



KWAZULU NATAL PROVINCIAL TREASURY

RECRUITMENT AND SELECTION POLICY


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1. INTRODUCTION

The KwaZulu-Natal Provincial Treasury is striving towards efficiency and effectiveness to ensure that the department is geared towards attracting and selecting the best candidates for jobs in line with the Employment Equity Plan of the Department, it is therefore necessary to formulate a policy framework on recruitment and selection.

The Constitution of the Republic of South Africa, Act 108 of 1996, requires that the best human resources practice needs to be cultivated in employment and personnel management. Recruitment and selection needs to be based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation at the workplace and in employment opportunities. To ensure that the Department is geared towards attracting and selecting the best candidates to assist in the endeavor, a Treasury Policy Framework on Recruitment and Selection of employees is hereby propounded.

This policy framework has been developed by taking into consideration legislative and policy requirements and was accentuated by contemporary research. It is also an endeavor to support the Human Resource Plan of the Department in terms of its request to attract best competencies in the labour market. In order for the policy framework to be effective, it must be implemented with due consideration of job descriptions and related human resource strategies and/or policies on career development, performance management and employment equity.

2. PURPOSE

The purpose of this policy is to ensure that the department has a comprehensive framework that is consistently applied to all recruitment and selection procedures and processes directed at fairness, efficiency and effectiveness. It also provides a compliance legislative checklist for the department to avert being respondents in litigation.

3. OBJECTIVES

The objective of this policy framework is to assist the department with the following:

- i) Set proper guidelines for recruitment and selection processes.

4. DEFINITION AND TERMS

For the purpose of this policy framework, unless the context indicates otherwise, the following definitions are set out for the terms indicated:

- 4.1 **Authentication** - means the process of determination from the issuing authority whether a candidate's educational qualification is what it is declared to be by the candidate in his or her job application.
- 4.2 **Head hunting** - means to seek and identify suitable candidates for positions where difficulty is experienced to recruit suitably qualified candidates, as well as candidates from historically disadvantaged groups.
- 4.3 **Practical Work** - means any practical work required by the educational institution for the completion of their relevant qualification.
- 4.4 **Department** - KwaZulu Natal Provincial Treasury.

5. APPLICABILITY

This policy applies to all employees of the Provincial Treasury in terms of the Public Service Act, 1994, as amended, as well as prospective employees.

6. AUTHORISATION

- 6.1 A Toolkit on Recruitment and Selection - issued by the Public Service Commission.
- 6.2 Basic Conditions of Employment Act 75 of 1997.
- 6.3 Constitution of the Republic of South Africa, Act 108 of 1996.
- 6.4 Employment Equity Act, 1998.
- 6.5 Labour Relations Act, 1995.
- 6.6 National Vetting Strategy – issued by the Minister of Public Service and Administration.
- 6.7 **Public Service Regulations, 2016.**
- 6.8 Public Service Act, 1994.
- 6.9 Public Service Amendment Act, 2006.
- 6.10 Promotion of Administration Justice Act, 2000.
- 6.11 Promotion of Access to Information Act, 2000.
- 6.12 Skills Development Act, 97 of 1998.
- 6.13 White Paper on Human Resource Management in the Public Service, 1997.
- 6.14 White Paper on Transforming Public Service Delivery (Batho Pele), 1997.

7. POLICY PROVISIONS

7.1 RECRUITMENT

Recruitment by simple definition is a host of activities that occurs in response to filling-in an existing post or one that has been created by consent of the Head of Department. Recruitment serves three purposes:

- a) It is one of the most important ways in which the Department meets its human resource capacity requirements;
- b) It is the primary instrument for achieving employment equity by opening up the public service to all sections of society; and
- c) It is an important tool to be utilized by the Department in order to ensure that the skills needed to meet operational needs are acquired expeditiously to bridge the human resource gaps.

7.1.1 Principles of Recruitment

The following principles apply and must be adhered to during the recruitment process:

- a) Recruitment should be targeted for maximum accessibility. It should be aimed at reaching as far as practicably and financially possible the broadest 'pool' of available human resources within the specific target group. These specific groups should be laid out in the Employment Equity Plan of the Department.
- b) The image of the public service in general and the department in particular (as an employer) must be promoted in order to foster the applicant's interest in the public service.
- c) All recruitment actions should be undertaken with a view to seek from the relevant target group, the ideal applicant with the necessary training, skills, competencies, potential and knowledge that is relevant to the requirements of the post concerned.

- d) Recruitment strategies must be underpinned by the principle of employment equity and retention.

7.1.2 Methods of Recruitment

A variety of methods can be utilised. The method of recruitment used, should be in line with the department's strategy and must not unfairly discriminate against prospective candidates. Although not conclusive, the following recruitment methods can be utilised in addition with advertising:

a) Recruitment Agencies

Recruitment agencies may be used for one or more of the following purposes:

- i) There is no internal knowledge or capacity within the department to design a Job Profile and required competencies in the concerned identified vacancy;
- ii) The filling of specialized positions;
- iii) All response-handling;
- iv) The consultant or agency being engaged is knowledgeable in the specialized field.

b) Skills Search (Head-Hunting)

This method can be utilised under the following circumstances:-

- i) To seek and entice suitably qualified candidates to make an application within the normal acceptable legal transparent framework. Head-hunting is undertaken systematically by using one's network to make people aware of a vacancy within the Department. These should be suitably qualified persons in terms of the minimum requirements of the post(s) who could be perceived at face-value to exude the necessary potential to make a worthy contribution to

the Department. However, by making them aware of an existing publicly advertised vacancy does not necessarily translate to an 'entitlement' to the position. Mention of this is made so as to advance the transparency and fair notion to curtail the 'jobs for pals syndrome'.

- ii) In conjunction with the normal advertising of vacancies, i.e identified suitable candidates should be encouraged to apply for the advertised position, where after the normal contest process will apply.
- iii) In the event of exhausting widest possible advertising avenues, the Department may embark on Head Hunting only.

c) Skills Database

This skills database concept considers the development of a skills pool in order to facilitate the identification of potential employees whose details are stored for possible use at a later stage. Curricula vitae received as enquiries to 'possible employment' should not be kept for a period exceeding six months due to certification requirements. Academic qualifications and necessary supporting documentation should also be attached to such preliminary applications. Such enquiry applications may be used as talent data pool by the department for possible future openings. However, in the event of an opening, the preliminary applications have to follow the normal application route like all other applications and need to prove their own worth in the normal selection process. The recruitment section may alert these preliminary applications if these are possible future openings matching their qualifications and experience.

For lower level posts the Department will maintain a database for Interns wherein, all interns who meet the requirements will be invited to contest for vacant posts. The same will be maintained for secretarial/administrative related posts.

d) Employee Referrals

Employees should be encouraged to communicate information about vacancies to acquaintances to create awareness.

e) Disability Agencies

In addition to achieving race and gender targets, the department has an obligation to achieve the current 2% disability target as set out by National Government. It therefore endeavours to further increase its network with disability agencies.

7.1.3 Advertising

a) Management Echelon (Level 13 and upwards)

- i) Vacant posts at these levels shall be advertised nationally. This must be placed in the vacancy circular of the Department of Public Service and Administration and in National newspapers for those candidates outside the Public Service. The Head Hunting process targeting women specifically would be initiated for all vacant SMS posts parallel to advertising.
- ii) Minimum Educational qualifications entry requirements:
 - For a Director and Chief Director- an undergraduate qualification (NQF level 7) as recognized by SAQA.
 - For a Deputy Director General - an undergraduate qualification (NQF level 7) and a post graduate qualification (NQF level 8) as recognized by SAQA.
- iii) Minimum years of experience:
 - Entry level 13 - 5 years of experience at a middle/senior managerial level.
 - Level 14 - 5 years of experience at a senior managerial level.

- Level 15 - 8-10 years of experience at a senior managerial level of which 5 years must be with any organ of state as defined in the Constitution Act 108 of 1996.
- Level 16 - 8-10 years of experience at a senior managerial level (5 years must be as a member of the SMS in the Public Service).

b) Vacant posts below level 13

Vacant posts at these levels shall be advertised within the department as a minimum and may also be advertised within the province. Post(s) may only be advertised nationally if no suitable candidates could be sourced within the province or if the post has been identified as a scarce skill.

c) Vacant Posts within the Office of the MEC

The nature of the environment within the Office of the MEC, wherein the MEC must be satisfied that his/ her support staff will uphold his/ her image, as well as provide the maximum support during his/ her term of office, therefore necessitates that Head Hunting be initiated as a minimum in order to recruit potential candidates.

i) Advertisement of posts

- (a) All posts advertised outside the province must also be advertised in the Department of Public Service and Administration vacancy circular.
- (b) Advertisement should clearly set out the requirements that need to be met by applicants.
- (c) The advertisement ultimately represents the selection criteria applicable to filling the post. The clearer the advertisement, the easier the subsequent processes.

- (d) The advertisement is not an object on its own, but is a tool to satisfy the objective at a strategic human resource level. Consideration has to be given to the need for knowledge obtained by striking a balance between tertiary education qualifications and acquired skills.
- (e) The following principles apply in the compilation of advertisements:-
- (i) The advertisement should not favour, prejudice or discriminate unless within the legal employment equity parameters.
 - (ii) The advertisement should be fully in line with the inherent requirements of the job and the person specification.
 - (iii) Advertisements should give a clear indication of requirements that must be met.
 - (iv) The widest number of candidates must be attracted in the most cost effective manner, the guiding factor for posts below SMS level , determining the skills availability; first within the department, followed by within the province and then nationally.
 - (v) Advertising should promote staff mobility, utilization and career development opportunities.
 - (vi) Advertisements should cater for attracting potential.
 - (vii) The language and style of advertisements must be clear and simple in order to enhance employment equity.
 - (viii) Where the advertising of a post within and outside the public service is undertaken simultaneously, care must be taken that the content of both advertisements are the same. The date of placement and closing date for applications should be the same for internal and external advertisements.
 - (ix) The advertisement placed in any media print should be most economical at all times. The usage of mini-poster size page advertisements for vacancies should be avoided at all costs and should not be left to the advertising agencies. The department and not the advertising agency, has the final word in the advertisement layout and wording.

- f) The contents of all advertisements should be as follows:-
- i) The job title;
 - ii) The precise place of work or where the employee is to be stationed;
 - iii) The core functions and requirements of the post;
 - iv) State an all-inclusive remuneration package where applicable;
 - v) The contact person and contact numbers to whom enquiries can be addressed;
 - vi) The closing date and time (where applicable). The weekend and public holidays are not considered as normal working days;
 - vii) If the appointment is for a specific term, this should be clearly stated, e.g. in the case of contract;
 - viii) Specific postal and/or physical addresses to be supplied;
 - ix) The advertisements for posts that have been advertised previously may state so in a new advertisement, but the following rider cannot be allowed. The rider typically reads: *“Candidates who applied previously may not re-apply as their applications will still be considered”*. Legally a new advertisement replaces an old one in every aspect; hence an application response made previously may not practicably correspond in date to the latest advertisement;
 - x) All applications should be submitted with a fully completed Z83 form with certified copies of qualifications and certificates attached.
 - xi) Qualifications and SA citizenship checks shall be conducted on recommended candidates only.
 - xii) No electronic and faxed applications will be accepted generally unless by prior arrangement in exceptional circumstances, for example, where the applicant is out of the country and the postal service to deliver on time cannot be guaranteed.
 - xiii) Adverts must contain targeted groups as per the approved departmental employment equity targets, until desired targets have been achieved.

- xiv) The advert must include the following clause:
“All shortlisted candidates for SMS posts will be subjected to a technical exercise that intends to test relevant technical elements of the job, the logistics of which will be communicated by the department. Following the interview and technical exercise, the selection panel will recommend candidates to attend a generic managerial competency assessment (in compliance with the DPSA Directive on the implementation of competency based assessments). The competency assessment will be testing generic managerial competencies using the mandate DPSA SMS competency assessment tools.”

7.2 SELECTION

The selection process commences after the closing date of the advertisement and is concluded when a recommendation is made regarding the selection of a most suitable candidate to the position.

7.2.1 Principles of Selection

- a) **Merit**
Selection on merit is fundamental to ensure that the department recruits, promotes and retains high caliber officials. The following criteria can be used:
- i) **Skills:** This is defined in terms of acquired and/or learned dexterities. In terms of the Skills Development Act 97 of 1998, a skill need not necessarily be recognized only by virtue of having been acquired through formal education as was the norm previously.
- ii) **Experience:** This specifically focuses on previously acquired ‘hands-on’ pertinent training exposure required of an incumbent for a successful application.

In posts where there are no subordinate posts as per the department's structure but the next higher/promotion post requires supervisory experience, recognition will be given to internal staff only, for any form of informal supervisory experience, mentoring or coaching of interns/learners/temporary and contract staff (equaling the duration of the post requirement) that the employee would have accumulated.

- iii) Capacity: For purposes of this policy, this refers to the inherent capacity or potential in an individual to attain a particular level of dexterity within a specific set time-frame to successfully carry out the task(s) expectations. This capacity is measured in terms of the necessary training required or attained and meeting particular competencies.
- iv) Personal Attributes: These are special personal character traits an incumbent ought to display as an inherent requirement of the job, for example, someone with pleasant disposition and flair for dealing with people.
- v) Employment Equity & Affirmative Action: Affirmative Action employment is not negotiable as it is governed by current legislation. The latest employment equity targets and statistics should be checked with the Human Resource component when filling of each post.

b) Job Related Selection Criteria

The criteria should relate only to the inherent requirements of the job, taking into account the following:

- ✓ Competencies acquired through past experience;
- ✓ Training received;
- ✓ Learning potential
- ✓ Educational qualifications should not alone determine suitability.
- ✓ Fairness
- ✓ Equity – The principles are as follows:

- i. All candidates should be measured against the same objective criteria with due regard to need for diversity and representativeness;
 - ii. Criteria should be in writing, tangible and be made available to the selection committee prior to the selection process;
 - iii. In the event that the interview is of a 'hand-on' application or practical demonstration, for example the demonstration of typing and computer skills, it is imperative that the test starts and terminates simultaneously for all candidates, **exception will be given to People with Disabilities who require reasonable accommodation.** The allocation of points should be according to accredited criteria for such practical tests;
 - iv. All applicants for a particular post must be assessed by the same selection panel; and
 - v. All applicants should be assessed against the same selection criteria by the same selection panel.
- c) **Transparency** – To be able to demonstrate that the process was fair and transparent, easily accessible records of the following should be kept by the Human Resource component:
- ✓ Criteria used in selecting candidates;
 - ✓ The points or credit system awarded to each applicant in fulfillment of criteria as set out above; and
 - ✓ Copy of the advertisement.

7.2.2 Methods of Selection

The Department will use one or more of the selection techniques described below as part of the selection process.

a) Practical Assessments

The following practical assessments will be used to determine functional expertise of the candidates:

i) Case Studies

Case studies will be used in depicting a holistic portrayal of a candidate's experiences and knowledge regarding the functions of the post.

ii) Presentations

Candidates will be given a work related problem/scenario and be required to analyze and present the analysis to the panel in the form of a presentation. The Panel will assess the functional competencies and determine suitability for the post in question.

iii) Written Tests/Computerised Tests

Written tests refer to a general group of assessment tools in which candidates read questions and respond in writing, or by making choices on-line or on pre-determined forms. Where appropriate questions may include symbols, diagrams, graphs or tables.

Knowledge is most typically assessed in a written test format. Written tests may also be used to assess skills such as analysis, problem solving, and written communication. Written tests may be efficient where they can be administered to larger numbers of applicants earlier on in the selection process.

Computer based tests will be used to assess computer proficiency over and above assessing functional knowledge.

Where a practical assessment was used for the purpose of further selection, these results may not be used again for the purposes of final selection.

b) Interview

- i) The interview questions should be prepared on the day of the interview to prevent leakage of information and to promote fair competition amongst candidates.
- ii) Interview questions must be based on the key performance areas and job content as reflected on the advertisement.
- iii) The Selection Committee must set the questions that will be asked of all candidates interviewed. However, in the event of the post being of a highly specialized nature, officials performing the same functions or similar job may assist in setting of questions. This person should be part of the selection panel provided he/she is at level(s) higher than that of the vacant post.
- iv) Selection interviews must be undertaken in a professional and objective manner. All selection committee members must be representative and have knowledge of interviewing techniques.
- v) Candidates should be allowed to ask questions after the interview and it should be enquired from the candidates whether he/she has been given sufficient opportunity to answer questions.
- vi) During the interview process, candidate(s) who do/does not turn-up for interviews having confirmed availability on the day scheduled for interviews will be automatically disqualified. Such disqualification must be recorded in the minutes under the name of that person. The Department will, however, consider valid explanation and each case will be judged on its own merit.
- vii) The department will strive to provide reasonable accommodation for people with disabilities during the interview process should a candidate indicate the need to be accommodated, provided funds are available.

c) Competency Assessment

Competency assessments will be utilised by the Department as one of the means of selection when filling a vacant post(s) from salary level 11

upwards. It will be ensured that the tools used are not in conflict with the Employment Equity Act or any other relevant prescripts.

The assessments will be utilised as an aid in determining the suitability of candidates in conjunction with other selection techniques described above and not as the deciding factor. **The identified development gaps in the competency assessment must be referred to Human Resource Development for incorporation into employee's personal development plan.**

7.2.3 The Selection Committee

- a) A selection committee must be established for the filling of all posts.
- b) It is recommended that for all positions, the following personnel should at least constitute the selection panel:
 - i) the head of the relevant directorate.
 - ii) the human resources representative.
 - iii) a specialist in the field may be sought from within or outside the public service.
 - iv) It is mandatory that one or two of the panel members, that have knowledge of the post functions, must be from outside of the business unit where the vacant post is located. This is to eliminate potential subjectivity in the selection processes.
- d) The selection committee must consist of at least three but not more than five persons of a higher rank than the post to be filled. It is further recommended that all panelists should be fully familiar with the nature of the duties attached to the post.
- e) The selection committee must be representative with regard to race, gender and disability.
- f) The taking of minutes of the selection is the responsibility of the human resource component/directorate.
- g) Deliberations during the short-listing and interviewing sessions are confidential. Members of such panels must be made aware thereof and are requested to abide by such confidentiality. The *"Acknowledgement of*

acceptance for appointment as an selection panel member” form (Annexure A) must be completed and signed by all panel members.

- h) Any person with any personal/vested interest in the process must declare such interest beforehand and offer to recuse him/herself from the process.
- i) The identity of both internal and external candidates and the contents of their applications are strictly confidential and are available only to those staff that formally constitutes either the selection panel or human resources for administrative purposes. Confidentiality is to be maintained through the entire recruitment and selection process.
- j) No information must be provided which may lead to the creation of an expectation with any of the candidates.
- k) Appointment of HODs
 - i) The Premier appoints a selection committee chaired by the relevant MEC;
 - ii) Two MECs and a HOD should be part of the selection committee;
 - iii) The Office of the Premier is responsible for the evaluation, advertising and shortlisting for the post and recommendation of the nominated candidate to the Executive Council.
- l) Appointment of Deputy Directors-General
 - iv) The MEC of the Department in which a DDG vacancy occurs must chair the panel which includes two HODs and one DDG from the relevant department;
 - v) Each department is responsible for the evaluation of its DDG posts, advertising, shortlisting and appointment of its DDG subject to the approval of the Executive Council;
 - vi) MECs are required to forward information on the candidates nominated for appointment as DDG to the Premier to allow the Premier to add value to and facilitate the process through the Executive Council;
 - vii) Appointments are made in terms of the executive Council memorandum.

7.2.4 Selection Process

(a) Short-listing

- i) The short-listing committee reserves the right not to short-list an individual(s) who does not meet the requirements of the job. In the event of no suitably qualified candidate(s) being found amongst applicants, the short-listing committee has to make a written submission to the Head of Department for consent to re-advertise the vacancy.
- ii) The short-listing committee should, in so far as is possible, be consistent with the selection (interview) committee in terms of sitting arrangements unless a member dies or has left the Public Service. Any changes to the committee must be documented in the relevant minutes.
- iii) Criteria for short-listing should be formulated and be approved by the short-listing committee. Short-listing criteria must be defensible and records of the short-listing must be kept for this purpose.
- iv) Short-listing should be undertaken in an objective and unbiased manner.
- v) The dimensions/ key performance areas of the vacant post must be identified and weighted in terms of importance.
- vi) For further shortlisting, should the need arise, the number of years of experience and qualifications of the post must not be tampered, the Key Performance Areas can be further defined but not changed.
- vii) Short-listing should be based on competency profiles thereby eliminating candidates who do not qualify for consideration.
- viii) The postal date stamp must be utilised as the determining factor for applications. Any applications received with date stamp after the closing date of the post shall not be considered.

- ix) All unsuccessful candidates in the short-listing and interview phase have to be notified as soon as possible. Reasons for the decision not to appoint the unsuccessful interviewed candidate shall not be provided unless a written request is received from the prospective applicant.
- x) Where a practical assessment was used for the purpose of further selection, these results may not be used again for the purposes of final selection.

(b) Setting interview questions

- i) A structured Questionnaire must be used at all times during the interview.
- ii) Questions should be based on the key performance areas of the job. Follow-up questions may differ from candidate to candidate but the initial questions must remain the same.
- iii) The dimensions / key performance areas must be expanded to reflect the key tasks that are associated with them.
- iv) Questions must be relevant to the specific task expectations of the incumbent to the post.
- v) The selection committee must compile the questions on the day of the interview.
- vi) All questions must be relevant to the job.

(c) The Selection Interview

- i) Selection interviews must be undertaken in a professional and objective manner. Selection committee members may not use threatening language or display such behaviour at any given time during the interview.
- ii) It is recommended that all selection committee members be trained in the application of interviewing techniques and the general art of conducting interviews.

- iii) The Department may consider the possibility of including a panelist from other provincial departments.
- iv) No member of the employee organization is to partake in selection interview, unless specifically provided for by the collective agreement. All observers are excluded from the selection process.
- v) A questionnaire may be displayed before the candidate for the applicant to follow. Applicants may not under any circumstances leave the interview room with the questionnaire or write on it.
- vi) The interview should be specific and to the point. The duration of interviews is largely determined by the number of questions. On average an interview should not exceed an hour unless there is written work involved.
- vii) A new questionnaire/scoresheet must be used by each panel member to score each candidate. Panel members must record applicants responses to questions posed during the interview.
- viii) The chairperson of the selection committee, with the concurrence of members, may terminate an interview in the event that the applicant is not co-operative. A prior warning must be given and notes on proceedings leading to such a decision must be well documented.
- ix) The selection committee must add-up all the scores at the end of the interview and only thereafter motivate for a particular appointment. The recommendation of a suitably qualified candidate must be supported by the scoring pattern. A deviation from the scoring pattern with the recommendation of a suitable candidate will only be allowed for the purposes of affirmative action.
- x) All interview records including scores should be kept on file by the human resource component. The chairperson must authenticate the proceedings by signing the pertinent records and minutes thereof.

- xi) Short-listed candidates who do not attend an interview, despite being contacted by the secretariat, and not providing any valid reason for non attendance will be deemed disqualified. In such cases, the minutes must reflect the provisions of this policy.
- xii) Shortlisted candidates for SMS posts will undergo a technical assessment which will be combined with the interview score to make up the overall score.

(d) Confidentiality

- i) The proceedings of the selection process must be confidential at all times and may not be disclosed to any person outside the selection committee.
- ii) Any additional information and documentation regarding an applicant may only be disclosed with prior consent of the applicant.
- iii) Members serving on the committees shall be bound by this confidentiality clause (Annexure A).

7.3 REIMBURSEMENT FOR TRAVELING EXPENSES TO ATTEND INTERVIEWS

- i) Candidates traveling great distances to attend interviews must be reimbursed for actual travel expenses incurred unless the department has made travel arrangements. In the event that the candidate has utilised his/her own personal vehicle to attend an interview, the department will reimburse traveling expenses incurred where the radius is beyond 100 kilometers from the interview centre. Proof of traveling expenses must be furnished where humanly possible. It is acknowledged that the minibus shuttle mode of transportation does not issue tickets and therefore compensation for such incurred expenses would be determined by the reasonability of the claim which is subject to verification where necessary.

- ii) Where a post was advertised within the province, travelling costs outside the province will not be arranged nor reimbursed.
- iii) It is recommended that compensation for a vehicle used should be economical and not exceed 1600 cubic centimeters capacity to curb the abuse of the reimbursement provision. The payment tariffs applicable must be in line with the tariffs provided by the Provincial Department of Transport.

7.4 APPOINTMENTS

- i) The selection committee's observations and recommendations should be referred to the Head of Department or designated employee for approval in terms of an appointment. If the Head of Department or designated employee is in disagreement with the recommendation(s), he/she must communicate this to the selection committee in writing.
- ii) Appointments may not take effect before the first day of the month following the month during which the Executive Authority/ Delegated Authority approved the appointment.
- iii) An employee has no right to an appointment in a vacant post until he/she is advised in writing by a designated Human Resource Officer that the promotion has been approved by the Executive Authority / Delegated Authority.
- iv) Appointments must be concluded within a month after the interview has been conducted to avert the inevitable 'fruitless expenditure' of re-advertising.
- v) Should the appointed employee tender his/her termination within three months of assuming duty, the Department may appoint a

second candidate who was recommended as an alternate candidate. This will minimize advertising costs.

- vi) Letters of “Regret” to all other unsuccessful candidates interviewed must be sent out once an offer has been made and accepted by an applicant.

7.5 IMPLEMENTATION OF TRAINEE RANKS

The Department shall implement Trainee Ranks as follows:

- a) The Human Resources Directorate will in conjunction with Heads of Business Units identify entry level positions from the occupational categories where difficulties are being experienced to recruit.

The following criteria will be used to identify such positions:

- ✓ Core function posts where difficulties have been experienced to fill and thus remained vacant after numerous attempts to fill;
 - ✓ Positions that have been proven to be “hard-to-fill vacancies or long-term vacancies”. Usually, if a position has been vacant for more than 3 months; and
 - ✓ It is evident that there is lack of appropriately experienced people in the labour market.
- b) Prior approval will be sourced from the Head of Department for positions advertised as Trainee Rank positions, as will be facilitated by Human Resources. Respective Heads of Business Units are to provide full motivation for a training programme in the above-mentioned regard.
 - c) Identified positions will be advertised with the qualification requirements (as determined in the job evaluation process) and lowered experience requirements. A rider would also be included that stipulates that the successful

applicant will be appointed at a lower salary level than that of the post having scarce skills.

- d) Managers are to determine the minimum training period necessary, in line with the experience requirements of the position.
- e) All trainees will be subjected to the Department's Employee Performance Management and Development System during the training period and will be assessed on the functions of the advertised post. The outcome of the annual assessment will be used for the purposes of training, development, salary level progression and performance incentives. Also, Managers are to provide specific work programmes that will assist in developing the trainees.
- f) Measures for poor work performance must be instituted in instances of unsatisfactory performance.

7.6 NATIONAL VETTING STRATEGY

- i) In accordance with the Directive on the Implementation of the National Vetting Strategy in the Public Service as issued by the Minister for the Public Service and Administration, the Department shall verify personal details, educational qualifications, Identity Document validation, citizenship, criminal record and financial asset record for the purposes of employment in the Public Service.
- ii) This is applicable to all candidates selected for appointment or deployment to a post including contract employees (excluding temporary staff) that are contracted for a period of 6 months or more. This does not preclude the Department's prerogative to extend the screening process to its current workforce.
- iii) The National Strategic Intelligence Act (Act 39 of 1994) mandates the National Intelligence Agency (NIA) to undertake the security vetting of all

applicants, employees and service providers to organ of state that will have access to classified information.

- iv) For vacant posts within the Office of the MEC and certain vacant posts within the Chief Financial Office, as well as other posts within the Department that have associated risks, approval to appoint recommended candidate (s) will be obtained only after positive security screening is confirmed by National Intelligence Agency.
- v) Recommended candidates for other positions maybe appointed before confirmation of a positive security screening. However, their appointment is conditional subject to positive Security screening by National Intelligence Agency.
- vii) Foreign qualifications can be evaluated by the South African Qualifications Authority (SAQA).
- vi) Human Resources section must also undertake previous employment verification (reference checks).
- vii) All employees in the Public Service will be subjected to screening every five years.

7.7 RE-APPOINTMENT OF FORMER PUBLIC SERVICE EMPLOYEES

The department may re-employ a former employee as contemplated in **Regulation 60 of PSR, 2016** provided that:

- a) the appointment is in the public interest;
- b) the appointment is made in accordance with the recruitment and selection procedures in the Regulations and no other suitable candidate could be recruited;
- c) the appointment is made for a fixed term not exceeding three years, and that term may be extended only once for a further term not exceeding three years; and

- d) the employee has not previously been appointed in terms of this regulation.

7.8 EMPLOYEES DISMISSED FOR MISCONDUCT

A former employee dismissed for misconduct shall not be re-appointed in the public service until they have completed the period of prohibition in relation to the kind of misconduct conducted as stipulated in Regulation 61 of PSR, 2016.

7.9 EMPLOYMENT OF NON-SOUTH AFRICAN CITIZENS

The Department of Public Service and Administration, after obtaining advice from their State Law Advisors, provide the following directive, in respect of the employment of non-Republic of South Africa (RSA citizens) in the Public Service:-

- a) Non-Citizens issued with permanent residence permits should be treated similarly to RSA citizens for employment purposes.
- b) The position in (a) above does not apply to non-citizens holding temporary residence permits or work permits. In respect of such individuals, the status quo i.e section 15(1)(a) of the Public Service Amendment Act, 2006 should still be applied.

7.10 RECRUITING EMPLOYEES WHO ARE CURRENTLY STUDYING TOWARDS ATTAINING QUALIFICATION

- a) This is a category of employees who are currently studying towards attaining a qualification and are given an opportunity to apply for higher level positions that require a qualification.

The following criteria apply in order to qualify to be short listed:

- i) Must be a non SMS member (salary level 1-12) who is permanently employed by the Department,
- ii) Would have met all of the minimum requirements of the position (except for qualification) as stipulated in the advertisement,

- iii) The field of study is relevant to that of the post and that the employee would qualify/would have registered, at the time of short listing, for final year majors.
- b) Employees qualifying to be short listed will not be exempted from the normal selection procedure.
- c) The following provisions are applicable should the employee be recommended for the position:
 - i) The employee will be placed on a trainee rank, at the midpoint between the advertised post and their current level and will be absorbed accordingly.
 - ii) He/she will be required to complete his/ her qualification at the end of the academic year following the year in which he/ she was offered appointment.
 - iii) An employee that successfully completes his/her studies within the specified time will be upgraded accordingly.
 - iv) Should an employee be unable to complete at the specified time, he/she will be laterally placed by the Department in a post at the discretion of the Department.
 - v) He/she will enter into an agreement with the Department in the above-mentioned regard.

8. DISPUTE RESOLUTION

Aggrieved candidates about the manner in which the process of recruitment, selection and promotion has been dealt with, may utilize the normal procedures as per the Labour Relations Act, 66 of 1995 and the Grievance Procedure.

9. ROLES AND RESPONSIBILITIES

To ensure the internalization and implementation of this policy framework, the roles and responsibilities of the relevant stakeholders are defined as follows:-

9.1 Heads of Business Units are responsible for:

- a) Ensuring all posts under their direct control are created with due consideration to the inherent requirements of the post.
- b) Ensuring that there are valid and up-to-date job descriptions for every post under their control.
- c) Providing the content of advertisements to the human resources component timeously.
- d) Providing the guideline or lead in parameters in interview questions to be set.
- e) Chairing the short-listing and selection committee where posts under their responsibility are concerned.

9.2 Head of Human Resources is responsible for:-

- a) Ensuring that an approved departmental organizational structure exists;
- b) Advising senior/line managers on the capacity/nature of appointments i.e permanent, temporary, full-time or part-time capacity.
- c) Aligning departmental policies and practices on recruitment and selection to the provincial policy framework;
- d) Ensuring the existence of current and approved departmental human resources and employment equity plans which have been communicated to all employees in the department.
- e) Assisting senior managers in the department with all human resources processes attached to recruitment, selection, promotion and appointment for example: the provision of a job description template and the original advertisement, drafting submissions to the Head of Department and Executive Authority on agreed names of persons to sit on the selection panel.
- f) Reviewing and updating Personnel Delegations in respect of recruitment, selection, promotion and appointment.
- g) Ensuring the maintenance of all secretarial/records pertaining to this human resource practice.

- h) Ensuring that procedural fairness of the process is maintained.

9.3 The Selection Committee is responsible to:-

- a) Establish the suitability of a candidate in terms of the job requirements.
- b) Determine the relative suitability of the various candidates as objectively as possible.
- c) Render valid advice to the final decision maker.
- d) Formulate and record the reasons for specific recommendations.

9.3.1 The Selection Committee role players

- a) The Chairperson is charged with the responsibility of directing and guiding members during the selection process.
- b) The Chairperson and the Line Manager is also charged with the responsibility of providing expert knowledge of the job and the required competencies.
- c) The members of the Selection Committee are responsible for marking of case studies and written tests.
- d) The Human Resource Practitioner/representative is responsible for providing advice on the application of prescripts and procedures.

10. COMMUNICATION

The Directorate: Human Resources is responsible for communicating this policy to all employees within the department.

11. MONITORING AND EVALUATION

The Directorate: Human Resources is responsible for the development and regular review of this policy document. Any inputs or amendments regarding this policy can be directed to the above mentioned component for the attention: Director: Human Resources.

KwaZulu-Natal Provincial Treasury

ACKNOWLEDGEMENT OF ACCEPTANCE FOR APPOINTMENT AS A SELECTION PANEL MEMBER

I,.....(full names) hereby acknowledge receipt of letter reference.....dated.....Inviting me to serve as a panel member for the post/s of(provide post number and year).

Furthermore, I agree to perform my duties as a panel member in terms of Section C 4.12 of the Public Service Regulations with reference to maintaining confidentiality of matters, documents and discussions (including interview questions) before, during and after interviews until the process is completed.

I accept that should I breach any of the aforementioned, I shall be subjected to the appropriate disciplinary action being taken against me.

Signed at.....on.....

SIGNATURE OF PANEL MEMBER

IMPLEMENTATION GUIDE TO THE APPLICATION OF EMPLOYMENT EQUITY DURING RECRUITMENT AND SELECTION PROCESSES

Introduction

In order to ensure that the KZN Provincial Treasury has an equitable workforce as is required by the Employment Equity Act it is imperative that the following initiatives are implemented, as stated in the Employment Equity Plan and Affirmative Action Policy of the department:

- All adverts to include preference in-line with EEP to avoid applications from over represented groups. Recommendations to be in-line with the Departmental Employment Equity targets (preferred race groups and gender).
- Designated groups shall be given preferential consideration provided they meet the requirements, have the potential and are suitably qualified for appointment as stipulated in Section 20(3) of the Employment Equity Act, 1998.
- The Department shall maintain an up-to-date Employee Profile that will be used to monitor progress towards the achievement of the National Employment Equity targets.

Framework Provisions

- Every advertisement shall reflect the employment equity preferences of the department.
- During the short listing process, the short listing committee has a choice of short listing only the preferred race and gender groups or short list regardless of the preferred groups. Should the latter be chosen, it must be noted that employment equity measures will still prevail during the final decision making process. Should the former be chosen, exclusion of non-preferred applicants will apply to both internal as well as external applicants.
- The guiding factor in determining which option to choose should be in accordance with the skill availability. If it is evident that an adequate number of applicants from the preferred groups meet the minimum requirements of the post, then the short

listing should be restricted to these groups. Only in instances where it is evident that there a lack of certain skills and expertise in the labour market / preferred group or “hard to fill posts”, should non-preferred groups be included in the short listing but preference will still be in line with Employment Equity target.

- During the final selection process:
 - ✓ Should a candidate belonging to the preferred group score the same as the one belonging to the non-preferred, preference will be given to the preferred group.
 - ✓ That departmental employment equity statistics will take precedence over salary level and sections statistics.
 - ✓ Should a candidate from a preferred group show potential or suitability to a candidate from a non-preferred group, preference will be given to the candidate from the preferred group provided that there is a minimal difference in scores (score difference of 5 or less).
- Any deviations from the above must be documented together with motivation and may only be approved in exceptional circumstances or circumstances wherein it is evident that such a non-appointment will have a detrimental effect on service delivery.

