manager, to the Mayoral or Executive Committee (MAYCO or EXCO) of Council</i>]			
4.	Send letters of acknowledgement of received applications to candidates using the master list			
5.	Proceed with shortlisting			



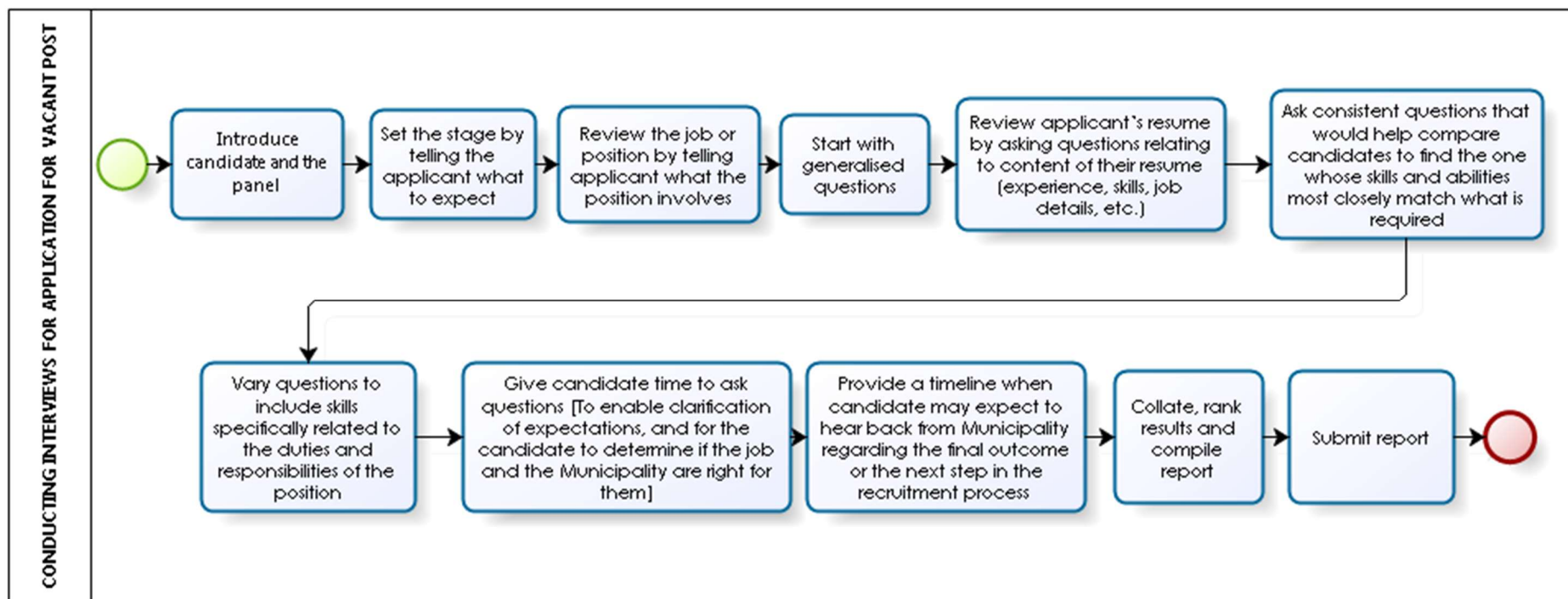
ANNEXURE E: COMPILING SHORTLISTS OF APPLICATIONS OF VACANT POSTS

COMPILING SHORTLISTS OF APPLICATIONS OF VACANT POSTS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	<i>[From completed / captured master list]</i> Sort applications according to recommended, not recommended, and partially recommended			
2.	Write a memo to the Municipal Manager to request approval of panel members for short listing, inclusive of a representation from labour on an observer status			
3.	<i>[Upon approval of panel by Municipal Manager]</i> Determine and apply a set of selection criteria to ensure that the process is fair and non-discriminatory			
4.	Perform the shortlisting and develop the shortlist in compliance with policy			
5.	Determine the criteria according to the specific competencies, skills and abilities required for satisfactory performance in the job, as well the key performance areas of the vacant post			
6.	Ensure that supervisor and the human resources manager agree on shortlisting methods before they are applied [Methods may include the screening of curriculum vitae, telephonic interviews, and competency-based evaluations]			
7.	Ensure that the number of people on the shortlist is restricted to those who show in their applications that they clearly meet the minimum requirements <i>[These are (a) all the skills, knowledge, competencies and abilities identified in the job description that the potential candidate must possess at the time of appointment, or which the candidate would be able to acquire in a reasonable time; and (b) all the qualifying criteria for the post]</i>			
8.	Take into account formal qualifications, prior learning and relevant experience, or the capacity to acquire the necessary skills and competencies within a reasonable time			
9.	Shortlist further if a large number of applicants meet the minimum selection criteria			
10.	Maintain a comprehensive record of the shortlisting process and the decisions taken			



ANNEXURE F: CONDUCTING INTERVIEWS FOR APPLICATION FOR VACANT POST

CONDUCTING INTERVIEWS FOR APPLICATION FOR VACANT POST				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Introduce candidate and the panel			
2.	Set the stage by telling the applicant what to expect			
3.	Review the job or position by telling applicant what the position involves			
4.	Start with generalised questions			
5.	Review applicant's resume by asking questions relating to content of their resume (experience, skills, job details, etc.)			
6.	Ask consistent questions that would help compare candidates to find the one whose skills and abilities most closely match what is required			
7.	Vary questions to include skills specifically related to the duties and responsibilities of the position			
8.	Give candidate time to ask questions [To enable clarification of expectations, and for the candidate to determine if the job and the Municipality are right for them]			
9.	Provide a timeline when candidate may expect to hear back from Municipality regarding the final outcome or the next step in the recruitment process			
10.	Collate, rank results and compile report			
11.	Submit report			



ANNEXURE G: REFERENCES AND PERSONAL CREDENTIAL VERIFICATION

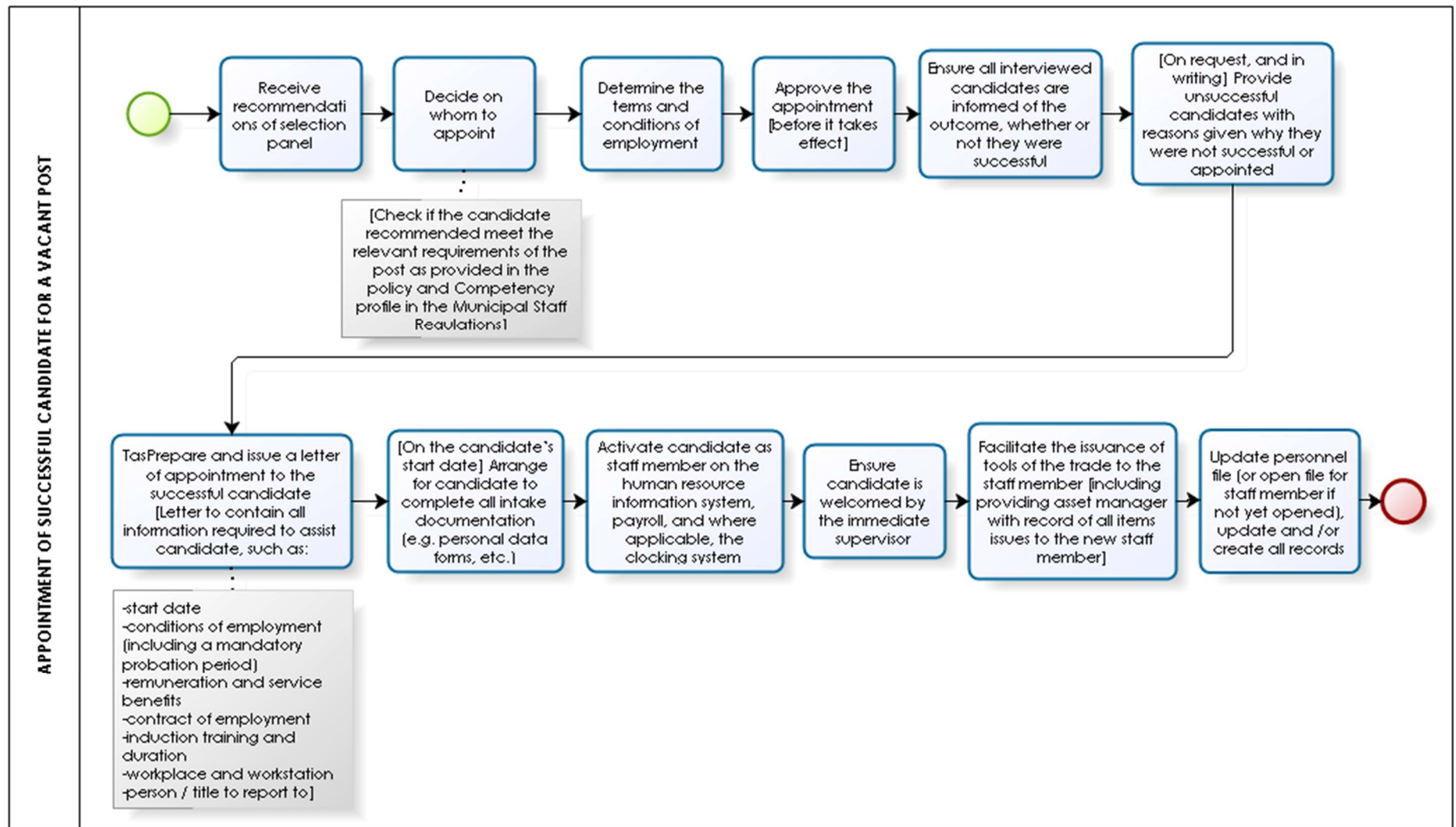
REFERENCES AND PERSONAL CREDENTIAL VERIFICATION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Provide staff member with a personal credential disclosure form			
2.	Receive back filled and signed personal credential disclosure form from staff			
3.	Perform personal credential confirmation through records / reputable institutions using authorised personal disclosure form			
4.	Perform references authentication checks through credible means			
5.	Complete verification report, and submit			

REFERENCES AND PERSONAL CREDENTIAL VERIFICATION



ANNEXURE H: APPOINTMENT OF SUCCESSFUL CANDIDATE FOR A VACANT POST

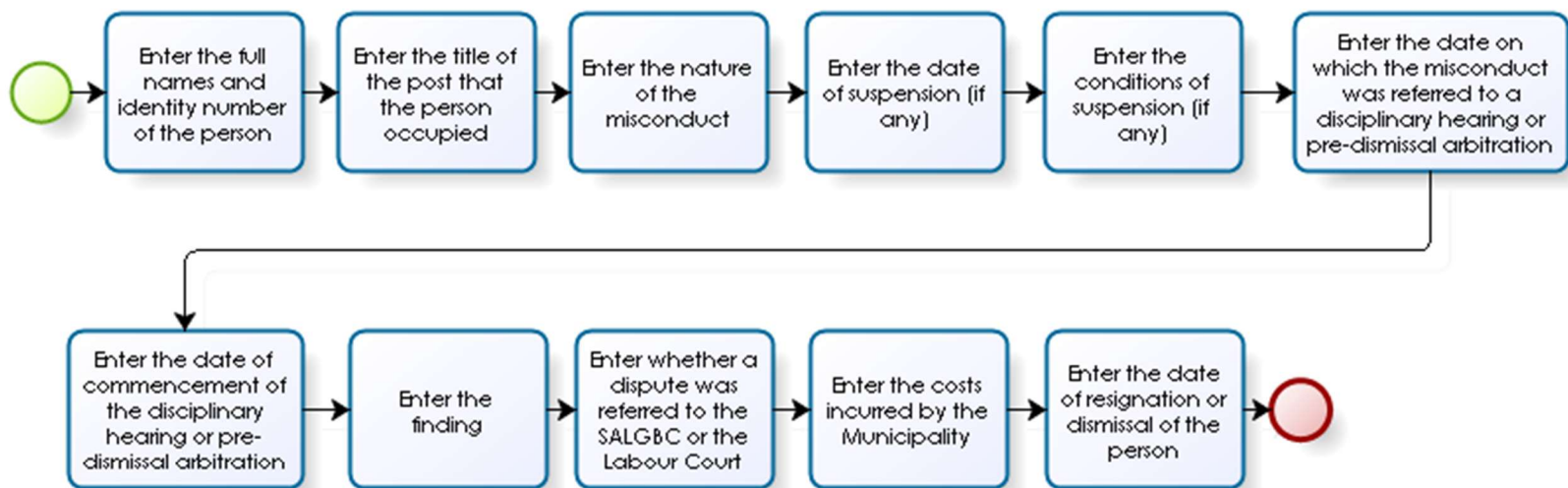
APPOINTMENT OF SUCCESSFUL CANDIDATE FOR A VACANT POST				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Receive recommendations of selection panel			
2.	Decide on whom to appoint [<i>Check if the candidate recommended meet the relevant requirements of the post as provided in the policy and Competency profile in the Municipal Staff Regulations</i>]			
3.	Determine the terms and conditions of employment			
4.	Approve the appointment [<i>before it takes effect</i>]			
5.	Ensure all interviewed candidates are informed of the outcome, whether or not they were successful			
6.	[<i>On request, and in writing</i>] Provide unsuccessful candidates with reasons given why they were not successful or appointed			
7.	Prepare and issue a letter of appointment to the successful candidate [<i>Letter to contain all information required to assist candidate, such as:</i> <ul style="list-style-type: none"> - start date - conditions of employment (including a mandatory probation period) - remuneration and service benefits - contract of employment - induction training and duration - workplace and workstation - person / title to report to] 			
8.	[<i>On the candidate's start date</i>] Arrange for candidate to complete all intake documentation (e.g. personal data forms, etc.)			
9.	Activate candidate as staff member on the human resource information system, payroll, and where applicable, the clocking system			
10.	Ensure candidate is welcomed by the immediate supervisor			
11.	Facilitate the issuance of tools of the trade to the staff member [<i>including providing asset manager with record of all items issues to the new staff member</i>]			
12.	Update personnel file (or open file for staff member if not yet opened), update and /or create all records			



ANNEXURE I: MAINTENANCE OF RECORDS OF STAFF DISMISSED FOR MISCONDUCT, OR WHO RESIGNED PRIOR TO FINALISATION OF DISCIPLINARY PROCEEDINGS

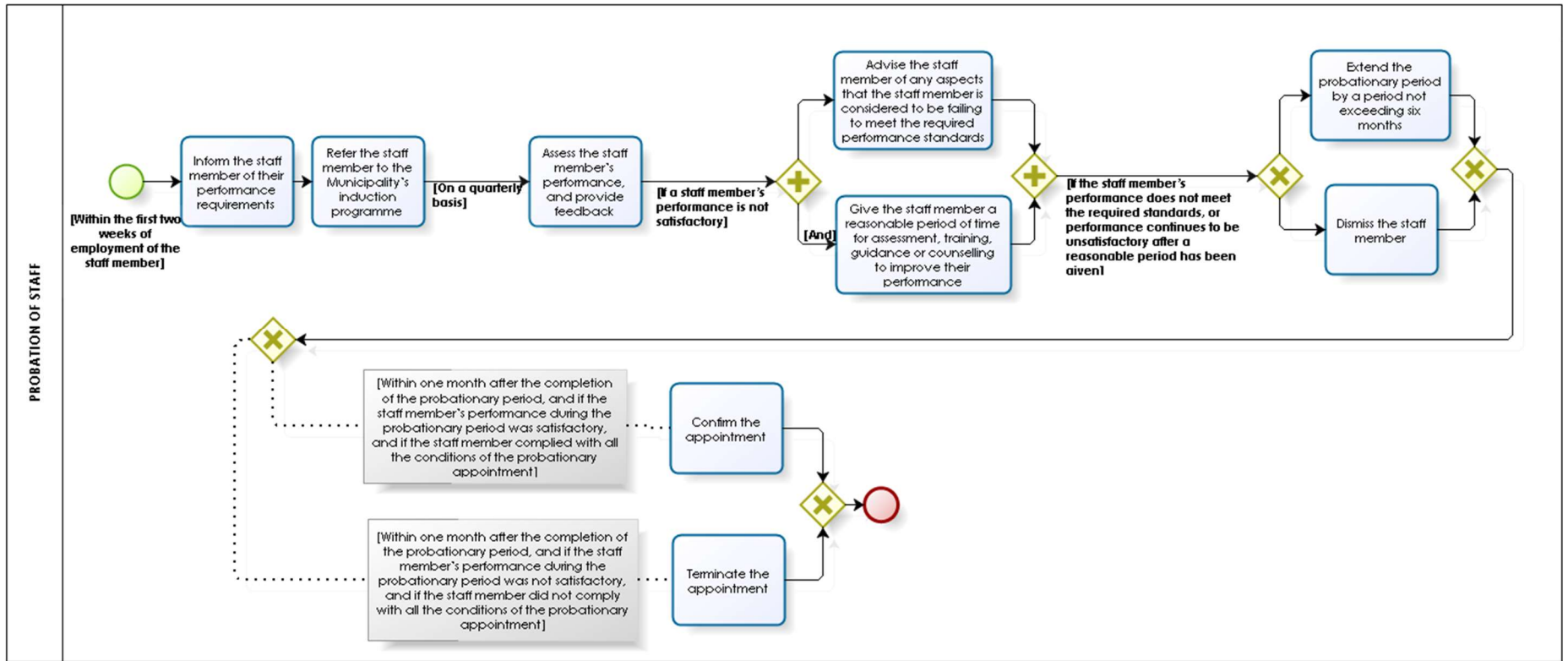
MAINTENANCE OF RECORDS OF STAFF DISMISSED FOR MISCONDUCT, OR WHO RESIGNED PRIOR TO FINALISATION OF DISCIPLINARY PROCEEDINGS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Enter the full names and identity number of the person			
2.	Enter the title of the post that the person occupied			
3.	Enter the nature of the misconduct			
4.	Enter the date of suspension (if any)			
5.	Enter the conditions of suspension (if any)			
6.	Enter the date on which the misconduct was referred to a disciplinary hearing or pre-dismissal arbitration			
7.	Enter the date of commencement of the disciplinary hearing or pre-dismissal arbitration			
8.	Enter the finding			
9.	Enter whether a dispute was referred to the SALGBC or the Labour Court			
10.	Enter the costs incurred by the Municipality			
11.	Enter the date of resignation or dismissal of the person			

MAINTENANCE OF RECORDS OF STAFF DISMISSED FOR MISCONDUCT, OR WHO RESIGNED PRIOR TO FINALISATION OF DISCIPLINARY PROCEEDINGS



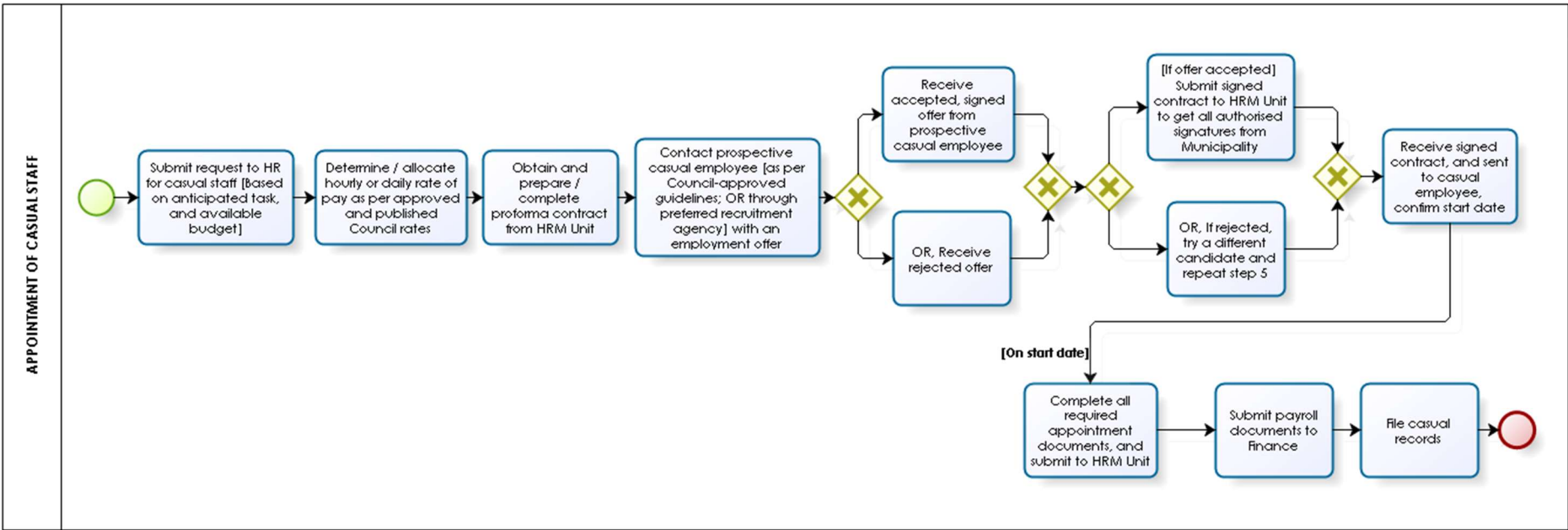
ANNEXURE J: PROBATION OF STAFF

PROBATION OF STAFF				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	[Within the first two weeks of employment of the staff member] Inform the staff member of their performance requirements			
2.	Refer the staff member to the Municipality's induction programme			
3.	[On a quarterly basis] Assess the staff member's performance, and provide feedback			
4.	[If a staff member's performance is not satisfactory] Advise the staff member of any aspects that the staff member is considered to be failing to meet the required performance standards			
5.	[And] Give the staff member a reasonable period of time for assessment, training, guidance or counselling to improve their performance			
6.	[If the staff member's performance does not meet the required standards, or performance continues to be unsatisfactory after a reasonable period has been given] Extend the probationary period by a period not exceeding six months; OR , Dismiss the staff member			
7.	[Within one month after the completion of the probationary period, and if the staff member's performance during the probationary period was satisfactory, and if the staff member complied with all the conditions of the probationary appointment] Confirm the appointment; OR			
8.	[Within one month after the completion of the probationary period, and if the staff member's performance during the probationary period was not satisfactory, and if the staff member did not comply with all the conditions of the probationary appointment] Terminate the appointment			



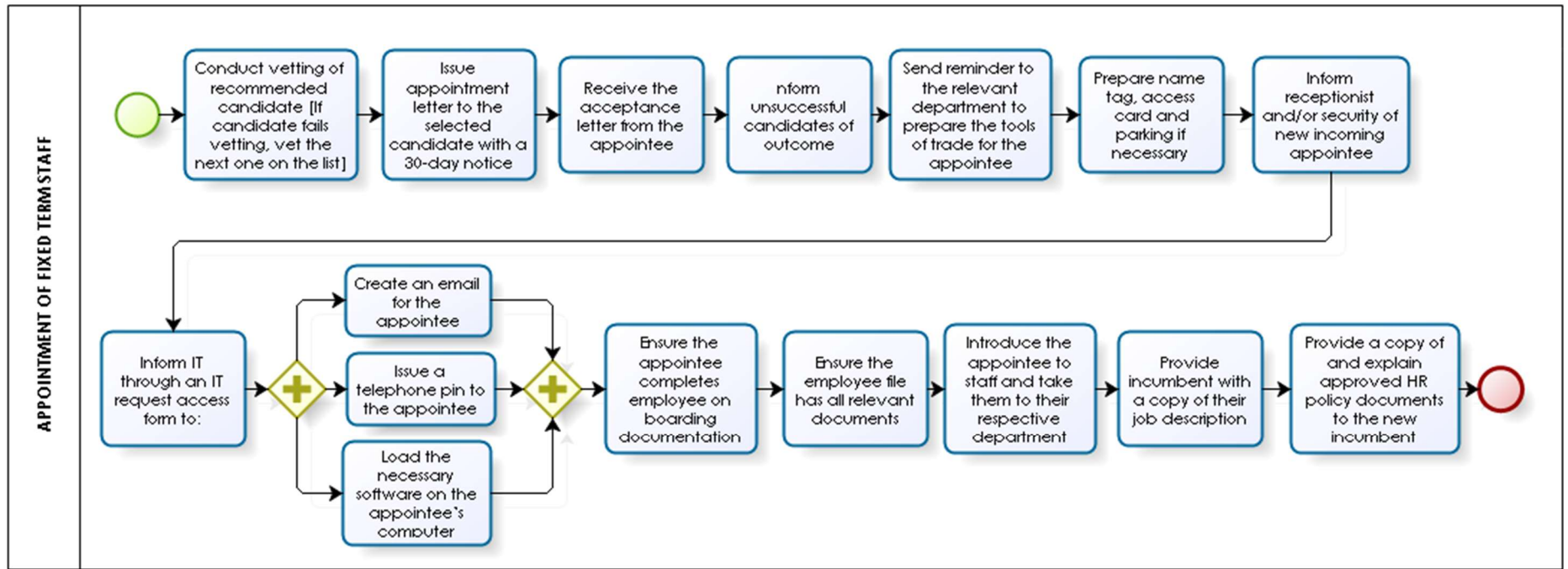
ANNEXURE K: APPOINTMENT OF CASUAL STAFF

APPOINTMENT OF CASUAL STAFF				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Submit request to HR for casual staff <i>[Based on anticipated task, and available budget]</i>			
2.	Determine / allocate hourly or daily rate of pay as per approved and published Council rates			
3.	Obtain and prepare / complete proforma contract from Department Human Resources			
4.	Contact prospective casual staff member <i>[as per Council-approved guidelines; OR through preferred recruitment agency]</i> with an employment offer			
5.	Receive accepted, signed offer from prospective casual staff member [OR, Receive rejected offer]			
6.	<i>[If offer accepted]</i> Submit signed contract to Department Human Resources to get all authorised signatures from Municipality [OR, If rejected, try a different candidate and repeat step 5]			
7.	Receive signed contract, and sent to casual staff member, confirm start date			
8.	<i>[On start date]</i> Complete all required appointment documents, and submit to Department Human Resources			
9.	Submit payroll documents to Finance			
10.	File casual records			



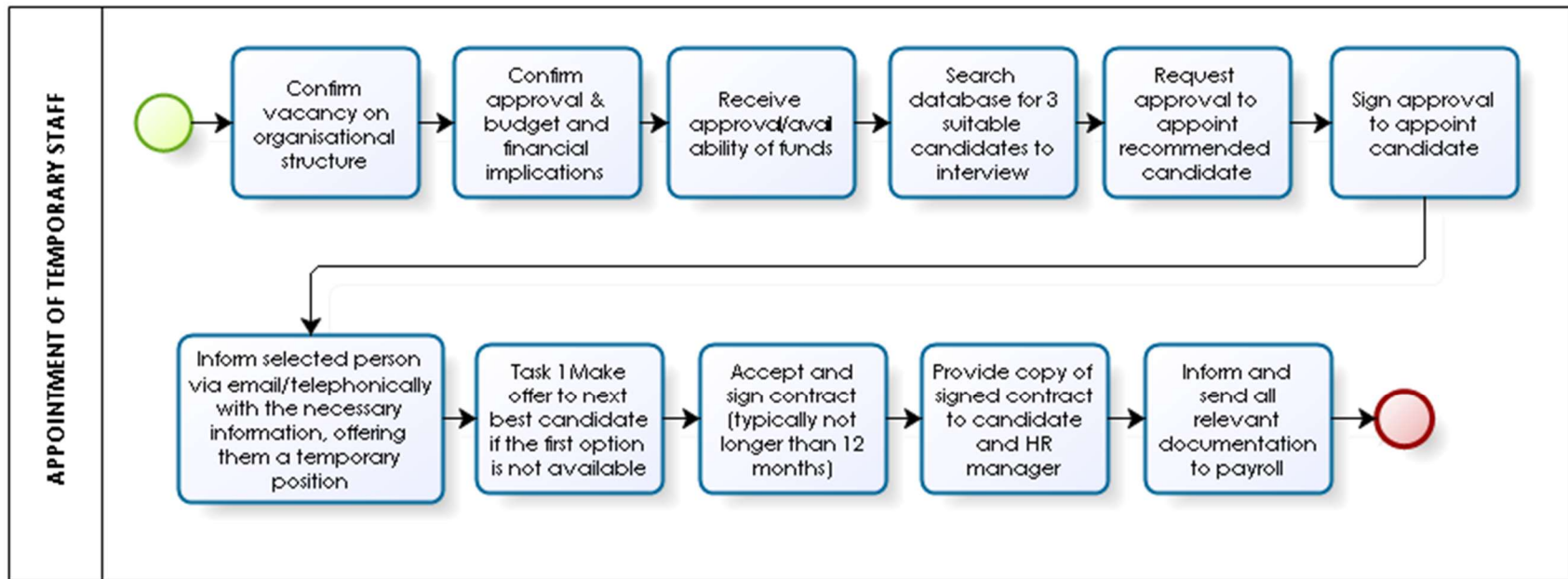
ANNEXURE L: APPOINTMENT OF FIXED TERM STAFF

APPOINTMENT OF FIXED TERM STAFF				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Conduct vetting of recommended candidate [If candidate fails vetting, vet the next one on the list]			
2.	Issue appointment letter to the selected candidate with a 30-day notice			
3.	Receive the acceptance letter from the appointee			
4.	Inform unsuccessful candidates of outcome			
5.	Send reminder to the relevant department to prepare the tools of trade for the appointee			
6.	Prepare name tag, access card and parking if necessary			
7.	Inform receptionist and/or security of new incoming appointee			
8.	Inform IT through an IT request access form to: <ul style="list-style-type: none"> - Create an email for the appointee - Issue a telephone pin to the appointee - Load the necessary software on the appointee's computer 			
9.	Ensure the appointee completes staff member on boarding documentation			
10.	Ensure the staff member file has all relevant documents			
11.	Introduce the appointee to staff and take them to their respective department			
12.	Provide incumbent with a copy of their job description			
13.	Provide a copy of and explain approved HR policy documents to the new incumbent			



ANNEXURE M: APPOINTMENT OF TEMPORARY STAFF

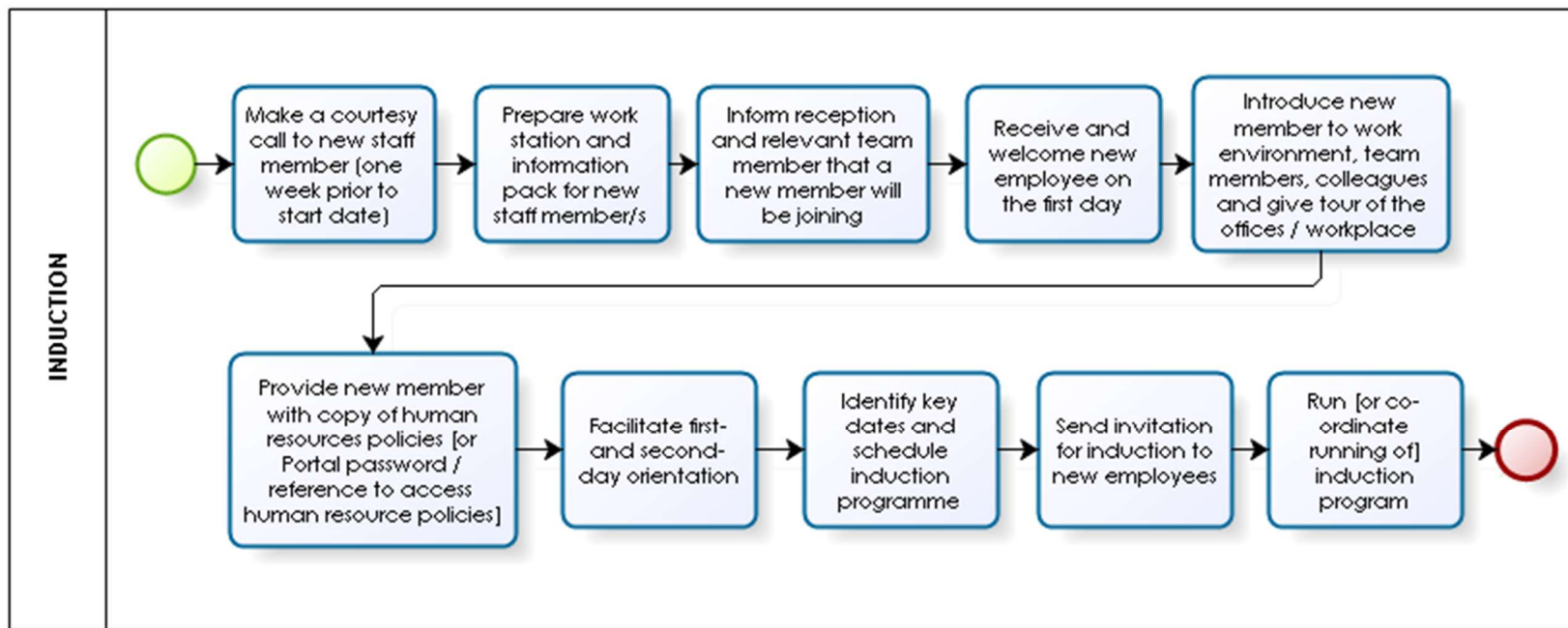
APPOINTMENT OF TEMPORARY STAFF				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Confirm vacancy on organisational structure			
2.	Confirm approval & budget and financial implications			
3.	Receive approval/availability of funds			
4.	Search database for 3 suitable candidates to interview			
5.	Request approval to appoint recommended candidate			
6.	Sign approval to appoint candidate			
7.	Inform selected person via email/telephonically with the necessary information, offering them a temporary position			
8.	Make offer to next best candidate if the first option is not available			
9.	Accept and sign contract (typically not longer than 12 months)			
10.	Provide copy of signed contract to candidate and HR manager			
11.	Inform and send all relevant documentation to payroll			



Developed with the support of Ignite Advisory Services

ANNEXURE N: INDUCTION

INDUCTION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Make a courtesy call to new staff member (one week prior to start date)			
2.	Prepare work station and information pack for new staff member/s			
3.	Inform reception and relevant team member that a new member will be joining			
4.	Receive and welcome new staff member on the first day			
5.	Introduce new member to work environment, team members, colleagues and give tour of the offices / workplace			
6.	Provide new member with copy of human resources policies [or Portal password / reference to access human resource policies]			
7.	Facilitate first- and second-day orientation			
8.	Identify key dates and schedule induction programme			
9.	Send invitation for induction to new staff members			
10.	Run [or co-ordinate running of] induction program			



ANNEXURE O: 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					
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)	Cell phone Number	Email

DECLARATION	
<p><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></p>	
Signature:	Date:

ANNEXURE P: 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

ANNEXURE Q: RECRUITMENT REQUISITION FORM

Below is a recruitment requisition form, which should be completed when a decision is made to recruit a person for a post.

The municipality is committed to the maintenance of diversity and equity in employment within all categories and levels in the workplace	
Name of Division	
Name of Department	
Post	
Grade	
Minimum Prescribed Education	
Minimum Prescribed Experience	
Key Responsibilities	
Inherent Job Requirements	
Prescribed Competency Requirements	
Medium of Advertisement	
Internal:	External:
Reason for Recruitment:	New Post/ Additional Post/ Staff Resignation/ Promotion/ etc.
Other: Specify	
Budget Availability	Yes/ No
If No, state reasons	

.....
 Head of Department Date
 Full Name:

Recommended/Not recommended

.....
 HoD: Human Resources Date
 Name in Full:

Approved/Not approved

.....
 Executive Director/ Director Date
 Name in Full:

ANNEXURE R: INTERVIEW GUIDE

Below is an interview panel assessment form that should be completed by each member of the interview panel during the interview and guidelines for the completion of the form.

Interview Panel Assessment Form

Interviewer name:	
Applicant name	
Date of interview	
Position/s applied for	
Notes / overall impression of the candidate in words	
Recommendation	

Panel member signature

Date

Interviewer guidelines

General:

- All candidates are entitled to the same questions. This contributes towards a consistent interview process that is legally defensible.
- Keep a record of the candidate's answers. It serves as proof for the scores you give and will be required should you be accused of using discriminatory tactics.
- Never make personal remarks about the answers that the candidate has given to the questions asked.
- Do not ask questions about the candidate's personal life i.e. "What is your marital status?" or "Are you planning on having children in the near future?"
- At the end of the interview, thank the candidate for taking the time to attend and explain what the next steps in the process are.

Developed with the support of Ignite Advisory Services

How to open the interview:

Open the interview touching on the following key points:

- That the municipality has identified what, besides skills and experience, is important in order to perform well in the position;
- Explain that while we do not yet know when the outcome of the recruitment process will be available we are committed to as quick a process as possible and that all candidates will be notified as the information becomes available;
- Introduce yourself and explain to the candidate that you are going to be conducting a structured interview, and will be asking him or her for specific examples of where he or she did certain things or took certain actions or decisions; and
- You need to record as much information as possible during the interview and you will therefore be writing a lot during the interview.

Note taking:

- Listen to the responses and evaluate the quality and depth of the answers.
- Record your impression of the candidate.
- Note any evidence of competencies the candidate demonstrated.

The following rating scale should be used when interviewing candidates:

Evaluation rating scale		
Scale	Description	Indicators of Performance
4	Excellent	The applicant possesses exceptionally well developed and relevant skills and abilities for the technical and/or behavioural competencies required to perform the position.
3	Competent	The applicant possesses relevant skills, knowledge and abilities. They would generally be effective against this criterion.
2	Requires Development	The applicant possesses some skills, knowledge and abilities relevant to the criterion, but is limited on others. She/he requires further training and development to meet the standards required for this criterion.
1	Unsatisfactory (Below Standard)	The applicant is unable to demonstrate that she/he possesses the adequate skills, knowledge and abilities in relation to the criterion. She/he would not be suitable to perform the duties of the position.

Closing the interview:

- Thank the candidate for coming to the interview.
- Give the candidate the opportunity to ask questions.
- Explain the next step in the process and any time frames, including who will contact them and when.

ANNEXURE S: CONFLICT OF INTEREST DECLARATION BY INTERVIEW PANEL MEMBER

CONFLICT OF INTEREST DECLARATION BY INTERVIEW PANEL MEMBER

LOGO OF MUNICIPALITY

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 —

- (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 or undue influence or attempt to influence the appointment or promotion for a spouse, partner, family member, friend or associate;
- (e) I will not discuss the outcome of these 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

LOGO OF THE MUNICIPALITY

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 —

- (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 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;
- (e) I will not discuss the outcome of these interviews or inform any candidate who has been interviewed about the outcome of these interviews.
- (f) 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 T: CONFIDENTIAL EXIT INTERVIEW

- (1) A guideline for a confidential exit interview is set out below in table 11 below:
- (2) 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:		Staff member No.	
Department:		Post:	
Date of Interview		Place	
Interview conducted by:			
Designation:			
Date of Resignation:			
Last Day of Service:			
Tick	Reason for Resignation	Tick	Reason for Resignation
	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:		

ANNEXURE U: STAFF MEMBER'S PERSONAL DATA FORM

1. All sections must be completed as fully as possible, using block letters.
2. All information will be treated as confidential.

Title (e.g. Dr, Mr, Mrs, Miss, Ms, etc):
Surname:.....
Maiden name (if applicable):.....
First Name:.....
Middle Names:.....
Preferred Name:.....
Birth date:...../...../.....
Identity Number:.....

Nationality (If not South African please provide work permit / residence permit number):.....
Marital Status:.....
Gender: Male..... Female.....
Race:.....
 African.....
 Asian.....
 Coloured.....
 White.....

Disability (please provide details if applicable):.....

Postal Address:.....
Postal code:.....
Telephone (Home):
Telephone (Business):.....
Cell:.....

E-mail address:.....
Residential Address:.....
.....
Postal code:

General Information	
Driver's License: Yes/No	Code(s):
Tax Reference Number:	Tax Office:
Next of Kin	
First Name:	Relationship:
Surname:	Cell phone:
	Email:
Medical Practitioner	
First Name:	Cell phone:
Surname:	
Medical Aid	
Medical Aid:	
Medical Aid Number:	Medical Aid Plan:
	Number of Dependants:

Banking Details	
Bank Name:	
Branch Code:	Branch Name:
Account Number:	
Account Holder Name:	
Account Type:	

Dependant / Spousal / Life Partner Details	
Spousal / Life Partner Details	
Spousal / Life Partner Name:	Spousal / Life Partner Date of Birth:
Spousal / Life Partner ID number:	
Dependants Details	
1. Surname:	Name:
Gender: Male:.....Female:.....	Date of Birth:
Relationship:	
2. Surname:	Name:
Gender: Male:.....Female:.....	Date of Birth:
Relationship:	
3. Surname:	Name:
Gender: Male:.....Female:.....	Date of Birth:

Relationship:	
---------------	--

Languages			
Primary Language:			
Speak:	Basic	Intermediate	Fluent
Read:	Basic	Intermediate	Fluent
Write:	Basic	Intermediate	Fluent
Second Language:			
Speak	Basic	Intermediate	Fluent
Read	Basic	Intermediate	Fluent
Write	Basic	Intermediate	Fluent
Other Language:			
Speak	Basic	Intermediate	Fluent
Read	Basic	Intermediate	Fluent
Write	Basic	Intermediate	Fluent

Qualifications		
Institution	Degree/Certificate	Year of completion

Prior work experience			
	Current Year	Prior	Prior
Employer:			
Address:			
Phone number:			
Name of immediate supervisor:			
Duration of employment:			
May we contact the employer	Yes/No		

Professional Memberships

Organisation:
Membership Date:
Comments
Comments / Additional Information:

DECLARATION

I certify that the above information, as provided by me, is true and correct to the best of my knowledge.

Signature of Staff member

Date

ANNEXURE V: 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 membername:		
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.

<i>(please tick)</i>	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:

<i>(please tick)</i>	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	
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:				

<i>(please tick)</i>	Improvement required	Satisfactory	Good	Excellent
Date:				

ANNEXURE W: SUPPORT STAFF FOR OFFICES OF POLITICAL OFFICE BEARERS ACCORDING TO CATEGORY OF MUNICIPALITY

CATEGORY A

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

CATEGORY B

Executive Mayor	Mayor	Deputy Executive Mayor/ Deputy Mayor	Speaker	Chief Whip / Whip	Councillor Support	
					Member of Executive Council / Mayoral Committee / Chairperson of a sub-council	Party Offices
Chief of Staff Administrative Secretary Private Secretary Special Advisor Community Liaison Officer Receptionist Driver	Head of the Office Administrative Secretary Private Secretary Special Advisor Community Liaison Officer Receptionist Driver	Head of the Office Administrative Secretary Private Secretary Secretary Driver	Head of the Office of the Speaker Administrative Secretary Public Participation and Outreach Coordinator Public Officer: Petitions and Hearings Ward Coordinator Coordinator: Community Development Workers Senior / Administrative Officer Receptionist Driver	Support Officer Secretary	Manager: Councillor Support	Executive Support Officer per POB Secretary per POB Researcher per POB Secretary per POB
	Possible Shared Resources:					
	<ul style="list-style-type: none"> 4. Researcher and Speech Writer 5. Committee Support (Administration) 					

CATEGORY C

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

CHAPTER 5: PROMOTION, TRANSFER, SECONDMENT AND ACTING APPOINTMENT POLICY

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PROMOTION, TRANSFER, SECONDMENT, AND ACTING APPOINTMENT POLICY

1. PREAMBLE

The Municipality views the promotion, transfer, and secondment of staff members as an important human resource tool to improve performance and to attain staff member satisfaction. In addition, allowing staff members to act in higher positions also maintains service delivery while exposing staff members to skill enhancement.

2. PURPOSE

- 2.1 To ensure that staff members are promoted, seconded and transferred appropriately and in line with operational requirements of the Municipality.
- 2.2 To ensure promotion of staff members for higher positions and salary levels in line with the Municipality's strategies of succession planning, career management, staff retention, performance enhancement, and employment equity.
- 2.3 To ensure that promotion is based on knowledge of the job, abilities, skills, aptitude, experience, performance, and the evaluation of the incumbent's post.
- 2.4 To regulate the secondment or temporary assignment of staff members to and across the Municipality's offices, sections, operating areas, and subsidiaries in line with the operational requirements, ill-health, or to fill vacancies.
- 2.5 To regulate the transfer of staff members to and across the Municipality's offices, sections, operating areas, and subsidiaries in line with the operational requirements, ill-health, or to fill vacancies.
- 2.6 To provide management with a standard framework for allowing staff members to act in higher positions
- 2.7 To provide management with a standard framework for paying an acting allowance to staff members acting in higher positions

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)

- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- 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
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy establishes the criteria and process for selecting and promoting employees, as well as transferring, seconding, and appointing staff on a temporary basis.

7. POLICY PROVISIONS

7.1 Promotion

7.1.1 Promotion in the Municipality occurs when:

- (a)** Notch progression within the same post grading on the criteria set out in the remuneration policy, or by resolution of the Municipal Council;
- (b)** Upgrading of the post the staff member occupies through job evaluation; and
- (c)** Appointment to a post in the Municipality that is higher than the one the staff member previously occupied.

7.1.2 The promoted staff member shall not forfeit his or her years of service and the benefits that accrue from those years of service.

7.2 Transfer of staff

7.2.1 The Municipality may transfer any staff member in its service to any equivalent post in the Municipality or, subject to Section 197 of the Labour Relations Act, to an equivalent post in another municipality.

7.2.2 Transfers are treated as appointments and may be effected by the Municipal Manager or Directors, depending on which has the appointing authority in terms of the relevant delegations. Transfers may only be effected if the following criteria have been met:

- (a)** The staff member's salary and benefits remain the same.

- (b) The organisational level remains the same.
- (c) The staff member's level of responsibility remains the same.
- (d) The staff member meets the minimum requirements of the post as confirmed in the job description.
- (e) The staff member requests or consents, in writing, to the transfer.
- (f) The transfer is not applied as a punitive measure. (In terms of the Disciplinary Code, a transfer can occur as a result of a transgression by the staff member but only after the disciplinary process has been applied).
- (g) Proper consultation with the staff member has taken place in which the reason(s) for transfer, advantages and possible disadvantages have been discussed and resolved where applicable.
- (h) The Human Resources Practitioner has been informed of the transfer.
- (i) Should a staff member be on a personal-to-holder salary scale, the Municipal Manager will have the discretion to approve a transfer to a post of which the remuneration (T-grade) is not equal to the remuneration (T-grade) of the current post of the staff member.
- (j) A transfer request may not be considered should the vacant post already be advertised in terms of section 6.2.4 of this policy.
- (k) Should a request for a transfer be declined, the relevant director shall provide the staff member with a reason(s) for his/her decision.

7.2.3 A staff member shall 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.

7.2.4 The salary and other conditions of service of a staff member shall not be adversely affected by a transfer without the consent in writing of that staff member.

7.2.5 A staff member shall 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.

7.2.6 The Municipal Manager shall consider all expenses associated with the transfer envisaged and approve or decline the request on his / her sole discretion.

7.2.7 The Letter of Transfer shall state all conditions of the transfer, including expenses that the Municipality shall cover.

7.3 Secondment of Municipal staff to another municipality

- 7.3.1** The Municipality may second a staff member with the relevant competencies to act in a post that is vacant in another municipality.
- 7.3.2** The Municipality shall conclude a written agreement regarding the secondment with the staff member, and another municipality where the staff member is being seconded to, that specifies –
- (a)** the municipality responsible for the costs of secondment;
 - (b)** the duration of the secondment, which shall not in each case exceed a period of twelve months;
 - (c)** the person to whom the seconded staff member shall report to;
 - (d)** the place at which the seconded staff member shall work; and
 - (e)** the new job description of the seconded staff member.
- 7.3.3** The staff member on secondment shall return to their substantive position after the secondment, on the same conditions of service, irrespective of the level at which they operated during the secondment.

7.4 Secondment of other government staff members to the Municipality

- 7.4.1** The Municipality may request national or provincial government, another municipality or any state organ as they 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.
- 7.4.2** The relevant legislation, terms and conditions of service of that person shall apply.
- 7.4.3** The Municipality shall conclude a written agreement regarding the secondment with the national or provincial government, another municipality or any state organ as the case may be, and the staff member to be seconded, that specifies –
- (a)** the party responsible for the costs of secondment;
 - (b)** the duration of the secondment, which shall not in each case exceed a period of twelve months;
 - (c)** the person to whom the seconded staff member shall report to;
 - (d)** the place at which the seconded staff member shall work; and

(e) the new job description of the seconded staff member.

7.4.4 The Municipality shall inform the MEC responsible for local government of any such secondment and the terms and conditions associated with that secondment.

7.5 Acting appointment on a vacant post

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

7.5.2 Unless indicated otherwise in the appointment to the acting post, a staff member of the Municipality who is acting in a higher post shall continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.

7.5.3 A person acting in a higher post has no right or expectation to be appointed to that post.

7.5.4 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.

7.5.5 The appointment to act in a post shall 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.

7.5.6 The staff member appointed to act in a post shall have the requisite competencies to be able to perform the duties associated with the post.

7.5.7 In selecting a person to act in a post, the following shall 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.

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

7.5.9 The Municipal Manager may extend the acting period for a further period of three months if the municipality has failed to attract suitable candidate and the vacant position must be re-advertised. Any further extensions made by the Municipal manager shall not exceed a period of nine consecutive months, whereafter the post shall be advertised and filled on a competitive basis.

7.5.10 The leave status of the acting staff member shall remain unchanged, though they shall not be allowed to take leave of absence unless:

- (a)** it is an unplanned leave (e.g. sick leave); or
- (b)** acting in a post where the permanent incumbent is on extended leave.

7.5.11 The acting staff member shall be informed about his or her performance during the acting period in line with the Performance Management and Development Policy.

7.6 Roles and responsibilities

The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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PLACEMENT POLICY

1. PREAMBLE

The Municipality acknowledges that placement of staff members is highly significant in the human resources system as it improves staff member morale, reduces staff member turnover, reduces absenteeism, reduces work-based accident rates, and avoids a misfit between the candidates and the jobs. Furthermore, the Municipality recognises that placement of staff members helps the candidates to work as per the predetermined objectives of the Municipality.

2. PURPOSE

The policy's purpose is to provide a standard framework for placement of staff members within the Municipality, arising out of new appointments, promotion, transfers, secondments, demotion, or organisational restructuring.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Minimum Wage Act, 2018 (Act No. 9 of 2018)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- South African Local Government Bargaining Council (SALGBC): Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy sets out the process for assigning employees to specific roles and responsibilities within the organization, based on their skills, experience, and performance.

7. POLICY PROVISIONS

7.1 Placement of a new staff member

Placement of a new staff member starts with the Municipality advertising an invitation of applications from candidates for a specific post. The advertisement contains job descriptions and job specifications in detail. When a candidate has been selected through the recruitment and selection policy, that candidate is appointed and duly placed in a position that was advertised earlier.

7.2 Placement of a serving staff member

Placement of a serving staff member is an assignment, or re-assignment, or redeployment of a staff member to a new or different job. Placement in this regard includes promotion, transfer, permanent secondment, or demotion of the staff member. Therefore, placement is arising out of a decision or process of promotion, transfer, demotion, permanent secondment, or restructuring.

7.3 Principles of placement

In all placement processes, the Municipality shall apply the following principles:

- 7.3.1** Candidates shall be placed on the job according to the requirements of the job. The job shall not be adjusted according to the qualifications or requirements of the candidate. Job first, candidate next, shall be the principle of placement.
- 7.3.2** The job shall be offered to the candidate according to his / her qualification. This shall neither be higher nor extremely lower than the qualification. To fill the job with candidates who have at least the minimum required qualifications ensures making the best possible use of their talents, given available job constraints.
- 7.3.3** Placement slot shall be ready before the joining date of the selected candidate.
- 7.3.4** The staff member shall undergo induction in the Municipality. He or she shall also be made aware of the code of conduct and ethics.
- 7.3.5** The placement in the initial period may be temporary as changes are likely after the completion of training, or probation. The staff member may be later transferred to the job where he / she can do better, provided prior planning for that possibility was worked out explicitly with the Department Human

Resources and the affected departments when the placement process (either for serving staff member or new staff member) was started.

- 7.3.6 While introducing the job to the new staff members, an effort shall be made to develop a sense of loyalty and co-operation in him / her so that he / she may realise his / her responsibility better towards the job and the Municipality.

7.4 Placement pitfalls to avoid

- 7.4.1 The Municipality shall not use placement practices that look at the individual candidate but not at the job.
- 7.4.2 For independent jobs (i.e., where activities of one staff member have little bearing on the activities of the other staff members) each staff member shall duly be evaluated between his / her capabilities and the interests and those required on/ the job.
- 7.4.3 For sequential jobs (i.e., where job activities of the staff member are dependent on activities of fellow staff members such as in the production line), placement shall ensure that each staff member is evaluated on their capabilities and the interests and those of the related jobs in sequence.
- 7.4.4 For pooled jobs (i.e., where the jobs have a high degree of interdependence among activities and the final output is the result of contributions of all staff members), each staff member is evaluated on their capabilities and the interests of the team required to deliver the expected outputs.

7.5 Classification guideline for staff member placement

The following shall be carried out:

- 7.5.1 Collect details of the staff member;
- 7.5.2 Construct his / her profile (qualifications and person specifications);
- 7.5.3 Determine which sub-group profile to job family profile;
- 7.5.4 Determine which job family profile does subgroup profile best fit;
- 7.5.5 Assign the individual to job family; and
- 7.5.6 Assign the individual to specific job after further counselling and assessment.

7.6 Placement due to organisational restructuring

- 7.6.1 The Municipality shall review its organisational structure, and along it the remuneration strategy and funding of filled posts and vacancies every year prior to adoption of the IDP. This review may have, among others, financial and geographical redeployment implications, as well as involve intra- and inter-departmental transfers, and temporary or permanent redundancy.

7.6.2 The placement of staff members following the review shall avoid disruption of effective and efficient delivery of services, and may not be used as a punitive measure against staff members, or to promote or demote staff members.

7.6.3 The following measures shall be used to place staff members after organisational restructuring or review:

(a) Place existing staff members first

- (i)** Every attempt shall be made to place existing staff members into posts created in the reviewed structure.
- (ii)** If no placement in terms of the agreed criteria can be made, the Municipality shall advertise the post and fill it with the most suitable external candidate.
- (iii)** New or posts with major changes shall be advertised and filled using the recruitment and selection policy and this policy.

(b) Place staff members on a close match basis

- (i)** Staff members are to be placed in the reviewed structure on a close match basis. This means that an existing staff member's profile (*i.e., qualifications, experience, and competencies*) shall be matched against the *job description* of the new / reviewed post on the reviewed organisational structure, not the post designation.
- (ii)** Where more existing staff members are a close match to fewer posts, the Municipality's Employment Equity Policy shall be applied.
- (iii)** If candidates remain tight at this point, and no near matches exist in other posts, staff members shall be placed through additional criteria to be devised by the Placement Committee and agreed-upon in the Local Labour Forum. Such criteria may include, but not limited to, *Last in First out (LIFO)* or *First in First out (FIFO)*.

(c) Placement Committee

- (i)** A Placement Committee shall be created as a sub-committee of the Local Labour Forum, consisting of equal numbers of management and representative staff member union, with a minimum of four (4) members and eight (8) members.
- (ii)** The Placement Committee shall be responsible for:
 - (aa)* Deliberating and reaching consensus on the placement of existing staff members into posts in the new structures, and objections; and

(bb) Determination of *additional criteria* for placement in cases where there are more candidates than funded positions.

(d) Classification of Posts and Placement Measures

Classification of posts and respective placement measures shall be as follows:

(i) Unchanged Posts

These are posts with no changes in job descriptions and / or geographical location. The current incumbents in these regards get automatic placements in such posts.

(ii) Minor Changed Posts

These are posts involving minor changes to the job descriptions, with no material effect on the level of responsibility. It might also involve a mere change in title without a change in duties listed in the job description. The current incumbents in these regards gets placement preference first, but with a strong emphasis on the acquisition of skills within twelve (12) months if such skills are required as a consequence of the minor changes in the job descriptions.

(iii) Major Changed Posts

These are posts with major changes to their job descriptions and responsibilities. These posts shall be evaluated and then advertised and filled as new through the recruitment and selection policy and this policy.

(iv) New Posts

These are posts that carry duties and responsibilities that did not exist in any form in the Municipality. These posts and their corresponding job descriptions shall be evaluated and duly placed on the appropriate salary grading level. The posts shall then be advertised and filled through the recruitment and selection policy and this policy.

(e) Changes in salary grade and service benefits due to placement

(i) Staff members whom the placement criteria places them higher than their current placement shall be entitled to salary and service benefits aligned to the post grading or job description of the new placement.

(ii) Staff members whose service conditions / benefits they currently enjoy or use change (*i.e. reduce or they cease to qualify to enjoy or use them, e.g. travelling allowance*) due to new placement shall,

from the start date of the new placement, not have an interruption in service benefits for a period of twelve (12) months, unless that service condition / benefit is materially changed by legislation and / or collective agreement.

- (f)** Geographical implications of placement
 - (i)** Placements that result in geographical redeployment of staff members shall be carried out on the basis of the following:
 - (aa)* The duties attached to such post and functions are to be delivered in another geographical area.
 - (bb)* The duties attached to such post and functions are reduced and / or combined with another in order to rationalise resources for efficiency savings or impact.
 - (cc)* The duties attached to such post and functions are abolished or no more necessary in that particular geographical area.
 - (ii)** Where it is necessary to geographically redeploy only part of a Department, the selection of staff members for redeployment in each of the affected job categories shall be carried out on following basis:
 - (aa)* Call for volunteers from staff members within each job category;
 - (bb)* If too many of the affected staff members volunteer to be redeployed, the selection shall be done on the basis of *First Up First Opportunity (FUFO)*; and
 - (cc)* If only a few of the affected staff members volunteer to be redeployed, the selection shall be done on the basis of *Last In First Up (LIFU)*, where the staff members with the shortest service in the job category concerned shall be selected for redeployment.
 - (iii)** In the event a similar post is advertised and earmarked for filling at the previous geographic location within a period of twelve (12) months from date of redeployment, any redeployed staff member shall receive preference when they apply for transfer to that post.
 - (iv)** In the case of a staff member accepting geographical redeployment and resettling to a place of residence closer to the new place of work, the Municipality shall cover the resettlement costs in line with the policy on resettlement / relocation.
 - (v)** In the case of a staff member who is redeployed but not move his / her place of residence, the payment of the difference in the usual

commuting costs may be negotiated with the Municipality, either by amendment of the travelling policy or other form of benefit in lieu of commuting costs. Such negotiated arrangement shall be incorporated in the relevant policy after consultation within the Local Labour Forum.

(g) Redundancy

After all placement options have been applied, and after all deliberations and consensus or no consensus have been reached, and after all objections have been addressed, excess staff members shall be declared redundant and their services terminated on the basis of legislation or policy on dismissal due to operational requirements.

(h) Publication of placement decisions

(i) All decisions, whether by consensus in the Local Labour Forum, or in the case of no consensus by Council resolution, shall be communicated to staff members by means of a publication in a circular specifically issued for this purpose and shall be displayed on general notice Councils located at places agreed upon within the Local Labour Forum.

(ii) All staff members shall be notified on the final outcome of the placement process by way of personalised letters, with copies to their personal files.

7.7 Roles and responsibilities

The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 7: TERMINATION OF SERVICE

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TERMINATION OF SERVICE

1. PREAMBLE

The Municipality views the termination of service as a necessary management tool on the one hand, and as an inevitable process of employment contract on the other hand. The Municipality would strive to apply termination of service in accordance with the circumstances of the employment contract, and the applicable legislation.

2. PURPOSE

- 2.1 To provide framework for all instances for termination of service within the Municipality.
- 2.2 To ensure that staff members' services are terminated appropriately and in line with the best practices and legislation within the Municipality.
- 2.3 To regulate the termination of services of staff members across the Municipality's offices, sections, operating areas in line with the applicable reasons for termination of service.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Local Government: Regulations on appointment and conditions of employment of senior managers, 2014
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- South African Local Government Bargaining Council (SALGBC): Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the process for ending the employment relationship, including voluntary resignation, retirement, termination for cause, and layoff.

7. POLICY PROVISIONS

7.1 Voluntary Resignation

7.1.1 A staff member may resign from the service of Municipality with or without stating any reason.

7.1.2 A permanent staff member shall give at least thirty (30) days' written notice of resignation.

7.1.3 The Municipal Manager may approve other periods of notice of resignation in exceptional cases.

7.2 Termination by Mutual Agreement

7.2.1 A staff member's services may be terminated by mutual agreement between the staff member and the Municipality.

7.2.2 The staff member and the Municipal Manager may agree on the period of notice.

7.3 Termination on Completion of Project or Condition of Employment

7.3.1 A staff member's services may be terminated on completion of a project where the staff member was appointed as a temporary staff member in terms of the limited duration of the project and / or employment agreement, or in fulfilment of a written stipulation in the conditions of employment.

7.3.2 The notice period is not applicable in this instance.

7.4 Retirement at Normal Retirement Age

A staff member shall retire on pension at the end of the month in which the staff member reaches retirement age established by the Municipality on the basis of collective agreements.

7.5 Early Retirement

7.5.1 A staff member may retire earlier than normal retirement age in terms of the rules of the Retirement or Pension Fund of the Municipality.

7.5.2 The reasons could vary from medical fitness, to exercising of choice provided in the Fund rules.

7.5.3 Early retirement as a result of medical disability is subject to the terms and conditions of the relevant insurance policy or retirement fund applicable to the disability of the staff member.

7.6 Incapacity due to ill-health

7.6.1 A staff member's services may be terminated due to ill-health on their part.

7.6.2 The process shall be handled through the Municipality' policy on Incapacity due to ill-health.

7.7 Incapacity due to operational requirements

7.7.1 A staff member's services may be terminated as part of operational requirements of the Municipality, where such requirements could be based on the economic, technological, structural or similar needs of the Municipality.

7.7.2 The process shall be handled through the Municipality' policy on Incapacity due to operational requirements.

7.8 Incapacity due to poor performance

7.8.1 A staff member's services may be terminated due to the persistent poor performance on their part.

7.8.2 The process shall be handled through the Municipality' policy on Incapacity due to poor performance.

7.9 Termination due to misconduct

7.9.1 A staff member's services may be terminated as a result of being found guilty of misconduct in terms of the code of conduct and ethics.

7.9.2 The process shall be handled through the Municipality' policy on Discipline.

7.10 Staff member-initiated / voluntary severance package

A staff member may apply for a staff member-initiated or voluntary severance package when affected by transformation and restructuring. The application is subject to the approval of Council, on recommendation of the Municipal Manager.

7.10.1 Matters for considering the application

- (a)** In considering the application, the following shall, as a minimum, be taken into account:
 - (i)** The impact of the staff members' exit from the Municipality on its service delivery capabilities.
 - (ii)** The staff member's competence and suitability for continued employment.
 - (iii)** The manner in which the staff member's exit will support transformation and restructuring of the Municipality.
 - (iv)** The specific reasons for the staff member's request.
 - (v)** The ability of the Municipality to finance the costs related to the payment of the severance package (e.g. refunding Pension Fund, severance pay, leave pay, etc.).
 - (vi)** The impact of the granting of the severance package on the morale of other staff members.
 - (vii)** Whether the staff member occupies a post on the Municipality's establishment or whether the staff member is held additional to the establishment.
- (b)** If misconduct or incapacity due to poor performance proceedings are underway against the staff member, the decision regarding their application shall be postponed until such proceedings have been finalised.
- (c)** If the Council or Municipal Manager does not approve the application, the staff member shall, in writing, be informed that the application is not approved. The staff member shall also be provided with adequate reasons for the decision and be informed of any right of review.
- (d)** If the Council or Municipal Manager approves the application, the staff member shall be notified in writing of the decision and their exit from the Municipality shall take effect not later than two months after the date of such notice.

7.10.2 Severance package payable

If the Council or Municipal Manager approves the staff member-initiated or voluntary severance package application, the following measures shall apply:

- (a)** Retirement / Pension benefits: Staff member to be paid retirement benefits in line with the rules of the applicable Retirement or Pension Fund.

- (b) Severance pay: Staff member shall be paid severance package amount or through a formula agreed to in the SALGBC, and approved by Council.
- (c) Leave pay: Staff member shall be paid all unused vacation leave days accumulated in accordance with the leave policy. Leave shall be audited before any leave payments may be made to a staff member.
- (d) **Compensation for medical benefits**
 - (i) Staff members aged 55 and older on the date of service termination who have been members of the registered medical scheme for the year ending with service termination, and chose to continue to be members of a medical scheme, will qualify for continued employer contribution at the scale determined for active staff members.
 - (ii) Staff members who are younger than 55 at the date of service termination, and staff members who are 55 and older who are not members of registered medical scheme, shall be paid a once-off all-inclusive amount determined by the SAGBC. This amount is in lieu of medical benefits regardless of the staff member's participation in the benefit before service termination. These staff members shall not qualify for post-retirement medical assistance in future.
- (e) **Service bonus:** Staff member shall be paid a pro rata service bonus calculated on the basis of the service period of the staff member at the date of service termination.
- (f) **Contractual obligations:** Staff members are to be released from contractual obligations that require from them to remain in service. Payments to third parties and other Municipality debt shall be recovered from retirement benefits, if staff members do not make suitable arrangements to settle their debt.
- (g) **Official housing:** Where official Municipality housing was provided, staff members shall be given a SALGBC-determined notification to vacate official Municipality housing, unless a different period is specified in an individual contract of employment.
- (h) **Notice of termination of service:** The staff member's termination of service by the Municipality shall take effect within two months after the date of the notice of the approval of their application.
- (i) **Subsidised scheme:** Subsidised motor vehicles, where applicable, shall be dealt with in terms of the scheme rules, and where relevant, the travel and transport policy.

- (j) **Resettlement benefits:** Notwithstanding the provisions of the resettlement policy, the Municipality shall meet, at the request of the staff member who is 55 and older, reasonable costs of resettlement of the staff member and their immediate family to a place in South Africa where they were recruited from, or to their country of origin if they were recruited from abroad.

7.11 Actions by the Municipality on Termination of Service

Upon termination of service, the Municipality, through the Department Human Resources, shall ensure the following are carried out:

7.11.1 Notice periods

- (a) Any period of notice may not run concurrently with any period of leave by the staff member.
- (b) No notice or payment in lieu of notice shall be required to be given or paid to a staff member whose services are terminated as a result of misconduct or as a result of the termination of a temporary employment agreement by natural expiry of time.

7.11.2 Payment of leave credit

Upon termination of service for any reason all leave due to a staff member shall be paid out to such staff member and all retirement funds due shall be paid out in terms of the rules of such Retirement Fund unless the monies have been ceded to the Municipality by the staff member, or the staff member has authorised the Municipality to make deductions from such monies.

7.11.3 Payment of all monies due to staff member

All monies due to a staff member after termination of service shall be paid to the staff member within three (3) months or as soon as possible after termination of service.

7.11.4 Recovery of debts from staff member

On termination of service any debt of a staff member to the Municipality shall be deducted from such staff member's remuneration or any monies owed to the staff member, if the staff member signed an acknowledgement of debt in terms of the Basic Conditions of Employment Act, or by order of the court.

7.11.5 Issue of Certificate of Service

A Certificate of Service shall be issued to staff members on termination of service on the conditions determined by the Council, on recommendations supported by the Local Labour Forum.

7.12 Roles and responsibilities

The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation in the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

PART C: STAFF MEMBER PERFORMANCE AND OPTIMISATION

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PERFORMANCE MANAGEMENT POLICY

1. PREAMBLE

Municipality places performance by all staff members at the forefront of service delivery, and has thus developed a policy to drive performance management across all levels and in synchronisation with other human resource management systems and processes.

2. PURPOSE

The purpose of this policy is to provide a standard framework for planning and continuous assessment of and optimisation of performance of all staff members in the Municipality.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality, except a staff member who is:

3.1 appointed on a fixed term contract with a duration of less than 12 months;

3.2 serving notice –

3.2.1 of termination of his or her contract of employment; or

3.2.2 to retire on reaching the statutory retirement age; and

3.3 appointed on an internship programme or participating in the national public works programme or any similar scheme; and

3.4 appointed in terms of sections 54A and 56 of the Municipal Systems Act.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- 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
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Municipal Planning and Performance Management Regulations, 2001
- National Skills Development Strategy

- National Qualifications Framework

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy aims to ensure that all staff members are performing at their highest level and that their skills and abilities are being fully utilized.

7. POLICY PROVISIONS

7.1 Performance management and development principles

- 7.1.1** The performance management and development system shall be collaborative, transparent, and fair.
- 7.1.2** The municipality shall apply the performance management and development system in a consultative, supportive and non-discriminatory manner in order to enhance organisational efficiency, effectiveness and accountability.
- 7.1.3** The performance management and development system shall be underpinned by an open, constructive and on-going communication between the supervisor and the staff member.
- 7.1.4** The performance management and development system shall, where reasonably practicable, link to –
 - (a)** the Municipality's strategic objectives and Integrated Development Plan, the SDBIP of the relevant Municipal department; and
 - (b)** the senior manager's performance plan and the performance plans of the staff members falling under that senior manager's department.
- 7.1.5** The performance management and development system shall be developmental, while allowing for –
 - (a)** an effective response and relevant measures to manage substandard performance; and
 - (b)** recognition and reinforcement of fully effective performance, performance significantly above expectations and outstanding performance.

- 7.1.6 The performance management and development system shall be integrated with other human resource policies and practices, as well as any other organisational development initiatives of the Municipality.
- 7.1.7 The performance management and development system shall promote productivity and optimise skills development targets.
- 7.1.8 The performance management and development system shall ensure that realistic and achievable outputs are set for staff members.

7.2 Determination of performance management and development system

The objective of the performance management and development system is to –

- 7.2.1 promote the objects and developmental duties of the Municipality as set out in Sections 152 and 153 of the Constitution;
- 7.2.2 promote a culture of service to the public, accountability, mutual co-operation and assistance amongst staff members;
- 7.2.3 institutionalise performance planning, monitoring and evaluation in the Municipality;
- 7.2.4 maximise the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents by aligning municipal-wide, departmental and individual performance;
- 7.2.5 build a common understanding among staff members of the Municipality's objectives contained in the Integrated Development Plan (IDP) and annual performance plan;
- 7.2.6 set clear performance indicators and performance targets by communicating to staff members how their roles contribute to the success of the Municipality;
- 7.2.7 build individual capability, skills, competencies that are key to the Municipality achieving its mandate and objectives and encourage commitment among staff members;
- 7.2.8 create an enabling environment to plan, monitor and measure performance against set targets or outputs;
- 7.2.9 encourage desired behaviours as articulated in the Code of Conduct for Municipal Staff Members, as contained in Schedule 2 to the Municipal Systems Act;
- 7.2.10 identify and improve substandard performance of staff members;
- 7.2.11 recognise performance of staff that have achieved a rating of performance significantly above expectations and outstanding performance.

7.3 Performance management and development system

- 7.3.1** A staff member of the municipality is a public servant in a developmental local government system, and therefore shall –
- (a)** be committed to serve the public and to a collective sense of responsibility for performance in terms of standards and targets; and
 - (b)** participate in the overall performance management system of the municipality, as well as the staff members' individual performance evaluation and reward system in order to maximise the ability of the municipality as a whole, to achieve its objectives.
- 7.3.2** The Municipality, as represented by the relevant supervisor, and staff member shall, during the planning phase, agree on –
- (a)** the performance objectives and targets that the staff member is expected to achieve during a performance cycle;
 - (b)** specific performance standards, weightings for targets and performance indicators for measuring achievement of performance against set targets; and
 - (c)** job specific competencies to be assessed in the performance cycle.
- 7.3.3** The supervisor and staff member shall ensure that performance management is aligned to the staff member's job, and KPAs relevant to the post that the staff member holds.
- 7.3.4** The KPAs shall relate to the staff member's functional area and shall consist of not less than 5 and not more than 7 KPAs.
- 7.3.5** The KPIs—
- (a)** include the input, quality or impact of an output by which performance in respect of a KPA is measured; and
 - (b)** shall be measurable and verifiable.
- 7.3.6** The performance standard for each KPI may be qualitative or quantitative, but shall also satisfy the criteria set out in 7.3.5 above.
- 7.3.7** The KPA weighting demonstrates the relative weight of each KPA.
- 7.3.8** The job specific competencies, as derived from Annexure A of the Municipal Staff Regulations, shall include the name and definition of the specific competency, the expected level of capability, the relevant weightings, be specific and applicable to the job of the staff member.

- 7.3.9** The staff member's job specific competencies shall not exceed six competencies within a performance cycle.
- 7.3.10** The supervisor shall, during the performance cycle, monitor, coach and provide feedback to the staff member.
- 7.3.11** The supervisor and staff member shall undertake a formal mid-year performance review. The review shall be recorded as a formal engagement between the supervisor and staff member.
- 7.3.12** The supervisor and staff member shall undertake an annual performance assessment for each performance cycle based on the performance agreement.
- 7.3.13** The criteria upon which the performance of the staff member shall be assessed consist of two components: KPAs and job specific competencies. The staff member's performance shall be assessed against both components. KPAs covering the main areas of the work will account for 80% of the weight while the job specific competencies will constitute 20% of the overall assessment result as per the weightings agreed in terms of the performance agreement.
- 7.3.14** The supervisor and staff member shall conclude the annual performance assessment process as a formal engagement co-signed by the supervisor and staff member. The annual performance assessment shall be recorded and signed by the supervisor and staff member.
- 7.3.15** The supervisor shall ensure that any relevant personal development and career incidents are deliberated upon with the staff member during the performance appraisal or assessment.

7.4 Performance agreement

- 7.4.1** A supervisor and staff member shall enter into a performance agreement for each performance cycle of the municipality.
- 7.4.2** The performance agreement of –
- (a)** a serving staff member shall be concluded within 30 days of the commencement of the new financial year of the municipality; and
 - (b)** a staff member shall be concluded within 60 days of—
 - (i)** his or her appointment after probation as from 1 July of the new financial year;
 - (ii)** his or her transfer or promotion to a new post; or
 - (iii)** hi or her return from prolonged leave that is more than three months.

- 7.4.3** If at any time during the period of the performance agreement, the responsibilities of the staff member change to the extent that the performance plan in the performance agreement is no longer appropriate, the parties shall revise the performance agreement.
- 7.4.4** The performance agreement shall not diminish the obligations and duties of a staff member in terms of the staff member's employment contract, or any applicable regulations or municipal policy.
- 7.4.5** The performance agreement shall include a performance plan that contains–
- (a)** the name, job title and the department of the staff member;
 - (b)** the objectives or targets;
 - (c)** the KPAs, their weightings and the target date for meeting the KPA;
 - (d)** the KPIs and the performance standard for each KPI;
 - (e)** the name and definition of the job specific competencies, their weightings and the expected level of capability for each competency;
 - (f)** a personal development plan prepared as prescribed in terms of the skills development policy;
 - (g)** the process of monitoring and assessing performance, including the planned dates of assessment.

7.5 Team-based performance

- 7.5.1** The Municipality shall establish a team-based performance management and development system for a category of staff below the level of a supervisor that will assist the municipality in managing probation, rewards, and skills development of staff members, which is consistent with the principles under clause 7.1.
- 7.5.2** Before implementing the team-based performance management and development system, the Municipality shall –
- (a)** pilot the system on a team of staff members in all affected occupational streams; and
 - (b)** consult the system with recognised trade unions within the Local Labour Forum.

7.6 Performance monitoring and review

- 7.6.1** The monitoring process shall involve a manager consistently measuring performance on the job and providing ongoing feedback to staff members and teams on progress towards reaching staff member and team goals.
- 7.6.2** The monitoring of performance shall include conducting progress assessment with staff member and teams through one-on-one or team engagement sessions during which their performance is compared against predetermined performance standards.
- 7.6.3** The supervisor shall offer coaching when required in order to reinforce effective performance or bring the performance of the staff member closer to the expected standards.
- 7.6.4** The performance of the staff member shall be reviewed at mid-year to assess the staff member or teams' progress towards meeting performance targets, to identify challenges and agree to solutions and to consider reviewing targets resulting from workplace changes beyond the staff member or team's control.
- 7.6.5** The municipality may review the performance of a staff member at any other time and on an ongoing basis to offer coaching and feedback.

7.7 Performance evaluation

- 7.7.1** The annual performance evaluation shall involve –
- (a)** an assessment of the extent to which the staff member achieved the performance objectives and targets as outlined in the performance plan, which comprises:
 - (i)** each KPA assessed to determine the extent to which the specified standards or KPI have been met, with due regard to ad hoc tasks that had to be performed under that KPA;
 - (ii)** an indicative rating on the prescribed five-point scale under 7.7.2 below provided for each KPA; and
 - (iii)** the rating assigned to each KPA multiplied by the weight given to that KPA to provide a weighted score for that KPA.
 - (b)** an assessment of the extent to which the staff member achieved the job specific competencies outlined in the performance plan, which comprises:
 - (i)** each competency assessed to determine the extent to which the specified standards or KPIs have been met;
 - (ii)** an indicative rating on the prescribed five-point scale under 7.7.2 below provided for each job specific competency; and

- (iii) the rating assigned to each job specific competency is multiplied by the weight given to that competency to provide a score for that competency.

7.7.2 The prescribed five-point rating scale below shall apply to all staff members:

Level	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of a staff member at this level. The appraisal indicates that the staff member has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Agreement and Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectation	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the staff member has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the staff member has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Agreement and Performance Plan
2	Performance not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the staff member has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Agreement and Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The review/assessment indicates that the staff member has achieved below fully effective results against almost all of the performance

		<p>criteria and indicators as specified in the Performance Agreement and Performance Plan. The staff member has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.</p>
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- 7.7.3** An overall rating shall be calculated by using the assessment rating calculator as provided in Annexure F to this policy. Such overall rating represents the outcome of the performance appraisal.
- 7.7.4** The annual performance evaluation shall determine a performance rating for the performance cycle.
- 7.7.5** The staff member assessed or the person designated in terms of 7.7.7 below shall provide the supervisor with a portfolio of evidence relating to his or her KPAs for the entire performance cycle.
- 7.7.6** The maintenance and provision of the portfolio of evidence to support the decision on the final score to each KPA and competency, shall be the responsibility of the staff member.
- 7.7.7** Despite 7.7.6 above, the municipal manager may exempt categories of staff from maintaining a portfolio of evidence in which case the municipality shall determine alternative mechanisms, or designate a staff member who will maintain the portfolio of evidence of those staff members.
- 7.7.8** The evaluation of the performance of the staff member shall be conducted by that staff member's supervisor or his or her delegate.
- 7.7.9** The staff member's supervisor shall keep a record of all assessment meetings.
- 7.7.10** Personal growth and career development needs identified during any performance review or assessment, together with the actions and timeframes agreed to, shall be recorded in the staff member's personal development plan.
- 7.7.11** Once the annual performance evaluation has been concluded, the performance assessment reports and outcomes shall be subjected to departmental moderation processes in terms of this policy.

7.8 Performance moderation

- 7.8.1** The municipal manager shall establish departmental performance moderation committees, which shall be convened annually.
- 7.8.2** Performance moderation processes shall take place within a reasonable timeframe after the end of the performance cycle, but not later than six months after the end of the financial year.

7.8.3 The departmental performance moderation committees shall be constituted as follows:

- (a)** The relevant heads of departments, who shall act as chairpersons in the committees;
- (b)** all managers directly accountable to the heads of departments, who shall be recused from the committee before their assessments are considered by the committee; and
- (c)** a senior human resource functionary who will advise, guide and provide support, including arrangements for secretariat services.

7.8.4 The purpose of the departmental performance moderation committee is to—

- (a)** conduct moderation of annual staff member performance results in order to ensure that the norms and standards for performance management and development systems are applied in a fair, realistic and consistent manner across the department;
- (b)** assess and compare the performance and contribution of each staff member with his or her peers towards the achievement of departmental goals;
- (c)** ensure fairness, consistency and objectivity with regard to dispersal of performance recognition and ratings achieved for a common understanding amongst supervisors of the performance standards required at each level of the performance rating scale;
- (d)** determine the cost implications for recognition of performance of all staff members within the department;
- (e)** recommend the moderated performance scores for all staff members to the municipal moderating committee for approval;
- (f)** ensure that performance rewards are based on affordability;
- (g)** consider the impact of the performance assessments on financial rewards and options for various forms of recognition;
- (h)** recommend performance rewards as well as remedial actions for performance considered to be below effective performance; and
- (i)** ensure that the integrity of the performance management and development system is protected.

7.8.5 If the departmental moderation committee has reason to believe that any performance assessment by the supervisor does not conform to performance norms and standards or that there is lack of evidence or information to support

the performance ratings, the departmental moderation committee shall not reassess, amend or adjust the performance ratings of a staff member, but shall refer the assessment back to the relevant supervisor for reassessment in consultation with the affected staff member.

- 7.8.6** Upon conclusion of the reassessment, the departmental moderation committee may reconvene to moderate the assessment of the staff member concerned.
- 7.8.7** If the supervisor fails to reassess the staff member within the stipulated timeframe despite the request to do so by the relevant authority, or the departmental moderation committee still has reason to believe that the performance ratings are not substantiated, the moderation committee may request the higher level supervisor to reassess the relevant staff member.
- 7.8.8** The affected staff member shall be consulted and be offered an opportunity to respond.
- 7.8.9** The municipal council shall establish a municipal moderation committee, which shall be convened annually.
- 7.8.10** The municipal moderation committee shall be constituted as follows:
- (a)** The municipal manager, who shall act as the chairperson of the committee;
 - (b)** all heads of departments;
 - (c)** head of municipal planning and organisational performance;
 - (d)** head of the municipal internal audit;
 - (e)** a senior human resource functionary to guide, advise and provide support, including arrangements for secretariat services; and
 - (f)** a performance specialist, where applicable.
- 7.8.11** The purpose of the municipal moderation committee is to—
- (a)** provide oversight over the staff member performance management and development system to ensure the performance management process is valid, fair and objective;
 - (b)** moderate the overall performance assessment score for staff members determined after the departmental moderation processes;
 - (c)** ensure that the final individual performance ratings are fair across each grade and department or directorate;

- (d) ensure that the final individual assessment outcome corresponds with the performance of the municipality and the relevant department aligned to the staff member's job description or directorate before any recognition of performance is considered;
- (e) determine the percentages for the merit based rewards subject to affordability and the annual approved municipal budget in terms of section 16 of the Municipal Finance Management Act;
- (f) recommend appropriate recognitions for different levels of performance;
- (g) recommend appropriate remedial actions for performance believed to be substandard;
- (h) advise the municipality on recognition of performance, including financial and non-financial rewards, where applicable;
- (i) identify potential challenges in the performance management system and recommend appropriate solutions to the municipal manager;
- (j) identify developmental needs for supervisors to improve the integrity of the performance management and development system; and
- (k) consider any other matter that may be considered relevant.

7.9 Performance rewards

7.9.1 A performance related reward –

- (a) is at the discretion of the municipality; and
- (b) may be awarded to a staff member—
 - (i) who has served the full assessment period of 12 months on 30 June of each financial year of a municipality;
 - (ii) transferred or seconded horizontally during the performance cycle within the municipality;
 - (iii) who is on uninterrupted approved leave for 3 months or longer;
 - (iv) who is on approved maternity leave for more than 3 months; and
 - (v) who received a performance rating of performance significantly above expectations or outstanding performance during a performance cycle after moderation of performance results.
- (c) may not be awarded to a staff member—

- (i) appointed after 1 July of that performance cycle;
- (ii) who is serving probation as stipulated in this policy;
- (iii) whose performance period is less than 12 months;
- (iv) whose employment is for a fixed term duration of less than 12 months; or
- (v) whose post was upgraded without a change in performance agreement.

7.9.2 The municipality shall limit its spend on staff member performance rewards to 1.5% of the annual salary and wage bill.

7.10 Disputes about performance agreements and ratings

7.10.1 Any dispute about performance objectives or targets shall be mediated by the relevant head of department or directorate of the staff member to whom this function is delegated. If the dispute is not resolved to the staff member's satisfaction, the staff member may lodge a grievance in terms of the applicable procedures.

7.10.2 A dispute relating to the conclusion of the performance agreement or an amendment to the performance agreement, shall be referred to the head of the relevant department or directorate not later than five days of lodging the grievance in terms of the applicable procedures.

7.10.3 A dispute contemplated in clause 7.10.2 shall be resolved within one month of receipt of the dispute by the head of the department, after –

- (a) considering the representation from the staff member and his or her supervisor; and
- (b) consulting the head of human resources.

7.10.4 A staff member who is not satisfied with the outcome of the procedure may lodge a dispute in terms of the dispute resolution mechanisms of the SALGBC.

7.11 Managing substandard performance

7.11.1 A staff member who receives a performance rating below three in terms of the prescribed five-point rating scale shall –

- (a) be assisted in developing his or her competencies through training, and supervision; and
- (b) develop a revised personal development plan with his or her supervisor.

7.11.2 The personal development plan shall contain at least –

- (a) a description of the behaviour and skills that require improvement;
- (b) a description of the actions that will be undertaken to improve the identified behaviour and skills that require improvement;
- (c) the deadlines for improvement
- (d) a schedule of meetings to assess improvements and provide feedback; and
- (e) details of the potential consequences in the event that there is no improvement in performance.

7.11.3 The meetings to assess improvements and provide feedback shall be recorded in writing.

7.11.4 The personal development plan to manage performance improvement shall cover a maximum period of six months, at the end of which, a formal evaluation of performance shall take place.

7.11.5 The following alternatives shall be considered in respect of a staff member whose performance has not improved to at least a performance that is fully effective:

- (a) continuation of the actions referred to in the personal development plan
- (b) alternative actions to improve performance
- (c) offering the staff member an alternative job within the Municipality that is better suited to the staff member's behaviour and skills; or
- (d) dismissal owing to incapacity in terms of the provisions of the Labour Relations Act.

7.11.6 Poor work performance shall be dealt with in accordance with item 9 of Schedule 8 to the Labour Relations Act.

7.12 Performance management of staff members who are acting in posts

If a staff member is required to act in a post for a period that exceed three months, the supervisor to whom the acting staff member is reporting, shall review the KPAs and KPIs in consultation with the acting staff member, and include the KPAs and KPIs in the staff member's amended performance agreement.

7.13 Roles and responsibilities

7.13.1 The Municipality shall –

- (a)** create an enabling environment to facilitate effective performance by the staff member;
- (b)** within the available resources, provide access to skills development and capacity building opportunities;
- (c)** work with the staff member to solve problems and generate solutions to common problems that may impact on the performance of the staff member;
- (d)** on the request of the staff member delegate such powers reasonably required by the staff member to enable him or her to meet the performance objectives and targets established in terms of the performance agreement;
- (e)** within the available resources of the Municipality, make available to the staff member such resources as that staff member may reasonably require from time to time to assist the staff member to meet the performance objectives and targets established in terms of the performance agreement;
- (f)** consult the staff member timeously where the exercising of the powers will have, amongst others—
 - (i)** a direct effect on the performance of any of the staff member's functions;
 - (ii)** commit the staff member to implement or to give effect to a decision made by the Municipality; and
 - (iii)** a substantial financial effect on the Municipality.

7.13.2 A supervisor shall ensure that –

- (a)** the annual performance plan's KPIs with regard to the Municipality's development priorities and objectives are –
 - (i)** linked to each department's objectives; and
 - (ii)** the KPAs in the performance agreements of the staff member.
- (b)** the KPAs of staff members in a department serve to achieve all the department's objectives;
- (c)** performance standards are specific, measurable, attainable, relevant, linked to specific time periods and in line with the ability of the staff member;
- (d)** a staff member signs a performance agreement as prescribed or as determined in accordance with the applicable procedure;

- (e) he or she monitors progress and measure performance of staff member;
- (f) he or she provides regular constructive feedback to the staff member;
and
- (g) he or she are available to support the staff member through the performance period.

7.13.3 The manager responsible for human resources or the staff member to whom this responsibility is delegated shall –

- (a) provide support to the annual performance management process;
- (b) provide guidelines on how to set KPAs and KPIs and their related targets;
- (c) communicate to all staff members the performance calendar for the forthcoming financial year;
- (d) facilitate training on performance management for new and existing staff members;
- (e) provide guidance on setting development plans;
- (f) consolidate the results of the performance management process and ensure that the identified development needs are incorporated into the annual training and development plan;
- (g) prepare reports on performance ratings and salary budgets and expenditure for consideration by the Municipal Council or a duly appointed Committee of the Council; and
- (h) communicate the performance assessment outcomes, including the final performance rating, the salary notch according to the salary scales, and any performance related salary increase.

7.13.4 A staff member shall –

- (a) participate in setting his or her annual KPAs and KPIs;
- (b) enter into a performance agreement annually with the Municipality;
- (c) remain committed to the KPAs and KPIs throughout the performance period and be accountable for his or her performance;
- (d) take responsibility for his or her personal development and learning opportunities;
- (e) where applicable, maintain a portfolio of evidence if required;

- (f) actively seek out and be open to feedback; and
- (g) know what is expected of him or her.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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1. DEFINITION OF PERFORMANCE MANAGEMENT

Performance management is the process through which a manager or supervisor meets or discusses with a staff member or a team of staff members to support Municipal and personal development goals. Performance management involves quarterly review processes with regular communication to check in on progress toward strategic goals and performance improvement, and an annual appraisal process to assess performance against strategic goals.

2. IMPORTANCE OF PERFORMANCE MANAGEMENT

- 2.1. Performance management is a critical focus for the Municipality as it affects financial performance, productivity, staff member retention and municipal culture. Some of the other benefits of performance management include greater efficiency, accountability and staff member satisfaction.
- 2.2. Performance management process links strategic objectives with individual and team goals, motivating staff members to feel connected to municipal goals and their continuous improvement.

3. PERFORMANCE MANAGEMENT SYSTEM

- 3.1. Performance management system is a standardised performance management tool and process put in place for goal-setting and measuring individual and team performance. Performance management system aligns with municipal culture and strategy, helps with talent management, and serve as a performance appraisal tool for managers, staff members and teams.
- 3.2. Performance management system is also a tool used to identify skill gaps, reflect on good management techniques, and provide data for development or succession planning.

4. UTILISATION OF PERFORMANCE MANAGEMENT SYSTEM IN THE MUNICIPALITY

- 4.1. The Municipality's performance management system is utilised for mainly two purposes:
 - 4.1.1 For decision-making, whereby the appraisal information is used as a basis for pay increases, promotions, transfers, assignments, reductions in staff and other administrative human resources activities.
 - 4.1.2 For development, whereby the appraisal information is used to guide the training, job experiences, mentoring and other developmental activities that staff members will engage in to develop their capabilities.
- 4.2. Ratings used for decision-making shall be objective, with staff members receiving ratings based on portfolio of evidence against pre-set objectives.

- 4.3.** Ratings for developmental purposes shall be more variable, reflecting both staff member strengths and development needs.
- 4.4.** The performance management system has a well-articulated process for accomplishing evaluation activities, with defined roles and timelines for both managers, individual staff members, and teams.

5. PERFORMANCE MANAGEMENT PROCESS

The performance management system has the following features:

5.1. Performance planning

- 5.1.1** The Municipality's performance management cycle is aligned to the financial year, namely 1st July to 30th June.
- 5.1.2** At the beginning of the performance management cycle, sessions are held with staff members, as individuals and / or as teams where the nature of work warrants it, to review or set their performance expectations.
- 5.1.3** This review or setting includes both the behaviours staff members are expected to exhibit, and the results they are expected to achieve during the upcoming rating cycle.
- 5.1.4** Behaviours are important because they reflect how a staff member goes about getting the job done, how the individual supports the team, communicates, mentor others and so forth. The review ensures the achievement of exceptional results with behaviour that is helpful, considerate, and interpersonally effective.
- 5.1.5** Behaviour and results expectations are tied to the Municipality's strategic direction and objectives, such as optimised service delivery, customer satisfaction, community participation, and private sector partnerships.
- 5.1.6** Results to be achieved by individuals or teams are to be tied to the Municipality's strategy and goals. The development needs of staff members shall also be taken into account in the goal setting processes. The development needs shall be targeted either to improving current job performance or to prepare for career advancement. For example:
- Complete project "A" (e.g., *Construction of Road R747 from km 5 to km 22*) by time "B" (e.g., *End of 3rd Quarter of Financial year*)
 - Increase revenue (e.g., *Drivers' license testing revenue*) by 5%.
 - Successfully mentor staff member "G" (e.g., *Graduate Engineer*) to develop skill "W" (e.g., *Developing a Municipal Integrated Transport Plan – ITP*)
- 5.1.7** In some situations, it is challenging to see direct relationships between high-level strategic goals and what a particular individual can achieve in his or her job. To remedy this, strategic goals shall be translated and cascaded into more refined goals and expectations at the division, team and individual levels. This shall be carried out through a series of meetings, and as follows:

- (a) Senior managers first develop departmental goals that align with the Municipality goals.
- (b) Middle managers develop divisional goals that align with the division goals.
- (c) Managers develop group goals that align with sectional goals.
- (d) Supervisors develop teams' and individuals' goals.

5.1.8 The following shall guide in establishing effective performance goals:

- (a) Goals to clearly define the end results to be accomplished;
- (b) To the extent possible, goals to have a direct and obvious link to Municipal success factors or goals;
- (c) Goals to be difficult, but achievable, to motivate performance; and
- (d) Goals to be set in no more than three areas, unless otherwise explained, as attempting to achieve too many different goals at once will impede success.

5.1.9 A performance agreement or contract shall be used to capture the performance expectations (i.e., results and behaviours) of each individual, or team of staff members. Performance agreement / contract is an instrument / template containing a mutual agreement between a staff member, or team, and their direct superior or supervisor to achieve results according to standards or measures which are aligned with the Municipality's Integrated Development Plan (IDP) and the Service Delivery and Budget Implementation Plan (SDBIP).

5.2. Ongoing feedback

5.2.1 Performance in both results and behavioural expectations should be discussed and feedback provided on an ongoing basis throughout the performance / rating period.

5.2.2 Feedback is to be provided whenever exceptional or ineffective performance is observed.

5.2.3 Periodic feedback about day-to-day accomplishments and contributions is also to be provided.

5.2.4 Feedback to be a two-way communication process and a joint responsibility of managers and staff members.

5.2.5 Both managers and staff members are to be trained about their roles and responsibilities in the performance feedback process.

5.2.6 Managers' responsibilities include providing feedback in a constructive, candid and timely manner.

5.2.7 Staff members' responsibilities include seeking feedback to ensure they understand how they are performing and reacting well to the feedback they receive.

5.2.8 Feedback to be given in close proximity to the event to have the most value.

5.2.9 The following shall guide in providing effective feedback:

- (a)** Provide immediate positive and developmental feedback in a private location.
- (b)** Ask for the staff member's or team's view about what could have been done differently.
- (c)** Be specific about what behaviours were effective or ineffective.
- (d)** Focus on what the person or team member did or did not do, not personal characteristics.
- (e)** Collaboratively plan steps to address development needs.
- (f)** Offer help in addressing development needs and providing resources.

5.3. Staff member / Team Input

5.3.1 Staff members and teams are to be asked to prepare statements of their key results or most meritorious accomplishments at the end of the performance / rating period.

5.3.2 Staff member and team accomplishments are effective predictors of how successfully staff members will perform at higher job levels, or how teams will perform with more complex assignments, and they thus provide useful input for, among other things, promotion decisions, and increased project scope.

5.3.3 Staff member and team input provide the following positive results:

- (a)** It involves staff members and teams in the process, enhancing ownership and acceptance.
- (b)** It reminds managers about the results staff members and teams have delivered and how they were achieved.
- (c)** Staff member- and team-generated accomplishments can be included in the formal appraisal, decreasing managers' writing requirements.
- (d)** Staff member and team input increases communication and understanding. Managers and staff members usually review and discuss the accomplishments before they become part of the appraisal, resulting in fewer disconnects between the manager's and the staff member's or team's views of the staff member's or team's contributions.

- (e) Staff member accomplishments can be retained and used as input for pay or promotion decisions.

5.3.4 The following shall guide in writing staff member and team accomplishments:

- (a) Include the situation or circumstances faced by the staff member or team.
- (b) Describe what specific actions the staff member or team took to achieve results.
- (c) Describe the impact of the accomplishment on the work unit or Municipality.

5.4. Performance review

5.4.1 Performance is to be reviewed quarterly, using a performance assessment system, a template containing rating scales, standards or measures, and weights assigned to the key performance areas and outputs according to the time spent and / or priority to deliver that specific output.

5.4.2 In reviewing behaviours, the Municipality utilises the competency model as the basis. This includes the full array of factors associated with success, namely: technical, leadership and interpersonal. The Municipality articulates clearly how competency expectations change at different job levels, such as entry-level staff member, experienced staff member, and manager, and as well as what reflects more or less effective job performance at each level.

5.4.3 Behaviour standards along competencies are used as follows:

- (a) To communicate key performance factors and expectations.
- (b) To show distinctions in effectiveness levels that help supervisors explain why a staff member was evaluated in a particular way.
- (c) To provide a job-relevant basis for evaluating staff members, increasing fairness.

5.4.4 Key results to be achieved vary for different staff members or teams, depending on the nature of the job and assignments. For example, some staff members or teams may:

- (a) Have production results;
- (b) Be responsible for successfully developing and implementing new programmes or systems;
- (c) Have specific levels of customer satisfaction outcomes they are expected to reach; and
- (d) Have staff member development or team leadership results.

5.4.5 To measure and review results, managers must:

- (a)** Track various objective indicators of performance, such as revenue, profitability, and production.
- (b)** Obtain performance review information from managers, peers, direct reports or clients / customers. This type of rating process is referred to as 360-degree feedback.

5.4.6 Performance review in special situations:

- (a)** The Municipality is faced with specialised situations that require variations to the standard performance management model. For example, increasing numbers of staff members are working in remote locations, virtually or telecommuting. The challenge here is ensuring that accurate performance information is collected when supervisors may have limited access to staff members' day-to-day activities.
- (b)** To address this situation, the Municipality uses a combination of fine-tuning what is reviewed, such as:
 - (i)** Focusing on performance areas where observations can be made, or performance information is available.
 - (ii)** Focusing more on results than on less visible behaviours.
 - (iii)** Collecting information from others who have opportunities to observe performance.
 - (iv)** Review of team or unit-level performance in addition to, or instead of, individual performance. This is done with the same process of defining performance standards, expectations and goals.

5.5. Performance appraisal

5.5.1 Performance appraisal rides on the back of feedback that has been provided on an ongoing basis, and as a recap of what has occurred throughout the performance / rating period. This means that there should be no surprises in the performance appraisal.

5.5.2 During this meeting, managers are to discuss with staff members or teams their ratings, narratives and rationale for the evaluation given.

5.5.3 The performance appraisal session is also to be used as the time to plan developmental activities with staff members and teams.

5.5.4 Performance appraisal utilises, as it is the case with performance reviews, the performance assessment system to record the evaluation.

5.6. Performance incentive system

5.6.1 The Municipality utilises a performance incentives system, a guideline containing recommended performance incentives aligned to remuneration scales.

5.6.2 This guideline is made up of a top-down approach to awarding incentives, where staff members or teams with the highest scores receive highest incentives, and a cash bonus related to a percentage of the staff member's total annual remuneration package, or other non-cash incentives as considered by the Municipal Council for the year under review, or performance cycle.

5.7. Performance appeals procedure

The Municipality utilises a performance appeals procedure, as a guideline for managing all disagreements on the achievement of specific outputs and on assessment / rating scores.

5.8. Performance moderating procedure

The Municipality utilises a performance moderating procedure, as a guideline to manage and ensure performance planning, staff member and team inputs, quarterly performance reviews, and annual performance appraisal compliance and objective implementation.

6. TEAM-BASED PERFORMANCE MANAGEMENT

6.1. Team-based performance management in context

6.1.1 Team-based performance management is an approach to holding teams responsible for plans and results, where action plans and performance metrics are structured around teams rather than individuals.

6.1.2 Where the Municipality adopts a team-based performance management approach for a group of staff members, it is to evaluate institutional culture as the primary determinant of performance. This is also to create more direct lines of reporting and increased accountability for results. In addition, the Municipality applies this approach based on the following values:

- (a)** Strong teams deliver the best results.
- (b)** Measuring, rating and ranking performance helps teams work better and deliver better results.
- (c)** Every team and every team member know that they matter.
- (d)** Recognising efforts by hard-working teams instils pride and help teams who need it most instil confidence.
- (e)** When teams succeed, the Municipality become resilient, its performance optimised, which directly benefits residents and their prospects for the future.

6.2. Applying team-based performance management

Team-based performance management process is to be exactly as that of individuals, including applying the performance management tools and instruments, except the following:

- 6.2.1** Manager or supervisor of the team shall facilitate intensive team-based discussions set goals and a range of key performance indicators.
- 6.2.2** Manager or supervisor of the team shall facilitate mid-year team-based performance discussions and annual performance reporting.
- 6.2.3** Teams shall initially self-assess their own performance, while the manager or supervisor moderates, ensuring independent validation of scores, and facilitate discussion based on evidence of progress.
- 6.2.4** Individuals in the team shall self-evaluation, self-monitor, and self-regulate to identify areas where they can improve their contributions to the team.
- 6.2.5** Team members shall carry out peer evaluations to assess each other's' strengths and weakness, and collectively discuss how team performance can be improved. This shall be based on the set objective standards of behaviour and results expectations.
- 6.2.6** In assessing team learning, managers or supervisors of teams shall:
 - (a)** Identify learning strategies and processes in relation to team goals;
 - (b)** Use questions to determine what the team members were able to do easily versus with difficulty;
 - (c)** Identify strategies needed to close learning gaps;
 - (d)** Use self-assessments to encourage each team member to take responsibility of their learning; and
 - (e)** Learn from assessments to improve future achievements.
- 6.2.7** In assessing team performance, managers or supervisors of teams shall:
 - (a)** Generate clear and understandable team goals;
 - (b)** Identify examples of quality work and successful standards;
 - (c)** Use team discussion and reflection to compare team performance to goals; and
 - (d)** Identify strategies needed to close performance gaps.

7. IMPLEMENTATION OF PERFORMANCE MANAGEMENT SYSTEM

The implementation of the performance management system rests on the following cornerstones:

- Alignment with competency framework
- Getting managers and staff members on board
- Change management
- Automation of the system
- Training managers and staff members
- Continuous evaluation and improvement

7.1. Alignment with competency framework

The competencies used as the basis for performance management are the same as those used for recruitment, staffing and skills development as contained in Annexure A of the Municipal Staff Regulations.

7.2. Getting managers and staff members on board

7.2.1 The performance management facilitators shall disseminate information about the system to all managers and staff members. In addition, they shall serve as champions to get everyone on board by communicating the value of the system to others, its benefits, and how obstacles and concerns are being addressed.

7.2.2 All manager and all other staff members shall be involved in the various activities to communicate about the system further, ensuring that it meets Municipality's needs and encourage others to take their fair share of responsibility in implementing the process properly.

7.3. Change management

The Municipality shall inform all managers and staff members about any revisions or major changes to the performance management system and deploy a change management strategy to facilitate the implementation of the revisions or changes.

7.4. Automation of the system

7.4.1 The Municipality shall explore and deploy appropriate automation to facilitate the performance management workflow and substantially reduce the paperwork associated with the process.

7.4.2 This shall be done to decrease workload, ensure widespread access to performance management tools and provide a standardised, structured approach to collecting and storing performance data.

7.4.3 In addition, the basic, automated performance management applications that are envisaged shall contain the following:

- (a) The functionality to conduct and capture performance ratings, including user interfaces for displaying relevant competency, performance standard and rating process information.
- (b) Supporting web pages that contain help and information files.
- (c) Capturing staff member or team input and documentation of accomplishments online.
- (d) Managing workflow to include prompting managers and staff members or teams about critical performance management events, routing documents between managers and staff members or teams, and providing access to forms and documents as the appraisal process is completed.
- (e) Providing real-time training and feedback to help managers mitigate rating inflation and other rating errors.
- (f) Providing managers with sample behavioural statements to use when developing narratives, where the manager is able to select statements that match the staff member's behaviour and then customise them to describe the staff member's behaviour more accurately.
- (g) Providing automated development suggestions for identified development needs, such as on-the-job experiences, training, books, websites, etc. This may be extended to the software prompting staff members to request formal training, register in programmes, and track their developmental activities and progress.
- (h) Facilitating decision-making around performance incentives, where once managers agreed on staff members' ratings, they are automatically plotted on a graph that showed where each staff member stood with their performance-based incentive.
- (i) Providing functionality to import performance evaluations and use them along with other information to facilitate succession planning, placement, and other HR functions

7.5. Training managers and staff members

7.5.1 The Municipality shall use the following training formats for performance management:

- (a) Classroom training, where the training content requires hands-on practice or interactive discussions that are not easily achieved with other training formats. This shall cover training managers and staff members on how to provide and receive feedback effectively, because it allows managers and staff members to understand, practice and grow comfortable with their roles in the feedback and development process.

- (b) Performance management job aides shall be used to support training and can be reviewed at a manager's or staff member's own pace.
- (c) Web-based training, like performance management job aides, to allow participants to complete programmes at their own pace, and to provide practice exercises.

7.5.2 The following performance management training topics shall be covered:

- (a) Philosophy and uses of the system.
- (b) Description of the rating process.
- (c) Roles and responsibilities of managers, staff members and teams.
- (d) How to plan performance, set expectations and set goals.
- (e) How to provide accurate evaluations, minimising rating errors and rating inflation.
- (f) The importance of ongoing, constructive, specific behavioural feedback.
- (g) How to seek feedback effectively from others.
- (h) How to react to and act on feedback in a constructive manner.
- (i) How to give feedback in a manner that minimises defensiveness and maintains self-esteem.
- (j) How to identify and address development needs.
- (k) How to use the automated system and related software.

7.6. Continuous evaluation and improvement

The Municipality shall continually evaluate and improve the performance management systems, such as on:

7.6.1 Tracking completion of training to verify that all users of the performance management system have been trained prior to implementation.

7.6.2 Tracking completion of performance management activities by auditing the trail of copies of completed performance management forms submitted to the Department Human Resources.

7.6.3 Management reviews to ensure that narrative descriptions match ratings, that ratings are not positively or negatively biased, that especially high or low ratings have been properly justified, that evaluation criteria are being applied systematically across supervisors and staff members, and that proper distinctions are made between staff members or teams.

7.6.4 Tracking alignment with other HR decisions, such as monitoring the internal consistency of the evaluations and performance incentives / rewards.

7.6.5 Gathering feedback from users by collecting information through survey or focus groups periodically to assess user reactions to the performance management process, and to modify the system in ways that will be more acceptable to users.

8. LEGAL CONSIDERATIONS

8.1. In applying the performance management system, the Municipality shall follow this guideline to address legal requirements:

8.1.1 Staff members to be evaluated on factors that are relevant to their jobs.

8.1.2 Staff members to be informed about what is expected of them and the standards against which they will be evaluated at the beginning of the performance / rating cycle.

8.1.3 A standard, well-documented policy and procedure for how the performance management process will be conducted, with defined roles and responsibilities for staff members and managers.

8.1.4 Managers and staff members to be trained on the performance management process and relevant skills required to implement the process effectively (e.g., training for managers on how to provide feedback to staff members).

8.1.5 Managers to keep records to document examples of effective and, especially, ineffective staff member performance to substantiate their evaluations.

8.1.6 Managers to be held accountable for discussing performance issues with staff members or teams and providing them with feedback in a timely manner during the performance / rating cycle.

8.1.7 Performance evaluations to be reviewed by a moderating committee.

8.1.8 Appeal procedure to be provided whereby staff members can formally comment on and appeal their performance evaluations.

8.1.9 Performance evaluation decisions to be consistent with decision-making, such as ensuring that individuals who receive higher performance incentives have higher performance ratings than those who receive lower performance incentives.

8.1.10 Performance management system and software to be as user-friendly, straightforward and easy to use as possible.

9. SUMMARY AND CONCLUSIONS

9.1. The Municipality's performance management system shall be effective as impacted upon by the following factors:

- 9.1.1** It is aligned with and support the Municipality's direction and critical success factors.
- 9.1.2** It has well-developed, efficiently administered tools and processes needed to make the system user-friendly and well received by managers and staff members.
- 9.1.3** Both managers and staff members to use the system in a manner that brings visible, value-added benefits in the areas of performance planning, performance development, feedback and achieving results.

ANNEXURE B: SETTING / DETERMINATION OF PERFORMANCE OBJECTIVES AND TARGETS

SETTING / DETERMINATION OF PERFORMANCE OBJECTIVES AND TARGETS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Define KPAs, KPIs and performance standard of each KPI, target dates weight of KPI			
2.	Set realistic performance targets			
3.	Agree to the outputs, activities and inputs			
4.	Specify what the staff member / team need to do to achieve the desired outcomes and impacts			
5.	Complete prescribed performance agreement template, and sign it			
6.	Send signed copy to Department Human Resources			
7.	Keep one copy of signed copy for the staff member / team, and one for the supervisor			

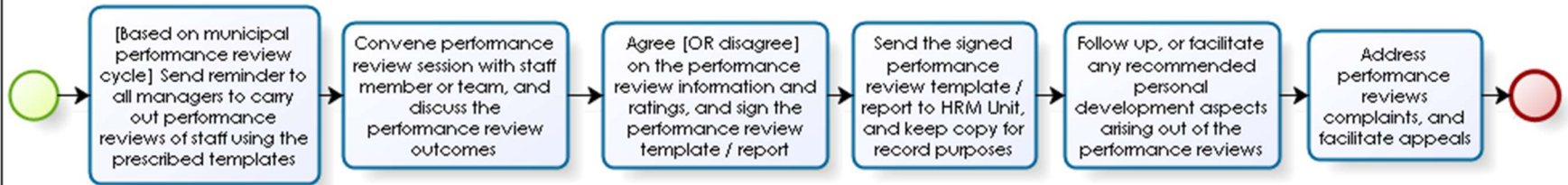
SETTING / DETERMINATION OF PERFORMANCE OBJECTIVES AND TARGETS



ANNEXURE C: MANAGEMENT OF PERFORMANCE REVIEWS (QUARTERLY, OR HALF-YEARLY) FOR INDIVIDUALS & TEAMS

MANAGEMENT OF PERFORMANCE REVIEWS (QUARTERLY, OR HALF-YEARLY) FOR INDIVIDUALS & TEAMS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	[Based on municipal performance review cycle] Send reminder to all managers to carry out performance reviews of staff using the prescribed templates			
2.	Convene performance review session with staff member or team, and discuss the performance review outcomes			
3.	Agree [OR disagree] on the performance review information and ratings, and sign the performance review template / report			
4.	Send the signed performance review template / report to Department Human Resources, and keep copy for record purposes			
5.	Follow up, or facilitate any recommended personal development aspects arising out of the performance reviews			
6.	Address performance reviews complaints, and facilitate appeals			

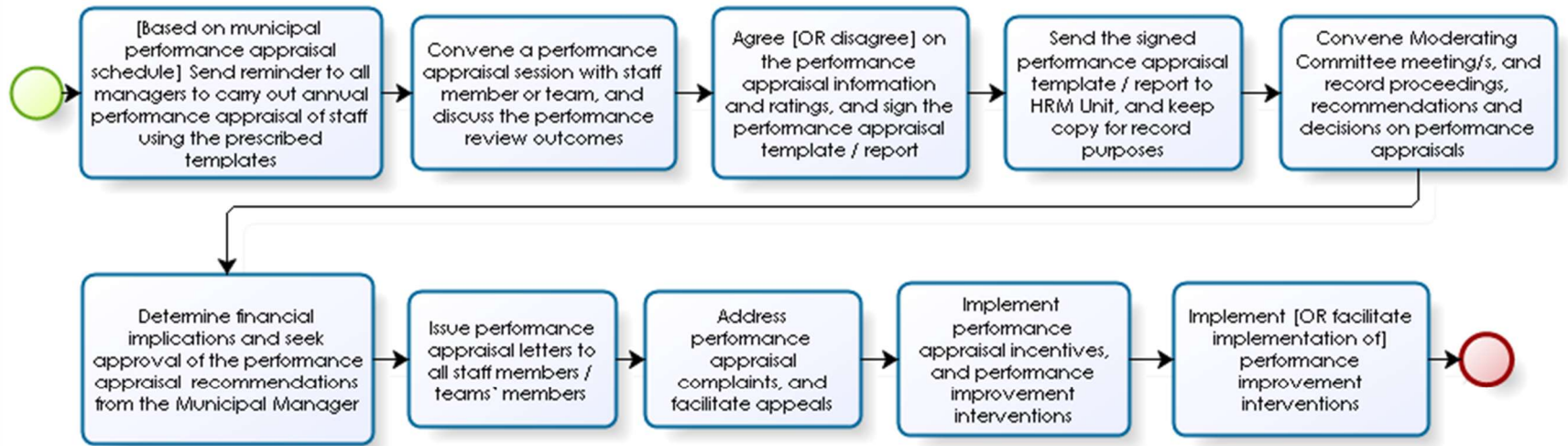
MANAGEMENT OF PERFORMANCE REVIEWS (QUARTERLY,
OR HALF-YEARLY) FOR INDIVIDUALS & TEAMS



ANNEXURE D: MANAGEMENT OF ANNUAL PERFORMANCE APPRAISALS FOR INDIVIDUALS & TEAMS

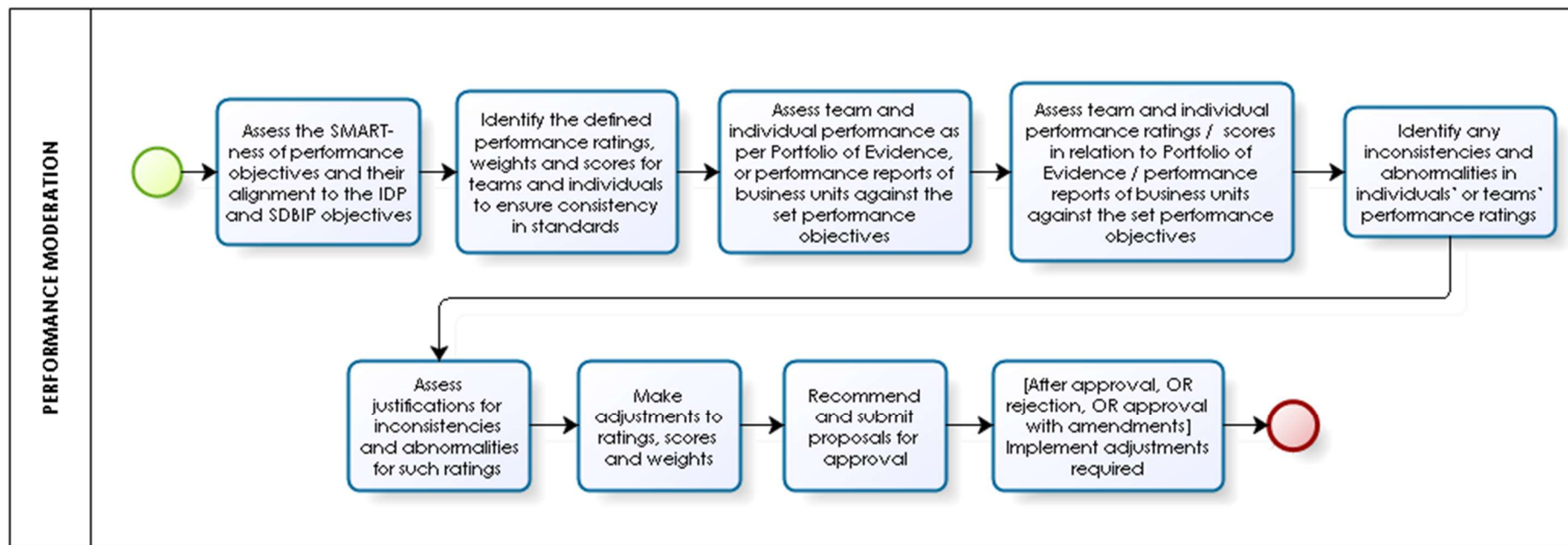
MANAGEMENT OF ANNUAL PERFORMANCE APPRAISALS FOR INDIVIDUALS & TEAMS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	[Based on municipal performance appraisal schedule] Send reminder to all managers to carry out annual performance appraisal of staff using the prescribed templates			
2.	Convene a performance appraisal session with staff member or team, and discuss the performance review outcomes			
3.	Agree [OR disagree] on the performance appraisal information and ratings, and sign the performance appraisal template / report			
4.	Send the signed performance appraisal template / report to Department Human Resources, and keep copy for record purposes			
5.	Convene Moderating Committee meeting/s, and record proceedings, recommendations and decisions on performance appraisals			
6.	Determine financial implications and seek approval of the performance appraisal recommendations from the Municipal Manager			
7.	Issue performance appraisal letters to all staff members / teams' members			
8.	Address performance appraisal complaints, and facilitate appeals			
9.	Implement performance appraisal incentives, and performance improvement interventions			
10.	Implement [OR facilitate implementation of] performance improvement interventions			

**MANAGEMENT OF ANNUAL PERFORMANCE APPRAISALS
FOR INDIVIDUALS & TEAMS**



ANNEXURE E: PERFORMANCE MODERATION

PERFORMANCE MODERATION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Assess the SMART-ness of performance objectives and their alignment to the IDP and SDBIP objectives			
2.	Identify the defined performance ratings, weights and scores for teams and individuals to ensure consistency in standards			
3.	Assess team and individual performance as per Portfolio of Evidence, or performance reports of business units against the set performance objectives			
4.	Assess team and individual performance ratings / scores in relation to Portfolio of Evidence / performance reports of business units against the set performance objectives			
5.	Identify any inconsistencies and abnormalities in individuals' or teams' performance ratings			
6.	Assess justifications for inconsistencies and abnormalities for such ratings			
7.	Make adjustments to ratings, scores and weights			
8.	Recommend and submit proposals for approval			
9.	[After approval, OR rejection, OR approval with amendments] Implement adjustments required			



ANNEXURE F: PERFORMANCE ASSESMENT RATING CALCULATOR

Staff member								
Municipality:								
Mid-year / Annual Performance Assessment								
Assessment Rating Calculator								
Name								
Cycle:								
KRA	Weight	Rating	Score		CMC	Weight	Rating	Score
1					1			
2					2			
3					3			
4					4			
5					5			
6					6			
7					7			
	100%		100			100%		100
KPA weight			80%		CCR weight			20%
KPA SCORE			80%		CCR SCORE			20%
FINAL SCORE								100%

ANNEXURE G: PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM PHASES

Performance management and development system phases

1. (1) Performance management and development is the systematic process of—
 - (a) planning work and setting expectations of the municipality from staff members or teams;
 - (b) continually monitoring performance of staff members or teams;
 - (c) developing the capacity of staff members or teams to perform optimally;
 - (d) periodically rating performance of staff members and teams; and
 - (e) rewarding outstanding performance.
- (2) The performance management and development system of a municipality must consist of different phases relating to performance planning, coaching, review and reward as provided in these guidelines.
- (3) The performance management and development system must consist of the following phases:

Phase	Timeframe	Activities
(a) Planning	(i) Occurs annually at the start of the financial year or the starting date in a specific post	(aa) Supervisor schedules a meeting with a staff member or team to discuss and agree on the performance objectives for the year; (bb) Supervisor and a staff member or team are required to prepare for this meeting; and (cc) Performance agreement must be signed or processed electronically where applicable by the supervisor and a staff member or team within sixty (60) days after the commencement of the performance cycle.
(b) Monitoring, coaching and feedback	(i) Occurs formally; and (ii) Informally throughout the year	(aa) The supervisor will complete on-the-job monitoring of the performance of a staff member or team; (bb) The supervisor may create formal and informal opportunities to provide feedback or coaching support to a staff member or team in relation to progress made towards agreed performance objectives and on areas requiring implementation; and (cc) A staff member or team may request feedback and support at any time during the performance cycle.
(c) Review and evaluation	(i) Mid-year review must occur at the end of the second quarter. The details of the engagement	(aa) The supervisor must set up a formal mid-year evaluation with a staff member or team within one (1) month after the end of quarter two (2), inclusive of formal documented engagement to provide feedback on

Phase	Timeframe	Activities
	<p>must be in writing; and</p> <p>(ii) Annual performance evaluation must occur at the end of the fourth quarter (after the end of performance cycle); and</p> <p>(iii) Annual performance must occur within 60 days after the end of performance cycle. The details of the performance evaluation must be in writing clearly outlining the staff member's career development needs.</p>	<p>targets achieved to date of a staff member or team;</p> <p>(bb) At mid-year review, interventions and corrective actions must be identified in relation to achievement /under-achievement of performance outputs/ outcomes;</p> <p>(cc) During annual performance evaluation, each staff member must be afforded an opportunity to complete self-rating and provide evidence to support ratings;</p> <p>(dd) The supervisor must set up the formal final performance evaluation with a staff member or team after the end of the fourth quarter;</p> <p>(ee) The final performance evaluation scores must be recorded as a formal engagement between the staff member and supervisor; and</p> <p>(ff) The supervisor must formally provide verbal and written performance feedback to the staff member or team.</p>
(d) Reward and recognition	<p>(i) After the formal annual performance assessment; and</p> <p>(ii) After moderation by the Municipal Moderation Committee and approval by municipal manager.</p>	<p>Rewards shall be dealt with as stipulated in chapter 4 of the Regulations.</p>

Planning

2. (1) During the planning phase-
 - (a) the supervisor and staff member must jointly identify organisational, departmental as well as the performance expectations of a staff member or team and secure the staff member or team's commitment to achieve the performance expectations;
 - (b) the supervisor must explain to the staff member how the performance agreement and PMDS operates;

- (c) all staff members, including management, must be capacitated through training on—
 - (i) what the process entails;
 - (ii) why the municipality uses the PMDS process;
 - (iii) how the PMDS works, including the phases, purpose of linkage with the competency framework and how performance of competencies are measured;
 - (iv) the expectation from a staff member in a specific role; and
 - (v) when performance will be evaluated and reviewed;
- (d) the municipality must ensure that every supervisor has undergone training to acquire the relevant coaching skills needed for ongoing implementation of the PMDS;
- (e) the supervisor and staff member must develop a performance agreement wherein the performance standards will be defined in terms of quality, quantity, time and process. The following documents can assist—
 - (i) the staff member's job description;
 - (ii) the IDP and departmental SDBIP;
 - (iii) the supervisor's performance agreement, where applicable;
 - (iv) the staff member's previous year performance assessment, where applicable; and
 - (v) any other document considered relevant to the process;
- (f) planned KPAs, KPIs and targets as contained in the performance agreement must meet the SMART criteria as outlined in the table below—

S	Specific, clear and understandable.
M	Measurable in terms of quantity, and, if possible, quality, money, and time. It must be possible to determine whether the activity took place and to decide how well it was done.
A	Attainable in that the activities to be performed have been agreed upon and must be within the capabilities and under control of the staff member.
R	Relevant in that each task should be related directly to the functional areas or specific projects assigned to the staff member.
T	Time-based in that the supervisor and staff member should be able to track progress against specified target dates and timeframes and assessment can take place within the annual reporting cycle of the performance agreement.

- (g) Job specific competencies can be selected from the relevant occupational streams as prescribed in the Local Government: Competency Framework attached to the Regulations as Annexure A, including any other specific functional competency requirements as may be identified;
- (2) The following documents will assist in the performance planning process—
- (a) performance agreement (Annexure A); and
 - (b) monitoring, coaching, feedback and review (Annexure B).

Monitoring, coaching and feedback

3. (1) Effective performance monitoring, coaching and feedback must be monitored continuously throughout the performance cycle.
- (2) Performance monitoring, coaching and feedback involve ongoing collaborative engagements between the supervisor and staff member or team aimed at improving a staff member's skills and competencies to meet or exceed the set standards of performance through—
- (a) observation, motivating and encouraging the staff member;
 - (b) frequent and infrequent exchanges of feedback about the staff member's performance;
 - (c) regular evaluation of whether the staff member performs according to the set objectives as outlined in the performance agreement;
 - (d) formal coaching and informal performance evaluation sessions;
 - (e) reinforcing the discussions that took place during the planning phase culminating in the performance agreement;
 - (f) affording the supervisor the opportunity to encourage the development of the staff member or team;
 - (g) proactive identification of challenges and solutions to enable achievement;
 - (h) identification of accomplishments or challenges by the staff member or team that have been resolved, which otherwise may not have come to the supervisor's attention;
 - (i) coaching that reinforces effective performance or brings the performance of the staff member closer to the expected standards; and
 - (j) a staff member or team who participated in several coaching sessions being aware of what is required of him or her to meet performance outcomes.
- (3) A municipality must ensure that every supervisor has received adequate training in performance coaching processes and is capable of effectively assessing progress and evaluating the performance of staff or team.
- (4) Development needs of staff identified during performance monitoring and coaching processes must be evaluated and addressed to encourage good performance, improve job-related skills and competencies that support staff to keep up with changes in the workplace.

Mid-year performance review

4. (1) The mid-year performance review-
- (a) is a formal bi-annual performance appraisal where a staff member or a team is given feedback on his or her performance;
 - (b) must be recorded;
 - (c) offers an opportunity—
 - (i) between the supervisor and staff member to assess the staff member or team's performance against set performance objectives;
 - (ii) for the supervisor to monitor, coach and provide feedback to ensure effective performance;
 - (iii) for the supervisor and staff member to—
 - (aa) jointly identify performance challenges and agree on solutions to overcome identified challenges;
 - (bb) agree on developmental needs of the staff member and address such needs;

- (cc) review the performance targets resulting from workplace changes beyond the staff member or team's control; and
 - (iv) to reinforce good performance.
- (2) If the review of the performance agreement is warranted—
- (a) the Regulations and item 2 of these Guidelines apply;
 - (b) the mid-year performance review will be based on the existing performance agreement;
 - (c) the amended performance agreement or addendum must be co-signed by the supervisor and staff member; and
 - (d) a record of the amendments must be kept for purposes of annual performance assessment.

Annual performance evaluation

5. (1) The objectives of the performance evaluation are to —
- (a) formally discuss the performance outcome achieved by the staff member against agreed performance indicators and targets based on the work performed during performance cycle of 12 months;
 - (b) rate the performance of a staff member or team against each measurable KPI using the five-point rating scale;
 - (c) recognise positive achievements and provide feedback on unsatisfactory performance; and
 - (d) identify areas of improvement and develop action plans to be included in personal development plans to address identified areas for improvement.
- (2) Every staff member or team must be subjected to annual performance assessment at the end of the performance cycle of a municipality.
- (3) The annual performance evaluation must be preceded by the staff member's self-rating against predetermined objectives, and where necessary supported by portfolio of evidence.
- (4) Rating entail evaluating the staff member or team's performance against performance standards in a staff member's performance plan and assigning a numeric rating for each KPI.
- (5) The supervisor and staff member must—
- (a) formally and objectively confirm the staff member's performance outcomes against agreed KPAs, KPIs and job specific competencies;
 - (b) rate the performance of each staff member or team against each measurable KPI and job specific competencies using the 5-point rating scale;
 - (c) recognise positive achievements;
 - (d) identify deficient performance;
 - (e) identify the staff member's developmental needs, which will inform the Personal Development Plan of the staff member; and
 - (f) sign the final annual performance assessment.
- (6) At the end of the performance cycle a rating scale is used which has a bearing on rewarding and recognising performance above fully effective.
- (7) The supervisor must submit the final annual performance assessment, performance scores and any related evidence supporting performance to Human Resources.

(8) Performance ratings for KPAs and competencies are calculated using the 5-point rating scale —

- (a) KPA ratings are calculated where individual ratings have been assigned to each KPI using the five-point rating scale;
- (b) No rounding of calculations is allowed and 2 decimal points must be used;
- (c) The table below reiterates the 5-point rating scale applied to score overall performance—

Level	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of a staff member at this level. The appraisal indicates that the staff member has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Agreement and Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the staff member has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective performance	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the staff member has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Agreement and Performance Plan.
2	Performance not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review/assessment indicates that the staff member has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Agreement and Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The review/ assessment indicates that the staff member has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Agreement and Performance Plan. The staff member has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.

ANNEXURE H: TEAM BASED PERFORMANCE

- (1) A supervisor working in collaboration with individual team members must—
 - (a) rate the performance of a staff member working within a team-based performance arrangement; and
 - (b) identify challenges relating to individual staff member(s) working within a team and identify appropriate interventions aimed at improving the staff member's performance.
- (2) The following templates will assist in the PMDS process —
 - (a) team registration Annexure N; and
 - (b) team performance agreement Annexure O.

ANNEXURE I: PERFORMANCE EVIDENCE

- (1) The submission of evidence is subject to the following—
 - (a) during the planning phase, agreement must be reached on what evidence is to be used with the aim of minimising time and effort; and
 - (b) evidence must be gathered during the course of the performance cycle as this will inform and substantiate the scores according to the rating scale.
- (2) The staff member or team must gather, collate and present evidence against the measurable KPIs and, where applicable, job specific competencies as contained in the performance agreement—
 - (a) it is particularly important to ensure that evidence is gathered during the performance cycle in preparation for the mid-year performance review and annual performance evaluation, as it will be used to substantiate scores related to achievement of KPIs and job specific competencies; and
 - (b) the ultimate accountability for the submission of the portfolio of evidence rests with the staff member or team being evaluated.
- (3) The nature of work must determine the type of evidence that should be provided. This may, inter alia, include—
 - (a) official records;
 - (b) confirmation by a supervisor;
 - (c) confirmation by other stakeholders such as letter from a government department; and
 - (d) inspection or viewing of evidence by supervisor such as filing system, memorandums, reports, etc.
- (4) A supervisor may, at the latest by mid-year review,—
 - (a) accept other evidence that substantiate achievement of KPIs or competencies and
 - (b) assist the staff member or team to obtain such evidence.

ANNEXURE J: PERFORMANCE MODERATION COMMITTEE

- (1) The Municipal Performance Moderation Committee—
 - (a) must be duly constituted by the municipal council;
 - (b) may, to the extent possible, be constituted as follows—
 - (i) municipal manager or his or her delegate who will act as the chairperson;
 - (ii) all heads of departments of a municipality;
 - (iii) manager responsible for PMDS;
 - (iv) manager responsible for organisational development;
 - (v) manager responsible for organisational performance;
 - (vi) a representative from finance, where applicable;
 - (vii) a representative from governance, where applicable; and
 - (viii) a representative from audit, where applicable.
- (2) Departmental representatives—
 - (a) will be invited to attend the performance moderation committee to present on the results of their respective departments;
 - (b) must be on senior management level; and
 - (c) may request a specialist on the departmental performance management to provide technical advice where needed.
- (3) Members should collectively possess the necessary expertise and must demonstrate knowledge and competencies—
 - (a) local government;
 - (b) municipal human resource environment;
 - (c) corporate governance practices;
 - (d) corporate strategy;
 - (e) performance management and development system;
 - (f) human capital management;
 - (g) organisational development;
 - (h) financial management;
 - (i) business management;
 - (j) operations management; and
 - (k) leadership.
- (4) The main objectives of the committee are to—
 - (a) ensure fair and consistent application of the PMDS;
 - (b) ensure that the integrity of the PMDS is protected;
 - (c) ensure that performance is evaluated consistently;
 - (d) ensure that individual ratings reflect the overall performance of the department;
 - (e) advise on financial affordability for the municipality; and
 - (f) recommend performance rewards to the municipal manager for approval.
- (5) The committee may—
 - (a) develop and approve the terms of reference;
 - (b) review the performance management and development system across the municipality and make recommendations regarding implementation;

- (c) monitor the performance evaluation process by obtaining an overall sense of whether norms and standards are being applied realistically and consistently both horizontally and vertically across the municipality;
- (d) determine the overall performance of departments and align that with summary results based on individual performance;
- (e) moderate scores of a department(s) or a unit;
- (f) recommend reward levels for performance;
- (g) make recommendations regarding actions to be considered where supervisors do not implement the system properly;
- (h) provide oversight in terms of the application of the PMDS;
- (i) prepare a comprehensive report, based on its observations, reflecting performance of staff members or teams and the applicable reward levels;
and
- (j) ensure that the minutes and supporting information on matters dealt with by the panel, shall be available for examination upon authorisation by the municipal manager.

ANNEXURE K: MANAGING SUBSTANDARD PERFORMANCE

Purpose

1. (1) These procedures are intended to—
 - (a) create an enabling environment to facilitate effective performance by the staff members;
 - (b) provide the staff members with access to skills development and capacity building opportunities in order to promote efficient and effective performance;
 - (c) provide remedial and developmental support to assist the staff members to deal with substandard performance; and
 - (d) ensure that the municipal council and staff members work collaboratively to generate solutions to problems and improve the performance of staff members.

Policy and principles

2. (1) These procedures must be read in conjunction with the Regulations.
 - (2) The Code of Good Practice provided for in Schedule 8 of the Labour Relations Act, 1995, constitutes part of these procedures, in respect of poor work performance.
 - (3) The municipality must evaluate the staff member's performance by considering—
 - (a) the extent to which the substandard performance impacts on the work of the municipality and the achievement of municipal goals;
 - (b) the extent to which the staff member fails to meet the required performance standards set by the municipality;
 - (c) the extent to which the staff member lacks the necessary skills, competencies and expertise to meet the performance objectives and targets for his or her post as contained in the performance agreement; and
 - (d) the nature of the staff member's work and responsibilities.

Procedures for dealing with substandard performance

3. (1) If the municipality has reason to believe that a staff member is not performing in accordance with the minimum performance standards of his or her post, the supervisor must—
 - (a) convene a meeting to give feedback to the staff member on his or her performance;
 - (b) furnish the staff member with reasons why it is necessary to initiate this procedure.
- (2) During the meeting contemplated in paragraph (a), the supervisor must—
 - (a) explain the requirements, level, skills and nature of the post;
 - (b) evaluate the staff member's performance in relation to the performance agreement;

- (c) explain the reasons why the performance is considered substandard; and
 - (d) afford the staff member or his or her representative an opportunity to respond to the performance outcomes referred to in paragraph (c); and
- (3) After considering the staff member's reasons, the supervisor may, if necessary—
- (a) initiate a formal programme of counselling and training to enable the staff member to meet the required standard of performance, which must include—
 - (i) assessing the time that it will take for the staff member to deal with substandard performance;
 - (ii) establishing realistic timeframes within which the staff member is expected to meet the required performance standards; and
 - (iii) identifying and providing appropriate training for the staff member to reach the required standard of performance.
 - (b) establish ways to address any factors that may affect the staff member's performance that lie beyond the staff member's control.
- (4) If the staff member fails to meet the required performance standard for the post after being subjected to a formal programme of counselling and training as contemplated in paragraph (3), the supervisor, may—
- (a) regularly evaluate the staff member's performance; or
 - (b) provide further remedial or developmental support to assist the staff member to eliminate substandard performance.
- (5) If the staff member's performance does not improve after he or she received appropriate performance counselling and the necessary support and reasonable time to improve his or her performance as contemplated in paragraph (4), or he or she refuses to follow a formal programme of counselling and training contemplated therein—
- (a) the supervisor, must bring the allegations of substandard performance against the staff member to the attention of the municipal manager in the form of a report.
 - (b) the supervisor, must table the report contemplated in subparagraph (a) before the municipal manager.
- (6) If the municipal manager is satisfied that sufficient evidence exist to institute disciplinary proceedings against the staff member on the basis of the alleged substandard performance the municipal manager, must furnish the staff member with written reasons why it is necessary to initiate this procedure in accordance with applicable procedures.

ANNEXURE L: PERFORMANCE AGREEMENT FOR INDIVIDUALS

Performance Agreement			
Performance cycle		Example: 01 July 2017 to 30 June 2018	
Department:		[add name of department]:	
Section / Unit:		[add name of section / unit]:	
Staff member name and surname:		[add first names and surname for staff member]	
Staff member designation, payroll number and level	Designation Assistant Director	Payroll number 000000000000	Level 5
Functions	Short description of the staff member's function.		
Staff member signature			Date:
Supervisor Name and Surname:	[add first names and surname for supervisor]		
Supervisor's Signature:			Date:

KPA /JSCs Weighting	KPIs/JSCs	Baseline (where applicable)	Targets ¹	Evidence
1. [Insert KPA here]				

¹ The targets of every KPI must be expressed as one (1) to five (5).

KPA /JSCs Weighting	KPIs/JSCs	Baseline (where applicable)	Targets ¹	Evidence
30%	1.1 [Insert KPI here]	[Existing or new where applicable]	1 ² = [insert SMART Targets here] 2 ³ = 3 ⁴ = 4 ⁵ = 5 ⁶ =	
	1.2			
	1.3			
2. [Insert KPA here]				
30%	2.1			
	2.2			
	2.3			
	2.4			
3. [Insert KPA here]				
20%	3.1			
	3.2			
80%	Total			
Job Specific Competencies (JSC)				
10%	[Insert here]		1 = 2 = 3 = 4 = 5 =	Add where applicable for competencies
5%	[Insert here]			
5%	[Insert here]			
20%	Total			
Supervisor Signature:			Staff member Signature:	
Date:			Date:	

² Target 1 indicate **unacceptable performance**.

³ Target 2 indicate **performance not fully effective**.

⁴ Target 3 indicate **fully effective performance** i.e. that performance meets the standard expected in all areas of a job and that the KPI has therefore been achieved.

⁵ Target 4 indicate **performance significantly above expectations**.

⁶ Target 5 indicate **outstanding performance**.

ANNEXURE M: COACHING AND REVIEW

Coaching and Review									
		Staff member / Team input on progress ⁷		Supervisor's input on progress		Comments	Year-end Review Scores	Signatures	
		Mid-year review	Final review	Interventions	Staff member / Team rating			Staff member's Signature	Managers Signature
KPA 1	KPI								
	1.1								
	1.2								
	1.3								
KPA 2	2.1								
	2.2								
	2.3								
	2.4								
KPA 3	3.1								
	3.2								
JSC	1								
JSC	2								
JSC	3								
Staff member / Team Supervisor Signature:					Date:				
Supervisor Signature:					Date:				

⁷ Formal review must take place mid-year and year-end

ANNEXURE N: TEAM REGISTRATION

Team Registration					
Performance Cycle		Example: 2017/2018			
Department:		[Add Name of Department]:			
Section / Unit:		[Add Name of Section / Unit]:			
Supervisor Name and Surname:		[Add first Names and Surname for Supervisor]			
Function :⁸					
Team Members ⁹					
Names	Payroll Number	Designation:	Level	Staff Signature¹⁰	Date
Example: J Smith	000000	Truck Driver	T1	XXXX	30/07/2017
Supervisor's Signature:¹¹				Date:	

⁸ Add short description of the team function.

⁹ Team members may include a team supervisor.

¹⁰ All team members will sign on the team scorecard and the supervisor will sign this form on behalf of the employer.

¹¹ If the team includes a team supervisor the supervisor above the team supervisor will sign on behalf of the employer.

ANNEXURE O: PERFORMANCE AGREEMENT FOR TEAMS

Performance Agreement for Teams				
KPA /JSCs Weighting	KPIs/JSCs	Baseline	Targets ¹²	Evidence
[Insert KPA here]				
30%	3.3 [Insert KPI here]	[Existing or new where applicable]	1 ¹³ = [insert SMART Targets here] 2 ¹⁴ = 3 ¹⁵ = 4 ¹⁶ = 5 ¹⁷ =	
	3.4			
	3.5			
4. [Insert KPA here]				
30%	4.1			
	4.2			
	4.3			
	4.4			
5. [Insert KPA here]				
20%	5.1			
	5.2			
80%	Total			
Job Specific Competencies (JSCs)				
10%	[Insert JSC here]		1 = 2 = 3 = 4 = 5 =	Add where applicable for competencies
5%	[Insert JSCs here]			
5%	[Insert JSCs here]			
20%	Total			
Team Members Names:		Example: J Smit P Mokola		Payroll Number: 0000000 9999999
Supervisor Signature:		Team Supervisor:		
Date:		Date:		

¹² The targets of every KPI must be expressed as one (1) to five (5).

¹³ Target 1 indicate **unacceptable performance**.

¹⁴ Target 2 indicate **performance not fully effective**.

¹⁵ Target 3 indicate **fully effective performance** i.e. that performance meets the standard expected in all areas of a job and that the KPI has therefore been achieved.

¹⁶ Target 4 indicate **performance significantly above expectations**.

¹⁷ Target 5 indicate **outstanding performance**.

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CLOCKING, ATTENDANCE AND PUNCTUALITY POLICY

1. PREAMBLE

All staff members shall work such hours and days in accordance with the operational needs and requirements of the Municipality, which shall not be less than forty (40) hours, and not more than forty-four (44) hours, per week. The Matjhabeng Local Municipality also commits to ensuring that its staff members are able to balance their private and professional demands, enhance their quality of life and increase their job satisfaction.

2. PURPOSE

The purpose is to regulate and manage normal working hours as well as flexible work hours for staff members in order to balance working hours with personal commitments.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality, and varies among departments and as per the natures of their employment contracts.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the working hours and attendance requirements for employees, including policies on tardiness, absenteeism, and scheduling flexibility.

7. POLICY PROVISIONS

7.1 Temporary Staff members

The working hours for temporary staff members are regulated by the provisions contained in their contracts of employment, read with schedules and / or annexures attached thereto, as may be varied in writing from time to time.

7.2 Permanent Staff members

7.2.1 Normal Working Hours

- (a)** Normal working hours are from 08h00 to 17h00, from Mondays to Fridays.
- (b)** Staff members are required to work a minimum of eight (8) hours, and up to a maximum of nine (9) hours, daily.
- (c)** Staff members shall take a one (1) hour lunch break daily, which does not accumulate, whether or not the staff member takes it.
- (d)** The lunch hour break shall not be used in lieu of leaving work early or coming to work late.
- (e)** In order to enhance sufficient operations in the office, lunch breaks shall be scheduled in a flexible manner between the hours of 12h00 and 15h00 and depending on the operational arrangements from department to department.
- (f)** Time off for personal matters shall be worked in by all staff members and arrangements in this regard shall be agreed to by line managers and/or the Municipal Manager before time off for personal matters are taken.

7.2.2 Flexible Work Arrangements

- (a)** The Municipality may, by mutual agreement, make arrangements with a staff member to work flexible hours, provided the nature of the staff member's work and the Municipality's operational requirements allows for it.
- (b)** Staff members who need flexible work arrangements shall present their circumstances to their respective line managers and/or Municipal Manager in order to establish their needs and eligibility, and approval.
- (c)** Arrangement, agreement to, approval of and continuation of flexible work arrangements shall be the sole and entire discretion of the Municipality and shall be in writing and consented to by the staff member, line manager, and/or the Municipal Manager, and furthermore placed on staff member's personnel file at the Department Human Resources.
- (d)** The minimum working hours for a normal working day shall apply throughout, and approval may be withdrawn should the staff member fail to comply with it.

7.3 Tele-Work

7.3.1 Arrangements

The Municipality may, by mutual agreement, make arrangements with a staff member to work from home, provided the nature of the staff member's work and the Municipality's operational requirements allows for it.

7.3.2 Applications

Applications in these regards shall be considered in the same manner as in flexible working arrangements, as well as the following:

- (a)** Staff members working from home are compelled to attend weekly management meetings and monthly staff meetings.
- (b)** Staff members are expected to honour requests to report to the office.
- (c)** The maximum days working from home shall not exceed two (2) days per week.
- (d)** The staff member's permanent workstation at the office shall be maintained.

7.3.3 Absence due to Sickness

Leave of absence shall apply to working from home in the same manner that it applies to working normally from office.

7.3.4 Deliverables

Working from home does not allow direct, full-time supervision, and therefore the management of deliverables shall apply through use of project schedules, key milestones, regular status reports, and team reviews in order to evaluate the staff member's performance.

7.3.5 Qualifying criteria

On receiving a request to work from home, the line manager shall assess the staff member's application against the following criteria:

- (a)** work that does not require frequent input from other colleagues;
- (b)** ability to cope with additional pressures or working at home where the demands of family life are hard to ignore;
- (c)** self-motivation;
- (d)** self-reliance and discipline to work towards deadlines;

- (e) initiative, flexibility and time management skills;
- (f) ability to deal with reduced social contact and isolation;
- (g) a high degree of written rather than manual work; and
- (h) work is to be performed on an individual basis or with clearly defined areas of individual work which has clearly defined objectives and can be subject to performance measurement.

7.3.6 Equipment

The Municipality shall provide staff members working from home with the following tools and/or resources to enable them to execute their tasks effectively:

- (a) Laptop / Notebook / Tablet.
- (b) Mobile data device / card / router.
- (c) Technological device providing them legal remote access to the Municipality server.
- (d) Mobile phone (Cellular phone).
- (e) Software that enables virtual meetings, uploading of documents, and collaboration on documents.

7.3.7 Hours of work

- (a) When a staff member working from home reports at the permanent place of work, he/she shall do so by no later than 09h00, and shall be permitted to leave after 15h00.
- (b) Staff members working from home shall not be eligible for overtime pay.

7.3.8 Extraordinary circumstances

Remote working may be allowed when extraordinary circumstances in the Municipality, province, or the whole country prevails. Such circumstances shall be officially pronounced by the Council, and shall include but not limited to, highest alert levels accompanying the declarations of the state of national or provincial disasters, cross-border detached duty, and so on.

7.4 Time clocking for all staff members

7.4.1 Official time of records

- (a)** The electronic time keeping system and associated work records shall become the official basis for recording hours worked for all staff members of the Municipality.
- (b)** Department Human Resources shall submit staff member information to the salaries office when a staff member is newly appointed, or when a staff member had a change in employment status (e.g. exempt from clocking), has resigned or has been terminated.
- (c)** Department-handwritten timesheets shall be reconciled against the electronically generated timesheets (based on the data in the clocking system).
- (d)** To ensure consistency of treatment of all staff members, the data recorded in the time clock system, together with the hand-written time sheets, shall be considered as the "official" record of the workday.
- (e)** All staff members shall co-operate to clock in at the beginning of the working day / shift, and clock out at the end of the working day/shift.
- (f)** Manual / hand-written time and attendance sheets shall be maintained at workplaces where electronic clocking readers have not been installed.

7.4.2 Staff member time of reports

- (a)** The electronic timekeeping system shall be used to record all hours worked and leave taken during the reporting period for all personnel. Notwithstanding the use of the clocking system, the requirement to request approval for leave, and to complete the actual leave form for each category of leave taken and seek approval thereof prior to commencing the leave, shall still apply.
- (b)** The time and attendance reports shall reflect all regular as well as additional hours worked during the period, including leave, compensatory time, holidays, etc.
- (c)** Adjustments to hours and leave shall be posted weekly by the time keeping officials in the responsible department to avoid errors and omissions that may occur if these adjustments are posted toward the end of the payroll period.
- (d)** All days (Monday through to Friday) that are not considered workdays shall be termed holidays. Holiday credit hours shall not count toward the overtime limits.

- (e) Meal intervals are not regarded as working time and shall therefore be excluded when calculating time worked.

7.4.3 Daily clocking-in / out requirements

- (a) All staff members shall “clock-in” in the morning and “clock-out” at the end of the workday, or end of overtime, at their place of work.
- (b) Under certain conditions, such as training at an off-site location, extra-curricular events, etc., the staff member shall report time worked to time keeping officials in the responsible department and immediate supervisor so that their time worked can be manually entered in the departmental time register.
- (c) Staff members are expected to clock in and out on their scheduled times as prescribed by Council and relevant for that workplace, and shall report to the supervisor at the start of the workday.
- (d) Working outside the stipulated working times, either intentionally or carelessly, shall not be allowed unless pre-authorized by management.
- (e) Staff members shall not be allowed to clock out before the end of the workday, or before stopping work.

7.4.4 Tampering with the clocking system

Department Human Resources shall review incidents of tampering with the clocking system, and institute appropriate disciplinary or corrective measures. Incidents in this regard are, but not limited to:

- (a) Tampering, or attempting to tamper, with the clocking / time-keeping hardware or software.
- (b) Clocking-in for an absent or late staff member or colleague (also known as “buddy clocking”).
- (c) Interference with other staff members' use of the Time Clocking System.
- (d) Unauthorised changes to any staff member's clocking times.

7.4.5 Clocking problems

- (a) If a staff member is unable to clock in or out because of a time clock malfunction or accidental oversight, it shall be the staff member's responsibility to immediately inform the time keeping official in the responsible department and/or supervisor.
- (b) In this situation, the time keeping official in the responsible department shall “manually” register the staff member in or out in the departmental register and/or time sheets.

- (c) The time keeping official in the responsible department shall then notify Department Human Resources of the clocking problems experienced.
- (d) Staff members shall be required to report the clocking system's memory loss, and loss of fingerprint contact, to Department Human Resources.

7.4.6 Processing of electronic time reports

- (a) The salaries office shall close the work month in time clocking system according to a pre-set schedule to ensure that time adjustments and leave taken are properly recorded.
- (b) Time keeping officials in the responsible department shall, therefore, resolve all missed shifts, leave taken, holidays, on or before the date set for time sheets to be handed in.
- (c) Each supervisor or designee shall prepare print-outs of all time sheets, for the period identified and in the correct format, from the time clocking system and request each staff member to review and sign next to their name.
- (d) If the supervisor or assignee is satisfied with the hours reported, he / she shall sign the electronic time sheet as well and submit it to the salaries office by due date as set in publicised submission schedules.
- (e) To ensure accuracy, time keeping officials in the responsible department, in collaboration with supervisors / heads of department, shall provide staff members with the opportunity to review their electronic timesheet before the payroll due date as stipulated by the finance department.

7.4.7 Deductions from pay

- (a) If a staff member is absent and has used up all available leave, sick and/or injury on duty, compensatory time, etc., their pay shall be reduced for the hours missed based on their hourly rate of pay.
- (b) If compensatory time is available, the salaries office shall deduct the necessary hours to meet the workable hour threshold for that week.

7.4.8 Clocking time for supervisors

- (a) Heads of Department shall monitor and verify the time and attendance records of all supervisors in their respective departments.
- (b) Time data information for each supervisor shall be approved in writing (signature) on the electronic as well as the manual time sheets (departmental registers).

- (c) The two documents shall be reconciled with each other and any differences shall be attended to before submission to the finance department.

7.5 Absence

Staff members are considered absent from work when not available for the assigned work schedule, regardless of the reason.

7.5.1 Scheduled Absences

- (a) Staff members shall notify their supervisors as early as possible regarding scheduling time off from work, whether paid or unpaid.
- (b) Scheduled absences shall be arranged at the mutual convenience of the department and staff member, based on operational circumstances.
- (c) Absence shall be considered scheduled when a 24-hour notice is given in advance, and the absence is approved by the supervisor.

7.5.2 Unscheduled Absences

- (a) Should a staff member miss work due to an unscheduled absence (e.g. calling-in sick), he/she shall follow prescribed leave procedure in that regard, whose condoning or *post facto* approval shall be at the sole discretion of the supervisor.
- (b) Failure to follow the prescribed procedure may result into instituting disciplinary action.
- (c) Ten consecutive days of unscheduled absence, and failure to notify and obtain approval shall be considered as absconding and the staff member's services can be terminated effective from the day following the last day of work.

7.5.3 Excessive Unscheduled Absences

- (a) Excessive unscheduled absences shall result in instituting disciplinary action up to and including dismissal.
- (b) Supervisors shall notify a staff member when patterns or concerns develop that may place them at risk of being reprimanded.
- (c) The following factors shall be considered in determining if unscheduled absences are excessive:
 - (i) A pattern of absence demonstrating a predictable routine, such as where a staff member is consistently absent the day after pay day,

or a particular day, e.g. Monday or Friday, or always on the day before or after a holiday, etc.

- (ii) Frequency of absence, or repeated instances of unscheduled absences, such as call-ins, early departures, not reporting etc., can be regarded as excessive unscheduled absences even though the absences may not constitute a pattern.

7.5.4 Tardiness

- (a) A staff member shall be considered tardy when he/she fails to report to the assigned work area at the scheduled time. This includes returning from body breaks and lunch breaks.
- (b) Departments shall define punctuality standards for their operations and are responsible for communicating them to staff members.
- (c) Staff members who expect to be late shall notify their supervisors in line with department-specific work procedures.
- (d) Staff members shall not extend a normal working day to make up for being tardy without supervisors' approval.

7.6 Roles and responsibilities

7.6.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit.

7.6.2 Heads of Department, or their assignees, shall:

- (a) Appoint time keeping officials in their respective departments to process time sheets.
- (b) Authorise time keeping officials in their respective departments to change / edit or review time sheets daily, where necessary.
- (c) Sign time sheets where changes / editing was done.
- (d) Direct requests for training on processing timekeeping reports to Department Human Resources, and ensure training is provided when needed.
- (e) Print out the time and attendance reports on a regular basis and check any irregularities or suspicious patterns and investigate them in a timely manner where warranted.
- (f) Report any change of status of a staff member (e.g. absence without leave, absconding, death, etc.) to the Department Human Resources.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

PART D: SKILLS DEVELOPMENT

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SKILLS DEVELOPMENT POLICY

1. PREAMBLE

The Skills Development Policy aligned to the Matjhabeng Local Municipality's goals affords opportunities to benefit from better co-ordination and alignment of development initiatives. The Matjhabeng Local Municipality commits to provide skills development to all staff members on an equal opportunity basis.

2. PURPOSE

The purpose of this policy is:

- 2.1 To ensure that skills development occur in a coherent and structured manner;
- 2.2 To provide clear alignment of the strategic plan, National Skills Development Strategy, and other internal Human Resource policies;
- 2.3 To facilitate access to appropriate skills development;
- 2.4 To support personal development plans and career development;
- 2.5 To support the Matjhabeng Local Municipality's succession planning; and
- 2.6 To promote and facilitate participation of unemployed learners in learnerships.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Matjhabeng Local Municipality, learners in cases of learnership programmes for students who are not staff members, and interns, where applicable.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- 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

- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Skills Development Levies Act, 1999 (Act No. 9 of 1999)
- National Youth Commission Act, 1996 (Act No. 19 of 1996)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This Policy seeks to integrate all skills development related policies and procedures into one comprehensive document. Hence the aim and scope of this Policy is to create a framework to facilitate the implementation and promotion of skills development within the Matjhabeng Local Local Municipality through a holistic approach which is based on and comply with current legislation pertaining to skills development.

7. POLICY PROVISIONS

7.1 Principles of skills development

7.1.1 Skills development shall –

- (a)** support the achievement of the Matjhabeng Local Municipality's goals set out in the Integrated Development Plan by providing critical skills that ensure the delivery of quality services;
- (b)** 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;
- (c)** support the employment equity objectives of the Matjhabeng Local Municipality;
- (d)** 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;
- (e)** 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

(f) be designed to support and reinforce other capacity building programmes in the Matjhabeng Local Municipality.

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

7.1.3 The Matjhabeng Local Municipality shall support its staff members by –

- (a) clarifying the skills required for jobs, identifying relevant skills needs and developing opportunities to satisfy the skills needs;
- (b) identifying new skills and knowledge required by staff to support their career growth and progression;
- (c) creating learning opportunities that will allow their staff to develop the skills and expertise to enable them to compete effectively for placement in new or vacant posts; and
- (d) 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.

7.1.4 The skills development process shall involve planning, skills assessment, implementation, and review.

7.2 Skills development planning

7.2.1 Alignment to strategic planning cycles

The determination of Municipal skills needs, priorities and budgets shall be –

- (a) developed once every five years at the commencement of the integrated development planning process, and shall be reviewed annually thereafter; and
- (b) aligned to the strategic planning cycles associated with the –
 - (i) Integrated Development Plan;
 - (ii) Municipal budget;
 - (iii) human resource planning; and
 - (iv) performance management cycle.

7.2.2 Determination of skills needs

Skills needs in the Matjhabeng Local Municipality shall be determined by conducting –

- (a) skills needs analysis, in which the Matjhabeng Local Municipality shall identify skills needs at Municipal and department levels based on critical roles and job categories and associated competencies; and
- (b) a staff skills audit, which shall identify skills needs for each staff member based on specific competency needs associated with current roles and future career aspirations.

7.2.3 Skills needs analysis

- (a) The Matjhabeng Local Municipality shall conduct a skills needs analysis that analyses the Matjhabeng Local Municipality's skills needs and assesses the skills constraints on service delivery in the Matjhabeng Local Municipality as a whole and in each department or function.
- (b) The skills needs analysis shall identify the priority skills needs, which when effectively developed, will have a marked impact on the Matjhabeng Local Municipality's performance.
- (c) The process of identifying the skills needs shall –
 - (i) 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 of the Municipal Staff Regulations.
 - (ii) take into account the related institutional capacity needs and workplace skills plan of the Matjhabeng Local Municipality; and
 - (iii) cover all major roles in the Matjhabeng Local Municipality, including –
 - (aa) management and leadership roles that –
 - (1) require strategic and analytical functions;
 - (2) involve a relatively high degree of discretionary decision-making;
 - (3) have a relatively high level of risk associated with decisions made; or
 - (4) require long lead times (2+ years) to develop the qualifications and a further time (3+ years) to develop the experience required to be able to perform competently.

(bb) technical, specialist, professional and administrative roles;
and

(cc) specified priority skills needs.

(d) The skills needs analysis shall be based on –

- (i)** a strategic evaluation of skills needs that have constrained the service delivery and performance of the Matjhabeng Local Municipality and each of its departments or functions in the current year;
- (ii)** 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;
- (iii)** a review of the effectiveness of the implementation of previous priority skills development programmes and interventions; and
- (iv)** an analysis of individual staff member personal development plans to identify common skills needs across job categories.

7.2.4 Staff skills audit

(a) The Matjhabeng Local Municipality shall 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.

(b) A skills audit may comprise –

- (i)** biographical audits, which includes information on the educational qualifications and experience of the staff member;
- (ii)** perception based assessments; and
- (iii)** evidence based assessments, including assessments using psychometric instruments.

(c) A skills audit shall be conducted once every five-years within 24 months from the election of the new council of a Matjhabeng Local Municipality.

7.2.5 Recognition of prior learning assessment

(a) Recognition of prior learning assessment determine 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.

(b) Recognition of prior learning assessment shall be conducted –

- (i) by service providers that are accredited by the relevant Education and Training Quality Assurance Body; and
- (ii) in line with the provisions of the National Qualifications Framework established in terms of the National Qualifications Framework Act.

7.2.6 Personal development plans

- (a) Every staff member shall have a personal development plan that sets out the strategies to –
 - (i) 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
 - (ii) develop new skills and provide exposure to new areas of work, which are aligned to the Matjhabeng Local Municipality's strategic objectives.
- (b) The personal development plan shall take account of the skills audit and the requirements of the performance management system.
- (c) A staff member may only undergo training that is –
 - (i) contained in personal development plan; or
 - (ii) approved by the municipal manager or his or her delegate.

7.2.7 Workplace skills plan

- (a) The Matjhabeng Local Municipality shall develop a workplace skills plan arising from the outcomes of institutional skills needs analysis and the individual skills audits.
- (b) The workplace skills plan shall include –
 - (i) the priority skills needs for the Matjhabeng Local Municipality and each department or function;
 - (ii) the associated interventions that the Matjhabeng Local Municipality intends conducting; and
 - (iii) an aggregation of the learning and development initiatives from staff members' personal development plans.
- (c) The workplace skills plan shall be included in the Matjhabeng Local Municipality's Integrated Development Plan.

- (d) The Matjhabeng Local Municipality shall submit a completed workplace skills plan to the LGSETA on 30 April of each year.

7.2.8 Budgeting for skills development

- (a) The Matjhabeng Local Municipality shall establish a skills development budget that provides funding for the priority skills needs identified in the workplace skills plan.
- (b) Funding for training and development of staff will derive from –
 - (i) the Matjhabeng Local Municipality's own training budget;
 - (ii) the skills development levies as prescribed in terms of Skills Development Levies Act 9 of 1999;
 - (iii) discretionary and mandatory grants received from LGSETA; and
 - (iv) provincial and national government capacity building grants.

7.3 Implementing skills development

7.3.1 Types of skills development programmes

The Matjhabeng Local Municipality shall focus on developing priority skills through –

- (a) structured learning programmes, which shall include learnerships, apprenticeships, technicians-in-training programmes, and graduates-in-training programmes;
- (b) structured on-the-job learning and development, which may include –
 - (i) professional coaching of staff members by an external or internal expert coach where such capacity exists;
 - (ii) coaching of staff members by supervisors, including guiding a staff member to develop new skills;
 - (iii) mentoring staff members to acquire technical, professional or specialist skills, which may include structured mentorship programmes;
 - (iv) 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 members 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

(c) professional development programmes.

7.3.2 Succession planning

The Matjhabeng Local Municipality shall develop future managers in order to ensure seamless succession of competent leaders, as follows:

(a) Carry out a potential staff member search and matching through -

(i) nomination of staff members who are considered for succession planning, ensuring representation of qualified women, Black people, and staff members with disabilities;

(ii) nomination criteria that include staff member who –

(aa) show an interest to be nominated;

(bb) are able to work without supervision;

(cc) show a commitment to deliver beyond what is required;

(dd) display consistent high performance in their duties, in attaining targets, and with a rating scored at outstanding level; and

(ee) demonstrate potential to operate at a high level.

(b) Create a succession pool of staff members who demonstrate desirable values, behaviour and competencies to be potential successors, and -

(i) where a number of jobs are of similar type and need similar skills, the number of potential successors to the succession pool shall be increased; and

(ii) nominate two (2) or more staff members for possible succession per post to cater for natural attrition / turnover.

- (c) Enter formal agreements with staff members earmarked for succession planning to protect the interests of both the staff member and the Matjhabeng Local Municipality. The agreement shall outline the following:
 - (i) Staff members shall not be guaranteed appointments in posts that they are prepared for, and shall have to compete for the posts when advertised;
 - (ii) The succession period for each successor shall range from six (6) to twelve (12) months; and
 - (iii) A successor who has failed to make an impression during the interviews shall not be guaranteed a stay in the programme.
- (d) Consultants contracted to the Matjhabeng Local Municipality shall be obliged to act as mentors to nominated staff members for skill transfer during contract duration.
- (e) Successors shall have properly designed career paths to ensure that they gain most appropriate experience for their future roles.

7.3.3 Obligations of the Matjhabeng Local Municipality

- (a) Supervisors shall ensure the development of staff members through re-allocation, rotation and secondment of staff members across functions within the Matjhabeng Local Municipality with due regard to service delivery requirements, where applicable.
- (b) The Matjhabeng Local Municipality shall ensure the effective management of the quality of learning delivery, especially that provided by external training providers.
- (c) Supervisors shall be encouraged to gain coaching skills and shall actively coach and support the development of staff members who report to them.
- (d) The Matjhabeng Local Municipality shall prioritise the appointment of mentors who are experts in their fields to support structured skills transfers in order to achieve the required specialist and technical skills for priority roles.

7.4 Evaluating skills development quality and impact

7.4.1 The Matjhabeng Local Municipality shall –

- (a) conduct regular evaluations of the workplace skills plan and personal development plans, as well as their implementation; and

- (b) adjust its learning programmes to improve its effectiveness, including the impact on reducing the skills constraint on service delivery.

7.4.2 The Matjhabeng Local Municipality shall ensure that –

- (a) every supervisor reports annually on progress on implementing staff personal development plans and the other programmes contained in the workplace skills plan;
- (b) the effect of implementing personal development plans for staff is evaluated;
- (c) 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
- (d) regular skills development reports and evaluation results are –
 - (i) integrated into the wider capacity building initiatives within the Matjhabeng Local Municipality; and
 - (ii) reported to the relevant provincial and national capacity building structures.

7.5 Payment for skills development programmes

7.5.1 The Matjhabeng Local Municipality may agree to pay full or part payment for a staff member's learning programme and for reasonable travel and accommodation expenses on receipt of official proof of the structured learning programme.

7.5.2 Where the Matjhabeng Local Municipality agrees to pay for a learning programme, the staff member shall be required to work for the Matjhabeng Local Municipality for a reasonable period after the completion of the programme, failing which the staff member shall pay back the costs, or part of the costs, associated with the programme.

7.5.3 Despite clause 7.5.1, if a staff member fails to attend or fails a learning programme, the Matjhabeng Local Municipality shall recover the costs associated with the programme after complying with Section 34 of the Basic Conditions of Employment Act.

7.6 Roles and responsibilities

7.6.1 A staff member shall –

- (a) actively manage their own development, whether for their current role or for their future career opportunities, based on their personal development plan

- ;
- (b)** participate actively in skills audits;
 - (c)** develop and reflect on their personal development plans with their supervisor;
 - (d)** commit to development that coincides with the Matjhabeng Local Municipality's priority skills;
 - (e)** participate actively in all forms of learning, training and development which will assist the staff member to meet agreed needs;
 - (f)** stay abreast of and apply new knowledge and skills in their field of expertise; and
 - (g)** provide feedback on the outcomes, effectiveness and relevance of training and development received.

7.6.2 A supervisor shall –

- (a)** link skills development to the priorities of their function, the integrated development plan and to the outcomes of the performance management process;
- (b)** monitor skills needs and constraints that have, or may have, a major impact on the achievement of their objectives and report on these during the institutional skills needs analysis process;
- (c)** develop, report on and review progress with the personal development plans of the staff members who report to the supervisor or supervisor;
- (d)** ensure that development proposed in the personal development plans of the staff members who report to the supervisor is relevant to the functions of the Matjhabeng Local Municipality;
- (e)** provide coaching to and support for the development of staff members;
- (f)** provide input into the content of training programmes, if relevant;
- (g)** allow their subordinates time off for training, as agreed in training schedules and plans; and
- (h)** actively facilitate the application of learning back on the job.

7.6.3 The Skills Development Facilitator shall –

- (a)** facilitate the adoption of the Workplace Skills Plan, including liaising with the registered trade unions;

- (b) facilitate the implementation of skills development programmes with supervisors, staff members and external training providers; and
- (c) liaise with the LGSETA and ensure that the Matjhabeng Local Municipality meets all the requirements of the LGSETA.

7.6.4 The Chief Financial Officer shall ensure that proof is provided to the LGSETA that all funds obtained from the LGSETA and the 1% budgeted towards skills development have been used for skills development purposes.

7.6.5 The Training Committee shall –

- (a) be chaired by a senior manager;
- (b) have an equal number of managers and representatives of staff;
- (c) include the Integrated Development Planning Manager, the Skills Development Facilitator, the Manager responsible for human resources, individual and institutional performance managers, and the Chief Financial Officer, as representatives of the Matjhabeng Local Municipality;
- (d) include representatives of the registered trade unions recognised by the Matjhabeng Local Municipality as representatives of staff members or, in their absence, staff members who are representative of the Matjhabeng Local Municipality's staff as a whole; and
- (e) consult, and make recommendations to the Municipal Council, on –
 - (i) proposed improvements to skills audit processes;
 - (ii) findings and priorities emerging from the skills audit presented by management;
 - (iii) the draft workplace skills plan;
 - (iv) management's regular skills development report; and
 - (v) skills development policy of the Matjhabeng Local Municipality.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation in the Local Labour Forum.

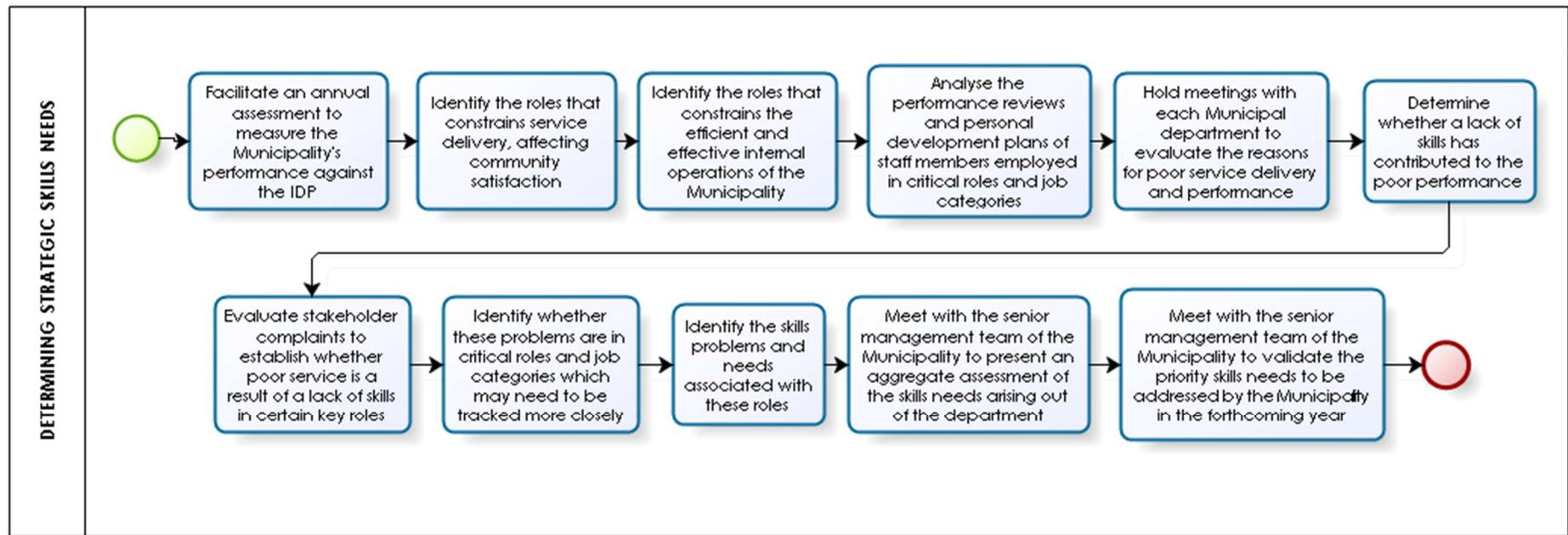
Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: DETERMINING STRATEGIC SKILLS NEEDS

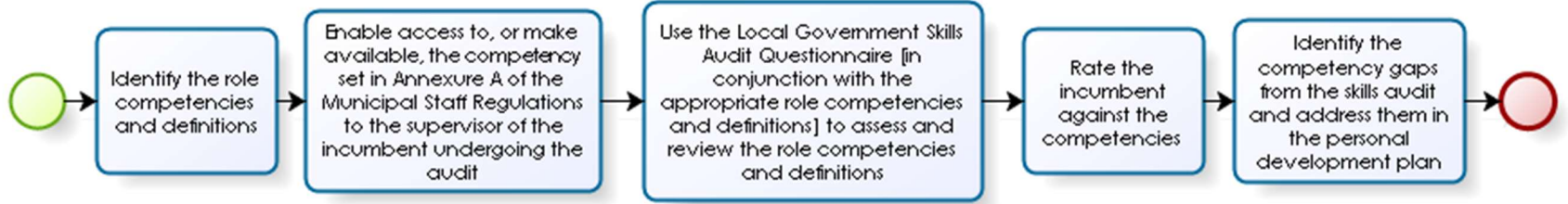
DETERMINING STRATEGIC SKILLS NEEDS				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Facilitate an annual assessment to measure the Matjhabeng Local Municipality's performance against the IDP			
2.	Identify the roles that constrains service delivery, affecting community satisfaction			
3.	Identify the roles that constrains the efficient and effective internal operations of the Matjhabeng Local Municipality			
4.	Analyse the performance reviews and personal development plans of staff members employed in critical roles and job categories			
5.	Hold meetings with each Municipal department to evaluate the reasons for poor service delivery and performance			
6.	Determine whether a lack of skills has contributed to the poor performance			
7.	Evaluate stakeholder complaints to establish whether poor service is a result of a lack of skills in certain key roles			
8.	Identify whether these problems are in critical roles and job categories which may need to be tracked more closely			
9.	Identify the skills problems and needs associated with these roles			
10.	Meet with the senior management team of the Matjhabeng Local Municipality to present an aggregate assessment of the skills needs arising out of the department			
11.	Meet with the senior management team of the Matjhabeng Local Municipality to validate the priority skills needs to be addressed by the Matjhabeng Local Municipality in the forthcoming year			



ANNEXURE B: STAFF SKILLS AUDIT

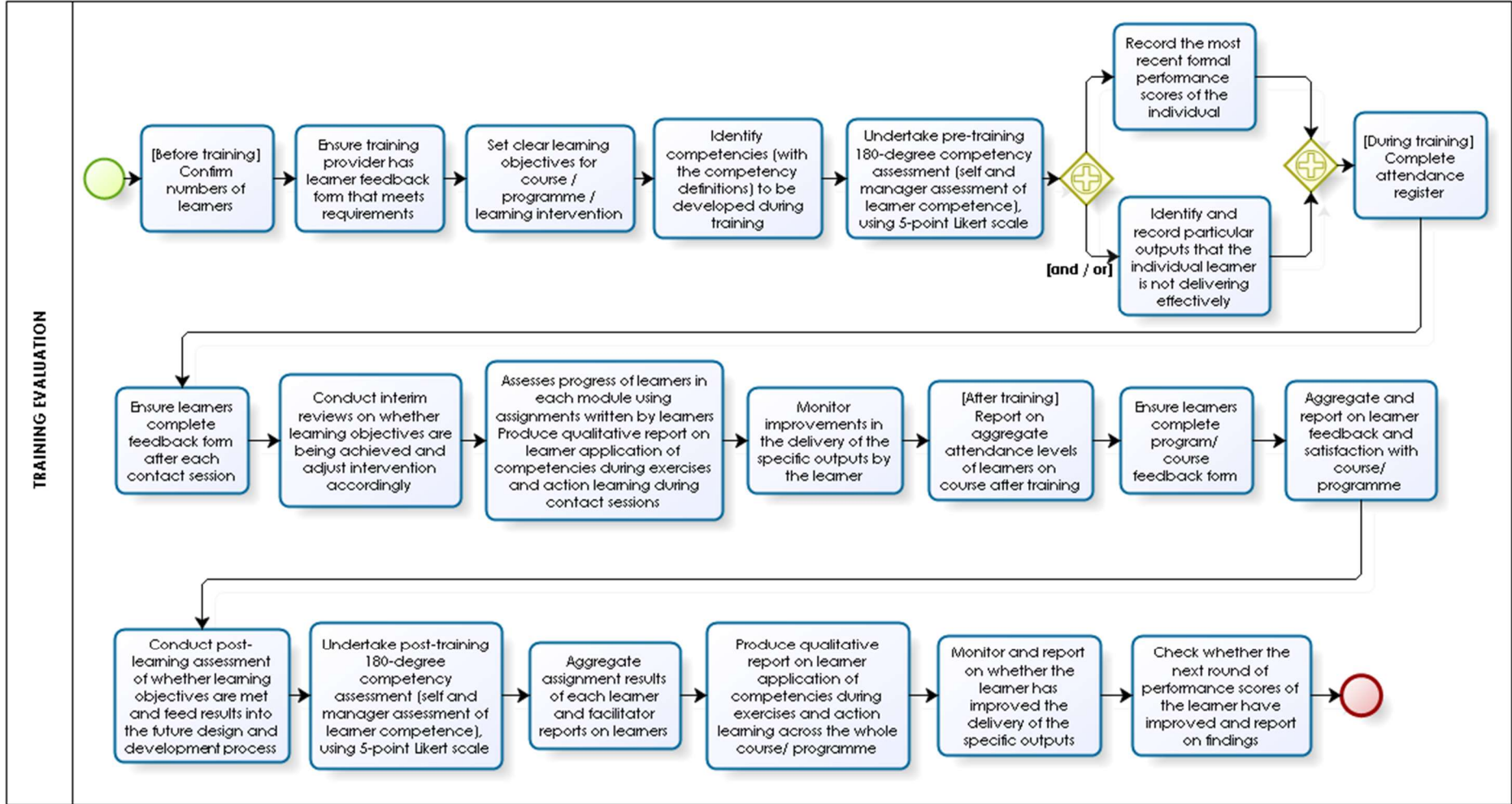
STAFF SKILLS AUDIT				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	Identify the role competencies and definitions			
2.	Enable access to, or make available, the competency set in Annexure A of the Municipal Staff Regulations to the supervisor of the incumbent undergoing the audit			
3.	Use the Local Government Skills Audit Questionnaire [in conjunction with the appropriate role competencies and definitions] to assess and review the role competencies and definitions			
4.	Rate the incumbent against the competencies			
5.	Identify the competency gaps from the skills audit and address them in the personal development plan			

STAFF SKILLS AUDIT



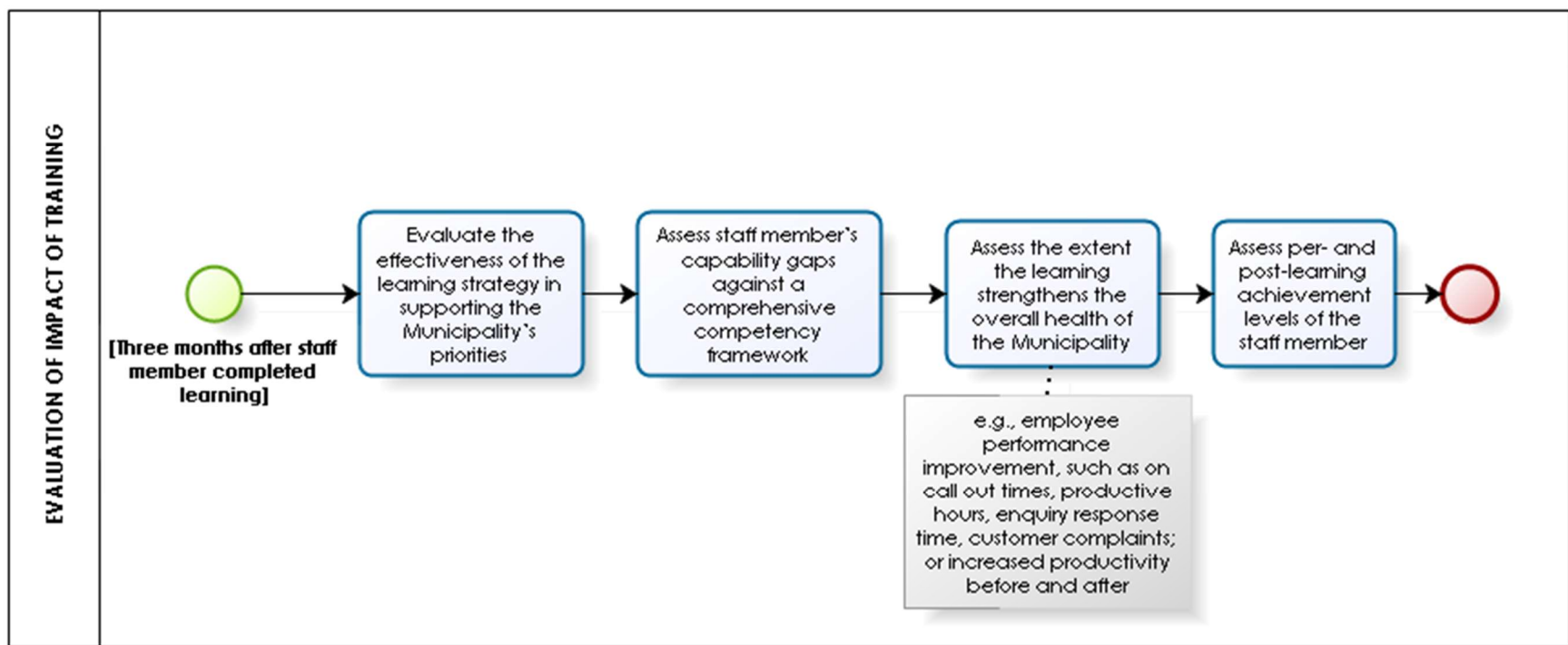
ANNEXURE C: TRAINING EVALUATION

TRAINING EVALUATION				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	[Before training] Confirm numbers of learners			
2.	Ensure training provider has learner feedback form that meets requirements			
3.	Set clear learning objectives for course / programme / learning intervention			
4.	Identify competencies (<i>with the competency definitions</i>) to be developed during training			
5.	Undertake pre-training 180-degree competency assessment (<i>self and manager assessment of learner competence</i>), using 5-point Likert scale			
6.	Record the most recent formal performance scores of the individual			
7.	[and / or] Identify and record particular outputs that the individual learner is not delivering effectively			
8.	[During training] Complete attendance register			
9.	Ensure learners complete feedback form after each contact session			
10.	Conduct interim reviews on whether learning objectives are being achieved and adjust intervention accordingly			
11.	Assesses progress of learners in each module using assignments written by learners Produce qualitative report on learner application of competencies during exercises and action learning during contact sessions			
12.	Monitor improvements in the delivery of the specific outputs by the learner			
13.	[After training] Report on aggregate attendance levels of learners on course after training			
14.	Ensure learners complete program/ course feedback form			
15.	Aggregate and report on learner feedback and satisfaction with course/ programme			
16.	Conduct post-learning assessment of whether learning objectives are met and feed results into the future design and development processes			
17.	Undertake post-training 180-degree competency assessment (<i>self and manager assessment of learner competence</i>), using 5-point Likert scale			
18.	Aggregate assignment results of each learner and facilitator reports on learners			
19.	Produce qualitative report on learner application of competencies during exercises and action learning across the whole course/ programme			
20.	Monitor and report on whether the learner has improved the delivery of the specific outputs			
21.	Check whether the next round of performance scores of the learner have improved and report on findings			



ANNEXURE D: EVALUATION OF IMPACT OF TRAINING

EVALUATION OF IMPACT OF TRAINING				
NO.	PROCEDURE STEPS	ACTORS	AVERAGE TIME TAKEN PER TRANSACTION	AVERAGE TRANSACTIONS PER MONTH (OR YEAR)
1.	[Three months after staff member completed learning] Evaluate the effectiveness of the learning strategy in supporting the Matjhabeng Local Municipality's priorities			
2.	Assess staff member's capability gaps against a comprehensive competency framework			
3.	Assess the extent the learning strengthens the overall health of the Matjhabeng Local Municipality [e.g., <i>staff member performance improvement, such as on call out times, productive hours, enquiry response time, customer complaints; or increased productivity before and after</i>]			
4.	Assess per- and post-learning achievement levels of the staff member			



ANNEXURE E: PERSONAL DEVELOPMENT PLAN

By completing a Personal Development Plan (PDP), a staff member takes charge of his or her own learning. A Personal Development Plan (PDP) enables learners to identify key areas of learning and development that will enable them to either acquire new or develop existing skills and behavioural attributes

BIOGRAPHICAL INFORMATION

This is the Personal Development Plan of:

Surname	
Name	
Post	
Division	

Personal details:

Identity Number	
Age	
Gender	
Race	
Disability	
Home Language	

Qualifications:

Please specify all formal qualifications obtained, as well as the NQF level of each qualification. Where study is completed, indicate the period of study. Where study is ongoing, indicate the start date of study as well as the possible date of completion.

Qualification	
NQF Level	
Institution	
Period of study	
Degree (s) or Diploma (s) obtained	

Qualification	
NQF Level	
Institution	
Period of study	
Degree (s) or Diploma (s) obtained	

Experience:

Please indicate all relevant work experience within and outside your current organisation. Please specify previous employers, positions held and period of employment.

Employer	Dates (from – to)	Position held

Training and Development:

Please list significant other training and development courses or programmes you have attended. Please add any certification awarded if applicable.

Training and Development courses	Dates of training	Certification (if applicable)

POST REQUIREMENTS

1. Entry Level Requirements

The entry requirements of the post are contained in the table below

Qualifications required for post		NQF Level		Qualification status/year obtained	

2. Role Competencies

The Table below contains the competence required by the incumbent for this post, as specified in the relevant job profile.

Skills required for the post	
Knowledge requirements for post	
Generic skills and behaviours required for post	

STAFF DEVELOPMENT NEEDS:

In the table below the priority competencies to be developed by the staff member, as identified during the skills audit, should be listed together with the interventions to develop these competencies.

Competencies to be developed	Competency Description	Functional / Managerial / Generic	Learning objectives	Type of intervention or mode/ form of learning delivery (e.g. formal training programme or on-the- job learning or coaching).	Responsible provider - facilitators, trainers, provider institution (e.g. universities, UOT, private provider, external coach, supervisor)	Estimated duration and cost of learning intervention	
						Duration	Cost
e.g. Oral communication	Listening to others and communicating in an effective manner that fosters open communication	Generic					

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INTERNAL BURSARY POLICY

1. PREAMBLE

The Municipality strives to secure adequately qualified personnel for its services by providing financial assistance to staff members and legislators (councillors) to enable them to qualify themselves educationally and to enhance their levels of competence to perform the duties assigned to them.

2. PURPOSE

The purpose of the Internal Bursary Policy is to encourage and assist councillors and officials who want to develop their potential and thus increase their value to the Municipality through obtaining formal qualifications recognised on the National Qualifications Framework (NQF).

More specifically the Policy aims to:

- 2.1 Encourage career development through further education.
- 2.2 Encourage self-development activities that also benefit the Municipality.
- 2.3 Provide financial assistance to beneficiaries wishing to improve their qualifications.

3. SCOPE OF APPLICATION

This policy applies to all staff members and councillors of the Municipality. The bursary scheme does not apply to full time study or overseas study leave. The scheme covers approved courses or curricula leading up to a formal qualification provided by reputable, accredited education and training providers recognised by the MATJHABENG MUNICIPALITY. The relevance of the intended studies, cost and the training provider need to be evaluated prior to approval of applications.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Skills Development Levies Act, 1999 (Act No. 9 of 1999)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy provides financial support for staff members **and councillors** to pursue educational and training opportunities that will benefit the Matjhabeng Local Municipality.

7. POLICY PROVISIONS

7.1 Administration of the bursary

The Department Human Resources shall be responsible for the administration and implementation of the bursary and **shall have the power to conclude contracts on behalf of the Municipal Manager. (Not sure about this?)**

7.2 Financial Assistance

7.2.1 The bursary shall only be granted for the payment of -

- (a) the registration fee;
- (b) compulsory administrative fees;
- (c) tuition fees (cost of the study units or subjects enrolled in);
- (d) text books and prescribed text material to a maximum of the amount approved by Council, and the conditions set by Council from time to time; and

- (e) for fixed term staff members, the bursary amount may not exceed the amount that the staff member shall be able to work back during the term of the contract of employment.
- 7.2.2** All payments in respect of a bursary shall, on receipt of an original account, be paid by the Municipality directly to the educational institution, provided that where the bursary has been granted for a part of any course, payment shall only be made for such part of the course, provided further that payment may be made directly to the staff member upon submission of an original account of the educational institution together with proof thereof that the fees as set out in the account have already been paid to the relevant institution by the staff member.
- 7.2.3** Application shall be made in writing for the payment of any study related fees, accompanied by the necessary documentary proof and shall be made at least fifteen (15) working days prior to the closing date of such application at the educational institution.
- 7.2.4** Application for payments shall be aligned with the approved study plan, and if not, a revised study plan motivation shall accompany the request that shall be considered by the Head of Corporate Services and payment shall only be done if the revised study plan is approved.
- 7.2.5** The application of officials and councillors must be recommended by the relevant Head of Department and Offices of the Speaker/Executive Mayor respectively, recommended by the Executive Director Corporate Support Services and approved by the Municipal Manager prior to commencement of the course. Where an applicant commences study without approval, he/she will not be entitled to financial assistance.

7.3 Applicable courses

- 7.3.1** The course shall be relevant to the service of the Municipality and in line with the staff member's official duties.
- 7.3.2** The NQF level of the course shall be higher than the staff member's already obtained qualifications.
- 7.3.3** General courses, such as management, project management shall only be approved for staff members in management positions.
- 7.3.4** Short courses of one year and less shall only be approved if the cost of the course is such that it can be worked back in a period of two (2) years.

- 7.3.5** Only studies/courses which are accredited by the SAQA and/or Quality Assurance Bodies such as SETAs and which carry NQF credits may be approved. The course of study, provided by a recognised institution, must be relevant to the Local Government Sector and will increase the applicant's contribution / value to the Municipality.
- 7.3.6** The course of study must benefit the applicant in terms of his/her current area of specialization, or current or future responsibilities that have been identified.
- 7.3.7** If deemed necessary, the applicant be assessed by a reputable institution to determine the likelihood of success in following a particular course.
- 7.3.8** Newly appointed officials will only be considered for study assistance after successfully serving the required probation period.
- 7.3.9** Notwithstanding the above, the Municipal Manager may consider and approve any specific application without setting a precedent if the:
- (a)** staff member's obtaining of qualification is in the interest of the Municipality; and
 - (b)** course is beneficial to the Municipality, and upon written motivation the Municipal Manger is convinced that the course is in line with the staff member's career planning and service delivery.
- 7.3.10** Bursaries may not be granted for courses which an applicant has already passed.

7.4 Approval of bursary

- 7.4.1** The Head of Corporate Services shall consider the application, taking into account the following:
- (a)** Relevance of the course to the service of the Municipality.
 - (b)** Eligibility of the official to be granted a bursary.
 - (c)** Availability of funds, considering the cost of the course over the intended study period.
 - (d)** When funds are limited, consider:
 - (i)** Needs of the Municipality;

- (ii) Needs of local government sector, and the cost of courses to get the maximum number of staff members to further their education; and
- (iii) Possible granting of part bursaries where the official can be liable for the payment of part of the cost, especially in cases where staff members are guaranteed promotional positions upon the attainment of a specific qualification.

7.4.2 A beneficiary in terms of this policy shall be granted only one active bursary at a time except in cases where courses are sequential, i.e. undergraduate degree, Honours, Masters, Doctorate, or certificate, diploma, National Diploma, and so on.

7.4.3 Upon approval of the bursary, the staff member shall enter written agreement with the Municipality.

7.5 Contractual Obligations

7.5.1 The Head of Corporate Services may cancel the bursary if:

- (a) the staff member's study progress is not satisfactory as measured against the approved study plan.
- (b) the staff member failed more than 50% of the courses / subjects entered for in a particular study period.
- (c) the staff member does not submit results in terms the bursary conditions.
- (d) the staff member failed to enrol for courses / subjects during a study year irrespective of whether the staff member or Municipality pays.
- (e) the staff member fails to comply with any obligation under the bursary agreement.
- (f) it is found that the bursary application was approved on the grounds of incorrect information furnished by the staff member.

7.5.2 The staff member shall, within two (2) months after the examination results are available, furnish the Municipality with such results. If the staff member fails to comply with the above, the Head of Corporate Services may cancel the bursary, or further advances shall be held back until compliance is achieved.

- 7.5.3** Should a staff member at any time suspend or abandon his / her studies for the approved qualification, or be refused permission by the educational institution or examining authority to continue his / her studies, or not pass any qualifying course of study during two (2) consecutive years, he / she shall be obliged, from a date fixed by the Municipal Manager to repay the Municipality the full amount of the financial assistance given to him / her, inclusive of study leave, in terms of the Scheme plus interest thereon, calculated at prime interest rate plus 1%.
- 7.5.4** Where a staff member has been granted leave on full pay he / she may, at his / her option, be permitted to have his / her accumulated annual leave reduced by an equivalent number of days taken as study leave provided that such action is not in conflict with the Leave Policy.
- 7.5.5** In the event of a staff member retiring, resigning or being dismissed from the Municipality's service before having obtained the qualification in respect of which he / she was granted financial assistance in terms of the Scheme, he / she shall repay to the Municipality the total financial assistance paid by the Municipality plus interest thereon, calculated at prime interest rate plus 1%.
- 7.5.6** The time frame within which a staff member can complete a qualification ranges from three to more years. The staff member shall be under an obligation to pay back all financial assistance over the period that he / she studied if the staff member wants to resign, etc. A staff member has to remain in the service of the Municipality for an equivalent of time proportional to subjects done or year of study completed.
- 7.5.7** For block release courses, a staff member shall, whether or not he/she obtains the qualification concerned, serve the Municipality for two years in respect of each year in which study leave was given.
- 7.5.8** Service obligation shall not be condoned on a *pro rata* basis. Therefore, unless the staff member remains in the service of the Municipality until the expiry date of his / her service obligation he / she shall remain liable for the full settlement of the financial assistance received in terms of the Scheme.
- 7.5.9** The staff member shall cede to the Municipality his / her rights, title and interest in and to all amounts due to the staff member by the Municipality and the Retirement Fund to which the staff member contributed during his / her employment with the Municipality, both future and present, as security for the indebtedness of the staff member

to the Municipality arising out of the obligation created by this agreement.

7.5.10 The cession referred to in the policy shall endure and be of force and effect until the liability of the staff member to the Municipality has been paid by the staff member to the Municipality or otherwise discharged.

7.5.11 The certificate signed by the CFO certifying the amount due by the staff member to the Municipality shall be *prima facie* proof of the amount due and payable by the staff member to the Municipality.

7.5.12 If a staff member is unable to pay the Municipality the full amount owing to the Municipality in terms of the Scheme, the CFO shall, in consultation with the staff member, make suitable alternative arrangements to facilitate full settlement of the amount owing to the Municipality, provided that such arrangement shall not extend beyond one year from the date on which the staff member originally became liable for the full settlement of his / her debt in terms of the Scheme.

7.5.13 In the event of a deceased staff member, the outstanding debt will be written off.

7.5.14 In the event of a staff member who become physically or mentally incapable of completing their qualification, subject to the medical reviews from the relevant pension funds, the outstanding debt may be written off.

7.6 Study Leave

A staff member who is a part-time or distance learning student and who is studying for an approved qualification, shall be granted examination and study leave in terms of the leave policy.

7.7 Applications

7.7.1 Staff members wishing to apply for financial assistance shall do so on prescribed forms, and on guidelines prescribed by the Department Human Resources from time to time.

7.7.2 Continued financial assistance shall depend on submission of results, and on meeting other requirements of the Scheme or conditions set by the Municipal Manager and / or skills development committee.

7.8 Roles and responsibilities

7.8.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. Furthermore, the Municipal Manager shall:

- (a)** Approve qualifications and their priority for inclusion in the Scheme or delete those which are no longer appropriate.
- (b)** Determine, with help of the CFO, the amount of and conditions governing financial assistance for approved qualifications as deemed necessary to give effect to the principles of the scheme and to safeguard the interests of the Municipality.
- (c)** Approve the continuation, extension, variation or termination of facilities to individual students on conditions laid down in the Scheme.
- (d)** Determine institutions at which students may pursue approved qualification.
- (e)** In conjunction with the CFO, determine method and terms under which money owing to the Municipality for financial assistance in terms of the scheme shall be repaid.
- (f)** Adopt whatever actions are deemed necessary to address any anomalous situation which is not specifically addressed by the Scheme.
- (g)** Continuously monitor the effectiveness of the Scheme and submit recommendations to the Council for any required amendments to the Scheme to match changing or anomalous circumstances.

7.8.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager:

Signature: _____ Date: _____

Recommended by Portfolio Committee on Corporate Services:

Signature: _____ Date: _____

Approved by Municipal Council:

Signature: _____ Date: _____

PART E: STAFF MEMBER RELATIONS

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GRIEVANCE RESOLUTION POLICY

1. PREAMBLE

The Municipality believes in ensuring the highest standards of professional and ethical conduct. In pursuing these, the Municipality shall make all efforts to resolve grievances as quickly as possible with the utmost concern for reconciling and respecting the privacy concerns of staff members.

2. PURPOSE

The purpose is to ensure a fair environment to resolve problems and conflict as quickly as possible, through formal measures beyond informal and verbal interventions.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy establishes the process for employees to raise concerns or complaints about workplace issues, and outlines the steps for investigating and resolving grievances.

7. POLICY PROVISIONS

7.1 Grievance resolution framework

7.1.1 The grievance resolution framework is aimed at providing management and staff members of the Municipality with a credible mechanism for resolving staff grievances fairly, objectively and expeditiously.

7.1.2 A staff member may not use the grievance resolution mechanisms –

- (a) to amend any performance agreement or terms and conditions of any performance agreement concluded between that staff member and the Municipality;
- (b) to process a disciplinary matter or dismissal; or
- (c) for the purposes of collective bargaining.

7.1.3 All grievances shall be resolved as soon as possible and at the lowest possible level in the reporting structure.

7.1.4 A grievance that is brought to management's attention shall be considered in a fair manner.

7.1.5 Neither staff member nor his or her representative shall suffer any prejudice, directly or indirectly, including victimisation or occupational prejudice, in their employment because they lodged or participated in a grievance in terms of this policy.

7.1.6 The grievance proceedings shall be conducted in compliance with the standards of procedural fairness, using the latest or updated version of the grievance procedure entered by parties to the SALGBC.

7.1.7 The parties to the grievance shall disclose relevant documents which may assist to resolve a grievance except that no party is required to disclose information that –

- (a) is legally privileged;
- (b) the Municipality cannot disclose without contravening a prohibition imposed on it by any law or order of any court;
- (c) is confidential and, if disclosed, may cause substantial harm to a staff member or the Municipality; or
- (d) is private personal information relating to a staff member, unless that member of staff consents to the disclosure of the information.

7.1.8 All proceedings and meetings relating to a grievance shall be considered to be confidential.

7.2 Roles and responsibilities

7.2.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.2.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: LATEST GRIEVANCE PROCEDURE FROM THE SALGBC

[Kindly attach copy of latest Grievance Procedure here]

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DISCIPLINE POLICY

1. PREAMBLE

The Municipality conforms to the law and good governance that discipline is to be applied fairly, consistently, progressively and promptly. The principles of natural justice and fair procedure shall be adhered to notwithstanding any criminal and / or civil action having been instituted.

2. PURPOSE

The purpose of this policy is to establish a uniform standard for management of discipline in the Municipality. The application is therefore mandatory as a condition of service.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Public Administration Management Act, 2014 (Act No. 11 of 2014)
- National Anti-Corruption Strategy 2020-2030
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy sets out the expectations and consequences for employee behaviours that does not meet organizational standards and establishes a process for imposing disciplinary measures.

7. POLICY PROVISIONS

7.1 Principles of disciplinary code and its application

7.1.1 The purpose of the disciplinary code in the Municipality is to –

- (a)** promote constructive, orderly and safe conduct in the workplace;
- (b)** regulate discipline in a manner that is both substantively and procedurally fair;
- (c)** promote certainty and consistency in the application of discipline;
- (d)** establish principles, standards and procedures to be followed in order to address any misconduct; and
- (e)** encourage staff to adhere to the appropriate standards of conduct required of them by providing for progressive and corrective action.

7.1.2 It is the responsibility of every staff member to abide by the code of conduct and rules of discipline applicable to staff members.

7.1.3 Discipline is a management function and supervisors are responsible for the management of discipline within their place of work.

7.1.4 Discipline is a corrective measure and not a punitive one.

7.1.5 The Municipality shall take all reasonable steps to ensure that discipline is applied in a prompt, fair, consistent and progressive manner.

7.1.6 If a staff member commits misconduct that is also a criminal offence, the criminal procedure and the disciplinary procedure will continue as separate and different proceedings and the disciplinary action shall not be halted due to pending external criminal actions against the staff member alleged to have committed the misconduct.

7.1.7 The nature and severity of the staff member's alleged misconduct determines the nature and extent of the disciplinary action.

7.1.8 Management shall, if appropriate, correct and seek to improve conduct in the normal course of work. If there is a serious infringement or repeated misconduct, formal disciplinary procedures shall be invoked.

7.1.9 Disciplinary procedures shall be fair, using the latest or updated version entered by parties to the SALGBC.

7.2 Roles and responsibilities

7.2.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.2.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: LATEST DISCIPLINARY PROCEDURE FROM THE SALGBC

[Kindly insert latest or updated copy of the Disciplinary Procedure here]

ANNEXURE B: 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
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

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INCAPACITY DUE TO POOR WORK PERFORMANCE POLICY

1. PREAMBLE

The Labour Relations Act sets out certain guidelines in handling incapacity. The following are the Municipality's policy provisions in dealing with incapacity due to poor work performance.

2. PURPOSE

The purpose of this policy is:

- 2.1 To establish measures for managing incapacity due to poor performance at the Municipality in line with applicable legislation.
- 2.2 To assist managers and supervisors to identify reasons for non-performance and to provide a structured and consistent system of assisting the staff member to improve his / her performance to the required standards, within a reasonable period.

3. SCOPE OF APPLICATION

The policy shall apply to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Skills Development Act, (Act No. 97 of 1998)
- Arbitration Act, 1965 (Act No. 42 of 1965)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the process for addressing situations where an employee is unable to perform their job duties due to illness or injury, including accommodation, leave, and support services.

7. POLICY PROVISIONS

7.1 Set standards

- 7.1.1** Clear and objective standards shall be set and discussed with the staff member.
- 7.1.2** These job-related standards shall be fair and reasonable in that the staff member has sufficient training and knowledge to perform at a particular level.
- 7.1.3** Performance standards shall be set in consultation with the staff member within the performance management system / framework and policy of the Municipality.

7.2 Probation Period

- 7.2.1** For new staff members, provision shall be made for dealing with poor performance during a staff member's probation period, during which management shall give relevant evaluation feedback, instruction, training and guidance to the staff member in an attempt to meet the required standards.
- 7.2.2** In the event of the staff member still not reaching the required standard of performance, the staff member's contract of employment may be terminated or the probation period may be extended where appropriate.

7.3 Conduct performance review and assessment

- 7.3.1** In case of staff members whose probationary period has been successfully completed, that staff member shall be addressed in terms of how he / she has not met standards from after the probationary period, and shall be given an opportunity to challenge the performance appraisal.
- 7.3.2** The staff member and the manager shall discuss ways in which performance can be improved. Management shall assist and support the staff member as far as possible through, for instance, regular report-backs, refresher courses, training and counselling, within a reasonable period for improvement.
- 7.3.3** All communication between management and the staff member shall be confirmed in writing. Factors that have hindered a staff member from reaching the set standards shall be taken into consideration. [See attached checklist as guideline.]

7.4 Institute disciplinary proceedings

- 7.4.1** Once the manager has established that the staff member's performance is unsatisfactory regardless of the support, training and the period given for improvement, and that there is no other way short of dismissal to remedy the matter, the appropriate steps may be taken to discipline the staff member.

7.4.2 The appropriate steps shall include following options provided by the approved disciplinary procedure of the Municipality.

7.5 Roles and responsibilities

7.5.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.5.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: CHECKLIST FOR MANAGING POOR WORK PERFORMANCE

No	Activities	Yes/No
1.	Identify sub-standard performance	
2.	Review standards to ensure they are reasonable	
3.	Arrange interview with staff member	
4.	Inform staff member of your dissatisfaction with his / her performance	
5.	Establish if staff member is aware of performance standard. If staff member is unaware, spell out standards and indicate to staff member that performance will in future be monitored	
6.	If staff member is aware of standard, enquire into reason for poor performance	
7.	Consider your staff member's reasons. If satisfactory, end the session	
8.	If not or if indications are that further action is required, stress the need for standards to be maintained	
9.	Discuss with staff member possible ways of addressing the problem, e.g. training, assistance, transfer, etc.	
10.	If agreement is reached on an action plan, secure staff member's commitment to it	
11.	If no agreement is reached, spell out your own action plan. Be clear on standards required as well as time allowed for performance to improve. Make sure that it is reasonable	
12.	In both cases inform staff member that he / she will be monitored and that failure to comply with performance standards may lead to dismissal	
13.	Assure staff member of support, and give it continuously	
14.	Thereafter monitor progress	
15.	If problem persists, arrange for formal incapacity hearing. Staff member is entitled to representation. Enquire about reasons for failure to improve and, if reasons are acceptable, decide on further assistance. If reasons are unsatisfactory, terminate services on notices	
16.	Inform the staff member of the right to refer any disagreement about termination to review by a more senior level of management	
17.	If the review is unsuccessful, inform the staff member about his / her right to refer the matter externally	
18.	Attend to administrative issues, e.g. UIF and Certificate of Service	
19.	Always keep accurate record of interview, action plans, etc.	

Checked by (Manager): _____ **Date:** _____
(Name in print)

SIGNATURE: _____

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INCAPACITY DUE TO ILL HEALTH / INJURY POLICY

1. PREAMBLE

The Labour Relations Act sets out certain guidelines in handling incapacity. These are the Municipality's policy provisions in dealing with incapacity due to ill health / injury.

2. PURPOSE

The purpose of this policy is to ensure the Municipality's operational efficiency while at the same time ensuring that termination of employment for reasons of incapacity due to ill-health or injury takes place substantively and procedurally fair.

3. SCOPE OF APPLICATION

The policy shall apply to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the process for addressing situations where an employee is unable to perform their job duties due to illness or injury, including accommodation, leave, and support services.

7. POLICY PROVISIONS

7.1 General Principles

- 7.1.1** The Municipality is committed to treating any staff member incapacitated due to illness or injury in a fair and appropriate manner to their particular situations.

- 7.1.2** As such, no staff member shall be subjected to any form of victimisation or unfair discrimination as a result of their illness or injury.
- 7.1.3** The degree of incapacity, as well as the permanency of the incapacity, shall be considered when assessing the person's suitability for continuous employment.
- 7.1.4** The cause of the incapacity may also be relevant. In the case of incapacity due to substance abuse, such as alcoholism or drug abuse, counselling and rehabilitation may be appropriate steps to be considered.

7.2 Guidelines for Managing Incapacity

7.2.1 Temporary incapacity

- (a)** If a staff member is temporarily unable to work, the Municipality shall investigate the extent of the incapacity of the injury.
- (b)** Such an investigation shall include appropriate medical and occupational diagnosis or prognosis.
- (c)** If the staff member is likely to be absent for a time that is unreasonably long in the circumstances, the Municipality shall investigate all the possible alternatives short of dismissal. The staff member and his / her representative shall be given an opportunity to state reasons as to why alternatives short of dismissal should be considered.
- (d)** When alternatives are considered, relevant factors might include the nature of the job, the period of absence, the seriousness of the illness or injury and the possibility of securing a temporary replacement for the ill or injured staff member.
- (e)** If the staff member's medical report indicates that his / her condition has improved and the staff member is capable of performing his / her duties, failure to do so shall lead to disciplinary action being taken.

7.2.2 Permanent incapacity

- (a)** In cases of permanent incapacity, the Municipality shall ascertain the possibility of securing alternative employment or adapting the duties or work circumstances of the staff member to accommodate the disability. This could include an alternative job of a lower rank.
- (b)** In the process of the investigation, the staff member shall be allowed the opportunity to state a case in response, and to be assisted by a fellow staff member.
- (c)** Particular consideration shall be given to staff members who are injured at work or who are incapacitated by work related illness. In these cases

the Municipality shall, as compelled by legislation, assist staff members to claim compensation for occupational injuries and diseases.

(d) Termination of employment shall only be considered if the staff member's disability cannot be reasonably accommodated by adapting his / her duties or work circumstances, and an alternative position is not available.

(e) Should the staff member be unable to continue working, the Municipality shall assist the staff member, in terms of the retirement fund rules, to apply for a Permanent Health Insurance (PHI) benefit. The Municipality cannot however be held liable for compensation should the PHI claim not be approved by the insurers. Such application shall be made as soon as it becomes apparent the staff member would be unable to continue normal duties.

7.3 Roles and responsibilities

7.3.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.3.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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INCAPACITY DUE TO OPERATIONAL REQUIREMENTS POLICY

1. PREAMBLE

The Labour Relations Act sets out certain guidelines in handling dismissal due to operational requirements. The following are the Municipality's policy provisions in dealing with dismissal due to operational requirements.

2. PURPOSE

The purpose of this policy is to ensure the Municipality's operational efficiency while at the same time ensuring that termination of employment for reasons of operational requirements takes place substantively and procedurally fair.

3. SCOPE OF APPLICATION

The policy shall apply to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the process for addressing situations where an employee is unable to perform their job duties due to incapacity.

7. POLICY PROVISIONS

7.1 Consultation

- 7.1.1 The purpose of consultation shall be to allow parties, in the form of a joint problem-solving exercise, to strive for consensus, if that is possible.

- 7.1.2** Parties shall attempt to reach consensus on, amongst other things, appropriate measures to avoid dismissals.
- 7.1.3** In order for this to be effective, the consultation process shall commence as soon as a reduction of the workforce, through retrenchments or redundancies, is contemplated by the Municipality so that possible alternatives can be explored.
- 7.1.4** The Municipality shall in all good faith keep an open mind throughout and seriously consider proposals put forward.
- 7.1.5** Proper consultation shall ensure:
- (a)** the opportunity for the Municipality to meet with and report back to staff members;
 - (b)** the opportunity for staff members to meet with the Municipality; and
 - (c)** the request, receipt and consideration of information from both sides.
- 7.1.6** The Municipality shall disclose all information on matters relevant to the consultation, if considered relevant to proposed dismissal or development of alternative proposals.

7.2 Criteria for selection

- 7.2.1** The Municipality shall develop fair and objective selection criteria through which dismissals would be carried out and consult with staff members on the contents and merits thereof.
- 7.2.2** The following criteria, for instance, shall be avoided:
- (a)** selection on the basis of union membership or activity; and
 - (b)** pregnancy, or any other unfair discriminatory ground.
- 7.2.3** Criteria that are on the face of it neutral shall be carefully examined to ensure that when they are applied, they do not have a discriminatory effect.
- 7.2.4** The Municipality shall endeavour to apply selection criteria that are generally accepted to be fair, such as those that include length of service, skills and qualifications, as well as meeting employment equity objectives.
- 7.2.5** Exceptions may also include the retention of staff members based on criteria mentioned above which are fundamental to the successful operation of the Municipality. These exceptions shall however be treated with caution.

7.3 Severance pay and alternative employment

- 7.3.1** Staff members that are to be dismissed for reasons based on the operational

requirements shall be entitled to severance pay of at least one week's remuneration for each completed year of continuous service at the Municipality, plus any other additional pay agreed to during consultations in the Local Labour Forum.

- 7.3.2** A retrenched staff member shall be required to work out his/her contractual notice period or the Municipality may decide to pay the staff member in lieu of such notice.
- 7.3.3** A retrenched staff member shall be paid all outstanding and accrued leave due and owing up to the date of retrenchment.
- 7.3.4** Any other matters related to the status or entitlements of staff members during and up to eventual termination of service, for the staff members earmarked for dismissal, shall be decided during consultations. These matters shall cover, but are not limited to:
- (a)** Notice periods and conditions thereof.
 - (b)** Counselling and other staff member wellness interventions.
 - (c)** Financial literacy training, where required.
 - (d)** Claims and / or lodgement of documentation to, e.g. Retirement Funds, UIF, Medical Schemes, insurers.
 - (e)** Service certificates, etc.
- 7.3.5** If a staff member either accepted or unreasonably refused to accept an offer of alternative employment, the staff member's statutory right to severance pay shall be forfeited.
- 7.3.6** The Municipality shall determine reasonableness of the offer of alternative employment and the reasonableness of the staff member's refusal. In the first case, objective factors such as remuneration, status and job security are relevant. In the second case, the staff member's personal circumstances play a greater role.

7.4 Re-employment

Staff members dismissed for reasons based on operational requirements shall be given preference if the Municipality again recruits with intention to appoint staff members with comparable qualifications, subject to -

- 7.4.1** the staff member, after having been asked by the Municipality, and having expressed within a reasonable time from the date of dismissal a desire to be re-employed;
- 7.4.2** being within the time limit on preferential re-employment reasonably set during pre-dismissal consultations; and

7.4.3 the Municipality taking reasonable steps to inform the staff member, including notification to the staff member representative, of the offer of re-employment, if the above conditions are met.

7.5 Roles and responsibilities

7.5.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.5.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

PART F: STAFF MEMBER RETENTION

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REMUNERATION POLICY

1. PREAMBLE

The Municipality is committed to ensuring that equitable remuneration is paid to all the staff members to advance the strategic objective of attracting, recruiting, motivating, and retaining the best and most suitable staff members. While maintaining fiscal responsibility, the Municipality is committed to remunerating staff in a manner that is fair, consistent, reflecting external market, and providing recognition for attaining individual goals, the Municipality objectives, and professional competency.

2. PURPOSE

The purpose of this policy is to set out standard framework for determining remuneration levels, allowances and service benefits within the Municipality. In addition, the ultimate goal is to achieve internal pay equity, external pay equity, increased performance and productivity, compliance with legislation, administrative efficiency, and to attract, recruit, motivate and retain staff members.

3. SCOPE OF APPLICATION

This policy applies to all managers and staff members of the Municipality

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Minimum Wage Act, 2018 (Act No. 9 of 2018)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy outlines the procedure to follow regarding the remuneration of employees as per Collective Agreements and applicable legislation.

7. POLICY PROVISIONS

7.1 Guiding principles of the remuneration policy

- 7.1.1** Remuneration policy shall be utilised to inform the remuneration strategy as part of integrated human resource management.
- 7.1.2** Remuneration shall support systems and procedures that ensure fair, efficient, effective and transparent human resources management and administration.
- 7.1.3** Remuneration policy shall advance the strategic objective of attracting, recruiting, motivating, and retaining the best and most suitable staff members, as well as staff members in the occupational categories classified as scarce skills.

7.2 Remuneration scope

The scope of remuneration within the Municipality covers all the rewards earned by staff members in return for their labour, personal career achievements, and work-related expenses. These are categorised as follows:

7.3 Remuneration of senior managers

7.3.1 Determining remuneration of senior managers

In determining remuneration packages of senior managers, the Municipal Council shall consider the following:

- (a)** Determine performance contract in line with the performance management policy;
- (b)** Determine the impact of the position towards Municipal objectives;
- (c)** Ensure there is external pay equity (*through salary surveys*) on remuneration paid to similar positions in similarly graded municipalities;
- (d)** Determine the minimum, median and maximum salary packages (salary notches) expressed as total cost to employer;
- (e)** Identify the factors that may justify the employment of a senior manager on any of the proposed salary notches of the total salary package;
- (f)** Ensure the salary packages conform to the upper limits of salaries of senior managers determined by the Minister; and
- (g)** Publish in the media the salary scales and benefits applicable to posts of the Municipal Manager and every senior manager.

7.3.2 Remuneration on a Total Cost of Employment basis

Remuneration of senior managers shall be set out as follows:

- (a) Non-flexible portion not exceeding seventy percent (70%), being the net amount after subtracting employer's portion of pension fund and medical aid contributions.
- (b) Flexible portion of a minimum of thirty percent (30%), covering staff member's portion of pension fund and medical aid contributions, and motor vehicle / travel allowance. In addition:
 - (i) All senior managers shall contribute to their chosen *Retirement Fund*, and are obliged to submit proof of membership annually.
 - (ii) All senior managers shall join and become members of their chosen *Medical Aid Scheme* and be subjected to the rules of the Scheme and are obliged to submit proof of membership annually.
- (c) Performance bonus, paid in terms of the Performance Management Policy, and after an annual performance appraisal that produced the rating score that falls within the categories earmarked for rewarding through performance bonus in that financial year.

7.4 Remuneration of staff members below level of senior managers

Remunerated items for staff members below the rank of senior manager shall be as per the applicable negotiated salary and wage agreement entered in the South African Local Government Bargaining Council (SALGBC).

7.5 Remuneration tied to nature of work or essential tools of the trade

7.5.1 Essential tools are tied to the performance of the job in terms of the job description, the physical and psychological nature of work outlined in the job description and / or performance plan, as well as dictated upon by work processes and procedures.

7.5.2 Unless otherwise regulated by a collective agreement entered in the SALGBC, the Municipality shall ensure that accessing or receiving these forms of remuneration or tools shall not be subjected to separate or additional application or approval processes as the appointment in the respective positions entitle incumbents to the tools.

7.5.3 Essential tools shall cover, but not limited to, the following:

- (a) Acquisition and /or maintenance of work tools such as computers and / or computing equipment, not limited to but including laptops / notebooks, tablets, and so on, as would be determined by the Municipal Council from time to time.
- (b) Mobile phone, data and airtime package on contract only, offered to senior managers and other staff members as expected by their job descriptions. The limits shall be the discretion of the relevant head of department, on a case-by-case basis.
- (c) Car or travel allowance, in terms of the applicable transport and travel policy.

7.6 Remuneration classified under staff member recognition and allowances

Allowances shall be paid according to the applicable negotiated agreement entered in the South African Local Government Bargaining Council (SALGBC).

7.7 Remuneration based on professional development

7.7.1 Unless otherwise regulated by a collective agreement entered in the SALGBC, the Municipality shall reimburse a staff member for tuition and / or registration fees paid to a recognised tertiary or professional training institution or association for successful completion, or achievement of a professional or technical qualification, and / or accreditation.

7.7.2 Reimbursement of tuition fees applies in cases where a staff member did not utilise the Municipality's internal bursary or any other form of skills development assistance for the same qualification or training.

7.8 Remuneration based on advances and reimbursable expenses

The Municipality shall remunerate staff members for expenses incurred in carrying out their duties in their official capacity, as per the applicable advances and reimbursable expenses policy.

7.9 Remuneration based on burial or funeral scheme

The Municipality shall make 100% premium contributions towards a chosen funeral / burial group scheme for all staff members. The conditions for utilising this benefit shall be as per the rules of the scheme, and the applicable burial / funeral policy.

7.10 Staff loans and salary advances

The Municipality shall not, under any circumstances, offer loans or salary advances to staff members.

7.12 Roles and responsibilities

7.12.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. In the week before a staff member's salary pay day, the Municipal Manager or his or her delegate shall provide a staff member with the following information in writing –

- (a)** the Municipality's name and address;
- (b)** the staff member's name;
- (c)** the staff member's job title and occupational category in terms of the systems of occupational stream and remuneration;
- (d)** the staff member's salary notch;
- (e)** any other form of compensation that the Municipality pays directly to the staff member monthly;

- (f) the period for which payment is made;
- (g) the amount and purpose of any deductions; and
- (h) the actual amount paid to the staff member.

7.12.2 The financial implications related to implementing this policy shall be qualified and quantified by human resource management in consultation with the Chief Financial Officer.

7.12.3 In dealing with remuneration related information, a staff member of the Municipality working with such information shall respect the staff member's right to privacy.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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1. REMUNERATION AND REMUNERATION STRATEGY DEFINED

1.1. Remuneration

Remuneration is defined as all the rewards earned by staff members in return for their labour. This includes the following:

- 1.1.1 Direct financial remuneration, consisting of pay received in the form of wages, salaries, bonuses and overtime pay provided at regular and consistent intervals.
- 1.1.2 Indirect financial remuneration, including all financial rewards that are not included in direct remuneration and understood to form part of the social contract between the Municipality as employer and staff members, such as benefits, leaves, retirement or pension plans, education, and staff member services.
- 1.1.3 Non-financial remuneration, referring to topics such as career development and advancement opportunities, opportunities for recognition, as well as work environment (ergonomics) and conditions.

1.2. Remuneration strategy

Remuneration strategy is a sub-strategy of the Human Resources Management (HRM) strategy of the Municipality, and it defines the position of the Municipality on the labour market, the basic remuneration components used in the Municipality and the standard rules applied to each remuneration component.

2. LEGAL COMPLIANCE

2.1. Undertaking

- 2.1.1 The Municipality hereby undertakes, when remunerating staff members, to adhere to the existing legislation in the areas of labour law, pay equity, human rights, unemployment insurance, pension and retirement benefits, labour relations and occupational health and safety.
- 2.1.2 In ensuring this, the Municipality shall regularly review legislation, consult with legal and human resource professionals, and benchmark on the Regulations and Guidelines issued by the Minister of Cooperative Governance, and on the main and divisional collective agreements entered by parties to the SALGBC (South African Local Government Bargaining Council).

2.2. Statutory Obligations – the Minimum Wage

- 2.2.1 The Basic Conditions of Employment Act, 1997, sets out the minimum terms and conditions of employment. The Minimum Wage Act, 2018, sets out frameworks for determining the minimum wage for each sector. The SALGBC determines the minimum wage for local government, to guarantee the minimum level of income for unskilled staff members.

2.2.2 The Municipality agrees firmly with this standard as it is designed to stop staff members from trying to undercut each other by agreeing to work for less than someone else.

2.3. Statutory Benefits

Statutory benefits are fixed, authorised, or even established by statute or law. The benefits packages that are offered by the Municipality are designed to enhance the well-being of the staff members and shall contain both statutory and discretionary benefits. The main statutory benefits paid by the Municipality are:

2.3.1 Unemployment Insurance benefit that provides temporary financial assistance for unemployed persons while they look for work or upgrade their skills; and

2.3.2 Pension benefit for all eligible staff members on their maximum pensionable earnings, based on a rate table or guide provided by the SALGBC in consultation with the applicable pension fund. A percentage, to be determined through a SALGBC collective agreement, shall be deducted from the staff members' pay and a portion is remitted by the Municipality.

3. REMUNERATION AND REWARDS PROGRAMME

3.1. Remuneration Philosophy of the Municipality

While maintaining fiscal responsibility, the Municipality is committed to remunerating staff in a manner that is fair, consistent, reflective of the external market, and providing recognition for the achievement of individual goals, Municipal objectives, and professional competency. The goal is, specifically, to achieve the following objectives:

- Internal equity
- External equity
- Increased performance and productivity
- Compliance with laws and regulations
- Administrative efficiency; and
- Attract, retain and motivate staff members

3.2. Equity

3.2.1 Using equity or fairness is a key component to creating a successful remuneration and rewards programme. Equity refers to the following:

- (a)** Internal equity, being fair remuneration with respect to how different positions within the Municipality relate to each other on the basis of their value to the Municipality. Internal job to job comparison is based on job analysis, job descriptions, and job evaluation or classification.
- (b)** External equity, being fair and competitive remuneration with respect to the market value of a job. In other words, it is the average level at which the Municipality pays relative to the outside labour market. This is determined largely through salary surveys, and the Municipality's pay policy decision relative to the market.

- (c) Staff member equity, being fairness in remuneration among staff members in the same job, or whose positions are classified in the same job grade or level. This does not mean that all staff members are paid the same, it means that they are paid fairly in relation to other staff in the same role. Differences in salary may only be based on job-required education, or relevant measurable experience, years of service in the job, starting salary, or responsibility level.
- (d) Pay equity, being the commitment that women and men shall receive equal pay when they are doing substantially the same kind of work, requiring the same skill, effort and responsibility performed under similar working conditions in the Municipality.

3.2.2 The Municipality acknowledges that perceived or real inequity or unfairness can result in low morale and deteriorating service delivery levels. This could further breed below average performance, or staff turnover with more damaging results on overall performance. The Municipality shall therefore support equity by:

- (a) Ensuring that all staff members are being treated fairly;
- (b) Developing or adopting salary ranges and benefits packages that are relative to where the Municipality wants to be in the market;
- (c) Rewarding staff members according to the relative value of their jobs within the Municipality; and
- (d) Ensuring that determining salary is based on the job requirements, and not the skills and performance of the staff member.

3.3. Remuneration components

3.3.1 The Municipality shall at all times determine an optimal mix of the various components of the Remuneration and Rewards Programme, namely:

- Wages and salaries
- Direct benefits
- Indirect benefits

3.3.2 The Municipality acknowledges that remuneration is based on local working conditions and shall therefore consult with staff members within the Local Labour Forum prior to determining the preferred optimum mix. Furthermore, the Municipality shall make compelling representations within the employer caucus (Divisional and National levels of SALGA [South African Local Government Association]) for the optimal mix that would help the Municipality attain the objectives aligned to the remuneration of staff members. The issues to consider in this regard are, but not limited to and where necessary:

- (a) Hourly wages for some staff members, and salaries for some;
- (b) Different hours of work for different groups of staff members;

- (c) Ability of staff members to earn flexitime (earnings by working a longer week than required), lieu time (time earned for working in excess of scheduled hours due to demands of the job, day, or situation), overtime (time a staff member worked in excess of scheduled and required time), and how these apply to different staff member groups;
- (d) Manner in which staff members receive increases; and
- (e) Frequency of salary surveys to ensure external equity.

4. WAGES AND SALARIES

4.1. Municipal environment

In determining what to pay for wages and salaries, the Municipality fully understands the economic conditions of the area in which it is situated and functions, the volume of potential staff members and the legislative requirements in place. In addition, the Municipality utilises SALGBC-sanctioned job evaluation or classification method or criteria in determining position placement and pay. The job-relevant skills and experience the applicant possesses would also be considered, as they would impact their placement in the salary range upon employment.

4.2. Deciding what to pay

4.2.1 The Municipality shall decide what to pay a staff member under the following situations:

- New staff member
- An existing staff member due for an increase
- An existing staff member moving into a new role
- A valuable staff member who is considering leaving because of remuneration
- Market conditions
- Scarce skills

4.2.2 Under all situations, the approach taken shall be guided by the remuneration philosophy and consistent application. Ensuring that established guidelines are followed shall prevent offering a remuneration package so tailored to a person that the Municipality is jeopardised by having too heavy a financial burden or that flexible arrangements actually hinder the critical work from being completed. The Municipality shall therefore carefully craft a balance between its objectives / needs and the individual considerations to arrive at the optimal remuneration structure. In formulating such a balance, the Municipality shall answer the following questions:

- (a) Whether to employ a staff member or independent contractor?
- (b) What is the role of the position? (i.e. How much responsibility? How specialised are required skills? How much experience is needed? Are there others doing the same work? Are their responsibilities established? Is there alignment?)

- (c) How many people could apply? (i.e. Can a comparable job be found in a salary survey? How would service delivery be affected by not filling this role? What is the salary range of the role? How it compares to other roles already in place? How critical is the role in attaining Municipality's objectives?)
- (d) What is the cost of living in the local and / or district municipality area? (i.e. What is the all-sectors' average minimum wage of the area?)

4.3. Approaches and techniques for determining basic pay

Determining basic pay is directly linked to the Municipality's remuneration philosophy. Having a clear understanding of what role the position plays in the Municipality, including the complexity of the required responsibilities and tasks, is factored into the equation along with data on market and sector comparative studies. This is done to ensure that the Municipality provides competitive salaries, whilst achieving consistency and credibility internally.

4.3.1 Develop job descriptions

Job descriptions are an important element of the Municipality's overall remuneration philosophy and shall form the basis to develop consistent salary structure based on the relative level of duties, responsibility and qualifications of each position on the organisational structure of the Municipality. Job descriptions define the requirements and responsibilities of a job that has been created to meet operational objectives. The Municipality shall apply standardised job descriptions in line with the Guidelines to Regulations issued by the Minister or develop new ones where such roles are excluded or not yet covered under standardised job descriptions.

4.3.2 Conduct job analysis

The Municipality shall endeavour to have the most effective alignment of tasks to roles, and their corresponding job descriptions by conducting an analysis of each job by group or department to determine which tasks are being done and by whom. This is particularly important as the remuneration structure is built based on the level of skill and experience required for a certain role to perform core functions. Where inconsistencies or inefficiencies are detected, a review to evaluate the appropriateness of the tasks assigned to that role shall be conducted. From there on it would be determined if the job description and associated remuneration warrants changing or not.

4.3.3 Conduct job evaluation

- (a) Job evaluation is the process for assessing the relative worth of jobs within the Municipality, and it directly serves as a tool to attain internal equity by establishing fair pay based on internal relative worth. A comprehensive analysis of each position's tasks, responsibilities, knowledge, and skill requirements shall be used to assess the value to the Municipality of the work performed and provide an internal ranking of the jobs. Alternatively, and where collective agreements and /or the Minister's instructions apply, the results of jobs already evaluated shall be applied.
- (b) Job evaluation shall be applied as a measurement of the internal relativity of the position and not the incumbent in the position. It would be used both

independently and as part of the remuneration system designed to provide appropriate salary ranges for all positions, and thereby ensure an equitable and defensible remuneration structure that remunerates staff members fairly for job value.

4.3.4 Review pay structures

The Municipality shall apply the salary structures resulting from collective agreements, and as follows:

- (a)** Apply the salary structure applicable to the grading and category of the Municipality;
- (b)** Apply salary ranges for each of the different job levels, whereby placement in the range is based on established criteria outlining entry levels or notch, experience, and / or skill, and / or potential and fitness; and
- (c)** Criteria for moving through a salary grade shall be aligned with the remuneration philosophy and be described in an Addendum to or revision of the Remuneration Policy by the Local Labour Forum.

4.3.5 Participate in and conduct salary surveys

The Municipality shall participate in, as well as conduct own salary surveys to determine pay levels for specific job categories. This would allow the Municipality to benchmark remuneration practices including wages, salaries, bonuses and benefit provisions against other Municipalities in similar category, and other sectors in the district and province. This shall especially apply to remuneration for categories outside of the bargaining unit or its scope.

4.4. Pay increases and bonus

4.4.1 Pay increases

Basic pay is a fixed regular salary payment, determined through and contained in collective bargaining agreements, made to a staff member in exchange for performance of the duties and responsibilities of their role. The basic pay in this regard is inclusive of the 13th cheque, or annual service bonus. Municipality shall apply basic pay increases along these criteria:

- (a)** Cost of living increase: offered annually regardless of performance, for each role on the salary scale by a set percentage in order to account for increases in the cost of living. This is determined by the SALGBC.
- (b)** Market adjustment: offered periodically or annually following market survey data received and agreed to within the SALGBC. This may be offered as part of the cost of living increase.
- (c)** Promotional increase: a staff member who is promoted shall receive a promotional increase at the time of the promotion aligned to the appropriate point in the salary range, taking into consideration

performance, qualifications, experience and market information. A promotion in this regard is the advancement of a staff member to -

- (i) a position that is evaluated at a higher salary grade / level than the one currently placed in; or
 - (ii) the next higher notch above the one currently placed in within the same salary grade / level.
- (d) Merit increase: this is a notch progression / increase awarded to recognise a staff member for their high level / outstanding performance. This category of a merit increase shall be another factor that moves a person through the salary grade towards the midpoint or higher. This type of increase shall be awarded following a formal annual performance review at the beginning of each financial year in line with the Performance Management Policy.

4.4.2 Once-off bonus payments

The Municipality shall consider a once-off bonus payment for staff members attaining the second highest rating of performance (i.e. below outstanding rating). The amount payable as percentage of annual basic pay shall be determined by the Municipal Council every financial year or fixed by an amendment of the Remuneration Policy.

5. DIRECT BENEFITS

5.1. Recruitment competition

5.1.1 The Municipality is driven by the need and ability to find and keep highly qualified staff and in competition for the dwindling number of new staff members in the scarce skills category entering the sector. The Municipality aims to, in addition to the traditional benefits package provided for in the collective agreements, become more creative and responsive in the design, timing and generosity of benefit plans that are flexible to suit all different generations of staff members working side by side.

5.1.2 Direct benefits are optional, non-wage remuneration provided to staff members in addition to their normal wages or salaries. These benefits may include group insurance (e.g. medical, life, funeral, etc.), disability income protection, retirement benefits, day care, tuition reimbursement, sick leave, vacation leave (paid and unpaid), and skills development funding.

5.2. Intended benefits for the Municipality

The Municipality intends to derive the following advantages from providing direct benefits:

5.2.1 To be able to recruit and retain qualified staff members alongside the competition;

5.2.2 To manage high-risk coverage, e.g. funeral schemes, at low cost and ease the Municipality's financial burden where it has committed to provide these; and

5.2.3 To improve productivity by assuring income security for staff members and their families.

5.3. Intended benefits for staff members

Intended benefits for staff members are:

5.3.1 To experience peace of mind which leads to increased productivity and satisfaction by being assured that they and their families are protected in any mishap;

5.3.2 Additional protection in the event of illness or disability; and

5.3.3 To feel a sense of pride in the Municipality if they are satisfied with the coverage they receive.

5.4. Being creative with benefits

The Municipality shall utilise the platform of the Local Labour Forum to explore and design benefits not covered in the collective agreements. Although these options have a cost associated with them, the Municipality is aware that the cost is significantly less than the benefit that would be reaped in return. These benefits are, for example:

5.4.1 Allowing staff members to access most of their benefits from date of employment;

5.4.2 Offering staff members birthday off with pay; and

5.4.3 Group membership to funeral schemes, retirement annuities, etc.

5.5. List of benefits in scope

The Municipality shall provide the benefits from the list below, either as a result of collective bargaining at national and divisional levels, or as a result of consultations within the Local Labour Forum, and where applicable and practical:

- Medical and dental health insurance
- Compensation for Occupational Injuries and Diseases (in terms of COID Act)
- Life cover in case of accidental death
- Cover in case of long-term disability
- Staff member Assistance Plan (EAP) for psychological and social well-being
- Unemployment Insurance (in terms of the UIF)
- Pension plan
- Group Retirement Annuity
- Group Funeral Scheme
- Group Financial Planning & Loans Scheme

6. INDIRECT BENEFITS

6.1. Competition to recruit and retain scarce skills

The Municipality acknowledges the disadvantaged position it finds itself regarding the recruiting and retaining of scarce skills. It is in this category of benefits that the Municipality intends to be more flexible and creative in order to draw and keep highly

skilled staff members. Whilst aligning this creativity with strategic objectives, the Municipality also intends to differentiate itself in the way the indirect benefits are defined to suit the changing work environment.

6.2. Professional and artisan (trades) development

The Municipality acknowledges that for many people, especially the younger generation, the ability to develop both personally and professionally is highly valued and a key consideration in deciding where to work. The Municipality shall therefore intensify the following as part of the employment contract:

6.2.1 Access to training and development on the job and through courses or conferences, over and above the financial strength presented by the Workplace Skills Plan (WSP).

6.2.2 Reimburse staff members for Municipality-endorsed (pre-approved) courses taken on the staff member's own time, especially courses aligned with a professional or artisan designation in the staff member's current role.

6.3. Career opportunities

The Municipality is conscious of the fact that in addition to supporting staff members' pursuit of training and development opportunities, it should also consider how it would support the staff members' career development into more responsible positions that deliver even more greater value to the Municipality. The Municipality shall therefore intensify and formalise the regular career discussions with staff members as part of a performance management process, in order to stay up to date on the staff members' progress and changes to directions they are hoping to take.

6.4. Culture

The Municipality supports the fact that majority of staff members across the local government sector indicated that they are satisfied in their current roles due to the culture that recognises the importance of connecting performance to rewards. In this regard, the Municipality intends to influence its culture through the following:

6.4.1 Performance management, by providing staff members with clearly defined expectations, being able to identify goals to work towards and having their evaluation aligned with those agreed-to goals, to attain higher satisfaction levels. This shall be matched with providing effective and realistic feedback, both positive and constructive, in order to increase a continuous learning environment and commitment to the Municipality.

6.4.2 Succession planning, to bring a sense of purpose and sustainability to staff members. The Municipality shall have a conscious succession plan to ensure confidence in the future and roles of candidates identified and groomed for future leadership and managerial roles. Younger staff members with potential shall be identified as potential successors to long-term staff members. These younger staff members would win by learning critical skills while feeling rewarded for their hard work to date. The more senior persons would feel rewarded for years of service and identified as key contributors. The Municipality wins by ensuring that intellectual capital is not lost but transitioned from one staff member to another.

6.4.3 Trust, to ensure that staff members are trusted and respected to deliver on strategic objectives. The Municipality shall introduce a framework for instilling trust throughout the workplace based on three imperatives of (1) delivering results; (2) acting with integrity, and (3) demonstrating concern. Furthermore, the Municipality shall demonstrate the dependence of the above imperatives on leadership and each department's architecture, i.e. respectively, on (a) formal operating structures and processes, and (b) documented organisational culture (the values and principles).

6.5. Workplace flexibility

The Municipality recognises the fact that alternative work arrangements are effective ways to negotiate an arrangement that meets the needs of the Municipality whilst also providing staff members with what they need to balance their home and work environments. The Municipality shall, within the Local Labour Forum, ensure that any alternative arrangement that is considered promotes the ability to provide core work while clearly stating the terms and conditions of the arrangement to prevent ineffective or damaging results. The following list of ideas shall be considered for workplace flexibility:

6.5.1 Flexible time, by establishing core working hours, and then allowing staff members to work earlier in the day or later in the day, depending on the type of work carried out. For example, core hours are 09h00 to 14h00; Staff member A starts at 07h00 and works till 15h00; Staff member B works from 09h00 to 17h00. Another example is recognising seasonal hours for some staff members or for part-time staff members, such as grass cutters, to work 4 days a week, take bulk of vacation leave during dry winter months, and work full week during summer, coupled with shorter leave periods.

6.5.2 Compressed work week, by allowing some staff members in some occupational categories to work their full number of hours in less days. For example, core hours are 40 hours per week; the staff member works four 10-hour days, instead of five 8-hour days.

6.5.3 Job sharing, having 2 qualified staff members share the duties and tasks of one position where one could work 2 days or alternate between 3 days one week and 2 the next. The advantage is having 2 people who both know the role. Furthermore, this could be the answer for scarce skills where outside persons with spare time on their hands provide the Municipality with required skills and time for the salary of one staff member.

6.5.4 Telecommuting, by allowing some staff member categories to work from home under clearly defined guidelines and conditions. This can cut down travelling costs for most staff members, while increasing productivity and effectiveness. This idea can also serve to ensure application of the principle of reducing crowded workplaces in times of environmental disasters, and communicable diseases or pandemics.

6.5.5 Educational partnership, by considering structuring a role for a student or staff member in the final stages of their education, and thereby increasing the pool of potential staff members who could be loyal to the Municipality for providing them with practical experience and the ability to create a flexible schedule.

7. JOB EVALUATION FOR INTERNAL EQUITY

7.1. Job evaluation purpose revisited

As per paragraph 4.3.3 above, job evaluation is aimed at achieving internal equity within the Municipality.

7.2. Timing of job evaluation

The Municipality shall, where specific jobs and every new position were not evaluated as per the Job Evaluation Policy, conduct job evaluation after completing a job analysis to determine the appropriate remuneration package for such positions. Furthermore, job evaluation shall be conducted when a job has changed substantially in order to reflect the current role (i.e. re-evaluation or re-classification). The goal here shall be to identify what is required to ensure satisfactory performance and / or progression.

7.3. Job evaluation policy and system

Unless otherwise additionally provided for in the collective agreements, the Municipality shall apply the job evaluation policy, system, procedures and structures as per the Regulations and Guidelines issued by the Minister of Cooperative Governance.

8. SALARY SURVEYS FOR EXTERNAL EQUITY

8.1. Salary survey defined

8.1.1 Salary surveys are surveys that collect information about staff member remuneration, including salary and benefits. They are conducted by or for numerous employers to determine pay levels for specific job categories, and are generally conducted nationally, per province, region, sector, or job classification for the purposes of comparability.

8.1.2 The Municipality recognises that when applied in conjunction with other tools, salary surveys would provide useful benchmarking information to attract, engage, support and retain staff members within the context of an overall human resources plan.

8.2. Contents of and preferred salary surveys

Salary surveys determine the low, high and average salaries for a given position, as well as provide a sense of what other employers are paying. The Municipality shall purchase or subscribe to results of salary surveys conducted by a variety of organisations proficient in the collection, analysis and distribution of salary data. Where necessary, and where the scope of salary or benefits under review are limited to local government or fewer sectors, the Municipality shall choose to conduct or instruct the conducting of own salary surveys.

8.3. Assessing salary surveys

In deciding on purchasing or subscribing to a salary survey, the Municipality shall ensure that the salary survey is readily comparable and scientifically credible to be useful for benchmarking. The key success of using data contained in a salary survey is to

understand the assumptions and criteria used to collect the information. The following guidelines would be used to assess a salary survey:

8.3.1 Compare apples to apples

The Municipality shall ensure that comparisons are made with information that is similar to its work environment. The following shall be the guideline:

- (a)** Review job descriptions or position profiles (not just job titles) in the survey report to compare the jobs with similar levels of responsibility and range of duties.
- (b)** Note province or region where results come from, while looking for similar labour market characteristics and similar cost of living. Restricting comparison to a province, or merely the local government sector is not the Municipality's intention.
- (c)** Note operating budgets of respondent employers, as larger operating budgets mean higher salaries. Comparable salaries shall come from employers of a comparable size, usually estimated by using the operating budget or looking at the number of paid full-time staff.
- (d)** Note the types and descriptions of respondent employers with regard to functions, services offered, clientele, and sources of funding.
- (e)** Note the level of education required for a job and the type of employment arrangement (full/part-time/union/contract) of the respondent employers.
- (f)** Note the year of data collection and the date of the salary survey report as the labour market forces can result in significant changes in salaries in a short period of time. More recent data would be preferred in establishing current salaries and benefits.
- (g)** Note if the survey is a one-time event or if it is repeated, as repeated surveys provide an added advantage of showing trends in salaries over the years of the survey.

8.3.2 Evaluate validity of survey

- (a)** The Municipality is committed to factual comparisons rather than surveys conducted flippantly. The important issues are to ensure that the survey was conducted in an objective, valid and reliable manner by simply looking at the sampling frame, sample size, and response rate. Furthermore, the Municipality shall consider the margin of error, where it is reported, and rule whether or not to consider the survey if the margin of error is not reported.
- (b)** The following guideline or criteria shall be utilised to evaluate the validity and reliability of a salary survey against which comparisons shall be made:
 - (i)** Information contained in the survey should come from a large enough sample size to provide valid and useful information.
 - (ii)** Results contained in the survey should be consistent to be reliable. An assessment of the survey instrument included in the report shall be

carried out to consider how information was gathered to decide if it makes sense.

8.3.3 Rate usability of survey

The Municipality shall ensure that a survey is rated on its usability prior to adopting or applying its results. In doing so this simplified rating criteria shall be applied:

- (a) All terms, especially technical terms, used in the survey are defined or explained.
- (b) User information is detailed to help understand the data.
- (c) Report is comprehensible to non-specialists in the field of remuneration.

8.3.4 Look at all the numbers

The Municipality recognises that the actual salary paid to an individual is influenced in part by the staff member's years of experience and qualifications. Therefore, the salary range for a position provides more useful information than the actual salary an individual staff member is being paid. Other statistical information such as the median (i.e. the value in the middle when all the values are arranged from lowest to highest) would also help make sense of the data.

8.3.5 Consider the total remuneration package

The Municipality values the importance of having information on the total remuneration package (i.e. covering wages and salaries, direct benefits, and indirect benefits) to make better comparisons. This is crucial to avoid making wrong assumptions. For example, in certain organisations or sectors where some or all benefits are not provided, many staff members would negotiate higher salaries to compensate for no benefits. This is important to know when considering the remuneration package for comparability.

9. COMMUNICATION AND CONCLUSION

9.1. Staff member satisfaction for service delivery optimisation

The Municipality believes that while staff members tend to focus on direct financial remuneration when contemplating their rewards, it is the non-financial rewards that tend to be more effective in contributing to long-term staff member satisfaction and engagement. The remuneration strategy, therefore, is a balance between internal equity and external competitiveness. Remuneration and benefits affect the productivity and happiness of staff members, as well as the ability of the Municipality to realise its objectives through service delivery optimisation. It is therefore imperative that the Municipality ensures creative remuneration of staff members.

9.2. Commitment to communicate remuneration information

The communication of remuneration information shall be done through formats such as the Local Labour Forum, management statements, Municipal or staff newsletter, and memos from Human Resource Management. The communication shall carry the following information:

- 9.2.1 Individual staff member job grade / level, and corresponding salary.
- 9.2.2 Position of their salary in the salary range and notches for their job grade / level.
- 9.2.3 The basis for progress through the range over time (e.g. experience and / or performance).
- 9.2.4 The basis and / or procedure for annual salary adjustments and / or increments.

9.3. Links and ultimate outcomes

This remuneration strategy aligns with and links itself to the strategic objectives outlined in the Integrated Development Plan (IDP). It establishes the Municipality's commitment, and the staff members' collaboration, to provide practical choices for determining remuneration packages using the Municipal Staff Regulations and Guidelines, and collective agreements, as the basis, to achieve staff member and team performance. The Municipality could therefore attract, recruit, engage, support and retain scarce and skilled staff members that would ensure sustainability of know-how and service delivery programmes.

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TRAVEL ALLOWANCE POLICY

1. PREAMBLE

The Municipality acknowledges the fact that managers and staff members in certain occupational categories require transport to effectively carry out duties assigned to them, and thereby provide travel allowance to facilitate their work.

2. PURPOSE

The objective of this policy is to create uniform standards across the Municipality to regulate the travel allowance for staff members who qualify and utilise the benefit, and councillors.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- South African Local Government Bargaining Council: Collective Agreements
- Income Tax Act, 1962 (Act No. 58 of 1962)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy sets out the criteria and process for reimbursing employees for expenses incurred during business travel, such as transportation, lodging, and meals.

7. POLICY PROVISIONS

7.1 Travel allowance for managers and staff members

- 7.1.1 All councillors and senior managers receive a total remuneration package from the Municipality that includes a transport allowance of not more than twenty-five percent (25%) of the annual total remuneration package. A councillor or senior manager has the discretion and may include a transport allowance in the total remuneration package.

- 7.1.2** Some staff members qualify to receive a transport allowance of up to twenty-five percent (25%) of their annual basic salary, for the purchase of a private vehicle to use in official duties, based on their duties as per their job descriptions.
- 7.1.3** A councillor or senior manager that elected to include a transport allowance within the total remuneration package structure, or a staff member who receives a transport allowance, shall meet the following requirements:
- (a)** At all times provide motor vehicle of suitable type and condition for the proper discharge of duties.
 - (b)** A logbook acceptable to the South African Revenue Service (SARS) shall be kept recording the official and private kilometres travelled.
 - (c)** The travel allowance shall be included in the IRP5 for purposes of accounting to SARS.
 - (d)** On Income Tax Assessment, a manager or staff member receiving travel allowance shall account to SARS for the use of the travel allowance.

7.2 Reimbursement allowance for travel

- 7.2.1** In addition to the travel allowance as provided for under clause **7.1** above, staff members other than a councillor, senior manager or staff member receiving a travel allowance may be reimbursed for actual expenditure incurred for the Municipality's business travel purposes.
- 7.2.2** Such official distances travelled shall be reimbursed in accordance with the applicable tariffs prescribed by the national Department of Transport from time to time. Provided: Staff member is reimbursed to the value of expense incurred; incurred the expenditure on the instruction of the Municipality; and delivered proof of the expenditure incurred.
- 7.2.3** Should there be councillors, senior managers, or staff members receiving travel allowance, and who in addition wish to claim reimbursive travel allowance, such approval shall be made by the Council. The additional travel claim shall be subject to PAYE.

7.3 Official business travel

- 7.3.1** Official or business-related travel is travel for any purpose that directly relates to Municipal duties of a councillor, senior manager, or staff member and excludes travelling between the place of residence and ordinary place of work.
- 7.3.2** Full-time councillors who are allocated offices at the Municipal precinct shall have their ordinary place of business at the Municipal precinct.
- 7.3.3** Part-time Proportional Representative Councillors shall similarly have ordinary place of business at the municipal precinct, unless deployed to a specific ward.

- 7.3.4 Part-time Proportional Representative Councillors deployed to a specific ward shall have their ordinary place of business in that ward.
- 7.3.5 Part-time Ward Councillors shall have their ordinary place of business at their respective wards (ward office/home).

7.4 Qualification requirements to a reimbursement for travel

- 7.4.1 A reimbursive travel allowance may only be extended to councillors and senior managers, and staff members who receive travel allowance, once they have exceeded a reasonable threshold or benchmark of their monthly business kilometres.
- 7.4.2 All travel on business of the Municipality shall be approved as such before a manager or staff member is entitled to claim for the reimbursive travel allowance.
- 7.4.3 No travel claim shall be paid, and no councillor, senior manager or staff member shall be entitled to the reimbursement, if the travel is not related to official business of the Municipality.

7.5 Control measures on staff members receiving travel allowance

- 7.5.1 Staff members are to provide proof of availability of suitable vehicles on the request of the Department Human Resources. If not, the affected staff members' travel allowance shall be stopped until such vehicle is available / provided.
- 7.5.2 In the event that it can be shown that the staff member has received the travel allowance without having the requisite vehicle available, the overpayment of the allowance for the identified non-qualifying period shall be recovered from the staff member's salary.
- 7.5.3 Staff members shall inform their Head of Departments immediately if they do not have a vehicle available.
- 7.5.4 Furthermore, the staff member shall face disciplinary action and / or incapacity proceedings relating to their non-compliance with this provision and inability to perform their duties due to them not having the requisite vehicle.
- 7.5.5 Where the staff member continued to receive the allowance without complying with the above qualifying requirements, they shall be charged with fraud.
- 7.5.6 Staff members who are in receipt of existing travel allowances which they enjoyed from their previous post and who are appointed to promotional posts that do not have travel allowances attached to them shall have their existing travel allowance discontinued from the time that they take up the duties of the new promotional post.

7.6 Measures for claiming travel reimbursement

- 7.6.1** The duly prescribed claim form shall be fully completed by a councillor, senior manager or staff member.
- 7.6.2** The prescribed form shall be submitted, within predetermined dates, to the salaries or payroll section of the Finance department or the duly delegated official, to be considered for reimbursement.
- 7.6.3** All claims shall be reimbursed or paid with the next salary of such a councillor, senior manager or staff member.
- 7.6.4** A claim for a travel reimbursement shall be supported by:
- (a)** A logbook /log sheet acceptable to SARS, recording the official kilometres travelled in a defined month.
 - (b)** Any relevant supporting documentation.

7.7 Roles and responsibilities

- 7.7.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.7.2** The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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OVERTIME ALLOWANCE POLICY

1. PREAMBLE

The Municipality acknowledges that overtime work is a necessary element of service delivery and thereby makes necessary arrangements for staff members to access the benefit. This policy does not take precedence over any collective agreement which may be in force at the time of its approval.

2. PURPOSE

The purpose of this policy is to regulate overtime work and ensure that overtime work is pre-authorised, except in the case of an emergency, and is in compliance with relevant legislation.

3. SCOPE OF APPLICATION

The policy is applicable to all staff members of the Municipality with the exception of those who earn above the threshold published by the Minister of Employment and Labour from time to time, the senior managers, and staff members who work shifts in terms of their employment contracts.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the payment of additional compensation to employees who work beyond their regular hours or on weekends and holidays.

7. POLICY PROVISIONS

7.1 Remunerated overtime

- 7.1.1** Remunerated overtime is calculated on the basis of hours worked in excess of prescribed working hours.
- 7.1.2** Duty performed by a staff member during a period of leave is not considered for purposes of the payment of remunerated overtime.

7.2 Calculation of overtime payment

- 7.2.1** Mondays to Saturdays - 1½ X normal pay calculated to an hourly or half-hourly rate.
- 7.2.2** Sundays and Public Holidays – 2 X normal pay calculated on an hourly or half-hourly rate.

7.3 Conditions for remunerated overtime

- 7.3.1** Staff members shall not be required or permitted to work overtime for period exceeding
 - (a)** Ten (10) hours in a week; and
 - (b)** Three (3) hours on any working day.
- 7.3.2** No staff member shall perform overtime before the relevant person with delegated authority has granted the necessary approval in writing.
- 7.3.3** A staff member's monthly compensation for overtime shall not exceed thirty per cent (30%) of the staff member's gross monthly salary.
- 7.3.4** In cases where the monthly overtime compensation exceeds the above limits, the Head of Department where overtime is performed may grant the staff member time-off, based on one hour for every excess hour worked.
- 7.3.5** Time-off can only be taken if a staff member has accumulated eight hours, and shall not constitute more than five working days during a given financial year.
- 7.3.6** A staff member performing overtime duty shall not be compensated for travelling time, hence overtime shall be arranged in a manner that the start and end times coincide with times during which public or other alternative transport is available.
- 7.3.7** If a staff member performs authorised overtime duty at a place other than his / her normal place of work, the travelling time between the two places shall be regarded as overtime duty.
- 7.3.8** Remunerated overtime shall not be approved for a continuous period of more than four months.

7.3.9 A staff member shall not do overtime as per conditions below, unless in cases where circumstances prevent the staff member to meet these conditions and the relevant Head of Department has ensured that such circumstances are brought to the attention of the Department Human Resources when a claim form for such hours is submitted. The Municipal Manager shall then be approached to approve such deviation from conditions:

- (a)** If a staff member did not book overtime duty on a Saturday, the staff member shall not be allowed to book overtime duty for Sunday.
- (b)** If a staff member took vacation, sick or special leave on a Friday, that staff member shall not be allowed to book overtime duty for either the Saturday or Sunday.
- (c)** If a staff member did not start overtime duty immediately following normal knock-off time during the week.

7.3.10 The decision to remunerate overtime with cash, or with time off, shall be made by the Municipal Council from time to time.

7.4 Time off for emergency work

7.4.1 Emergency work means the performing of work that cannot be completed during normal working hours, on instruction of the Head of Department, provided that such work is required to be done immediately owing to unforeseen circumstances and one day or less prior notice has been given to this effect.

7.4.2 In cases where staff members are expected to perform overtime duty before approval is obtained due to circumstances beyond the Municipality's control; such duty shall for the purpose of this policy be viewed as emergency work.

7.4.3 In such cases staff members shall be granted time off in respect of the first day that such overtime duty was performed prior to obtaining approval.

7.4.4 The time off will be granted on the basis of one hour for every excess hour worked.

7.4.5 Heads of Department shall be responsible for managing of these hours.

7.5 Authorisation and information for remunerated overtime

7.5.1 Authorisation for remunerated overtime duty shall be in accordance with the Municipality delegations.

7.5.2 The following information shall be provided when an application for overtime is submitted for approval:

- (a)** The circumstances that necessitated the performance of the overtime duty.

- (b) The steps, which were taken to prevent the performance of overtime duty such as redistribution of duties among staff members or temporary utilisation of staff members.
- (c) Information about any voluntary unpaid overtime duty performed by staff members with regard to the task in respect of which remunerated overtime duty is performed and about general work in the department.
- (d) Clearly defined and measurable outputs for the overtime work in respect of every individual staff member for which overtime is requested.
- (e) The names and ranks of the staff members who will be required to perform overtime duty.
- (f) The duration of the overtime duty.
- (g) The estimated expenditure and total hours on the planned overtime duty, as well as a clear differentiation between normal and double-time, indicating the amount that will be needed next to each of the above-mentioned.
- (h) If the performance of overtime is aimed at the completion of work, which has fallen in arrears, an investigation of the circumstances shall be done before overtime is authorised.
- (i) Specific indication about the responsible manager who shall supervise the remunerated overtime, if authorised.

7.6 Control measures for remunerated overtime

It is the responsibility of the Heads of Department to ensure that:

- 7.6.1** There is adequate supervision and control measures at all times during the performance of remunerated overtime duty.
- 7.6.2** Remunerated overtime is not performed for a continuous period of more than four months.
- 7.6.3** Overtime remuneration is efficient and cost effective.
- 7.6.4** Record of all overtime duty is kept.
- 7.6.5** When the overtime claim is submitted for payment, the output produced during the period covered by the claim form is clearly provided.
- 7.6.6** All claim forms and a copy of overtime authorisation shall be submitted to the Department Human Resources instead of directly to the CFO.

7.7 Administrative measures

- 7.7.1** A request for remunerated overtime shall be approved by the Head of Department before submission to the Department Human Resources for further processing.

7.7.2 All claim forms for approved remunerated overtime duty shall be submitted to the Department Human Resources to certify that all information provided, is correct as well as to place a copy of the overtime claim on the staff member's personal file for record purposes.

7.8 Roles and responsibilities

7.8.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.8.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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ADVANCES AND REIMBURSABLE EXPENSES POLICY

1. PREAMBLE

It is essential that representatives of the Municipality from time to time travel outside the normal workplaces to establish and maintain links and relationships with other entities, government bodies, and international institutions operating in the municipal sector to broaden their knowledge and understanding of, and compare local and international experiences. In addition, the Municipality commits to reimbursing resettlement expenses of new staff members joining its ranks from outside the location of Municipality.

2. PURPOSE

The purpose of this policy is to set out the basis for the payment of subsistence and travel expenses for the purposes of business or work-related travelling, as well as to outline provisions for relocation and secondment expenses for staff members and prospective staff members.

3. SCOPE OF APPLICATION

The policy is applicable to all staff members and Councillors of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
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- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy establishes the criteria and process for providing employees with advances or reimbursements for expenses related to their work, such as travel, equipment, or supplies.

7. POLICY PROVISIONS

7.1 Subsistence and travel expenses

7.1.1 Responsibilities of managers and staff members on business travel

- (a)** Every councillor, manager and staff member who travels on the business of the Municipality shall comply with this policy in letter and in spirit.
- (b)** Councillors, managers and staff members who travel on the business of the Municipality shall appreciate, at all times, that they are ambassadors for the Municipality, that their actions, conduct and statements shall be in the best interests of the Municipality, and that they shall comply with any specific mandates they have been given.
- (c)** Consistent with the Municipality's performance monitoring and evaluation objectives, the Municipal Manager shall ensure that a database of all councillors, managers and staff members and their business travels is kept.

7.1.2 Entitlement to subsistence and travel benefit

- (a)** A councillor, manager or staff member may claim a daily subsistence benefit as provided in this policy with the understanding that all authorised personal expenses are covered by the subsistence benefit.
- (b)** The subsistence benefit may be claimed without the councillor, manager or staff member having to furnish proof of expenses.
- (c)** Entertainment of external business associates or contacts or clients or potential investors or potential partnerships falls outside the scope of the subsistence benefit, and shall be separately reimbursed, subject to approval, if the relevant councillor, manager or staff member of the Municipality qualifies for an entertainment allowance.
- (d)** A councillor, manager or staff member of Municipality may claim his or her subsistence benefit, as provided in this policy, as an advance before embarking on any business trip. The subsistence benefit advance shall, in order to facilitate its timely payment, be claimed at least five working days before the planned trip.
- (e)** No subsistence benefit shall be paid and no councillor, manager or staff member shall be entitled to the benefit if the trip or travel is not related to the authorised business of the Municipality. All Municipality business travel shall be approved as such before a councillor, manager or staff member is entitled to a subsistence benefit.
- (f)** For the purposes of a subsistence benefit, a councillor, manager or staff member shall mean:
 - (i)** Mayor, or Executive Mayor;
 - (ii)** Speaker;

- (iii) Members of the Mayoral / Executive Committee;
- (iv) Other councillors specifically authorised to represent the Municipality on a particular occasion;
- (v) Municipal Manager;
- (vi) Heads of Department;
- (vii) Any other manager or staff member specifically authorised to represent the Municipality on a particular occasion / duty; and
- (viii) Any official who is member of a recognised professional institution and is granted permission to attend meeting / conference / seminar, etc. of such institution.

7.1.3 Accommodation costs and subsistence benefit

- (a) Councillors, managers or staff members who travel on the Municipality business where the business unavoidably entails one or more nights to be spent away from home may stay in a hotel, motel, guesthouse or bed and breakfast establishment.
- (b) The actual cost of accommodation shall be borne by the Municipality, subject to a maximum set out in the tariffs published by the CFO from time to time, for domestic travel.
- (c) If the cost of accommodation includes, as it often does, the provision of breakfast, a subsistence benefit shall be adjusted accordingly per day in respect of domestic travel. Where breakfast is excluded the subsistence benefit shall also be adjusted accordingly per day.
- (d) If a councillor, manager or staff member stays with a relative or friend, no accommodation benefit may be claimed, but the councillor, manager or staff member may claim the applicable subsistence benefit per day.
- (e) The recoverable cost of accommodation, and subsistence benefit, for international travel shall be as set out in the CFO tariffs, per day.
- (f) Where it is not necessary for overnight stay on any travel on the Municipality business, no accommodation benefit shall be paid, but the applicable subsistence benefit per day may be claimed.
- (g) In the case of both domestic and international travel, the day of departure and the day of return each qualify for a subsistence benefit.
- (h) For purposes of this policy, domestic travel shall mean travel within South Africa, and international travel shall mean travel outside South Africa.

7.1.4 Subsistence allowance for day or part day travel with no overnight stay

If a councillor, manager or staff member travels on the Municipality business for a day or part of a day, a subsistence allowance per day or part of a day is payable. Only one (1) allowance shall be payable per day, irrespective of number of trips undertaken.

7.1.5 Car rental and other travel costs

- (a)** Only Group A or B vehicles shall be rented, unless:
 - (i)** it is more cost effective to hire a more expensive vehicle (e.g. when number of councillors, managers or staff members involved justify the hire of a micro-bus); or
 - (ii)** the Municipal Manager, or Mayor where applicable, authorises a different yet suitable group for the road conditions.
- (b)** Vehicle rental shall be approved as part of the travel package before the trip is embarked on.
- (c)** A councillor, manager or staff member who rents a vehicle whilst travelling on the Municipality business without receiving prior authorisation shall only be reimbursed for the cost of the vehicle rental if proof of expenditure and demonstration of necessity can be produced.
- (d)** Bookings for all domestic and international air travel shall be made through a travel agent duly procured by the Municipality.
- (e)** Class of air tickets / travel shall be as follows:
 - (i)** Southern Africa destinations: - always economy class.
 - (ii)** All other international flights: - economy class. Business class shall only be used when specifically authorised by Council, MAYCO / EXCO, Municipal Manager or his / her duly authorised delegate.
- (f)** If a councillor, manager or staff member has to utilise his or her personal motor vehicle for business travel, he or she shall be reimbursed at the Minister of Finance (National Treasury), or Automobile Association (AA) rates per kilometre for a specific type of vehicle applicable at any given time. The choice of either rates published by Minister of Finance or the AA shall be made by the Council on recommendations of the CFO each year. The shortest distance to the area where business is done shall be reimbursed.
- (g)** If the total number of kilometres for which such reimbursement is received exceeds the CFO's prescribed limit in any tax year, reimbursement for excess kilometres shall be taxed for PAYE purposes.
- (h)** All travel between the councillor's, manager's or staff member's place of residence and the office where the councillor, manager or staff member normally reports for duty shall be for the account of the

councillor, manager or staff member.

- (i) All travel within the town or area where the councillor, manager or staff member normally report for duty shall be for the account of the councillor, manager or staff member.
- (j) All travelling done outside the perimeters of the town where the councillor, manager or staff member normally report for duty shall be claimable, provided that the travelling was approved by the Head of Department.
- (k) Where possible, councillors, managers or staff members shall travel together, up to a maximum of four in a vehicle, to minimise travelling expenses.

7.1.6 Subsistence and travel benefits for persons invited for interviews

No subsistence expenses will be paid to any candidate invited for an interview but travelling expenses at applicable tariffs may be paid if the candidate has to travel more than fifty (50) km to attend the interview.

7.1.7 Authorisation

- (a) Only the Municipal Manager shall authorise any travel to be undertaken by Heads of Department, or payments to be made for persons invited for interviews, provided the expenses to be incurred are on the approved budget of the relevant Department.
- (b) Only a Head of Department or his/her duly authorised delegate shall authorise any travel to be undertaken by staff members in his/ her department, or payments to be made to persons in his/her department invited for interviews, provided the expenses to be incurred are on the approved budget for the relevant Department.
- (c) Only the Mayor or Council, as the case may be, shall authorise any travel to be undertaken by the Speaker, any councillor, or the Municipal Manager, provided the expenses to be incurred are on the approved budget of the Municipality.
- (d) The Mayor shall approve his or her own travel on the Municipal business, provided the expenses to be incurred are on the approved budget of the Municipality, and provided further that the Mayor reports to the following Council meeting on the nature of and reasons for such travel and the expenses incurred.
- (e) An invitation to attend a workshop, meeting or related event is not an automatic authorisation to attend such workshop or event. The required authorisation shall still be obtained from the Head of Department or Municipal Manager, or Mayor, or Council.
- (f) The Municipality delegates or representatives to any conference, workshop or meeting shall ensure that they arrive on time and attend until the conclusion of such event. If any representative fails to do so, the Head of Department, or Municipal Manager, or MAYCO / EXCO, or

Mayor, or Council, as the case may be, may recover all benefits and disbursements paid to enable such delegate or representative to attend such event, provided that such delegate or representative is afforded the opportunity to submit reasons for not being able to be present from the commencement to conclusion of such event.

7.1.8 Legal requirements

The Municipal Manager shall report to the Council, in a format and for the periods prescribed, all expenses relating to travel, subsistence and accommodation benefits paid.

7.1.9 Tariffs

- (a)** The CFO, in consultation with the Department Human Resources, shall determine tariffs from time to time based on the consumer price index (CPIX), and inform all members of the Council and staff members through all means of communication available in the Municipality.
- (b)** The tariffs shall cover the following, with tax rates where applicable:
 - (i)** Class of air travel;
 - (ii)** Air travel insurance;
 - (iii)** Travel visa / official passport;
 - (iv)** Public transport fees abroad;
 - (v)** Rating of accommodation establishments (local and abroad);
 - (vi)** Other specified expenses abroad (e.g. mineral water, exchange rate losses, medication, etc.);
 - (vii)** Travel agent's fees;
 - (viii)** Vehicles with drivers;
 - (ix)** Insurance (vehicles, personal belongings, etc);
 - (x)** Breakfast;
 - (xi)** Dinner;
 - (xii)** Lunch;
 - (xiii)** Parking and toll fees; and
 - (xiv)** Daily subsistence benefit rates without receipts.

7.1.10 Claims procedure

The CFO shall publish and distribute all various self-explanatory forms to be used in requesting subsistence benefit advances or claiming reimbursable

expenses under this policy.

7.2 Relocation / Resettlement Expenses

7.2.1 Removal Expenses

- (a)** The Municipality shall reimburse, subject to prior approval by the Municipal Manager, new appointees for the lowest of the three quotations for removal of furniture and household items.
- (b)** This reimbursement is subject to, among other things, an appointee residing at the time of appointment outside a 20km radius of the Municipality head office / workplace.
- (c)** The removal expenses shall be claimed within six (6) months after commencement of duties.

7.2.2 Internal Appointments

When a staff member of the Municipality voluntarily and at his / her own accord applies for a position within the Municipality and is successful in a position warranting travelling and moving to a different location within the boundaries of the municipality, such travelling, and removal costs shall be at the Municipality's cost.

7.2.3 Internal Transfer, Secondment or Temporary Assignment

- (a)** Should the Municipality transfer a staff member for operational reasons to another location outside the 20km radius of the head office / workplace, and such post warranting travelling and moving to another area, the Municipality shall bear the full costs of travelling and removal subject to submission of the lowest quotation of the three (3).
- (b)** In case of secondments or temporary assignments, the relocation or removal cost shall include return trips between the primary and secondary home residences. These costs shall also include, where applicable:
 - (i)** Storage of household items not remaining at the primary home residence, and not taken along to the secondary location during the temporary assignment.
 - (ii)** Daily living allowance, based on the actual costs of furnished accommodation at the secondary location, and the actual cost of utilities (water, electricity, levies, etc.). The daily living allowance shall not be paid where the manager or staff member relocates their primary home residence to the temporary assignment location or does not maintain the primary home residence.
 - (iii)** Shipment of a maximum of one vehicle to the secondary location.
 - (iv)** Transportation in terms of the travel policy.

- (v) Normal application of the subsistence benefit.

7.2.4 Voluntary Internal Transfer

When a staff member voluntarily requests the Municipality to relocate to another area within the Municipality, even when no vacant position exists, such cost shall be at the staff member's own cost.

7.2.5 Exclusions

Apart from secondments and temporary assignments, the Municipality shall not be responsible for expenses associated with storage of the appointee's household items and insurance. This shall be the responsibility of the manager or staff member.

7.2.6 Staff member Obligations

Should any newly appointed manager or staff member whose travel and removal expenses have been covered by the Municipality leave within a period of less than twelve (12) calendar months, the total amount of travel and removal expenses shall be recovered from that manager or staff member by the Municipality.

7.2.7 Interim Accommodation

- (a) The Municipality shall provide interim accommodation and cover one (1) month's actual costs thereof, subject to prior approval by the Municipal Manager, for a new appointee.
- (b) The staff member shall cover own costs should they elect to use the interim accommodation beyond the one (1) month.

7.3 Roles and responsibilities

- 7.3.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.3.2** The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 21: LEAVE POLICY

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LEAVE POLICY

1. PREAMBLE

The Municipality abides by legislation and collective agreements to grant leave to all staff members and subject to the requirements of each type of leave.

2. PURPOSE

The purpose of this policy is to provide all staff members with the requirements for application for various types of leave available to them, and the management thereof.

3. SCOPE OF APPLICATION

The policy is applicable to all staff members of the Municipality, except temporary staff members who work less than 24 (twenty-four) hours a month.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- South African Local Government Bargaining Council: Collective Agreements

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs the different types of leave available to employees, including vacation, sick leave, and family leave, and sets out the criteria and process for requesting and approving leave.

7. POLICY PROVISIONS

7.1 Annual Leave

7.1.1 Calculation of Annual Leave

- (a)** The Municipality shall grant a staff member the following annual leave in a leave cycle:
 - (i)** Twenty-four (24) working days for a five (5) day worker, provided that the leave for a staff member that works less than a five (5) day week shall be calculated on a pro rata basis.
 - (ii)** Twenty-seven (27) working days for a six (6) day worker.
- (b)** A staff member shall take leave not later than six (6) months after the end of the annual leave cycle.
- (c)** A staff member is required to take leave within each leave cycle as follows:
 - (i)** A five (5) day worker shall take a minimum of sixteen (16) working days leave.
 - (ii)** A six (6) day worker shall take a minimum of nineteen (19) working days leave.
- (d)** Annual leave shall only be accumulated to a maximum of forty-eight (48) working days.
- (e)** Any leave in excess of forty-eight (48) working days may be encashed should the staff member be unable to take such leave, despite applying and because the Municipality refused to grant him / her such leave, as a result of the Municipality's operational requirements.
- (f)** If, despite being afforded an opportunity to take leave a staff member fails, refuses or neglects to take the remaining leave due to him / her during this period, such remaining leave shall fall away.
- (g)** Within six (6) months of the end of a leave cycle, a staff member may not have more than forty-eight (48) days annual leave to his / her credit.
- (h)** In the event of the termination of service, a staff member shall be paid his / her leave entitlement calculated in terms of the relevant provisions of the BCEA, as amended.

7.1.2 Application for leave

- (a)** Application for leave shall be made on the prescribed form and / or system and approved by the Head of Department on the recommendation of the applicant's supervisor before the staff member may go on leave.

- (b) Annual leave shall be recorded in the annual leave register and may not be taken in advance. Any leave taken prior to approval and recording as prescribed shall be treated as unpaid leave.
- (c) All leave of absence due, granted and taken shall be recorded in a leave register at the Department Human Resources and a staff member's leave record shall be available for inspection by him / her during office hours.
- (d) Application must be made in advance equal to the period of Annual Leave to be taken.
- (e) Subject to consultation with the staff member, the Municipality may change or withdraw annual leave already granted.
- (f) If a staff member becomes ill during annual leave, paid sick leave shall be granted in lieu of annual leave in accordance with the normal sick leave policy on submission of satisfactory proof.
- (g) Annual leave can be taken at any time during the year, provided approval is given by management.

7.1.3 Unpaid Leave

The Municipality shall grant a staff member unpaid leave to a maximum equivalent to the annual leave allocation subject to the following:

- (a) Application shall be made in advance equal to the period of leave without salary to be taken.
- (b) Subject to consultation with the staff member, the Municipality may change unpaid leave already granted.

7.2 Sick Leave

7.2.1 Determination of Sick leave

- (a) The Municipality shall grant a staff member eighty (80) days sick leave in a three (3) year leave cycle, provided that new appointments / staff members may not take more than thirty (30) days sick leave in the first year of employment.
- (b) If more than two (2) consecutive days are taken as sick leave, the staff member shall be required to submit a medical certificate from a registered medical practitioner, or any other person who is certified to diagnose and treat patients, and who is registered with a professions council established by an Act of Parliament: Provided that the Municipality may request a sick leave certificate for every day of sick leave where there is evidence of abuse of sick leave.
- (c) The Municipality is not required to pay the staff member if absent on more than two (2) occasions during an eight- (8) week period, and on request by the Municipality, does not produce a medical certificate

stating that the staff member was unable to work for the duration of the staff member's absence on account of sickness or injury.

(d) Additional sick leave

A staff member is entitled to a further eighty (80) working days on half pay per sick leave cycle of thirty-six (36) months.

(e) Sick leave without pay.

(i) A staff member to whom the maximum period of full and half pay sick leave has been granted, may be granted sick leave without pay for not more than two hundred and fifty (250) working days in any cycle if the Municipality is satisfied that such a staff member is not permanently incapacitated to resume his / her duties, provided where sick leave without pay exceeds forty (40) consecutive days, the staff member must be examined by a registered medical practitioner or registered traditional healer appointed by the Municipality. The cost of such examination shall be borne by the Municipality.

(ii) A staff member to whom the maximum period of full and half pay sick leave, and leave in terms of above clause has been exhausted, and the staff member has applied for medical boarding, the Municipality shall grant such a staff member additional forty (40) sick leave days without pay, and the staff member shall be examined by a registered medical practitioner or registered traditional healer appointed by the Municipality. The cost of such examination shall be borne by the Municipality.

(f) Special sick leave for injury on duty cases and occupational diseases

(i) A staff member who is absent from work owing to injury arising out of his / her duties and occurring in the course thereof or owing to an illness contracted in the course of and as a result of his / her duties shall be granted special sick leave on full pay for the period during which he / she is unfit to perform his / her duties.

(ii) If the case falls within the ambit of the Compensation for Occupational Injuries and Diseases Act (COIDA), the amount payable to him / her in terms of the Act by means of periodic payments of his / her monthly earnings, shall be paid over to the Municipality, provided that Municipality has already advanced the amounts to the staff member.

(iii) Special sick leave may only be granted if the Municipality was notified of an accident or disease as required in terms of COIDA and that a medical certificate from a registered professional is submitted to the Municipality.

7.2.2 Granting sick leave

(a) Sick leave shall be granted only in connection with a staff member's absence from duty owing to illness, indisposition or injury.

- (b) In the case of nervous disorders, insomnia, debility or a similar less well-defined illness or indisposition, sick leave shall be granted only if the Municipality is reasonably satisfied that the staff member's state of health:

 - (i) renders him / her unfit for work; and
 - (ii) does not arise from failure to make use of vacation leave.
- (c) The Municipality may at any time require a staff member to submit him / herself to an examination by a registered health professional appointed by the Municipality, and the cost of such examination shall be borne by the Municipality.
- (d) The Municipality may, on the recommendation of a registered health professional or traditional healer, compel a staff member who, in the Municipality's opinion, is so indisposed that he / she cannot perform his / her duties properly, to take sick leave.

7.3 Maternity Leave

- 7.3.1 A staff member, including a staff member adopting a child under three (3) months, shall be entitled to receive four (4) months paid maternity leave, with no limit to the number of confinements or adoptions. This leave provision shall also apply to a staff member whose child is still-born.
- 7.3.2 To qualify for paid maternity leave, a staff member must have one (1) year of service with the Municipality. Staff members with less than one (1) years' service shall qualify for one (1) month's fully paid maternity leave and three (3) months unpaid maternity leave.
- 7.3.3 A staff member may commence maternity leave any time from four weeks before the expected date of birth, unless otherwise agreed. Alternatively, a staff member may commence with maternity leave from a date which a medical doctor or midwife certifies it is necessary for the staff member's health and/or that of her unborn baby.
- 7.3.4 The application for maternity leave shall be accompanied by a certificate from the doctor, which states the expected date of confinement, or evidence of legal adoption of a child.
- 7.3.5 Maternity leave is to be taken consecutively and may in normal circumstances not be split and taken on an *ad hoc* basis.
- 7.3.6 A staff member may apply to supplement maternity leave with annual leave. Approval of annual leave in these circumstances is, as with any other application for annual leave, at the sole and entire discretion of the line manager or Municipal Manager and shall be dependent on the operational needs of the Municipality. No negative leave may be applied for to supplement maternity leave.
- 7.3.7 Unpaid leave over and above maternity leave and annual leave to supplement maternity leave may be granted. Such approval is at the

discretion of the Municipal Manager and shall be subject to the needs of the Municipality. Any such unpaid leave may not exceed two (2) months.

- 7.3.8** It is expected that any staff member who learns of her pregnancy or confirmation of adoption shall advise the Municipal Manager as soon as possible. The purpose of this is to facilitate planning, both for the period of absence as well as the staff member's return to work.
- 7.3.9** Staff members shall submit supporting documentation prior to commencing maternity leave either by way of a medical certificate confirming the expected date of birth or documentation from the relevant authorities confirming the adoption of a child.
- 7.3.10** No staff member may work for six weeks after the birth of her child, unless a medical doctor or midwife certifies that she is fit to do so.
- 7.3.11** A staff member who has a miscarriage during the third trimester of pregnancy, or bears a stillborn child, is entitled to maternity leave for six weeks after the miscarriage or stillbirth, even if the staff member has not yet proceeded on maternity leave.
- 7.3.12** All staff members proceeding on maternity leave shall be offered their original position upon return, unless they are consulted on alternatives prior to or during the course of maternity leave, and such alternatives have been accepted.
- 7.3.13** Absence from work for the purposes of maternity leave shall count towards qualifying years of service with the Municipality (e.g. long service awards) regardless of whether this absence is unpaid, part-paid or fully paid.
- 7.3.14** Any incentive payable at the discretion of the Municipality, for which a staff member may qualify in terms of the applicable criteria, may be pro-rated in view of the extended temporary absence from work whilst on maternity leave.
- 7.3.15** Staff members on maternity leave shall remain eligible for increases and promotions in the normal course.

7.4 Parental leave

- 7.4.1** A staff member who is a parent of a child is entitled to at least ten (10) consecutive days' parental leave. A staff member may commence parental leave on the day that the staff member's child is born, or the date that:
 - (a)** the adoption order is granted; or
 - (b)** a child is placed in the care of a prospective adoptive parent by a competent court, pending the finalisation of an adoption order in respect of that child.
- 7.4.2** A staff member shall notify the Municipality in writing of the dates on which the staff member intends to commence parental leave, and return to work, after parental leave. Notification shall be given at least one month before

the staff member's child is expected to be born, or the date of adoption order, or date the child is placed in the care of a prospective adoptive parent by a competent court pending the finalisation of an adoption order.

- 7.4.3** The Municipality is not required to pay the staff member during the parental leave, but the staff member may qualify for benefits under the Unemployment Insurance Act 63 of 2001, as is the case with maternity leave.

7.5 Adoption leave

- 7.5.1** A staff member who is an adoptive parent of a child who is below the age of two, is entitled to an adoption leave of at least ten (10) consecutive weeks, or the parental leave under 7.4 above. If there are two adoptive parents, one should choose adoption leave, and the other parental leave. A staff member may commence adoption leave on the day that:

- (a)** the adoption order is granted; or
- (b)** a child is placed in the care of a prospective adoptive parent by a competent court, pending the finalisation of an adoption order in respect of that child.

- 7.5.2** A staff member shall notify the Municipality in writing of the dates on which the staff member intends to commence adoption leave, and return to work, after adoption leave. Notification shall be given at least one month before the date of adoption order, or date the child is placed in the care of a prospective adoptive parent by a competent court pending the finalisation of an adoption order.

- 7.5.3** The Municipality is not required to pay the staff member during the adoption leave, but the staff member may qualify for benefits under the Unemployment Insurance Act 63 of 2001, as is the case with maternity leave.

7.6 Commissioning parental leave

- 7.6.1** A staff member who is a commissioning parent in a surrogate motherhood agreement is entitled to a commissioning parental leave of at least ten (10) consecutive weeks, or the parental leave under 7.4 above. If there are two commissioning parents, one should choose commissioning parental leave, and the other parental leave.

- 7.6.2** A staff member may commence parental leave on the day that the staff member's child is born as a result of the surrogate motherhood agreement.

- 7.6.3** A staff member shall notify the Municipality in writing of the dates on which the staff member intends to commence commissioning parental leave, and return to work, after commissioning parental leave. Notification shall be given at least one month before the staff member's child is expected to be born as a result of surrogate motherhood agreement.

- 7.6.4** The Municipality is not required to pay the staff member during the commissioning parental leave, but the staff member may qualify for benefits under the Unemployment Insurance Act 63 of 2001, as is the case with maternity leave.

7.7 Family responsibility leave

Municipality shall grant a staff member during each annual leave cycle at the request of a staff member, a total of five (5) days paid leave, which the staff member is entitled to take, either when:

7.7.1 The staff member's child is sick;

7.7.2 The staff member's spouse or life partner is sick; and

7.7.3 In the event of death of the staff member's spouse or life partner, the staff member's parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

7.8 Special leave for study and examination purposes

7.8.1 Leave for examination purposes

- (a)** Special leave may be granted to a staff member for the working day on which he / she sits for an examination.
- (b)** The examination should be prescribed by an educational institution in order to qualify for a formal qualification.
- (c)** Two (2) working days special leave for every paper / examination for which a staff member sits for an examination shall be granted to enable him / her to prepare for the examination.
- (d)** The examination roster shall be included with the submission of the study leave application.
- (e)** Results of the examination shall be submitted to the Municipal Manager as soon as they are available, and not later than three (3) months after the examination was written.
- (f)** In cases where examinations were not written, the examination and study leave shall revert to annual leave unless a medical certificate is provided, in which case sick leave may be granted.
- (g)** In case where the staff member fails the examination and has to sit for a re-examination, the above provisions may apply again, once only.

7.8.2 Additional leave for Post Graduate Studies

Special leave for a dissertation or thesis shall be granted with full pay to a maximum of five (5) working days in a year, per qualification.

7.8.3 Attending of classes during working hours

- (a)** A staff member who studies part time or through correspondence in a field applicable to the Municipality and who, as a result of his / her studies is required to be absent from work shall be granted vacation

leave and special leave on a 50:50 basis for the time he / she is released from duty, subject to the requirements of the department.

(b) If no leave to his / her credit, unpaid vacation leave shall be granted.

7.9 Special leave for ad hoc instances

Special leave with a maximum of ten (10) days on full pay per annum may be granted to a staff member when the staff member:

- 7.9.1** performs police duties in terms of the South African Police Act 68 of 1995, after the Municipality has given permission that the staff member may become a member of the reserve police force.
- 7.9.2** partake in a recognised sport activity at provincial and higher level, in which case the special leave with full pay shall not exceed three (3) working days per event and these three (3) working days may include travelling time.
- 7.9.3** has been arrested or is to appear in court on a criminal charge and is later acquitted or the charge is withdrawn.
- 7.9.4** gives evidence in a court case after a summons were served on them.
- 7.9.5** participate in religious holy days in which case the special leave with full pay shall not exceed three (3) working days per annum.
- 7.9.6** attends a meeting or conference approved by the Municipality.
- 7.9.7** participate in trade union activities as a shop steward in terms of the Recognition Agreement.

7.10 Additional Leave Conditions

- 7.10.1** No staff member shall take leave whilst serving a notice period following the tendering of a resignation. Any such leave of absence shall be recovered as leave without pay from portion of pay due to the staff member as a result of termination of service.
- 7.10.2** The Municipal Manager and Heads of Department shall use their discretion to ensure that the Municipality remains operational during any mass leave periods, by ensuring an equitable granting of leave during the most-preferred periods of the year.
- 7.10.3** In all cases, and especially in the most critical functional areas of the Municipality, application of leave by a staff member and the granting of leave by any manager shall at all times be made against the necessary arrangements made to ensure continuity of the work during leave.

7.11 Long service leave bonus

- 7.11.1** A staff member shall qualify for long service leave (bonus) as recognition for continuous service at the Municipality, additional to normal leave. The long service leave / bonus shall apply as follows:

- (a) After 5 years' service - 5 working days;
- (b) After 10 years' service - 10 working days;
- (c) After 15 years' service - 20 working days;
- (d) After 20 years' service - 30 working days;
- (e) After 25 years' service - 30 working days;;
- (f) After 30 years' service - 30 working days;
- (g) After 35 years' service - 30 working days;
- (h) After 40 years' service - 30 working days; and
- (i) After 45 years' service - 30 working days.

7.11.2 A staff member may choose to either utilise the leave as annual leave or encash such leave within twelve (12) months of the date of qualifying for the leave.

7.12 Roles and responsibilities

7.12.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.12.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council:

Signature: _____ Date: _____

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LEGAL AID POLICY

1. PREAMBLE

All Municipality staff members and councillors will be provided with legal aid in instances where their official acts or omissions become the basis for legal action against them.

2. PURPOSE

The policy aims to provide standard framework for providing legal aid to staff members and councillors where they act on behalf of the Municipality to ensure appropriate protection under the law.

3. SCOPE OF APPLICATION

This policy applies to all staff members and councillors of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- South African Local Government Bargaining Council: Collective Agreements
- Inquests Act, 1959 (Act No. 58 of 1959)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

[Unique to each Municipality's situation: state prevailing problems that the policy shall regulate and provide framework for managing them]

7. POLICY PROVISIONS

The Municipality shall provide a councillor or staff member with legal representation arising out of institution of legal action against them as a result of any act or omission by them in the exercise of their powers or the performance of their duties, as follows:

7.1 Legal action against councillor or staff member

Whenever a claim is made or legal proceedings are instituted against any councillor or staff member of the council arising out of any act or thing done or omitted by them in the exercise of their powers or the performance of their duties and functions, or whenever any such councillor or staff member as a

consequence of their election as a councillor or employment with a Council are compelled to give evidence in or to make a written statement for the purpose of an inquest, the Council:

- 7.1.1** shall, in the case of a civil claim or civil proceedings, if it is of the opinion that the councillor or staff member concerned acted in good faith and without negligence, indemnify them in respect of such claim or proceedings, and –
- (a)** shall provide for the legal representation of such councillor or staff member at the cost of the council or undertake to pay their legal costs;
 - (b)** shall pay any award by a court against them; and
 - (c)** may settle the claim and pay any amount due in terms of such settlement.
- 7.1.2** shall, in the case of criminal proceedings, if it is of opinion that the councillor or staff member concerned acted in good faith and without negligence, indemnify them in respect of their legal costs therein or provide for their legal representation at the cost of the council; and
- 7.1.3** may, in the case of criminal proceedings or an inquest, if it is the opinion that it is in the interests of the council to do so, indemnify the councillor or staff member in respect of their legal costs therein or provide for their legal representation at council's cost;
- 7.1.4** provided that the council may refuse to act in accordance with the foregoing provisions or may terminate any steps already taken by it and recover from the councillor or staff member concerned any costs incurred by it on their behalf, if such councillor or staff member –
- (a)** has made any admission or statement which the council considers to be prejudicial to a successful defence;
 - (b)** has made any offer of payment or settlement;
 - (c)** declines to accept the services of a legal representative nominated by council;
 - (d)** fails or refuses to furnish such information as the council may require or furnishes false or misleading information; or
 - (e)** fails or refuses to co-operate with the council or to render such assistance as may be required by the council.

7.2 Legal action by councillor or staff member

Whenever any claim is or is proposed to be made or legal proceedings are or are to be instituted by any councillor or staff member of a council against any person in consequence of any act or thing done or omitted by such person and the council is of the opinion that –

- 7.2.1 such act or thing was done or omitted in relation to or in consequence of the exercise and performance by such councillor or staff member of his / her powers, duties and functions;
- 7.2.2 such councillor or staff member exercised and performed such powers, duties and functions in good faith and without negligence; and
- 7.2.3 such claim or proceedings has or have a reasonable prospect of success, the council may indemnify such councillor or staff member against all legal costs (including such councillor or staff member's own legal costs) which may be or become payable by them in the event of such claim or proceedings not being successful; provided that the council may withdraw any such indemnity and recover all payments made in terms thereof from such councillor or staff member if they –
 - (a) took any action or did anything which in the opinion of the council is prejudicial to the success of such claim or proceeding;
 - (b) failed or refused to furnish such information as the council may require or furnished false information; or
 - (c) failed or refused to co-operate with the council or render such assistance as may be required by the council.

7.3 Refusal to grant legal aid

Notwithstanding anything to the contrary contained herein, the Council shall refuse to grant legal aid to a councillor or staff member in any action resulting from an act or omission which constitutes or would constitute an infringement of the Codes of Conduct for Councillors and Municipal Staff members contained in the Municipal Systems Act and Regulations.

7.4 Roles and responsibilities

- 7.4.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.4.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

PART G: HUMAN RESOURCE MAINTENANCE

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PRIVATE WORK AND DECLARATION OF INTERESTS POLICY

1. PREAMBLE

The Municipality is committed to managing the declaration of interest and applications for private work of councillors and staff members to avoid and prevent conflicts of interests.

2. PURPOSE

The purpose of this policy is to manage declaration of interests and applications for private work outside the Municipality on a continuous basis.

3. SCOPE OF APPLICATION

The policy shall apply to Council members and all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- South African Local Government Bargaining Council: Collective Agreements
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Public Administration Management Act, 2014 (Act No. 11 of 2014)
- National Anti-Corruption Strategy 2020-2030

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy requires employees to disclose any personal or professional interests that may conflict with their work responsibilities and sets out the criteria and process for managing conflicts of interest.

7. POLICY PROVISIONS

7.1 Private Work [See Annexure A]

- 7.1.1 No staff member shall be granted permission to perform private work after hours that is in direct conflict with his / her profession and / or authority. For instance:

- (a) Electrician performing electrical work in his / her private capacity and issuing a certificate of competence in his / her official capacity.
- (b) Building Control Officer drawing building plans after hours, and approving the same building plans in his / her official capacity, etc.

7.1.2 Any request to perform private work shall be stated in writing and accompanied by sound motivations, according to the following criteria:

- (a) capacity of the staff member.
- (b) nature of the duties of the staff member at the Municipality.
- (c) nature and extent of the proposed remunerated work outside the Municipality, as well as the time (hours) estimated to be spent on it and the possible conflict thereof with normal duties within the employment contract.

7.1.3 The following conditions, where applicable, shall be taken into account when an application is considered and shall, if such application is approved, apply as conditions for approval:

- (a) The proposed remunerated work shall not interfere with the staff member's normal duties and/or cause a conflict of interests of whatever nature to arise.
- (b) The proposed remunerated work shall take place entirely outside the staff member's prescribed hours of work.
- (c) The proposed remunerated work shall not be of such a nature that it is detrimental to the relationship between the Municipality and staff member or causes the staff member to violate the Code of Conduct.
- (d) The Municipality resources shall under no circumstances be used in the performance of the envisaged remunerated work.
- (e) Permission to perform the envisaged remunerated work shall be valid for a period of one (1) year only, provided that if the staff member wishes to continue performing the outside work after the said one (1) year has passed, he / she shall renew the application to do so for the following one (1) year at least thirty (30) days prior to the expiry of the first year. The abovementioned procedure is repeated each and every following year for as long as the staff member concerned wishes to continue with his / her outside work.

7.1.4 Disciplinary action shall be taken against a staff member:

- (a) who performs remunerated work outside his / her duties at the Municipality without written permission; or
- (b) who, after permission has been given to perform private work, in the opinion of the Municipality breaks or does not comply with any stipulation or condition as stated in this policy.

- 7.1.5** The Municipality retains the right at any time to withdraw permission given in terms of the stipulations of this policy to a staff member, on condition that the reasons given are justified and reasonable.
- 7.1.6** Permission may not be granted to a staff member to perform remunerated work outside his / her duties at the Municipality after they have already started with the private work.
- 7.1.7** The Department Human Resources shall keep a register of staff members who perform remunerated work outside their duty at the Municipality. The register shall contain the following information:
- (a)** Name;
 - (b)** staff member number;
 - (c)** rank;
 - (d)** department;
 - (e)** division / section;
 - (f)** application for remunerated work approved / denied;
 - (g)** period and hours for which permission was granted;
 - (h)** name of the employer, type of work, nature of work and contact details; and
 - (i)** starting date.

7.2 Declaration of Interest/s [See Annexure B]

- 7.2.1** Should a staff member have a business interest in any number of any form of business entity he / she shall declare such business interests as required by legislation.
- 7.2.2** In addition, where a staff member who or whose spouse, partner or business associate or close family member acquired or stands to acquire any direct benefit from a contract concluded with the Municipality, he / she shall disclose in writing, full particulars of the benefit to the Municipality.
- 7.2.3** Interests to be declared, which may give rise to a conflict of interest with the staff member's relationship with the Municipality, include:
- (a)** shares and securities in any company;
 - (b)** membership of any close corporation;
 - (c)** interest in any trust;
 - (d)** directorships;

- (e) partnerships;
- (f) consultancies and retainerships;
- (g) other financial interests in any business undertaking;
- (h) other employment and remuneration;
- (i) interest in property;
- (j) pension; and
- (k) subsidies, grants and sponsorships by any organisation.

7.3 Application for and approval of private work or declaring a business interest

- 7.3.1** An application to do private work or have a business interest by the Municipal Manager shall be approved or refused by the MAYCO / EXCO / of the Municipal Council.
- 7.3.2** Applications to do private work or have a business interest by any other member of staff shall be approved by the Municipal Manager.
- 7.3.3** Applications for private work or declaring a business interest shall be submitted in writing on the prescribed form for consideration.
- 7.3.4** A copy of the application with the decision of the competent authority shall be filed on the staff member's personal record. The Department Human Resources shall be the custodian of the administrative infrastructure and processes to safeguard the relevant documentation and files.

7.4 Roles and responsibilities

- 7.4.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.4.2** The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

ANNEXURE A: APPLICATION TO UNDERTAKE PRIVATE WORK FORM

APPLICATION TO UNDERTAKE PRIVATE WORK FORM

TO: Municipal Manager

Full Name		Staff member number	
Position		Contact number	
Department		Division	

1. I hereby wish to apply for permission to do private work, as set out below.

Nature and extent of work / activity:

2. I declare that I am acquainted with the provisions of the Private Work and Declaration of Interests and undertake to comply with requirements as set out in the said Policy.

3. I indemnify the Municipality against any claim of whatever nature that may arise from doing private work or having other business interests.

Your favourable consideration of my application will be appreciated.

Signature of Applicant / Staff member			Date		
RECOMMENDATION BY HEAD OF DEPARTMENT <i>(Mark appropriate box with an X)</i>					
Recommended	<input type="checkbox"/>	Not Recommended	<input type="checkbox"/>	Recommended with amendments	<input type="checkbox"/>
Remarks <i>(state reason if Not Recommended, OR amendments if any)</i>					

Head of Department's Signature:				Date:	
APPROVAL BY MUNICIPAL MANAGER <i>(Mark appropriate box with an X)</i>					
Approved	<input type="checkbox"/>	Not Approved	<input type="checkbox"/>	Approved with amendments	<input type="checkbox"/>
Remarks <i>(provide motivation if not approved, or approved with amendments)</i>					

Municipal Manager's Signature:				Date:	

ANNEXURE B: DECLARATION OF INTEREST FORM

DECLARATION OF INTEREST FORM

TO: Municipal Manager

STAFF MEMBER DETAILS			
Name		Staff member number	
Position		Contact number	
Division		Department	
SPOUSE'S / PARTNER'S DETAILS			
Surname			
Names			
Identity Number			
DECLARATION			
(Please ensure that every question is answered by placing a tick on the "yes" or "no" box, even if the details have remained unchanged from previous financial interest form submissions. Attach also additional details if there is insufficient space to fill in an answer, with the appropriate referencing.)			
1. FINANCIAL INTEREST			
		YES	NO
Do you or your partner own shares or securities in any company? <i>(this includes listed shares and other financial instruments on the Stock Exchange)</i> If yes, please provide details by completing "Schedule A"			
Are you a member of a close corporation? If yes, please provide details in "Schedule B"			
Do you have an interest in any trust? If yes, please provide details in "Schedule C"			
Are you a director/ member of any company or its Committee? <i>(This includes executive and non-executive directorship of companies, SOC/Es, NGOs, Section 21 companies, etc.)</i> If yes, please provide details in "Schedule D"			
Do you have financial interest in any partnerships? If yes, please provide details in "Schedule E"			
Do you have financial interest in any business undertaking? <i>(e.g. trader, consultancy)</i> If yes, please provide name in "Schedule F"			
Are you currently in paid employment over and above that of being a Municipality staff member? If yes, please provide details in "Schedule G"			
Are you receiving any financial interests from businesses other than what was defined in questions above? If yes, please provide details in "Schedule H"			
Do you have a financial interest in any property? If yes, please provide details in "Schedule I"			
Are you receiving a pension of any kind? If yes, please provide details in "Schedule J"			
Are you the beneficiary of any subsidies, grants or sponsorships by any organisation? If yes, please provide details in "Schedule K"			
Are you or your partner a vendor of Municipality or deliver any services, goods, etc. to the Municipality? If yes, please provide details in "Schedule L"			

2. REWARDS, GIFTS & FAVOURS			
		YES	NO
Did you receive any gifts / benefits exceeding R350 or hospitality as a gift for the past financial year? If yes, please provide details in "Schedule M"			
Did you declare gifts exceeding R350? If yes, was authority obtained to enjoy the gift?			
Did you or your partner receive any rewards (financial and or other) from:			
	Municipality		
	Vendors		
	Contractors		
	Fellow Staff		
Did you or your partner receive any favours (financial and other) from:			
	Municipality		
	Vendors		
	Contractors		
	Fellow Staff		
Did you travel abroad during the last financial year? (Foreign travel for which the staff member / Council member / Municipality did not pay) If yes, please provide details in "Schedule N"			
3. OTHER			
		YES	NO
Have you or your partner made use of Municipality assets -			
	<ul style="list-style-type: none"> • without authority; and/or • while not performing Municipality duties? 		
Is there any member of your family or relative employed by the Municipality? If yes, please provide details in "Schedule O"			
I declare that the information furnished in this declaration is to the best of my knowledge a true and correct reflection of my compliance to the Private Work and Declaration of Interests as at the date of my signature and I indemnify the Municipality against any claim of whatever nature that may arise from my having other business interests			
Signature of Applicant / Staff member		Date	
NOTING BY HEAD OF DEPARTMENT (Mark appropriate box with an X)			
Declaration noted			Declaration noted with remarks
Remarks			
Head of Department's Signature:		Date:	
NOTING BY MUNICIPAL MANAGER (Mark appropriate box with an X)			
Declaration noted			Declaration noted with remarks
Remarks			
Municipal Manager's Signature:		Date:	

				SCHEDULE A
Company(s) where shares/securities are kept	Nature of shares (e.g. ordinary, preference, etc)	Number of shares	Nominal value of shares	Total value of shares

				SCHEDULE B	
Name of Close Corporation	Reg. number	Details of ownership (i.e. sole member of 50% share etc.)	Remuneration received from membership (per annum)	Does the CC do business with Municipality?	
				YES	NO

		SCHEDULE C
Name of Trust	Nature of Interest	

					SCHEDULE D	
Name of company/ institution/ organisation	Type of business activity	Reg. Number (Not applicable for non-owners)	Details of ownership (% of shareholding) or membership	Remuneration received from directorship/ membership (per annum)	Does the Institution do business with Municipality?	
					YES	NO

				SCHEDULE E	
Name of partnership	Reg. Number	Details of ownership (% of partnership)	Remuneration received from partnership (per annum)	Does the partnership do business with Municipality?	
				YES	NO

							SCHEDULE F	
Name of business undertaking	Type of business	Remuneration received from undertaking (per annum)	Does the undertaking do business with Municipality?		Does the undertaking do business with Municipality Vendors?		Who is primary client?	
			YES	NO	YES	NO		

					SCHEDULE G	
Name of business	Type of business activity	Designation	Remuneration received for such employment	Does the organisation do business with Municipality?		
				YES	NO	

						SCHEDULE H	
Name of organisation	Type of business	Nature of benefit	Reason for benefit	Does the organisation do business with Municipality?		Expected life span of benefit?	
				YES	NO		

					SCHEDULE I	
Type/description of property (i.e. residential, flat, vacant land, industrial, commercial, etc.)	Area / Location	Physical address or Erf Number	Nature of interest (owner, landlord, lessor, etc.)	Is Municipality making use of property?		
				YES	NO	
Other properties outside of South Africa (description)			Where is the property situated – Country			

SCHEDULE J

Source of the pension (Pension Fund)	Value of the pension

SCHEDULE K

Source of subsidy(s), grant(s) or sponsorship(s)	Description of subsidy(s), grant(s) or sponsorship(s)	Is assistance from a non-party source?		Value of subsidy(s), grant(s) or sponsorship(s) (per annum)
		YES	NO	

SCHEDULE L

Service Provider (Name of Organisation)	Description of service	Value of Service	Department in which Service was rendered

SCHEDULE M

Description of gift	Source of gift	Value of gift(s) per source per annum.

SCHEDULE N

Where	Reason	Sponsor (incl. Self)	Authority obtained (if paid by another person other than self)	
			YES	NO

SCHEDULE O

Name of staff member	Staff member number	Designation (level)	Department	Years of Service

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HARASSMENT POLICY

1. PREAMBLE

The Municipality recognises that every staff member is entitled to fair labour practice and has the right to his/her dignity and his/her privacy. The Municipality is committed to ensuring that staff members are not subjected to any form of harassment, such as racial and sexual harassment. Violations of this policy shall lead to disciplinary action.

2. PURPOSE

Policy purpose is to ensure that:

- 2.1 Staff members are provided with practical guidelines to report incidents of harassment at the workplace.
- 2.2 Sexual harassment shall not be permitted or condoned and shall be regarded as a form of serious misconduct.
- 2.3 Staff members or any other person who have been subjected to sexual harassment have the right to lodge a grievance or lay a formal complaint with the Municipality.
- 2.4 The Municipality is committed to investigate all complaints and grievances brought to its attention.
- 2.5 Prospective staff members and clients of the Municipality are protected from harassment.
- 2.6 Serious incidents of harassment or continued harassment are dismissible offences.
- 2.7 Allegations of harassment are dealt with seriously, speedily, sensitively and confidentially.
- 2.8 It is a disciplinary offence to victimise or retaliate against a staff member who in good faith lodges a complaint of harassment.
- 2.9 False or vindictive accusations shall be viewed in a very serious light, and possibly attract disciplinary action for the accuser.
- 2.10 Anonymous complaints shall be disregarded.

3. SCOPE OF APPLICATION

All staff members, job applicants and any other persons who have dealings with the Municipality have the right to be treated with respect and dignity, and this policy applies to them.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- South African Local Government Bargaining Council: Collective Agreements
- NEDLAC Code of Good Practice on the Handling of Sexual Harassment Cases

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy aims to prevent and address harassment in the workplace, including sexual harassment, bullying, and discrimination, and sets out the process for reporting and addressing incidents of harassment.

7. POLICY PROVISIONS

7.1 Sexual attention and sexual harassment

Sexual attention becomes sexual harassment if:

- 7.1.1** The behaviour is persistent, although a single incident of harassment can also constitute sexual harassment depending on the gravity of the incident.
- 7.1.2** The recipient has made it clear that the behaviour is considered offensive and the perpetrator had continued with such behaviour.
- 7.1.3** The perpetrator should have known that the behaviour is unacceptable.

7.2 Nature, extent and forms of sexual harassment

Sexual harassment may take the following forms:

- 7.2.1** Unwelcome remarks, jokes, innuendoes or taunts about a person's body, clothing or sex;
- 7.2.2** Insulting gestures and practical jokes of a sexual nature which cause awkwardness or embarrassment;
- 7.2.3** Displaying pornographic, pin-up pictures, graffiti or other offensive material;
- 7.2.4** Leering (suggestive staring);

- 7.2.5 Demands for sexual favours;
- 7.2.6 Physical conduct of a sexual nature including all unwanted physical contact, ranging from touching to sexual assault and includes a strip search by or in the presence of another person;
- 7.2.7 Verbal forms of sexual harassment include unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtures, sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them, unwelcome and inappropriate enquiries about a person's sex life, and unwelcome whistling directed at a person or group of persons;
- 7.2.8 Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects;
- 7.2.9 *Quid pro quo* harassment occurs where management or co-staff member, undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefits of a staff member or job applicant, in exchange for sexual favours; and
- 7.2.10 Sexual harassment has nothing to do with affection, flirtation, romance or relationships, when both parties consent freely thereto. Sexual harassment is about coercion related to power. Employment threats or benefits may be expressed or implied and they are usually conditional upon the receiver of the threat or benefits submitting to the advance. The threat may relate to a loss of employment unless advances are submitted to.

7.3 Specific Considerations

7.3.1 Confidentiality

The Municipality shall endeavour to proceed with its investigation with caution and such protocol as to ensure that a case exists before proceeding. Because of the sensitivity and the nature of the issue staff member confidentiality and protection shall be ensured.

7.3.2 Identity

The Municipality shall endeavour to withhold the identity of the complainant until such time as the investigation is concluded and it has been decided to pursue the enquiry route.

7.3.3 Protection

The Municipality shall investigate every complaint, whether reported or not, as the Municipality could be found liable where steps have not been taken to resolve a case of harassment. Harassed staff members shall be given adequate leave and/or assistance for counselling, where appropriate.

7.3.4 Counselling

- (a)** No matter the outcome of the investigation or disciplinary action, both parties shall be offered appropriate counselling to assist in normalising relationships in order to help manage any future conflict between the parties.
- (b)** Management shall be prepared to counsel one or both parties if the behaviour is detrimentally affecting the workplace.
- (c)** As it may take some time for relationships to normalise and for tensions to dissipate where harassment has affected working relationships, it may be appropriate to offer counselling to other staff members.

7.4 Measures for lodging and investigating a complaint

- 7.4.1** If the staff member feels harassed, they shall report the incident/s to their immediate supervisor or manager.
- 7.4.2** Where the complaint is directed against the staff member's immediate supervisor or manager, the staff member shall report the incident directly to another manager or the head of the business unit.
- 7.4.3** The supervisor or manager shall institute a prompt investigation, using duly appointed investigator where warranted, and following the formal grievance procedure and its stipulated time-frames, and take appropriate action from there.
- 7.4.4** All actions taken to investigate and resolve any complaint shall be conducted confidentially to the extent that it is practical and appropriate.
- 7.4.5** The investigator shall gather information and interview the appropriate individuals, including the complainant, the staff member allegedly subjected to the harassment (if such individual is not the complainant), the alleged offender and witnesses (where applicable).
- 7.4.6** Upon completion of the investigation, the immediate supervisor or manager shall then make a decision as to whether the complaint warrants action and if so, whether the matter should proceed by way of formal or informal disciplinary procedure and inform the complainant and alleged offender accordingly.
- 7.4.7** The investigation shall be handled with sensitivity and with due respect to the rights of both the complainant and the alleged offender. Care should be taken to ensure that the careers and reputations of the parties are not unjustly affected.
- 7.4.8** Staff members are expected to co-operate fully with investigation of harassment complaints. Co-operation includes maintaining the

confidentiality of any information provided in connection with the complaint and not discussing the complaint or the investigation with other staff members.

7.5 Dispute resolution

- 7.5.1** Where a harassment complaint is handled through the Municipality's formal grievance procedure, and the complaint is not resolved to the satisfaction of the aggrieved party, the party may refer the grievance to the Local Labour Forum for adjudication, provided that a dispute has been declared.
- 7.5.2** The Local Labour Forum shall follow all mechanisms in the dispute resolution provisions of collective agreements and in legislation to arrive at the final decision, which shall be binding to all parties.

7.6 Legal proceedings

- 7.6.1** The Municipality reserves the right to institute proceedings against a harasser and recover from the harasser, any amount granted in legal proceedings against the Municipality as a consequence of the harassment.
- 7.6.2** The Municipality believes that a harasser should be solely responsible where damages are claimed in respect of harassment.

7.7 Criminal and civil charges

A victim of sexual assault and any other form of harassment shall have the right to press separate criminal and / or civil charges against an alleged perpetrator, and the legal rights of the victim are in no way limited by this policy.

7.8 Roles and responsibilities

- 7.8.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.8.2** The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.
- 7.8.3** Every staff member is responsible for ensuring that his/her conduct is in compliance with this policy and for avoiding any acts or statements that may constitute harassment.
- 7.8.4** The Municipality encourages staff members to initially attempt to resolve problems of harassment informally and in private.
- 7.8.5** If informal and private means are difficult or embarrassing for a staff member to do on his/her own behalf, the staff member should seek the support and assistance of a fellow staff member.

- 7.8.6 Should the staff member prefer to institute a formal complaint as the initial response to harassment, he / she shall do so in terms of the procedure set out in this policy.
- 7.8.7 Managers shall act vigilantly in identifying behaviour that constitutes harassment.
- 7.8.8 Managers shall take steps to positively promote the Municipality's harassment policy.
- 7.8.9 Managers shall be responsive and supportive of any staff member who complains about harassment, provide clear advice on the procedure to be adopted, and maintain confidentiality in any cases of harassment.
- 7.8.10 Managers shall take active steps to ensure the complaints of harassment are resolved.
- 7.8.11 Management shall ensure that the public, suppliers, job applicants and others who have dealings with the Municipality, are not subjected to harassment at its workplaces.
- 7.8.12 Management undertakes to deal with any allegations of harassment speedily and without fear or favour, and in a confidential manner.
- 7.8.13 Any person bringing allegations of harassment to the attention of management shall be protected against victimisation or retaliation, which may occur in ways such as unjustified disciplinary action, dismissal, demotion, transfer or any other action that adversely affects employment terms and conditions, or environment of the staff member.
- 7.8.14 Management shall protect staff members against false accusations, on balance of probabilities.
- 7.8.15 Subject to an investigation, management may by precaution suspend a staff member on full pay, until a verdict is issued through the findings and / or disciplinary hearing.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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INTOXICATING SUBSTANCES ABUSE POLICY

1. PREAMBLE

The Municipality views substance abuse and dependency as treatable health problems and accepts that staff members who experience such problems should be provided with assistance, subject to certain conditions outlined in this policy.

2. PURPOSE

The Municipality does not support the intrusion into the private lives of staff members; however, it does expect all staff members to report to work in a condition sound enough to safely and effectively perform their duties.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality and contract workers whilst on duty or on the Municipality's premises, save that the standard mode of discipline, treatment and assistance shall not apply to subcontractors.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- South African Local Government Bargaining Council: Collective Agreements
- Prevention and Treatment of Drug Dependency Act, 1992 (Act No. 20 of 1992)
- Mental Health Care Act, 2002 (Act No. 17 of 2002)
- Hazardous Substances Act, 1973 (Act No. 15 of 1973)
- National Road Traffic Act, 1996 (Act No. 93 of 1996)
- Criminal Procedure Act, 1997 (Act No. 51 of 1977)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy sets out the organization's approach to preventing and addressing substance abuse in the workplace, including policies on drug testing, counselling, and disciplinary measures.

7. POLICY PROVISIONS

7.1 Discipline

- 7.1.1** The Municipality places a high premium on its statutory and common law obligations to ensure the safety of staff members and the public, and therefore takes a serious view of staff members using intoxicating substances or under the influence thereof on the premises or whilst on duty.
- 7.1.2** In determining whether a staff member may be under the influence, clinical observations and / or on-site alcohol and / or drug screening tests, at the discretion of the Municipal Manager, may be considered for staff members suspected to be using or under the influence of intoxicating substances.
- 7.1.3** A staff member who is suspected of being under the influence of an intoxicating substance shall be subjected to a disciplinary enquiry to investigate the matter and to ascertain whether the staff member had indeed been under the influence.
- 7.1.4** The Municipality shall consider all relevant facts in determining an appropriate sanction, including whether the staff member's conduct caused a safety risk to her/himself, co-workers or the public and / or harm to the Municipality's good name and standing.
- 7.1.5** The Municipality shall be guided by the Code of Conduct and therefore reserves the right to vary the sanction depending on the circumstances of each case.
- 7.1.6** The following constitute particularly serious acts of misconduct which may be grounds for dismissal for a first offence, depending on the facts of each case:
- (a)** Consuming intoxicating substances whilst on duty and / or providing other staff members with such substances whilst on duty.
 - (b)** Driving a Municipality vehicle or operating safety sensitive equipment whilst under the influence of intoxicating substances.
- 7.1.7** In the event of staff members receiving counselling for substance abuse or dependency, the Municipality also reserves the right, in the case of staff members whose substance abuse may reasonably cause a safety risk to themselves, co-workers or the public, to:
- (a)** suspend the staff member from such work or put him / her on alternative duties until such time as a counsellor's report and / or appropriate tests

confirm that the staff member no longer abuses intoxicating substances;
and / or

- (b) require the staff member to submit to routine breath and / or blood testing before commencing his / her duties for a period which may be deemed reasonable by the chairperson of the disciplinary enquiry.

7.2 Overtime and stand-by / call-out staff members

- 7.2.1** Staff members who have been placed on overtime duty shall be subjected to the same provisions as those that apply to staff members during normal working hours.
- 7.2.2** Staff members instructed to perform stand-by duties shall be subjected to the same provisions that apply to staff members during normal working hours.
- 7.2.3** In the event a staff member is called out to work outside of normal working hours where no prior arrangement has been made with the staff member, the staff member shall inform the duty supervisor or manager whether he / she used any alcohol since his / her last shift. Should the staff member fail the test to verify intoxication, the staff member shall be sent home without any sanction.
- 7.2.4** Should the staff member fail to inform the duty supervisor or manager and test positive after having commenced his / her duties, normal disciplinary action shall be taken.

7.3 Management of suspected intoxication

- 7.3.1** If the duty supervisor or manager suspects that a staff member is or appears to be under the influence of an intoxicating substance, a fellow staff member or shop steward shall be called to act as a witness. If the fellow staff member or shop steward is not available, any other manager or fellow staff member or shop steward may be called.
- 7.3.2** The responsible supervisor or manager shall, in the presence of the witness, test and document state of intoxication following the prescribed method.
- 7.3.3** Should the staff member refuse to submit to the prescribed test, he/she shall be informed that he / she would be giving up an opportunity to contest the allegation of being under the influence. The staff member's refusal shall then be recorded as prescribed.
- 7.3.4** Should test results be positive, or where testing is refused and/or where behavioural / clinical suggest intoxication, the staff member shall, in the interests of workplace safety, be deemed to be under the influence and instructed to leave the work premises.
- 7.3.5** Regardless of testing, should the supervisor or manager be convinced that the staff member's presence constitutes safety risk or may tarnish the

Municipality's name and standing based on clinical or behavioural signs, the supervisor or manager shall instruct the staff member to leave the workplace.

- 7.3.6** The supervisor or manager shall take all reasonable steps to ensure that the staff member has a safe means of returning home by contacting a relative or friend to accompany him / her. Whilst waiting for assistance the staff member shall be accompanied to a safe area where he / she is least likely to cause harm to him / herself or others. The staff member leaving the premises without accepting assistance shall do so at his / her own risk.
- 7.3.7** Staff members who are refused entry or who are instructed to return home as provided for above shall not be paid for that portion of the day which they had missed on condition that, should the staff member be found not guilty during a subsequent enquiry the staff member shall be paid for the particular portion.

7.4 Referral Modes

- 7.4.1** The Municipality wishes to encourage staff members who may experience alcohol or other drug related problems, to confidentially discuss such problems with their Managers, the Department Human Resources with the view of acquiring professional assistance.
- 7.4.2** Such a request shall be treated with confidentiality and shall not be documented on the staff member's personal file and shall not unreasonably affect the staff member's job security, service benefits or career opportunities.
- 7.4.3** The acceptance of the offer of assistance, whether voluntary or mandatory, shall not exempt the staff member from standard disciplinary measures whilst under treatment.
- 7.4.4** Supervisor and managers have the responsibility to identify unacceptable levels of performance, attendance or interpersonal relationships, to take timely corrective steps (or disciplinary action, if appropriate) and to encourage the staff member to consult with them or the Department Human Resources with the view of acquiring confidential assistance.
- 7.4.5** Staff members who commit alcohol or drug related offences and/or whose performance, attendance or interpersonal relationships are detrimentally affected as a result of substance abuse, may be given the option of accepting referral for assessment, or counselling or welfare support depending on circumstances of the case. This option may be offered in conjunction with standard sanctions in the disciplinary procedure.
- 7.4.6** In the event of the staff member refusing the offer of treatment / counselling following a substance abuse related offence, or absconding from the treatment centre, being non-compliant with the treatment / counselling, such lack of co-operation shall be viewed as an aggravating factor in assessing an appropriate or further disciplinary sanction in the event of future transgressions of a similar or related nature.

7.5 Assessment, Counselling and Treatment

- 7.5.1** The Municipality shall utilise the policy and methods within the Staff member Wellness Programme to assist staff members who request assistance relating to assessment, counselling and / or treatment of abuse related to intoxicating substances.
- 7.5.2** Where a staff member, having received treatment, suffers a relapse, the Municipality shall consider the case on its merits. At its discretion, the Municipality shall seek medical advice in an attempt to ascertain and provide more treatment / rehabilitation time likely to be required for a full recovery.
- 7.5.3** If after the staff member has received treatment and recovery seems unlikely, the Municipality may dismiss the staff member, provided:
- (a)** a clear warning is given to the staff member beforehand; and
 - (b)** a full medical investigation is carried out, or staff member gives access to his/her medical record to the Municipality. If the staff member declines to allow the Municipality access to their medical records a decision about future employment shall be made with the information that is available to Municipality.

7.6 Social functions and promotions

- 7.6.1** In the event of the Municipality functions and promotions where liquor may be served, all staff members are expected to at all times behave in a becoming and respectful manner.
- 7.6.2** Reasonable precautions shall be taken to prevent immoderation through measures such as a coupon system of dispensing liquor, serving food / light snacks with drinks and the provision of soft drinks or low-alcohol beverages.
- 7.6.3** Staff members should also be warned of rules of the road about drunken driving.
- 7.6.4** Staff members whose behaviour during such events become offensive, cause an embarrassment to the Municipality, fellow staff members or guests, or whose conduct jeopardise the safety of such parties or the public as a result of excessive alcohol intake, shall be charged with allegedly having been under the influence of alcohol.
- 7.6.5** No alcohol shall be served by the Municipality during training courses or seminars except during evening functions.
- 7.6.6** No staff member may consume alcohol during normal working hours, including lunchtime.

7.7 Roles and responsibilities

7.7.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.7.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

7.7.3 The staff members shall:

- (a)** manage their own personal health and well-being, and are required to refrain from the use and abuse of intoxicating substances in the workplace;
- (b)** proactively contact the Municipality's Staff member Wellness Programme (EWP) to obtain professional and confidential assistance;
- (c)** not present him/herself for duty in an intoxicated state;
- (d)** not become intoxicated whilst on duty;
- (e)** not offer intoxicating substances or alcohol to co-workers whilst on duty; and
- (f)** report any staff member who appears to be intoxicated to his/her supervisor.

7.7.4 Human resources Unit shall:

- (a)** Impress on supervisors to prevent a staff member who is suspected of being intoxicated from entering or remaining in the workplace;
- (b)** Assist supervisors to ensure that no persons in the workplace shall be under the influence of or have in his/her possession or partake of or offer any other person alcohol or intoxicating substances; and
- (c)** Facilitate prompt referral of identified staff members to the staff member wellness programme.

7.7.5 Staff member Wellness Unit shall:

- (a)** Carry out assessment of the staff member prior to referral for counselling;
- (b)** Monitor and evaluate staff members;
- (c)** provide professional counselling and supportive services; and
- (d)** report on the staff member's progress to the referral manager.

7.7.6 Supervisor shall:

- (a)** identify staff members at risk with substance abuse as early as possible and refer such individuals for professional assistance to the Staff member Wellness Programme; and
- (b)** institute the necessary disciplinary procedures in line with incapacity due to performance, where applicable.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 26: HIV/AIDS POLICY

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HIV/AIDS POLICY

1. PREAMBLE

The Municipality recognises the seriousness of the Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome (HIV/AIDS) epidemic and its impact on the workplace and supports national efforts to reduce the spread of infection and minimise the impact of the disease. The Municipality recognises the importance of its staff members and its responsibility to care for their personal well-being in the workplace and is committed to address the psycho-social issues which may disturb staff members infected and affected by HIV/AIDS and assents to create a supportive and caring environment for those affected and infected by HIV/AIDS.

2. PURPOSE

This policy aims to guide the Municipality's management, staff members and prospective staff members on how best to manage HIV/AIDS within the workplace, in order to:

- 2.1 Ensure non-discrimination between individuals with HIV infection and those affected (e.g. co-workers) and between HIV/AIDS and other life threatening conditions.
- 2.2 Create a safe and healthy working environment for all staff members and the public who utilise the Municipality's facilities.
- 2.3 Introduce educational awareness and prevention programmes to contain and prevent the spread of HIV.
- 2.4 Manage, support and accommodate those individuals who are infected or affected by HIV/AIDS so that they may continue to work productively for as long as possible.
- 2.5 Ensure that no person discriminate against a staff member or prospective staff member on the basis of his or her HIV status.
- 2.6 Ensure that no person shall be denied employment, treated unfairly within the employment relationship, or be unfairly dismissed on the basis of his/her HIV status.

3. SCOPE OF APPLICATION

The policy shall apply to all staff members, candidates who apply to the Municipality for employment, workplaces, and contract employment under the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- South African Local Government Bargaining Council: Collective Agreements
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Medical Schemes Act, 1998 (Act No. 131 of 1998)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy aims to prevent the spread of HIV/AIDS in the workplace, protect the rights of employees living with HIV/AIDS, and provide support and resources to affected employees.

7. POLICY PROVISIONS

7.1 Principles

The Municipality shall ensure that the following principles are adhered to:

- 7.1.1** Voluntarism, emphasising self-referral as the most effective form of referral.
- 7.1.2** Confidentiality, which safeguards the details that staff members reveal, and includes the safeguarding of all records, the non-sharing of any information other than with the staff member's consent and that interviews be conducted in a place which is considered private. This information shall not be part of the personnel file.
- 7.1.3** Neutrality, that the role and function of the HIV/AIDS Counsellor shall not be tainted by workplace issues pursued by management and the workforce and thus maintains a state of neutrality as defined by the Labour Relations Act.
- 7.1.4** Accessibility, committing management to make the service available to all staff members.
- 7.1.5** Broad brush, which refers to all problems which shall affect job performance.

- 7.1.6 Constructive motivation, in that management shall motivate and give staff members the option to make use of the HIV/AIDS services.
- 7.1.7 Permanency, by means of a mutually agreed policy statement which guarantees the survival of the HIV/AIDS programme.

7.2 Awareness, Prevention and Care Programmes

7.2.1 Life-skills training

The Municipality shall provide life-skills training and empowerment programmes for all its staff members, and these shall focus on:

- (a) Health promotion, prevention and care.
- (b) Appropriate prevention and management of sexually transmitted diseases (STDs) and tuberculosis (TB), and other opportunistic infections.
- (c) Condom promotion and distribution.
- (d) Counselling on risk reduction.

7.2.2 Awareness Programmes

- (a) Every department or workplace shall participate in developing and implementing a workplace HIV/AIDS Awareness Program.
- (b) An extensive range of awareness activities shall be embarked on. These shall include exhibitions, displays, posters, pamphlets, newsletters, etc. as may be necessary to promote awareness.
- (c) All new staff members shall attend an HIV/AIDS awareness programme as part of their induction training.

7.2.3 Prevention and Care Programmes

- (a) All staff members shall, on an on-going basis, be exposed to HIV/AIDS educational programmes.
- (b) The Municipality shall endeavour to give active support within budget limitations to Community Based Organisations (CBOs) and Non-Governmental Organisations (NGOs) involved in HIV/AIDS care and prevention services.
- (c) Peer educators shall be identified, trained and supported to promote the programme at workplace level.
- (d) Workplace programmes shall be based on consultations between the management, staff member, where appropriate, NGOs and CBOs with

expertise in HIV/AIDS education, counselling, and care services. These programmes shall cover at least:

- (i) HIV/AIDS statistics, medical facts, etc.
- (ii) Link of STDs and TB to HIV.
- (iii) Risk assessment and safer sex practices.
- (iv) Sexuality, Sexual Orientation, Sexual and Reproductive Health.
- (v) Gender and Cultural issues related to HIV/AIDS.
- (vi) Relationships and Communication.
- (vii) Attitudes and Values, Discrimination (to decrease stigma).
- (viii) Living with HIV/AIDS (management, support, care, and referral).
- (ix) Universal Precautions.
- (x) Legal and Ethical issues (employment, confidentiality and disclosure).
- (xi) HIV/AIDS and Pregnancy.
- (xii) Pre and Post Test Counselling, HIV Testing.

7.2.4 Workplace exposure

There are numerous ways in which staff members could be exposed to HIV/AIDS in the workplace, for example:

- (a) Injuries that occur resulting in bleeding and blood staining of clothes, tools and objects.
- (b) Resuscitation and first aid measures.
- (c) Rape or sexual penetration assault.
- (d) Assault with sharp instruments or bleeding injuries.

7.2.5 Educational programmes

- (a) The Municipality shall endeavour to, within the scope of its budget constraints, provide educational programmes regarding HIV/AIDS for all staff members.
- (b) These programmes shall provide information and teach the skills necessary for all staff members to prevent themselves and others from

becoming infected. The programmes shall further seek to establish and maintain a work environment free of discrimination.

- (c) Programmes shall be regularly monitored, evaluated, reviewed and revised in accordance with any changes that may occur.
- (d) Programmes shall be linked, where feasible, to other health promotion programmes, such as the Staff member Assistance Programme.

7.2.6 Gender specific programmes

- (a) All programmes shall be gender sensitive as well as sensitive to race and sexual orientation.
- (b) Programmes should help women to understand their rights, both within and outside the workplace.
- (c) Information to women needs to alert them to the fact that they are at higher risk of infection.
- (d) Appropriately targeted prevention programmes should be developed for men and should include strategies to promote men's responsibilities regarding HIV/AIDS prevention.

7.2.7 Voluntary Counselling & Testing

- (a) The Municipality shall encourage all staff members to be tested to determine their HIV status.
- (b) Such testing shall be voluntary and shall be accompanied by pre and post- test counselling to ensure informed consent.
- (c) Counselling and testing records and results shall remain confidential with the testing entity or professional.
- (d) Staff members and prospective staff members who voluntarily disclose their HIV status shall not be refused employment / promotion on the grounds of their HIV status.
- (e) All staff members have the legal right to confidentiality about their HIV/AIDS status, except in circumstances where the employer is legally required to disclose such information.

7.3 Confidentiality and Disclosure

- 7.3.1** All persons with HIV/AIDS have the legal right to privacy regarding their HIV status in all aspects of employment.
- 7.3.2** A staff member is under no obligation to inform the Municipality of his / her HIV status.

- 7.3.3** Where a staff member chooses to disclose his / her HIV status to the employer, this information shall not be disclosed to others without the staff member's express consent.

7.4 HIV/AIDS Testing

7.4.1 Conducting an HIV/AIDS Test

- (a)** HIV testing shall be carried out with informed consent which means that the staff member has been made aware of, and understands, the implications of the test.
- (b)** Pre-test counselling shall be given before an HIV test, to make sure that the person has sufficient information to make an informed decision about having a HIV test.
- (c)** Post-test counselling shall be provided when an individual receives his / her HIV test results.

7.4.2 Circumstance & Conditions the Municipality may provide testing

- (a)** Municipality may provide testing to a staff member who has requested a test in the following circumstances:
 - (i)** As part of a health care service provided in the workplace.
 - (ii)** In the event of an occupational accident carrying a risk of exposure to blood or other body fluids.
 - (iii)** For the purposes of applying for compensation following an occupational accident involving a risk of exposure to blood or other body fluids.
- (b)** Such testing may only take place within the following defined conditions:
 - (i)** At the initiative of a staff member.
 - (ii)** Within a health care worker and staff member-patient relationship.
 - (iii)** With informed consent and pre- and post-test counselling.
 - (iv)** With strict procedures relating to confidentiality of a staff member's HIV status.
- (c)** The Municipality may require testing whilst adhering to legislation in, amongst others, the following circumstances:
 - (i)** As a condition of employment.

- (ii) During procedures related to termination of employment.
- (iii) As an eligibility requirement for training / development programmes
- (iv) As an access requirement to obtain staff member benefits.

7.5 Creating a Safe Working Environment

7.5.1 The Municipality shall strive to provide and maintain, a working environment that is safe and without risk to the health of its staff members, shall provide psycho-social support to the counsellors and affected staff wherever possible, and shall take steps to ensure the risk of HIV transmission at work is minimised. These shall include:

- (a) Assessing the risk, if any, of the occupational transmission of HIV within the workplace.
- (b) Providing appropriate training on how to deal with and reduce the risk of HIV transmission at work.
- (c) Providing appropriate equipment and materials to deal with and reduce the risk of transmission at work.

7.5.2 Where a real possibility of HIV transmission has occurred following an occupational accident, rape or a sexual penetration assault, the Municipality shall take all reasonably necessary steps to assist the staff member to:

- (a) assess the risk of HIV transmission (counselling); and
- (b) prevent the risk of HIV transmission prior to zero-conversion (testing and treatment / prophylaxis).

7.5.3 The Municipality shall provide medically advised guidelines regarding steps to be taken in the event of an occupational incident with a risk of HIV infection and to prevent cross infections. These guidelines shall include such elements as:

- (a) Creating an awareness of the risk of HIV transmission in the event of an occupational incident involving blood or bodily fluids.
- (b) HIV testing of the parties involved in an accident.
- (c) Reporting procedures.

7.6 Compensation for HIV/AIDS Infection at Work

7.6.1 The Municipality shall take all reasonable steps in terms of the Compensation for Occupational Injuries and Diseases Act to assist staff members with claims

for compensation and compensate for cost of testing and prophylactic therapy before zero-conversion as performed by specified health centres.

7.6.2 A claim to the Compensation Commissioner shall only be submitted upon confirmation of zero-conversion of the staff member.

7.7 Staff member Benefit Schemes

7.7.1 The Municipality shall endeavour to ensure that staff members with HIV/AIDS are not discriminated against with the allocation of staff member benefits.

7.7.2 The Municipality shall prevail on the medical and pension or retirement funds to maintain a non-discriminatory attitude towards patients with HIV/AIDS and to treat such patients in a similar manner to those affected by other life-threatening diseases.

7.7.3 The aim shall be to ensure that normal benefits remain available to all who initially qualify for admission to the funds via normal procedures, and that that no person is denied access to the Pension or Retirement Fund provided they fulfil initial criteria for admission.

7.8 Managing HIV positive staff members

7.8.1 Staff members living with HIV/AIDS shall continue to work under normal conditions in their current employment for as long as they are medically fit to do so. This takes into consideration not only their ability to perform their assigned duties, but also susceptibility to infection.

7.8.2 The Municipality shall work towards ensuring that the performance of every staff member is maintained, where possible. This includes taking reasonable steps to accommodate staff members with related HIV/AIDS impairments within the workplace, to assist them to continue in productive employment.

7.8.3 Staff members with HIV/AIDS shall be managed without distinction or discrimination to existing sick leave allocations.

7.8.4 Staff members shall be referred to appropriate health care facilities or services in the immediate community of Municipality workplaces.

7.8.5 The Municipality shall endeavour to provide support or take steps to assist staff members with HIV/AIDS to have access to appropriate medical treatment. These shall also include:

(a) Giving the staff member time off according to the sick leave policy to attend clinics or counselling.

(b) Transferring the staff member to lighter or less stressful duties, where it is both necessary and possible.

- (c) When the staff member is no longer able to work, the staff member shall be dealt with in terms of the Municipality's applicable policies and applicable legislation.

7.9 Grievance Procedure

The Municipality shall ensure that the rights of staff members living with HIV/AIDS, and remedies available to staff members in the event of a breach of such rights, including confidentiality, are accommodated within the grievance procedure.

7.10 Dismissal

7.10.1 Staff members with HIV/AIDS have the right not to be unfairly dismissed on the basis of their HIV status.

7.10.2 Should the staff member be deemed incapable of continuing to work due to ill-health that shall be handled in terms of the Incapacity due to ill-health / injury Policy.

7.11 Roles and responsibilities

7.11.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.11.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 27: OCCUPATIONAL HEALTH AND SAFETY POLICY

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OCCUPATIONAL HEALTH AND SAFETY POLICY

1. PREAMBLE

The Municipality is committed to providing the health and safety of staff members and persons other than staff members at work against hazards to health and safety arising out of or in connection with the activities of persons at work.

2. PURPOSE

- 2.1 To implement an Occupational Health and Safety Programme.
- 2.2 To be aware of all risks and changes in risk factors in areas regarded as high risk.
- 2.3 To train everyone in the Municipality on matters pertaining to risks associated with work.
- 2.4 To ensure the knowledge and information available is adequate to achieve these objectives;
- 2.5 To continually evaluate and adapt health and safety programmes to prevailing situations.
- 2.6 To partake actively in the accident / incident prevention programme.
- 2.7 To ensure that staff members exposed to occupational injuries are issued with protective clothing at all times.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality, as well as to Councillors, visitors, and contractors.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Skills Development Act, (Act No. 97 of 1998)
- South African Local Government Bargaining Council: Collective Agreements
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)

- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Health Professions Act, 1974 (Act No. 56 of 1974)
- Nursing Act, 2005 (Act No. 33 of 2005)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy sets out the organization's approach to ensuring a safe and healthy work environment for employees, including policies on hazard identification and control, training, and emergency response.

7. POLICY PROVISIONS

7.1 Medical Surveillance Programme

7.1.1 The Municipality shall develop a Medical Surveillance Programme used to identify and record the presence of any occupational diseases and the degree of exposure.

7.1.2 The information shall be used to ensure that the health of staff members shall not be compromised by placement in a particular job.

7.1.3 Staff members who have health conditions that could or would be compromised shall not be placed in high-risk areas.

7.1.4 General health information, not required for the job, is used to identify health needs and the health care that the individual would require.

7.1.5 A declaration shall be signed by the prospective staff member to accept the conditions of the Medical Surveillance Programme and any results of the testing required.

7.1.6 The following may apply under the programme:

(a) Pre-employment examination (PEM)

Some staff members shall undergo pre-employment medical examination where the selection criteria include the risks involved as determined by the inherent job requirement. The results shall be kept confidential.

(b) Periodic Screenings (PS)

Staff members working in specific areas or occupations shall undergo screening at various intervals, depending on the health risk profile to risk, e.g. drivers may be examined annually and a certificate of fitness issued, or staff members in malaria areas screened and given required vaccinations.

(c) Transfer Screenings (TS)

Staff members are only screened for the job they are initially placed in. This means that they shall not necessarily be suitable to work in another area, except if they are required to be multi-skilled and work in all areas. Thus, any staff member requiring a transfer would first undergo an assessment to ensure suitability.

7.2 Legislative Compliance

7.2.1 The Municipality shall comply with the basic legislation, including any other regulatory documents such as SANS or SABS codes.

7.2.2 In compliance with legislation the municipality shall ensure that section 16, section 17 and section 19 of Occupational Health and safety act 85 of 1993 are complied with.

a. Section 16: ensure the appointment of departmental Directors as accounting officers of Occupational Health and safety at their respective departments.

b. Section 17: ensure appointment of Health and Safety representatives as per the advice of Occupational Health and Safety Officer.

c. Section 19: ensure establishment of Occupational Health and safety committee as per the advice of the Occupational Health and Safety Officer.

7.2.3 Where specific compliance or risk exists, internal rules and procedures shall apply.

7.2.4 Any training done in respect of legislation and internal health and safety programme shall be noted and kept on file.

7.3 Incident and injury reporting

All injuries and incidents shall be reported immediately or as soon as practically possible, for assessment, recording, or possibly investigation. The following measures shall be followed in case of injury on duty and in case of death while on duty:

7.3.1 Minor injury

(a) The injured staff member shall be taken to the relevant department's first aid station, to be attended to by a departmental First-Aider.

(b) The First Aider shall complete the first aid register indicating:

- (i) The name of the injured staff member;
- (ii) The nature of the injury; and
- (iii) Date and time of the injury, as well as the assistance given and material used.

7.3.2 Injury requiring medical attention

- (a) For an injury that the attending First Aider or Supervisor believes requires the attention of a medical practitioner, it shall be brought by a supervisor to Department Human Resources.
- (b) The injured staff member shall bring along his / her ID (this is a legislative requirement of the Compensation Fund for a medical practitioner to treat an injured staff member with positive proof of identification).
- (c) Department Human Resources shall complete the necessary form for reporting the injury to the Compensation Fund, and a copy given to the staff member to be taken to the medical practitioner of her/his choice.
- (d) Where the injured staff member unable to do so in person, the injured staff member or somebody else shall notify the Department Human Resources as soon as possible of the injury, furnishing available details. Any incorrect details of the staff member should be corrected as soon as the correct information are available.

7.3.3 Serious injury or death

- (a) The senior staff member of the relevant department at the scene shall:
 - (i) Immediately get medical assistance;
 - (ii) Inform the Department Human Resources to arrange the completion of the forms as required;
 - (iii) Inform relevant Head of Department of the incident, to ensure transport is immediately arranged to take the staff member to the nearest / most convenient medical centre / hospital for medical help;
 - (iv) Make sure that nothing is disturbed or removed from the scene except for persons or things that may cause further injuries. Make notes, arrange for photos to be taken etc. as to give the most accurate account possible of what the scene looked like;
 - (v) Take the names, ID's, addresses etc. witnesses, take down short accounts from them and have it signed by the witness; and

- (vi) Inform the head of department and furnish details to incorporate in the report to the Inspectorate of the Department of Employment and Labour.
- (b) The relevant Head of Department or his/her assignee, together with the Head of Corporate Services or his / her assignee, shall arrange to inform the next-of-kin of the injured or deceased staff member, ensuring that the message conveyed is factually correct and not based on speculation that may be incorrect with regrettable consequences.
- (c) The relevant Head of Department or his/her assignee shall also liaise with the Council's media liaison personnel to provide them content for press statements or enquiries.
- (d) The relevant Head of Department or his/her assignee, assisted by Department Human Resources, shall also report to the Department of Employment and Labour any incident where a person at the workplace:
 - (i) Dies, is likely to die, or loses a limb or part of a limb, using telephone, or fax;
 - (ii) Becomes unconscious, or is likely to suffer a permanent physical defect, using telephone, or fax; and
 - (iii) Is injured, or ill so that is likely that he/she would be unable to recommence work for a period of at least fourteen (14) days, using prescribed form.
- (e) Where any serious injury or death occur, the site where the accident occurred may not be disturbed without the consent of the SAPS or the Medical Practitioner, except for the removal of the persons involved, or to prevent further accidents.
- (f) The relevant head of department shall also be responsible for the follow-up / subsequent investigations and further reports required by the Department of Employment and Labour. The Health and Safety Officer shall render assistance in this regard.

7.4 Contractor Control

- 7.4.1** The Municipality shall ensure that all contracted work is compliant to the requirements of Occupational Health and Safety Act and its regulations by including Occupational Health and Safety clause on the service level agreement with the contractor, in absence of such agreement entered with the supplier the municipality shall develop an Occupational Health and safety Specific service level agreement.
- 7.4.2** All contracted work by municipality shall ensure that before commencement of any work they submit project-based Safety file which will be subject for approval by the Chief Occupational Health and Safety Officer.

7.4.3 Occupational health and safety Office shall advise Municipal contractor appointing authority in terms of contractor health and safety requirement as and when it is required to do so.

7.4.4 Prior to commencement of any contracted work OHS officer shall be part of site hand over to the contractor and at the end of such project or contracted work form part of job completion inspections.

7.5 Wearing of Personal Protective Clothing (PPC) and Equipment (PPE)

7.4.1 The Municipality shall identify various occupations in the job specification that require PPC /PPE to be worn by the staff members.

7.4.2 Each department requiring or using PPC / PPE shall draw up a list, updated annually, containing all categories, description, quantities per staff member, frequency of issue.

7.4.3 The lists shall be recommended for approval by the Health and Safety Officer and approved by Council or delegated authority.

7.4.4 Staff members shall be required to sign for the PPC / PPE, follow the procedure and undergo training required for correct usage, and to wear the prescribed PPC / PPE issued.

7.6 Hazardous Chemical Substance In Daily Use

7.5.1 Material Safety Data Sheets shall be available regarding the safe use, storage, etc., of all chemical substances in use on site.

7.5.2 Each department shall have the relevant information in an accessible file and ensure the necessary training in terms of legislation.

7.7 Health and Safety Procedures

7.6.1 All departments within the municipality which performs blue collar duties must develop Safe Operating procedures for each trade and function performed and ensure that all employees performing such work are trained in accordance with the Safe Operating Manual.

a) Training on Safe Operating Procedure shall be done before commencement of duty for newly employed employees under blue collar section.

b) Training on Safe Operating shall be done annually for employees who are already working for the municipality.

7.6.2 Occupational Health and Safety Officer shall make regular inspections and hold regular safety meetings with management to plan and implement further improvements in the safety programme.

- 7.6.3** Emergency evacuation procedure shall be developed for all municipal buildings and workplaces.
- a. Emergency Evacuation Procedure shall include floorplan, signages and service plan for firefighting equipment.
 - b. The procedure shall outline appointment, renewal of appointment period, training and refresher training period of Fire Marshalls and First aiders.
- 7.6.4** Any wilful or habitual violation of safety rules shall be considered cause for disciplinary action.
- 7.6.5** Staff members are encouraged to report unsafe conditions or hazards immediately to supervisors or to a member of the safety committee, and to give earnest consideration to the rules of safety presented on poster signs, during discussions with supervisors, on departmental poster rules, and regulations published in the safety booklets.
- 7.6.6** The following are important procedures:
- (a)** Accident reporting: Any injury at work, no matter how small, shall be reported immediately to the supervisor and receive first aid attention.
 - (b)** Contingency and spillage management procedures: all outdoor operated duties shall have its hazard specific contingency and spillage procedure and all office or indoor based duties shall have contingency plan.
 - a. Outdoor: Safe Operating Procedure to be developed to manage any spillage that might arise from municipal vehicles or work performed at public places such as streets, roadside, buildings and any other place deemed as outdoor area.
 - b. Indoor: Contingency Plan to be developed to ensure uninterrupted power and water supply at workplaces where it is determined by risk assessment that it is unsafe to operate without water and electricity.
 - (c)** Specific safety rules and guidelines: To ensure one's safety, and that of co-workers, the following rules and guidelines shall be observed:
 - (i)** Observe and practice the safety procedures established for the job.
 - (ii)** In case of sickness or injury, no matter how slight, report to the supervisor. In no case shall a staff member treat his / her own or someone else's injuries or attempt to remove foreign particles from the eye.
 - (iii)** In case of injury resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe

head injury, the staff member shall not be moved until medical attention has been given by authorised personnel.

- (iv)** Where required, always wear protective equipment, such as goggles, safety glasses, masks, gloves, hair nets, etc.
- (v)** Safety equipment such as restraints, pull backs, and two-hand devices are designed for protection, and staff members shall adjust them to fit.
- (vi)** Pile materials, skids, bins, boxes, or other equipment so as not to block aisles, exits, fire-fighting equipment, electric lighting or power panel, valves, etc. Fire doors and aisles must be kept clear.
- (vii)** Observe smoking regulations.
- (viii)** Shut down the machine before cleaning, repairing, or leaving.
- (ix)** Do not tamper with electric controls or switches.
- (x)** Do not operate machines or equipment until properly instructed and authorised to do so by the supervisor.
- (xi)** Do not engage in such other practices as may be inconsistent with ordinary and reasonable common sense safety rules.
- (xii)** Use designated passages when moving from one place to another; never take hazardous shortcuts.
- (xiii)** Do not adjust, clean, or oil moving machinery.
- (xiv)** Keep machine guards in their intended place.
- (xv)** Do not throw objects.
- (xvi)** Clean up spilled liquid, oil, or grease immediately.
- (xvii)** Place trash and paper in proper containers and not in cans provided for cigarette butts.
- (xviii)** Wear hard sole shoes and appropriate clothing. Shorts or mini dresses may not be permitted in most work environments.
- (xix)** Lift properly, use legs, not the back. For heavier loads, ask for assistance.
- (xx)** Report any unsafe condition or acts to the supervisor.
- (xxi)** Tow motors and lift trucks shall be operated only by authorised personnel. Walk-type lift trucks shall not be ridden and only the

operator is permitted to ride the tow motors. Do not exceed a speed that is safe for existing conditions.

(xxii) Running and horseplay are strictly forbidden.

(xxiii) Do not block access to fire extinguishers.

(xxiv) Use compressed air only for the job for which it is intended. Do not clean own clothes with it and do not play with it.

(xxv) Do not wear loose clothing or jewellery around machinery. It may catch on moving equipment and cause a serious injury.

(xxvi) Never distract the attention of another staff member, as this might cause him / her to be injured. If necessary to get the attention of another staff member, wait until it can be done safely..

(xxvii) Keep the work area clean

(xxviii) Help to prevent accidents.

(d) Safety checklist: It shall be every staff member's responsibility to be on the lookout for possible hazards and report, for instance, the conditions on the following list or any other possible hazardous situation to the supervisor immediately:

(i) Slippery floors and walkways.

(ii) Tripping hazards, such as hose links, piping, etc.

(iii) Missing (or inoperative) entrance and exit signs and lighting.

(iv) Poorly lighted stairs.

(v) Loose handrails or guard rails.

(vi) Loose or broken windows.

(vii) Dangerously piled supplies or equipment.

(viii) Open or broken windows.

(ix) Unlocked doors and gates.

(x) Electrical equipment left operating.

(xi) Open doors on electrical panels.

(xii) Leaks of steam, water, oil, etc.

- (xiii)** Blocked aisles.
 - (xiv)** Blocked fire extinguishers.
 - (xv)** Blocked fire doors.
 - (xvi)** Evidence of any equipment running hot or overheating.
 - (xvii)** Oily rags.
 - (xviii)** Evidence of smoking in non-smoking areas.
 - (xix)** Roof leaks.
 - (xx)** Directional or warning signs not in place.
 - (xxi)** Safety devices not operating properly.
 - (xxii)** Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed.
- (e)** Safety equipment: The supervisor shall see that staff members receive the protective clothing and equipment required for the job, use them as instructed and take care of them, and are charged for loss or destruction of these articles only when it occurs through negligence.
 - (f)** Safety shoes: The Municipality shall designate which jobs and work areas require safety shoes, where under no circumstances shall a staff member be permitted to work in sandals or open-toe shoes. These shoes may be supplied by the Municipality as tools of the trade.
 - (g)** Safety glasses: Wearing safety glasses where designated shall be mandatory.
 - (h)** Seat belts: All staff members shall use seat belts and shoulder restraints (if available) whenever they operate a vehicle on the Municipality business. The driver is responsible for ensuring that all passengers are buckled up.
 - (i)** Good housekeeping. The work location shall be kept clean and orderly. Keep machines and other objects out of the centre of aisles. Place trash in the proper receptacles. Stock shelves carefully so items would not fall over upon contact. The following shall be observed, where applicable:
 - (i)** Ownership: All issues of equipment remain the property of the Municipality and shall be marked in a way that the date of issue can be determined. When an item is replaced, it shall be taken in and subsequently destroyed.

- (ii) Wear and use of issues: Staff members are compelled to wear and use the relevant issues. Supervisors, Occupational Health Safety Officers and safety representatives shall continuously check on staff members and report deviations to the relevant Head of Department and the Municipal Manager. No staff member may use or wear issues in their private time or for private use.
- (iii) Cleaning: Cleaning, washing and ironing of issues are the responsibility of the staff member.
- (iv) Undertaking in writing: All staff members shall undertake in writing to wear and use all issues, before an issue can take place.
- (v) Termination of service: When a staff member leaves the Municipality's service, managers shall see to the return or retaining of issues issued for a specific cycle as well as recovering of outstanding monies in collaboration with the Department Human Resources, as determined in the staff member's service contract.
- (vi) Induction training: new staff members shall be properly informed of the contents of this policy and shall sign to acknowledge receipt of induction thereon.
- (vii) Frequency / terms of issue: Issues of overalls, etc. shall be based on the principle of as and when needed and shall therefore only be replaced when worn out. These schedules serve as determination of which equipment and clothing shall be issued, the quantities that shall be issued as well as the minimum life expectancy of the items issued. Proof that the items are worn out or the returning of worn-out items is compulsory before a new issue can / may be made.
- (viii) Responsibility for issues: Staff members who negligently lose or damage their issues shall be held responsible.

7.8 Working when it rains

7.7.1 Every staff member who works in the open-air shall wear suitable protective clothing on any working day during which it rains. Depending on the level, rate or concentration of the rainfall, the supervisor concerned may require staff members who work in the open air to continue working whilst it rains, provided they wear suitable protective clothing.

7.7.2 The supervisor concerned shall evaluate the rainfall level, extent, concentration and the effect it has on the safety, health and qualitative production of staff members working in the rain. Should the supervisor be of the view that the level, rate or concentration of the rainfall affects the safety, health, effectiveness or qualitative production of the staff members, he / she shall order work be abandoned forthwith and order such staff members to move to a suitable place identified by the supervisor where there is shelter.

7.7.3 Should the supervisor upon his / her assessment of the weather conditions be of the view that there is slim and / or no prospects of the stoppage of rainfall, he / she may instruct the staff members to abandon work and return to the relevant depot, workshop or plant.

7.7.4 Any staff member removed from a worksite in the open-air due to rain may be expected to perform other duties at the depot, workshop or plant, which shall not expose him / her to rain.

7.9 Roles and responsibilities

7.8.1 Responsibilities of the Municipal Manager

- (a)** Establish the precautionary measures that are necessary to protect staff members against the identified hazards and provide means to implement these precautionary measures in order to reduce or remove the risks associated with the hazards.
- (b)** Provide the necessary information, instructions, training and supervision.
- (c)** Take steps to ensure every staff member complies with requirements of legislation.
- (d)** Enforce the necessary control measures in the interest of health and safety.
- (e)** Delegate responsibilities to staff members appointed in terms of legislation.
- (f)** Provide staff members appointed in terms of legislation with appropriate information, training, facilities and time to execute.
- (g)** Identify potential hazards which may be present while work is being done, and any equipment is being used.
- (h)** Ensure that plant, tools, equipment and machinery are safe, maintained in good working order and those materials and operational processes are without risk to health.

7.8.2 Duties of Safety, Health and Environmental (SHE) Officers

- (a)** Incident Investigations;
- (b)** Internal audits;
- (c)** Monitoring of legal compliance;
- (d)** Training, development and facilitation of staff members, representatives, awareness, information, formal and informal training;

- (e) Committee meetings, remedial actions, contractor control, and support structures for representatives and committees;
- (f) Maintain occupational health and safety information, records and database;
- (g) Supervise execution and compliance with Compensation for Occupational Injuries and Diseases legislation; and
- (h) Report on incidents, trends, risks.

7.8.3 Duties of Human Resource Management Unit

- (a) Ensure full compliance with the legislation;
- (b) Make written appointments indicating duties, functions and responsibilities;
- (c) Document all agreements relevant to occupational health and safety;
- (d) Report all deviations, deficiencies and concerns to the Municipal Manager for authorisation, action and implementation within reasonable timeframes; and
- (e) Ensure that all aspects of the programme are identified, assessed, and that suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.

7.8.4 Duties of Staff members

- (a) Take care of own health and safety, as well as that of other persons who may be affected by his or her actions or negligence to act.
- (b) Follow all the health and safety rules and procedures that are provided and communicated by the Municipality or anyone authorised or competent to do so.
- (c) Wear or use prescribed safety clothing or equipment where it is required.
- (d) Cooperate with the Municipality or any person who has been authorised by the Municipality to carry out duties in terms of legislation.
- (e) Inform the supervisor or health and safety representative of any unhealthy circumstances or acts that they are aware of.
- (f) Give information to an inspector from the Department of Labour if he / she should require it.
- (g) Formally report any incident that they were involved in or aware of that could cause a health risk or that may result in an injury.

- (h) Not to interfere with, damage or misuse anything that is provided in the interest of health or safety. This applies to intentional, negligent and irresponsible actions.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 28: STAFF MEMBER WELLNESS PROGRAMME POLICY

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STAFF MEMBER WELLNESS PROGRAMME POLICY

1. PREAMBLE

The Municipality acknowledges existence of staff members' personal and work-related problems that may have a negative influence on work performance. As a result, it recognises its responsibility through the establishment of the Staff member Wellness Programme (EWP) aimed at enhancing performance and quality of work life of all staff members. The EWP works closely with other wellness policies such as HIV/AIDS, Harassment, Occupational Health and Safety, and Intoxicating Substances Abuse.

2. PURPOSE

To provide guidance and a standard framework of establishing and managing a Staff member Wellness Programme.

3. SCOPE OF APPLICATION

This policy applies to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Structures Act, 1998 (Act No. 117 of 1998)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- Skills Development Act, (Act No. 97 of 1998)
- South African Local Government Bargaining Council: Collective Agreements
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993)
- Medical Schemes Act, 1998 (Act No. 131 of 1998)
- EAPA-SA Standards of 2002
- Mental Health Care Act, 2002 (Act No. 17 of 2002)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy outlines the Matjhabeng Local Municipality's approach to promoting and supporting employee health and wellness, including programs and resources related to physical and mental health.

7. POLICY PROVISIONS

7.1 Interventions and timing

7.1.1 There shall be a balance between reactive interventions, proactive interventions and development of staff members. Intervention shall be done at three levels, namely:

- (a)** Primary intervention, focusing on prevention, health promotion, education and risk assessment.
- (b)** Secondary intervention, focusing on early identification and management and / or resolution of problems or concerns.
- (c)** Tertiary intervention, focusing on treatment, rehabilitation, care and support of staff members experiencing personal or work-related problems.

7.1.2 Efforts shall be made to ensure early identification and treatment of staff member problems. Managers shall be involved to ensure timely problem identification, referral and assessment.

7.2 Confidentiality

7.2.1 Any information shared during consultation or counselling shall not be disclosed to anyone, including management, without the staff member's written consent except when disclosure is required in terms of a law or court order.

7.2.2 The information provided by the staff member during consultation shall not be utilised for any purpose other than those agreed upon between the counsellor and the staff member.

7.2.3 All staff member records in this regard shall be kept strictly confidential and not in the staff members' personnel files or any official record of the Municipality.

7.3 Eligibility and accessibility

The EWP shall be accessible and available to all staff members irrespective of position or level in the Municipality, and their immediate family members where appropriate in the opinion of the counsellor.

7.4 Neutrality

The EWP shall not be frustrated in the traditional interface between management and staff members; and shall not clash with existing administrative procedures. For instance, EWP is not a replacement of the disciplinary procedure.

7.5 Impartiality

Participation in the programme shall not jeopardise the staff member's job security or chances for promotion or other related benefits.

7.6 Equal treatment

Staff members who use EWP services shall receive the same considerations as those with medical problems. No staff member shall receive preferential or adverse treatment due to his / her participation in the programme.

7.7 Voluntarism

Participation in the programme shall be voluntary. However, management shall have the prerogative to recommend assistance for seemingly troubled staff members. Refusal by a staff member recommended for assistance due to poor performance could result in disciplinary action when poor performance persists.

7.8 Prevention of abuse

The programme shall be used solely for its purpose, and not as a pretext to engage in activities aimed at unfairly treating the staff member or abusing the generosity of the Municipality.

7.9 EWP services and method of provision

The Municipality shall, on the discretion of the Municipal Manager in consultation with the Department Human Resources, provide all or part of the EWP services utilising internal staff of the Municipality, or opt to outsource the provision of the EWP services in part, or as a whole, covering the following:

7.9.1 Full service for staff members and their household (namely the spouse, children and other persons financially dependent on the staff member), and focussing on childcare, elder care, education and social benefits.

7.9.2 Training of supervisors and managers and equipping them with the skill to identify negative job performance issues related to either work or personal life, and the knowledge to refer them to relevant wellness practitioner.

7.9.3 A direct, multilingual, confidential, unlimited access and 24 hour, 7 days a week clinical and life management services through professional, qualified, registered clinicians and specialists through a 24-hour toll-free number.

7.9.4 Provision of wellness clinic services on agreed-upon basis.

- 7.9.5** A 48 to 72 hours response turnaround to offer individual and group trauma debriefing for critical incidents.
- 7.9.6** A legal wellbeing service to assist staff members with consumer affairs, social benefits and legal matters.
- 7.9.7** A financial wellbeing service focussing mainly on financial literacy and debt management while maintaining sound mental and social health.
- 7.9.8** Managed sessions, creating awareness and education about the EWP service, as an introduction to staff members, and promotion of EWP at various work sites through staff member forums.
- 7.9.9** Development and implementation of a health calendar, with wellness days and events incorporated into it.
- 7.9.10** Development of a comprehensive EWP and its successful implementation, supported by ongoing marketing and periodic reporting to management of the Municipality.
- 7.9.11** Advice on recreational and sporting activities, incorporating physical fitness, and on work gyms, if required.
- 7.9.12** Support to staff members battling substance abuse through support groups.
- 7.9.13** Provision of consultancy service to manage absenteeism, incapacity, and proactive alerting of observed risks / threats following professional staff member assessments.
- 7.9.14** Continuous assessment and analysis of statistical data, and ongoing feedback on trends, as well as communication of all developments, issues, concerns, compliments and other information to the Municipality.
- 7.9.15** Facilitation of annual voluntary counselling and testing (VCT) campaigns for HIV/AIDS, as well as referrals, peer educator support and training.
- 7.9.16** Annual review report to provide an overall review of the service utilisation data and to discuss organisational trends.
- 7.9.17** Facilitation of Council-approved involvement of the Municipality's management and staff members upon death of fellow staff member and / or Councillor, through measures not limited to:
- (a)** Arrangement of workplace memorial service, where applicable;
 - (b)** Participation in bereaved family memorials, where applicable;
 - (c)** Arrangement of Municipal transport for staff members and Councillors to attend funeral, where applicable;

- (d) Offering of condolences on behalf of the Municipality; and
- (e) Provision of counselling services to bereaved family, where required.

7.10 Institutional arrangements

- 7.10.1** The Municipal Manager shall ensure that EWP is a key performance area of all managers and shall furthermore appoint the Department Human Resources as the nodal point for managing EWP across the Municipality.
- 7.10.2** Department Human Resources shall, from time to time and on case-by-case experience, provide guidelines to both line managers and appointed EWP professionals on referral procedures for each type of case requiring assistance.
- 7.10.3** Department Human Resources shall, in consultation with the CFO, ensure there are financial resources for the implementation of EWP across the Municipality.
- 7.10.4** Department Human Resources shall, from time to time, advise line managers and staff members on the integration of the EWP with other Municipality programmes.

7.11 Roles and responsibilities

- 7.11.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.11.2** The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

- 8.1** This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2** Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3** Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

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SMOKING POLICY

1. PREAMBLE

The Municipality is committed to providing healthy workplace environment, and to protect the health of all staff members and visiting public at its workplaces.

2. PURPOSE

To regulate smoking and ensure quality indoor air and a healthy workplace environment is maintained and that the health of non-smokers is not adversely affected by exposure to tobacco smoke in all the Municipality workplaces.

3. SCOPE OF APPLICATION

This policy is applicable to all staff members, service providers, clients and visitors to the Municipality buildings, premises and / or using the Municipality vehicles.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- Tobacco Products Control Amendment Act, 1999 (Act No. 12 of 1999)
- Government Notice R975, relating to smoking of tobacco products in public places, dated 29 September 2000

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy governs smoking in the workplace, including restrictions on smoking areas and policies on smoking cessation support.

7. POLICY PROVISIONS

7.1 Acknowledgement of health risks

- 7.1.1 The Municipality acknowledges the fact that tobacco smoke could cause adverse effects such as allergies, irritation of the respiratory tract, some

cancers, heart disease, peripheral vascular disease, and respiratory diseases such as emphysema and chronic bronchitis.

7.1.2 The Municipality further acknowledges the fact that non-smokers are harmed by secondary tobacco smoke and may develop the adverse effects.

7.2 Smoke breaks and smoking areas

7.2.1 Heads of Department shall oversee that no working hours are lost as a result of smoking by staff members.

7.2.2 Only two smoke breaks of five (5) minutes each are allowed during the day, preferably at 10h00 and at 15h00.

7.2.3 Smoking is prohibited within all the Municipality buildings and vehicles, except in specifically designated smoking areas whose location, size and number shall be determined by the Municipal Manager as described in legislation.

7.3 Assistance for smokers

In an effort to assist staff members to adjust to the changes, counselling shall be made available on request through the Staff member Wellness Programme (EWP).

7.4 Roles and responsibilities

7.4.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.4.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

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PART H: HUMAN RESOURCE COMUNICATION AND INFORMATION MANAGEMENT

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HUMAN RESOURCES COMMUNICATION POLICY

1. PREAMBLE

Human resources communication takes various forms and is key to the success of the Municipality. Communication is key to the achievement of the aim to support, develop and value high quality staff members. Communication is also critical in engaging staff in the strategic direction of the Municipality, as detailed in the IDP.

2. PURPOSE

The purpose of this policy is to outline the responsibilities of all staff members in maintaining good human resources communication practice, the main communication channels available to staff members and how and when they might be used to be effective.

3. SCOPE OF APPLICATION

The policy shall apply to all staff members of the Municipality.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Minimum Information Security Standards (MISS).
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- Electronic Communications Act, 2005 (Act No. 36 of 2005)
- Electronic Communication and Transaction Act, 2002 (Act No. 25 of 2002)
- Protected Disclosures Act, 2000 (Act No. 26 of 2000)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy establishes the guidelines and process for communicating with employees on matters related to their employment, including policies, procedures, and performance expectations.

7. POLICY PROVISIONS

7.1 Guiding principles

- 7.1.1 To ensure staff members are fully informed of all relevant Municipality activities, to enable them to be as effective as possible in their role and to support the strategic direction of the Municipality.
- 7.1.2 To ensure all staff members are aware of their responsibility for maintaining good human resources communication practice.
- 7.1.3 To provide easy access to essential, useful and engaging information for staff members.
- 7.1.4 To provide effective methods of communicating during serious incidences.

7.2 Categories of information

- 7.2.1 Different pieces of information shall require different channels of communication and shall be the responsibility of different people to disseminate.
- 7.2.2 The main categories of human resources messages within the Municipality are as follows:

- (a) Strategic direction and management

This includes information from senior management and committees regarding the overall management of the Municipality and its strategic direction. This may be:

- (i) updates on regular activities or committee decisions; or
- (ii) new information and activities that need to be communicated to staff members in a timely and appropriate manner; or
- (iii) communication of important information via management cascade.

- (b) Day-to-day work-related information

This is the information staff members require to carry out their work day-to-day. It is the responsibility of individuals and their colleagues and line managers to communicate this information effectively.

- (c) Municipality-wide notices

- (i) This is information that all staff members shall benefit from and can be generated by any function within the Municipality.

- (ii) Such information may be news items, forthcoming events, useful advice or more formal notices and is the responsibility of the relevant Head of Department to channel it through the Department Human Resources, or Municipal Manager if it is not human resources in nature, to disseminate to all staff members.

(d) Serious incidents

- (i) The Municipality shall have a system or plan where serious incidents are detailed. Plans shall be in place for all effective channels of communication to be utilised where necessary.
- (ii) During a serious incident, the team dealing with serious incidents shall be responsible for all communication and shall advise the Department Human Resources should assistance in communicating be required.

7.3 Communication channels

The following is a summary of the primary and secondary channels available to staff members when communicating information in the above categories:

7.3.1 Primary channels

(a) Face-to-face communication

Communicating in person with colleagues is considered to be the most beneficial method of ensuring information and knowledge are shared. The conversational nature allows for greater understanding of the context of the message and encourages reflection, questioning and feedback. Here are some instances of face-to-face communication within the Municipality:

(i) Strategic communication

In some circumstances, senior management would require information to be disseminated through the Municipality via managers as quickly as possible and, as far as possible, via face-to-face meetings where understanding of the information can be assured and feedback can be gathered and discussed. It is vital that all staff members receive this information within a given timescale and that all staff members understand the intent and the outcomes of the information and are given an opportunity to discuss, comment and provide feedback.

(ii) Prescribed communication

There are some human resources policies and processes where face-to-face communication is prescribed, for example: the

Performance Management Review / Assessment process requires a one-to-one discussion, as does many others.

(iii) All other face-to-face communication

(aa) In all other circumstances as part of the working environment, staff members are encouraged to meet with colleagues or use the telephone to discuss issues verbally, rather than relying on email or printed material. Whilst it is important to manage the amount of time spent in meetings, well-managed meetings or discussions are an effective and efficient way of sharing knowledge, solving problems and ensuring common understanding and appreciation of issues.

(bb) Face-to-face communication engenders greater trust and understanding than any other communication method. It is important therefore, that staff members have opportunities for one-to-one and group meetings with colleagues and their line managers on a regular basis and that dialogue in those meetings is two-way.

(b) Email

Email is one of the most common methods of communicating within the Municipality regulated by policy. Weekly all-staff members email bulletins shall be distributed on the day and time to be fixed by the Department Human Resources from time to time. All-staff members emails at all other times can be sent by individuals through to the HR Unit and shall be sent as necessary for timely information that is considered important to all staff members

(c) Website and /or Portal

The Municipality website shall include pages containing news items, events and links to useful information for staff members, and shall be maintained by the Department Human Resources with the technical support of the Webmaster on a daily basis. Staff members are encouraged to use the website, whether on or off the workplace, in order to keep up to date with staff member-related information. The portal, if created, shall be used to broadcast messages and emergency situations to staff members.

7.3.2 Secondary channels

(a) Municipality staff member magazine

This magazine, when published and distributed to all staff, shall be designed to provide more in-depth information into items of interest to staff members, including new developments in the Municipality, awards,

successes, staff member profiles, future events and a regular update from the Mayor and / or Municipal Manager.

(b) Notice boards

There are notice boards across the Municipality workplaces displaying information for staff members. Staff members with responsibility for maintenance of notice boards shall ensure that information is advertised in a timely manner and, importantly, is removed when out of date.

(c) Printed material

Departments and services produce printed material for use by staff members. Any wishes to produce any printed material shall be mindful of corporate identity guidelines and shall contact the Department Human Resources to discuss requirements.

(d) Social media and external websites

(i) Social media sites such as Facebook, Twitter, Instagram, WhatsApp and any other websites external to the Municipality sites are not within the preferred list of channels with which to communicate with staff members.

(ii) Staff members are reminded that use of social media, as with all communication when is undertaken on behalf of the Municipality, is subject to the Code of Conduct, the principles being respect and dignity in all correspondence. Where the Municipality has either official Facebook page for visitors or a Twitter account for all audiences, these are secondary channels as they cannot be relied on to reach all staff members.

7.4 Communicating with non PC-based staff members

7.4.1 Some staff members do not have regular access to a PC to check the website or their email accounts and may be missing important information. It is the responsibility of line managers to ensure that information is passed to staff members in a timely manner, either verbally or in print.

7.4.2 To assist line managers, staff member pages on the website shall be formatted to print as notices that can be pinned to notice boards. All staff member emails shall be kept to a brief and concise format to allow them to be easily read in print.

7.5 Communicating change

Change shall be more widely understood and accepted if staff members are aware of it as early as possible. An understanding of the objectives and an involvement in the process will help staff members to accept and embrace

change. Internal communication shall be a consideration from the beginning of major projects within the Municipality.

7.6 Professionalism in communication

- 7.6.1** In all communications, staff members are reminded of their responsibility to serve the interests of the Municipality and ensure appropriate content at all times.
- 7.6.2** Communication is undertaken on behalf of the Municipality, therefore is subject to the Code of Conduct, the principles being respect and dignity in all correspondence.
- 7.6.3** Staff members shall ensure appropriate response times are adhered to when communicating, particularly via email.
- 7.6.4** During absence or when staff members would not respond in a reasonable time, they shall provide an auto reply to their emails with details of an alternative contact.

7.7 Roles and responsibilities

- 7.7.1** The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.
- 7.7.2** The financial implications related to implementing this policy shall be qualified and quantified by Department Human Resources in consultation with the Chief Financial Officer.
- 7.7.3** Heads of Department shall -
 - (a)** ensure information is made available to all staff members in a timely manner and via appropriate channels.
 - (b)** ensure managers have the relevant information available to communicate with their staff members effectively.
 - (c)** maintain open channels of two-way communication and to listen to feedback and comment from all staff members.
- 7.7.4** Managers and supervisors shall -
 - (a)** communicate regularly with their teams, preferably face to face, to ensure information is available and understood within the context of the Department and working environment.
 - (b)** ensure they and their staff members are maintaining good communication practice in accordance with this Policy.

- (c) maintain open channels of two-way communication, to listen to feedback and comment and to keep senior managers informed.

7.7.5 All staff members shall -

- (a) ensure they are informed and have access to information to be as effective as possible in their role and to support the strategic direction of the Municipality.
- (b) maintain good communication practice in accordance with this Policy.
- (c) use channels of communication to keep managers and colleagues informed.

7.7.6 Department Human Resources shall -

- (a) disseminate information to staff members via all appropriate channels.
- (b) offer guidance to any areas of the Municipality in maintaining good communication practice in accordance with this Policy.

8. POLICY MONITORING AND EVALUATION

- 8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.
- 8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.
- 8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

CHAPTER 31: ELECTRONIC COMMUNICATION AND INFORMATION SECURITY POLICY

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ELECTRONIC COMMUNICATION AND INFORMATION SECURITY POLICY

1. PREAMBLE

Electronic communication plays an essential role in the conduct of the Municipality business. How staff members communicate reflects on them as individuals and also on the Municipality as a public institution. The Municipality values staff members' ability to communicate with colleagues, clients and business contacts, and has invested substantially in information technology and communications systems to enable staff members to work more efficiently. The Municipality therefore expects staff members to exercise responsible usage, confidentiality, intellectual property, and non-solicitation.

2. PURPOSE

- 2.1 To regulate information and data security, including confidentiality, non-disclosure, non-solicitation, and intellectual property.
- 2.2 To regulate authorised use of internet and email facilities and limited personal use.
- 2.3 To apply the general principles underlying all parts of this policy to telephone communications, fax machines, copiers and scanners.

3. SCOPE OF APPLICATION

This policy shall apply to all staff members working for the Municipality and who use communications facilities, whether full-time, part-time or fixed-term staff members, trainees, contract staff members, temporary staff members, agency, and service providers.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Minimum Information Security Standards (MISS).
- Regulation of Interception of Communication and Provision of Communication-related Information Act, 2002 (Act No. 70 of 2002)
- Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- Electronic Communications Act, 2005 (Act No. 36 of 2005)
- Electronic Communication and Transaction Act, 2002 (Act No. 25 of 2002)
- Copyright Act, 1978 (Act No. 98 of 1978)
- Protected Disclosures Act, 2000 (Act No. 26 of 2000)
- Design Act, 1993 (Act No. 195 of 1993)
- Patent Act, 1978 (Act No. 57 of 1978)
- Trade Mark Act, 1993 (Act No. 194 of 1993)
- National Archives of South Africa Act, 1996 (Act No. 43 of 1996)

- Protection of Personal Information Act, 2013 (Act No. 4 of 2013)

5. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

6. PROBLEM STATEMENT

This policy aims to ensure effective communication and information management within the organization, including policies on privacy, confidentiality, and access to information.

7. POLICY PROVISIONS

7.1 Guiding principles

- 7.1.1** Information technology and communications facilities shall be used sensibly, professionally, lawfully, and consistently with the staff member's duties, with respect for colleagues and for the Municipality and in accordance with this policy.
- 7.1.2** All information relating to clients and business operations of the Municipality is confidential. Paper-based and electronic information shall be treated with utmost care.
- 7.1.3** Many aspects of communication are protected by intellectual property rights which are infringed by copying. Downloading, uploading, posting, copying, possessing, processing and distributing material from the internet may be an infringement of copyright or of other intellectual property rights.
- 7.1.4** Particular care shall be taken when using email, internal message boards as a means of communication because all expressions of fact, intention and opinion in an email may bind the staff member and the Municipality and can be produced in court in the same way as other kinds of written statements.
- 7.1.5** The advantage of the internet and email is that they are extremely easy and informal ways of accessing and disseminating information, but this means that it is also easy to send out ill-considered statements. All messages sent on email systems or via the internet shall demonstrate the same professionalism as that which would be taken when writing a letter or a fax.
- 7.1.6** It is advisable not to use these media to do or say anything which would be subject to disciplinary or legal action in any other context such as sending any discriminatory (on the grounds of a person's sex, race, disability, age, sexual orientation, religion or belief), defamatory, or other unlawful material (for example, any material that is designed to be, or could be construed as, bullying or harassment by the recipient).

7.1.7 If in doubt about a course of action, the staff member shall take advice from the supervisor (line manager / Head of Department).

7.2 Use of electronic mail

7.2.1 General provisions

- (a)** Always use the email template which contains the appropriate disclaimer notice from the Municipality and do not amend this notice in any way.
- (b)** If copying an email to others, it may breach legislation on data protection if it reveals all the recipients' email addresses to each recipient (e.g. in the case of marketing and mailing lists).
- (c)** It can also breach duties of confidentiality (e.g. in the case of internal emails to members of a staff member benefit scheme). Accordingly, it may be appropriate to use the 'Bcc' (blind carbon copy) field instead of the 'Cc' (carbon copy) field when addressing an email to more than one recipient. If in doubt, seek advice from own line manager / Head of Department.
- (d)** Do not amend any messages received and, except where specifically authorised by the other person, do not access other person's inbox or other email folders, nor send any email purporting to come from another person.
- (e)** It is good practice to re-read and check an email before sending.
- (f)** Staff members shall observe and practice the bandwidth ranges and limitations provided by ICT Management from time to time.

7.2.2 Official use

- (a)** Each official email shall include appropriate Municipality business reference.
- (b)** If the email message or attachment contains information which is time-critical, bear in mind that email is not necessarily an instant communication and consider whether it is the most appropriate means of communication.
- (c)** If sending an important document, always telephone to confirm that the email has been received and read.
- (d)** In every instance, back up or file a hard copy of any email (including any attachments) sent to or received from clients before filing or deleting the electronic copy. The same applies to all internal email transmissions on other matters.

- (e) In light of the security risks inherent in some web-based email accounts, staff members must not email official documents to own personal web-based accounts. Staff members may send documents to a client's web-based account if they have the client's express written permission to do so. However, under no circumstances should staff members send sensitive or highly classified or confidential documents to a client's personal web-based email account, even if the client asks them to do so.
- (f) When staff members need to work on documents remotely, they can be saved to a disk or retrieved over the safe internet access.

7.2.3 Personal use

- (a) Although the Municipality's email facilities are provided for the purposes of the business, it is accepted that staff members may occasionally want to use them for own personal purposes. This is permitted on the condition that all the procedures and rules set out in this policy are complied with. Be aware, however, that when choosing to make use of the facilities for personal correspondence, the staff member can expect very little privacy because the Municipality may need to monitor communications for reasons given under Clause 7.8.
- (b) Under no circumstances may the Municipality's facilities be used in connection with the operation or management of any business other than that of the Municipality or client of Municipality unless express permission has been obtained from the line manager / Head of Department.
- (c) All personal email send from the Municipality's facilities must be marked PERSONAL in the subject heading, and all personal email sent or received must be filed in a separate folder marked "Personal" in the inbox should a staff member wish to retain it after reading. ICT Management shall be contacted where a staff member needs guidance on how to set up and use a personal folder. All email contained in the inbox and sent items box are deemed business communications for the purposes of monitoring.
- (d) Staff members shall ensure that their personal email use:
 - (i) does not interfere with the performance of their duties;
 - (ii) does not take priority over their work responsibilities;
 - (iii) is minimal and limited to taking place substantially outside of normal working hours (i.e., during any breaks which they are entitled to or before or after normal hours of work);
 - (iv) does not cause unwarranted expense or liability to be incurred by the Municipality;

(v) does not have a negative impact on the Municipality in any way;
and

(vi) is lawful and complies with this policy.

(e) As with any correspondence made using the Municipality electronic facilities, a staff member can delete personal email from the live system, but they will have been copied (perhaps many times) onto the backup tapes and in that form will be retained within the parameters of archiving legislation, or even indefinitely. It would be a very difficult, costly and time-consuming exercise to sift all those tapes in order to delete a staff member's personal email, and if there has to be an agreement to attempt this, it would be at Municipality's convenience, and only on the basis that all the very considerable costs involved were paid in advance by the staff member making the request.

(f) By making personal use of the Municipality's facilities for sending and receiving email signifies the staff member's agreement to abide by the conditions imposed for their use, and consent to the Municipality monitoring personal email in accordance with Clause 7.8 of this policy.

7.3 Use of internet and intranet

7.3.1 The Municipality trusts a staff member to use the internet sensibly. Bear in mind at all times that, when visiting a website, information identifying your PC may be logged. Therefore, any activity a staff member engage in via the internet may affect the Municipality.

7.3.2 The Municipality recognises the need for staff members to carry out some personal tasks during working hours, e.g., for internet banking or online shopping, and this is permitted subject to the same rules as are set out for personal email use under this policy. If these activities require additional software to be installed onto a staff member's PC then a request should be submitted to ICT Management, who may be able to arrange this subject to relevant policy.

7.3.3 Staff members are strongly discouraged from providing their Municipality email address when using public websites for non-business purposes. This must be kept to a minimum and done only where necessary, as it results in the staff member and the Municipality receiving substantial amounts of unwanted email.

7.3.4 Access to certain websites is blocked during working hours. If a staff member has a particular business need to access such sites, he / she should contact ICT Management.

7.3.5 A staff member shall not:

(a) introduce password-detecting software;

- (b) seek to gain access to restricted areas of Municipality's network;
- (c) access or try to access data they know or ought to know is confidential;
- (d) intentionally or recklessly introduce any form of spyware, computer virus or other potentially malicious software;
- (e) carry out any hacking activities; and
- (f) use the Municipality's systems to participate in any internet chat room or post messages on any external website, including any message board or blog, unless expressly permitted in writing to do so by the Municipality.

7.3.6 Breach of the above would not only contravene the terms of this policy but could in some circumstance also amount to the commission of an offence under various legislation such as, for instance:

- (a) unauthorised access to computer material, i.e. hacking;
- (b) unauthorised modification of computer material; and
- (c) unauthorised access with intent to commit or facilitate the commission of further offences.

7.4 Misuse of facilities and systems

7.4.1 Misuse of the Municipality's facilities and systems, including telephone, email and internet systems, in breach of this policy shall be treated seriously and dealt with in accordance with the Municipality's disciplinary procedure. In particular, viewing, accessing, transmitting, posting, downloading or uploading any of the following materials in the following ways, or using any of the Municipality's facilities, shall amount to gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):

- (a) material which is sexist, racist, homophobic, xenophobic, pornographic, paedophilic or similarly discriminatory and/or offensive;
- (b) offensive, obscene, derogatory or criminal material or material which is liable to cause embarrassment to the Municipality and any of its staff members or its clients or bring the reputation of the Municipality and any of its staff members or its clients into disrepute;
- (c) any defamatory material about any person or organisation or material which includes statements which are untrue or of a deceptive nature;
- (d) any material which, by intent or otherwise, harasses the recipient;
- (e) any other statement which is designed to cause annoyance, inconvenience or anxiety to anyone;

- (f) any material which violates the privacy of others or unfairly criticises or misrepresents others;
- (g) confidential information about the Municipality and any of its staff members or clients;
- (h) any other statement which is likely to create any liability (whether criminal or civil, and whether for the staff member or the Municipality);
- (i) material in breach of copyright and / or other intellectual property rights;
- (j) online gambling; or
- (k) unsolicited commercial or advertising material, chain letters or other junk mail of any kind.

7.4.2 If the Municipality has evidence of examples of misuse set out above, it reserves the right to undertake more detailed investigation in accordance with its disciplinary procedures.

7.5 System security

- 7.5.1** Security of the Municipality's ICT systems is of paramount importance and thus the Municipality shall ensure that all business transactions are kept confidential. If at any time the Municipality need to rely in court on any information which has been stored or processed using the IT systems, it is essential that it is able to demonstrate the integrity of those systems. Every time the staff member uses the system, he / she take responsibility for the security implications of what they do.
- 7.5.2** The Municipality's system or equipment shall not be used in any way which may cause damage, or overloading or which may affect its performance or that of the internal or external network.
- 7.5.3** Keep all confidential information secure, use it only for the purposes intended and do not disclose it to any unauthorised third party. Automatic forwarding of email to external addresses shall be disabled to avoid accidental disclosure of information.
- 7.5.4** Keep the issued system passwords safe and manage them as per the instructions and guidelines issued by ICT Management from time to time. Do not disclose them to anyone. Those who have a legitimate reason to access other users' inboxes shall be given permission from that other user. ICT Management shall provide guidance on how to do this. If a staff member has disclosed own password to anyone else (e.g. in response to a request from ICT Management), they should ensure that they change their password once ICT Management no longer need it.

- 7.5.5** If a document is highly confidential or classified even on a higher security level, a staff member shall mark it as "private and confidential" and password-protect the document itself. Bear in mind that documents which are NOT marked "private and confidential" can be accessed by all users of the network.
- 7.5.6** Copies of confidential information shall be printed out only as necessary, retrieved from the printer immediately, and stored or destroyed in an appropriate manner.
- 7.5.7** Staff members shall not download or install software from external sources without having first received the necessary authorisation from ICT Management, line manager, or departmental head.
- 7.5.8** Staff members shall not take or copy the Municipality's software for personal use on their personal equipment.
- 7.5.9** No external device or equipment, including discs and other data storage devices, shall be run on or connected to the Municipality's systems without the prior notification to and approval of ICT Management, line manager, or Head of Department.
- 7.5.10** Staff members shall always exercise caution when opening emails from unknown external sources or where, for any reason, an email appears suspicious. ICT Management shall be informed immediately in such circumstances.

7.6 Working remotely

This part of the policy and the procedures in it apply to the use of the Municipality systems, to staff members' use of the Municipality laptops, and also to use of own computer equipment or other computer equipment (e.g. client's equipment) whenever a staff member is working on Municipality's business away from the Municipality's premises (working remotely). When working remotely a staff member must:

- 7.6.1** password-protect any work which relates to Municipality's business so that no other person can access the work.
- 7.6.2** position him / herself so that their work cannot be seen by any other person.
- 7.6.3** take reasonable precautions to safeguard the security of the equipment and keep passwords secret.
- 7.6.4** inform the police and ICT Management (as appropriate) as soon as possible if either a Municipality laptop in possession or any computer equipment on which the Municipality's work is carried out, even if this is personal ICT equipment, has been lost or stolen.

- 7.6.5** ensure that any work which is done remotely is saved on the Municipality's system or is transferred to the system as soon as reasonably practical.
- 7.6.6** password-protect access to pocket computers, mobile phones and similar hand-held devices that are used to store any personal data of which the Municipality is a data controller or any information relating to Municipality's business, clients or their business.

7.7 Personal blogs and websites

This part of the policy and procedures in it apply to content that staff members publish on the internet (e.g. your contributions to blogs, message Councils and social networking or content-sharing sites) even if created, updated, modified or contributed to outside of working hours or when using personal ICT systems.

- 7.7.1** The Municipality recognises that in their own private time staff members may wish to publish content on the internet. For the avoidance of doubt, such activities are expressly prohibited during working time or using the Municipality's systems.
- 7.7.2** If staff members post any content to the internet, written, vocal or visual, which identifies or could identify them as staff members of Municipality and / or they discuss their work or anything related to the Municipality or its business, customers or staff members, Municipality expects them, at all times, to conduct themselves appropriately and in a manner which is consistent with their contract of employment and with the Municipality's policies and procedures. It should be noted that simply revealing their name or a visual image of themselves could be sufficient to identify them as staff members of the Municipality.
- 7.7.3** If a staff member already has a personal blog or website which indicates in any way that he / she works for the Municipality he / she should report this to their line manager, or Head of Department.
- 7.7.4** If a staff member intends to create a personal blog or website that will say that he / she works for the Municipality, or in any way could identify him / her as someone who works for the Municipality then he / she shall report this to their line manager or Head of Department.
- 7.7.5** If a blog posting clearly identifies that a staff member works for the Municipality and he / she express any idea or opinion then he / she should add a disclaimer such as "these are my own personal views and not those of the Municipality".
- 7.7.6** When revealing confidential information about the Municipality in a personal online posting, such as revealing information relating to Municipality's clients, business plans, policies, staff members, financial information or internal discussions, staff members shall consult their line manager if they are unclear about what might be confidential.

- 7.7.7** Online publications which do not identify the author as staff member of Municipality and not mention the Municipality and are purely concerned with personal matters will normally fall outside the scope of this policy.
- 7.7.8** Criticising or embarrassing the Municipality, its clients or its staff in a public forum (including any website) is prohibited. Staff members should respect the reputation of the Municipality and the privacy and feelings of others at all times.
- 7.7.9** If staff members have a genuine complaint to make about a colleague or workplace matter the correct procedure is to raise a grievance using the grievance procedure.
- 7.7.10** Accessing or updating a personal blog or website from the Municipality's computers or during work time, should be arranged with the line manager if a staff member thinks that something on a blog or a website could give rise to a conflict of interest and in particular concerns issues of impartiality or confidentiality required by their role.
- 7.7.11** If someone from the media or press contacts a staff member about their online publications that relate to the Municipality the staff member should talk to their line manager before responding and Municipality's media liaison officer must be consulted.

7.8 Monitoring of communications

- 7.8.1** The Municipality is ultimately responsible for all business communications but subject to that shall, where appropriate, respect staff members' privacy and autonomy. The Municipality may monitor staff members' business communications for reasons which include:
- (a)** providing evidence of business transactions;
 - (b)** ensuring that procedures, policies and contracts with staff members are adhered to;
 - (c)** complying with any legal obligations;
 - (d)** monitoring standards of service, staff member performance, and for staff member training;
 - (e)** preventing or detecting unauthorised use of communication systems or criminal activities; and
 - (f)** maintaining the effective operation of the Municipality's communications systems.
- 7.8.2** The Municipality shall monitor telephone, email and internet traffic data (i.e., sender, receiver, subject; non-business attachments to email, numbers called and duration of calls; domain names of websites visited, duration of visits, and

files downloaded from the internet) at a network level (but covering both personal and business communications) for the purposes specified above.

- 7.8.3** Sometimes it is necessary for the Municipality to access staff members' business communications during their absence, such as when they are away because they are ill or on holiday. Unless their mailbox settings are such that the individuals who need to do this already have permission to view their inbox, access shall be granted only with the permission of one of the persons authorised to grant such access in accordance with the policy on access to mailboxes.
- 7.8.4** For the purposes of maintenance of own personal privacy, staff members need to be aware that such monitoring might reveal sensitive personal data about them, such as political beliefs, cults, and religious beliefs. By carrying out such activities using the Municipality's facilities staff members consent to processing any sensitive personal data about them which may be revealed by such monitoring.
- 7.8.5** Any emails which are not stored in a staff member's "Personal" folder in their mailbox, and which are not marked PERSONAL in the subject heading shall be treated, for the purpose of availability for monitoring, as business communications since there will be no way of knowing that they were intended to be personal. Therefore, staff members must set up a rule to automate the routing of personal email to their personal folder by asking IT Management for guidance on how to do this.
- 7.8.6** In certain very limited circumstances, the Municipality may, subject to compliance with any legal requirements, access email marked PERSONAL. Examples are when there is reasonable suspicion that they may reveal evidence of unlawful activity, including instances where there may be a breach of a contract with the Municipality.
- 7.8.7** Furthermore, there is a risk that any person authorised to access a staff member's mailbox may have their own preview pane option as a default setting, which would reveal the content of any of a staff member's personal email not filed in their "Personal" folder, whether or not such email are marked PERSONAL.
- 7.8.8** It is up to staff members to prevent the inadvertent disclosure of the content of personal email by filing their personal email in accordance with this policy. In particular, staff members are responsible to anybody outside the Municipality who sends to them, or receives from them, a personal email, for the consequences of any breach of their privacy which may be caused by their failure to file their personal email.
- 7.8.9** All incoming email is scanned using virus-checking software. The software will also block unsolicited marketing email (spam) and email which have potentially inappropriate attachments. If there is a suspected virus in an email which has been sent to a staff member, the sender shall automatically be

notified, and the staff member shall receive notice that the email is not going to be delivered to them because it may contain a virus.

7.9 Information and data protection

- 7.9.1** As a staff member of Municipality who uses its communications facilities, a staff member will inevitably be involved in processing personal data and information for the Municipality as part of their job. Data protection is about the privacy of individuals and is governed by various legislation provisions.
- 7.9.2** Whenever and wherever staff members are processing personal data for the Municipality they shall keep it confidential and secure, and they shall take particular care not to disclose them to any other person (inside or outside Municipality) unless authorised to do so.
- 7.9.3** Staff members shall not use any such personal data except as authorised by the Municipality for the purposes of their job. If in doubt staff members should get help from the Municipal Manager as the chief information officer (CIO) or their line manager.
- 7.9.4** Legislation gives every individual the right to see all the information or data which any public entity may hold about them. Staff members shall bear this in mind when recording personal opinions about someone, whether in an email or otherwise. It is another reason why personal remarks and opinions must be given responsibly, and they must be relevant and appropriate as well as accurate and justifiable.
- 7.9.5** It is a criminal offence to obtain or disclose personal data without the consent of the affected person or persons. Obtaining includes the gathering of personal data by staff members at work without the authorisation of the Municipality. Staff members may be committing this offence if without authority of the Municipality they exceed their authority in collecting personal data, or access personal data held by the Municipality to control it or pass it to someone else, whether inside or outside the Municipality.
- 7.9.6** While the Municipality is a data controller of all personal data processed for the purposes of its business, a staff member shall be a data controller of all personal data processed in any personal email which they send or receive.
- 7.9.7** Staff members, and former staff members, shall protect the confidential information, trade secrets and copyright of the Municipality through:
- (a)** Avoiding direct or indirect disclosure of confidential information to others;
 - (b)** Refraining from persuading clients or persons who are or were suppliers of the Municipality to cease doing business with the Municipality, or any other business;

- (c) Refraining from soliciting business from service providers of the Municipality; and
- (d) Refraining from persuading staff members of the Municipality to cease employment or take a different employment elsewhere.

7.10 Intellectual property

- 7.10.1** Staff members' work may include the development, drafting, creation and design, for and under instructions of the Municipality, of documents, methodologies, diagrams, other written works, formulae, computer software and improvements to computer software in which the Municipality have an interest. All these shall be the Municipality's intellectual property.
- 7.10.2** All such intellectual property developed by staff members as a result of such work, and all rights, including intellectual property rights in and to such intellectual property shall vest in the Municipality absolutely and as sole beneficial owner thereof.
- 7.10.3** Staff members shall not own any rights in or to the intellectual property on which staff members are required to work
- 7.10.4** Staff members shall, if and when so required by the Municipality and at the expense of the Municipality, apply or join in applying for the registration of appropriate protection in respect of the intellectual property on behalf of the Municipality and shall, at the expense of the Municipality, execute all documents and do all things necessary for vesting the protection and all right, title and interest in respect of the intellectual property in the Municipality or in any person the Municipality may specify.
- 7.10.5** The rights in or to the intellectual property on which staff members are required to work as well as all rights to any intellectual property in all works created during the course of a staff member's employment shall vest in the Municipality.
- 7.10.6** Staff members shall not divulge nor authorise anyone to divulge any knowledge of the subject matter of intellectual property rights during employment or afterwards.
- 7.10.7** In the event that, and as soon as any intellectual property rights, particularly copyright, come into existence in respect of the software on which staff members are required to work, this clause serves as an automatic assignment of all rights to any intellectual property in all works created during the course of a staff member's employment in terms of this agreement to the Municipality.
- 7.10.8** The above assignment shall be of all intellectual property rights, including copyright, which come into existence along with all accrued rights therein, including the right to sue for infringements which may have taken place prior to the date of recording any such assignments.

7.10.9 The assignment terminates any claims which a staff member may have to any further rights in the software, whether moral, procedural or of any other kind, all of which are ceded to the Municipality.

7.11 Roles and responsibilities

7.11.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

7.11.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as breach of Code of Conduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Authorised by Municipal Manager: Signature: _____ Date: _____

Recommended by Portfolio Committee
on Corporate Services: Signature: _____ Date: _____

Approved by Municipal Council: Signature: _____ Date: _____

END OF MANUAL