

SEKHUKHUNE
District Municipality

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RECRUITMENT SELECTION & APPOINTMENT POLICY

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1. PREAMBLE

The policy and its implementation will be fundamentally aimed at matching the human resource to the strategic and operational needs of the District and ensuring the full utilization of continued development of Human Resources.

Recruitment is one of the most important ways in which the District meets its human resource capacity requirements, it is also one of the prime instruments for achieving employment equity planning for recruitment, a human resource plan must be established and time, cost, staff requirements and employment standards must be determined and validated.

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PURPOSE

The Aim of this policy is to lay the basis for recruitment, selection and appointment of existing and new employees to vacant positions in Sekhukhune District Municipality, thus ensuring that most suitable candidates are appointed.

3. TITLE AND SCOPE

- a. This policy shall be known as the Recruitment, Selection and Appointment Policy.
- b. This policy is applicable to all employees of Sekhukhune District Municipality, excluding the section 54 and 56 managers, as their conditions of service are in terms of the Regulation (17 January 2015)

4. COMMENCEMENT AND VALIDITY

- a) This policy shall come into effect upon the acceptance hereof by the full council of the Sekhukhune District Municipality by resolution.
- b) The Sekhukhune District Municipality shall ensure that employees and managers are informed about this policy and are trained to implement this policy effectively

5. DEFINITIONS

For the purposes of this policy the following definitions apply

TERM	DEFINITION
District	Sekhukhune District Municipality/Council
Head of Department/Director	Senior Managers in terms of Section 77 of the MFMA.
Recruitment	Comprises of process of acquiring available and qualified internally or externally applicants, to fill vacant positions in an organisation. This includes communicating with actual or potential job seekers, motivating them to apply and persuading candidates to join the organisation. The objective is to attract candidates of the right quality in sufficient numbers.
Accessibility	Any publicity or recruitment action that should within reason, be aimed at, broadest possible sector of the available human resources taking into account, the costs and practicability
Professionalism	Publicity and recruitment that should be undertaken in a manner that creates a positive and professionalism image of the District
Disability	In this context, an individual who is incapacitated either physically or mentally
Nepotism	Means favouritism on the basis of family, friends or connections

Internal Source	Employees already serving and/or appointed permanently within the institution (SDM).
External Source	Applicants recruited from outside the SDM
Background Check	A process of looking up and compiling criminal records, commercial records and financial records of an individual
Reference Check	When the employer contacts a job applicant's employers, school and/or colleges to learn more about his or her job history or educational qualifications.
Induction.	Is the process of familiarizing a new employee with the Municipality, the people working for the Municipality their terms and conditions of employment and the policies and procedures governing their employment?
Orientation	is the process of familiarizing the new employee with his/her own local work environment and job requirements
Probation Period	Refers to an initial period of employment during which an employee's performance is tested to determine whether the employee's work performance adheres to acceptable standards so that the employee will be granted permanent employment in the municipality.

6. LEGAL FRAMEWORK

This policy is premised and developed in accordance with the provisions of and in furtherance of the objectives of the: -

- a) Constitution of the Republic of South Africa, Act No. 108 of 1996
- b) Employment Equity Act Employment and Regulations No. 117 of 1998 as amended
- c) Basic Conditions of Employment Act and Regulations, No. 75 of 1997 as amended
- d) Labour Relations Act and Regulations 66 of 1995 as amended
- e) Local Government Municipal System Act 32 of 2000 (MSA) and Regulations, as amended
- f) Local Government Municipal Structures Act No. 117 of 1998 (MSA) and Regulations as amended
- g) Local Government Municipal Finance Management Act of 2003 and Regulations
- h) South African Local Government Bargaining Council: Collective Agreement on Conditions of Service for the Mpumalanga Division
- i) Local Government Municipal System Act (32 of 2000): Regulations on appointment and Conditions of employment of Senior Managers (17 January 2014
- j) Municipal Staff Regulation of 20 September 2021

7. OBJECTIVES OF THE POLICY

The objectives are to:

- a) Establish guidelines and procedures for ensuring that the selection of candidates is undertaken in a justifiable, equitable and fair manner;
- b) The policy also intends to enable the District to fill vacancies and appoint staff to ensure effective service delivery;
- c) To ensure compliance with the principle of the rule of law, which includes the principles of legality;

- d) To instill a high standard of professionalism;
- e) To ensure efficient and optimal utilization of employees;
- f) Promote transparency and accountability, and
- g) To address the historical imbalances taking cognizant the principle of fairness and ability.

8. POLICY PRINCIPLES

(1) The recruitment, selection and appointment of a staff member to a post on the staff establishment must---

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

9. DETERMINATION OF RECRUITMENT NEEDS

(1) The municipality must---

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

10. GENERAL REQUIREMENTS

(1). No person may be appointed as a staff member on a fixed-term contract, permanent basis, or probation, to any post on the approved staff establishment of a municipality, unless he or she-

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

11. COMPETENCY REQUIREMENTS

- (1). A person appointed as staff member in terms of these Regulations must---
 - (a) have the necessary competencies; and
 - (b) comply with the minimum requirements for education qualifications, work experience and knowledge as set out in Annexure A.
- (2) A staff member who was appointed before these Regulations came into effect and who does not meet the minimum competency requirements of the relevant post as provision of this regulation, a municipality may place a staff member on a programme to eligible for career opportunities in the municipality.
- (3). If a staff member has not attained the competencies as prescribed in these Regulations, the municipality must utilize the workplace skills plan to identify and address the staff member's competency gaps and development needs.
- (4). The municipality must subject a staff member to a competency assessment for specific occupational streams as determined by the Minister in terms of sub-regulation 13 (4) Above.

12. ADVERTISING OF VACANT POSITIONS

- (1). The municipality must advertise a post after the approval referred to in sub-regulation 11 (3) (a) has been obtained.
- (2). The advertisement must at least specify the---
 - (a) job title;
 - (b) term of appointment;
 - (c) place of work
 - (d) applicable salary scale or pay range;
 - (e) competency requirements of the post, and where applicable the minimum qualifications and experience as set out in Annexure A;
 - (f) inherent requirements of the job;
 - (g) summary of the core functions;
 - (h) need for signing an employment contract and, where applicable, a performance agreement and disclosure of benefits and interest;
 - (i) address where applications must be sent;
 - (j) place where applicants can obtain the application form;
 - (k) contact person;
 - (l) where necessary, the need to undergo screening and vetting; and
 - (m) closing date for submission of applications.
- (3). If a municipality does not have the capacity to manage recruitment processes, such municipality may appoint a recruitment agency to undertake the recruitment processes including--
 - (a) response handling;
 - (b) compilation of---
 - (i) long list of all applicants who applied for the advertised post;
 - (ii) preliminary list of applicants who meet the requirements;
 - (iii) list of applicants who meet all requirements but have the potential; and
 - (iii) list of applicants who do not meet the requirements: Provided that the advertising and recruitment procedures comply with the provisions of the Act and these Regulations.
- (4). The recruitment agency contemplated in sub-regulation (3) shall not undertake the selection process.
- (5). An advertisement contemplated in sub-regulation (2) may be utilized to create a pool of potential candidates valid for a period not exceeding six months from the date of advertisement to fill any other vacancy in the relevant municipality if---

- (a) the job title, core functions, inherent requirements of the job and the salary level of the other vacancy is the same as the post advertised; and
 - (b) the recruitment process contemplated in these Regulations has been complied with.
- (6). A municipality may advertise any funded vacant post, as a minimum, within the municipality, but may also advertise such post---
- (a) locally for level 14 to level 5; or
 - (b) nationwide for level 4 to level 0.

13. INTERNAL ADVERTISEMENT

- a). The internal advertisement will be for a period of seven working days and will be done through placement of the notice on the staff notice boards and electronic communication (email).
- b). Where a reasonable pool/number of people must be 3 per post having met the posts requirements then will proceed with the recruitment process internally.
- c). In a case where the pool of applicants is below 3, the applicant will be included on the longlist of the external applicants.
- d). If a suitable candidate cannot be found internally, the post shall be advertised externally in the local newspapers and the Municipality website.
- e). The above process will only be applicable to level 5 and below positions.

14. EXTERNAL ADVERTISEMENT

- a). The advertisement of vacancies should aim to reach, as efficiently and effectively as possible, the entire pool of potential applicants, especially persons historically disadvantaged.
- b). The human resource services in consultation with the municipal manager can advertise any vacant post at senior management level nationally and provincially, simultaneously both inside and outside the district.
- c). The human resource services shall be responsible for advertising any vacant post, other than a post for senior management, within the district, as a minimum, but may also advertise such posts in the following areas:
 - i. Within the rest of the district
 - ii. Outside the district either provincially or nationally or
 - iii. Through other acceptable means of recruitment.
- d). The district will also be guided by and adhere to provincial circulars and the SALGA's minutes of the filling of posts and both internal and external advertisement should follow the same criteria.
- e). All requests for advertising of posts must be done on the prescribed form. Only one level of vacant position should be placed in an advertisement. The language used in the advertisement must be clear and simple.
- f). Applications received by the registered mail after seven (7) working days after the closing date will be regarded as late and will be classified as such.
- g). The following advertisement must reflect and include the following:
 - i. Affirmation that the district supports equal opportunity and that the opportunity to open to all;
 - ii. The job specifications and requirements;
 - iii. The relevant job-related criteria;
 - iv. The closing date for application (four weeks immediately following the publication date of the advertisement);
 - v. Person to be contacted for more information; and
 - vi. Any other requirements (e.g. providing updated curriculum vitae, where applications forms can be obtained, and requirements for health and security clearances where these are justified by the inherent nature of the work) must be clearly stated.

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h). When filling promotion posts, it is imperative that an outside candidate is only appointed if no suitable candidate can be found in the District, the exception to this being posts that have been specifically designed for affirmative Action purposes.

i) At the time final selection processes, care should be taken to ensure that all candidates compete equally.

j). This implies that they must be evaluated against the same requirements and criteria. Such approach will make the selection committee's presentation of their motivation regarding their choice of candidates much easier.

k). A selection committee must be careful not to create any expectations during an interview

NB: The municipality will not need an experience for post level 14 to level 10 if the post is advertised externally.

15. APPLICATION FOR VACANT POSITIONS

(1). An application for a vacant post must be made on the form that is attached as Annexure B.

(2). Despite sub-regulation (1), a municipality may use an on-line application form that contains the information in Annexure B and is consistent with these Regulations.

(3). An applicant for a post must disclose—

(a) his or her qualifications and experience;

(b) his or her contactable references;

(c) his or her registration with a relevant professional body, if applicable;

(d) full details of any dismissal for misconduct or substandard performance; and

(e) any disciplinary actions, whether pending or finalized, instituted against the applicant in his or her current or previous employment.

(4) Any misrepresentation or failure to disclose material information contemplated in sub-regulation (3) and the application form, is a breach of the Code of Conduct for Municipal Staff as provided for in Schedule 2 of the Act.

(5). Applications not made on the prescribed application form will render any appointment or contract entered, between the municipality and the successful candidate invalid.

(6) The municipality must maintain a record of all applications received and the information contained in the applications must be kept confidential and stored in a secure place on the municipality's premises. A record Service of South Africa Act, 1996.

(7). The record must contain----

(a) the applicant's 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.

16. SELECTION PANEL

(1) A municipal manager or his or her delegate must appoint a selection panel for each of the advertised post to recommend the appointment of a suitable person to the vacant post.

(2) The selection panel must comprise of at least 3 but not more than 5 members.

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

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

(a) The nature of the post;

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

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- (c) The skills, expertise, experience, and availability of the persons to be involved.
- (5) A member of a selection panel must---
- (a) disclose any interest or relationship with shortlisted candidates during the shortlisting process;
 - (b) recuse himself or herself from the selection panel if----
 - (i) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
 - (ii) the panel member has a de facto relationship or some form of indebtedness to a shortlisted candidate or vice versa; or
 - (iii) any other conflict of interest; and
 - (c) sign a declaration of confidentiality as set out in Annexure C to avert the disclosure of information to unauthorized persons.
- (6) If a union representative is allowed to attend interviews as an observer, he or she must sign the declaration as set out in Annexure C to prevent the disclosure of information to unauthorized persons.
- (7) The head of human resource or his or her delegate must facilitate and provide advisory services during the selection process to ensure compliance with the Regulations in the recruitment and selection process.
- (8) A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.
- (9) Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.
- (10) If a conflict of interest becomes apparent during the selection process, the municipal manager or his or her delegate may take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.
- (11) If a conflict of interest becomes apparent after the appointment, the municipal manager or his or her delegate must report the matter to the relevant delegated authority which must take remedial action and, where necessary, disciplinary action.

17. SHORTLISTING OF APPLICANTS

- (1) The municipality must compile a list of all applications received for the post evaluated against the relevant competency requirements for the post.
- (2) The selection panel must compile a shortlist based on the inherent requirements of the position as advertised and with due regard to section 20 of the Employment Equity Act.
- (3) The minimum of candidates to be shortlisted per post should be five (5).
- (4) In case the recruitment and selection process didn't attract suitable candidate, the municipality may embark upon head-hunting process and appoint a suitable competent candidate.

18. INTERVIEWS

- (1). The list of shortlisted candidates and copies of their applications must be submitted to the selection panel prior to the interviews taking place.
- (2). The selection panel for a post, once constituted, must remain the same at all times. If a member of the selection panel is unable to proceed with the interviews due to circumstances beyond that member's control, such panel member may be replaced or withdrawn. If the selection panel does not quorate, the panel must be reconstituted.
- (3). Despite the provisions of sub-regulation 2, a municipality must grant observer status to each of the recognized trade union representatives during the interviews: Provide that failure by the union to attend the interviews from proceedings will not invalidate the decision of the panel.
- (4). The selection panel must interview the shortlisted candidates.

(5). Before the interview for a specific post commences, the selection panel must confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.

(6). The selection panel must keep a written record of the interviewed candidates.

(7). After considering all the relevant information, the selection panel must recommend candidates in order of preference. If the recommended candidate declines an offer of employment, the next suitable candidate, where applicable, may be considered for appointment.

(8). If it is determined that the recruitment process has not attracted suitable candidates, the post may be re-advertised.

(9). If the post is categorized as a critical and scarce skill post, alternative recruitment methods such as executive search, head-hunting, referrals, and re-advertising may be considered only if the recruitment process has not attracted suitable candidates.

(10). The recommendations of the selection panel must be determined by---

(a) consensus; or

(b) where the panel fails to reach consensus, the matter shall be referred to the municipal manager or his or her delegate for mediation or resolution.

(11). If the selection panel recommends an appointment to the post, it must submit its recommendation to the municipal manager or his or her delegate for approval.

19. REFERENCE AND PERSONAL CREDENTIALS

(1). Reference checks and personal credential verification for shortlisted candidates must be conducted by---

(a) verifying the candidates's suitability for the job with the current or previous employer;

(b) establishing the validity of candidate qualifications and any other verification required by the position before appointment;

(c) determining whether the candidate has been dismissed previously for misconduct or poor performance by another municipality or employer, and if so, the nature of that misconduct or poor performance; and

(d) verifying any other additional personal credentials as may be required by the nature of the job such as criminal records, identification document, security clearance and, where necessary, credit checks.

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

(3). Despite sub-regulation (1) (a). a candidate who does not have a previous employment record may not be disqualified as a candidate for appointment to an advertised post.

20. APPOINTMENT

(1). A person may be appointed as a staff member only if he or she---

(a) possesses the relevant competencies as prescribed in Annexure A; and

(b) is not disqualified in terms of regulation 22.

(2). The municipal manager or the staff member to whom this function is delegated must-

(a) consider the recommendations of the selection panel; and

(b) decide-

(i) whom to appoint; and

(ii) the terms and conditions of employment.

(3). Before making a decision to appoint, the municipal manager or delegate must satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in Annexure A.

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(4). If the decision of the municipal manger or the delegate does not accord with the recommendations of the selection panel, the reasons for such a decision must be recorded in writing.

(5). An appointment may only take effect after the municipal manager or his or her delegate has approved the appointment in writing.

(6). The municipal manager or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.

(7). Unsuccessful candidates must, on request, be provided with reasons in writing as to why they were not successful.

NB: If the first preferred candidate declines the position, the municipality must consider the second- best candidate.

21. RE-EMPLOYMENT OF DISMISSED STAFF

(1). A person who was dismissed from a municipality for any reason stated in column B of the table in Annexure E, may not be employed in any municipality before the period set out in column C of the table has expired.

(2). Despite sub-regulation (1), a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.

(3). The periods set out in column C of the table in Annexure E, run concurrently in respect of a person who was dismissed for more than one category of misconduct set out in column B of the table in Annexure E.

(4). A municipality must maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalization of any disciplinary proceedings.

(5). The record must contain---

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

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

(c) the nature of the misconduct;

(d) the date of suspension, if any;

(e) the conditions of suspensions, if any;

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

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

(h) the findings;

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

(j) the costs incurred by the municipality; and

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

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

22. PROBATION

(1). The appointment of a person as contemplated in these Regulations must be effected on minimum probationary period of three months and a maximum probationary period of 12 months.

(2). The probationary period must be determined on the basis of the job requirements and the minimum period required to establish whether performances is satisfactory or not.

(3). The period of probation excludes the number of days for which leave has been taken by the staff member during the period of probation or any extension thereof.

(4). The municipal manager or his or her delegate must---

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(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 quarterly basis on that member's performance.

(5). If a staff member's performance is not satisfactory, the municipal manager or his or her delegate must advise the staff member of any aspects that the staff member is considered to be failing to meet.

(6). If the municipal manager or his or her delegate believes that the staff member's performance does not meet the required standards, he or she may extend the probationary period or dismiss the staff member, provided that---

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

(b) the staff member's performance continues to be unsatisfactory after a reasonable period has been given to the staff member to improve his or her performance.

(7). Despite sub-regulation 6, the municipal manager or his or her delegate may extend the probationary period by a period not exceeding six months, in order to afford the municipality an opportunity to further assess the staff member's performance.

(8). Within one month after the completion of the probationary period, the municipal manager or his or her delegate must---

(a) confirm the appointment if---

- (i) the staff member's performance during the probationary period was satisfactory; and
- (ii) the staff member complied with all the conditions of the probationary appointment;

23. APPOINTMENT OF PERMANENT STAFF

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

24. APPOINTMENT OF STAFF ON FIXED-TERM CONTRACT

(1) Despite regulation 29, a municipality may, in exceptional circumstances and within its administrative and financial capacity, appoint a person or persons on fixed term contract without adhering to the procedures and processes as contained in this chapter.

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

25. DISPUTE RESOLUTION

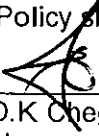
Any other dispute will be dealt with as per SALGBC.

26. RECRUITMENT OF SECTION 57 EMPLOYEES

All section 57 employees will be recruited, selected, and appointed in terms of the Local Government regulations on appointment and conditions of employment of senior managers gazette no. 37245 dated 17 January 2014.

27. POLICY APPROVAL AND REVIEW

The Policy shall be reviewed as and when the need arises.


Clir D.K. Chogo
Speaker

05/06/2024
Date

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