



social development

Department:
Social Development
PROVINCE OF KWAZULU-NATAL

POLICY RECRUITMENT AND SELECTION

VERSION 3

TABLE OF CONTENTS

1.	Definition	3
2.	Introduction	3
3.	Purpose	4
4.	Objectives	4
5.	Applicability	4
6.	Authorisation	4
7.	Policy Provisions	5
7.1	Conditions for Appointment	5
7.2	Posts Additional to the Establishment	5
7.3	Reappointment of former employees	5
7.4	Determination of requirements for employment	6
7.5	Advertising	5-6
7.6	Selection	6-7
7.7	Confidentiality	7
7.8	Personnel Suitability Checks	7
8.	Dispute Resolution	7
9.	Roles and Responsibilities	8
10.	Monitoring and Evaluation	9
11.	Effective Date	9
12.	Policy version	9
13.	Title of the Policy	9
14.	Policy Approval	9
15.	Annexure A	10

1. DEFINITIONS

- 1.1 For the purpose of this policy framework, unless the context indicates otherwise, the following definitions are set out for the terms indicated:
- 1.2 "**head hunting**" means to seek and identify suitable candidates for positions where difficulty is experienced in recruiting suitably qualified candidates, as well as candidates from historically disadvantaged groups, before subjecting them to the normal recruitment process.
- 1.3 "**practical work**" means any practical work required by the educational institution for the completion of the relevant qualification.
- 1.4 "**verification of qualifications**" means the process of determining from the issuing authority whether a candidate's educational qualifications are what they are declared to be by the candidate in his or her job application.
- 1.5 "**vetting**" means the process of performing a background check on a prospective employee before offering them employment.

2. INTRODUCTION

- 2.1 The Policy on Recruitment, Selection and Appointment has been reviewed and amended in line with the Public Service Regulations, 2016. The policy provides guidance to the department regarding the employment process which assists in promoting consistency in the recruitment and selection of employees.
- 2.2 The Constitution requires best human resource practices to be cultivated in employment and personnel management. Recruitment, selection and appointment must 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. The Policy on Recruitment, Selection and Appointment of Employees assists the department to attract and select the best candidates in pursuit of the constitutional goals.
- 2.3 The policy takes into consideration legislative and policy requirements and supports the human resource plans of the department. This policy must be implemented with due consideration of job evaluation and related human resource strategies and/or policies on career development, performance management and employment equity.

3. PURPOSE

The purpose of this policy is to provide the department with standard criteria for consistent recruitment, selection and appointment processes and to provide a legislative framework for department to promote compliance.

4. OBJECTIVE

The objective of this policy is to assist the department with consistency in the application of policy provisions and ensure fairness and objectivity in the recruitment, selection and appointment process.

5. APPLICABILITY

This policy applies to all Employees of the Department and prospective candidate.

6. AUTHORISATION

This policy has been developed with due consideration of the following legislation and prescripts: -

- 6.1 The Constitution of the Republic of South Africa, 1996
- 6.2 A toolkit on Recruitment and Selection – issued by the Public Service Commission
- 6.3 Basic Conditions of Employment Act 75 of 1997
- 6.4 Employment Equity Act 1998
- 6.5 Labour Relations Act 66 of 1995, as amended
- 6.6 National Vetting Strategy – issued by the Minister of Public Service and Administration
- 6.7 Promotion of Access to information Act 2 of 2000
- 6.8 Promotion of Administration Justice Act 3 of 2000
- 6.9 Public Service Act, 1994 (Proclamation 103 of 1994)
- 6.10 Public Service Regulations, 2016
- 6.11 Skills Development Act 97 of 1998
- 6.12 White Paper on Human Resource Management in the Public Service (1997)
- 6.13 White Paper on the Transformation of the Public Service (Government Notice 1227 of 1995);
- 6.14 White Paper on Transforming Public Service Delivery (Batho Pele) (1997)

7. POLICY PROVISIONS

7.1 Conditions for appointment

7.1.1 An Executive Authority:-

- (a) may not appoint any person who is under the age of 15 or who is under the minimum school leaving age in terms of any law;
- (b) must determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post;
- (c) must subject an employee/applicant for employment to personnel suitability checks;
- (d) must provide each employee with written particulars of employment upon appointment;
- (e) may not appoint a person who does not qualify in all respects for the position, and his/her application must be verified and the verification must be recorded in writing;
- (f) may not appoint a person additional to the establishment for a period exceeding 12 consecutive calendar months; and
- (g) must approve an appointment before it takes effect.

7.2 Posts additional to the establishment (ATE)

7.2.1 An Executive Authority may employ persons additional to the establishment where:

- (a) the incumbent of a post is expected to be absent for such a period that his/her duties cannot be performed by another employee.
- (b) there is a temporary increase in work or it is necessary to temporarily increase the staff of the department.
- (c) an employee's post has been abolished and he/she cannot be transferred to another post; and
- (d) an employee is part of a developmental programme including but not limited to internships, learnerships and apprenticeships.

7.3 Re-appointment of former employees

7.3.1 An Executive Authority may not appoint a former employee if that employee left the public service earlier on condition that he/she would not accept or seek reappointment; or due to ill-health and he/she cannot provide sufficient evidence of recovery.

7.3.2 An Executive Authority may appoint such former employees in a post in line with regulation 60 of the Public Service Regulations, 2016.

7.3.3 Former employees dismissed for misconduct in terms of section 17(2)(d) of the Public Service Act, 1994 as amended may not be reappointed in the public service for the applicable period from the date of dismissal in relation to the type of misconduct in line with regulation 61 of the Public Service Regulations, 2016.

7.4 Determination of requirements for employment

7.4.1 An Executive Authority must determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job.

7.4.2 An Executive Authority must comply with any statutory requirement for the appointment of employees.

7.4.3 An Executive Authority may not employ a foreign national unless;

- (i) in the case of a permanent appointment, he/she is a permanent resident;
- (ii) in the case of a temporary appointment, he/she is a permanent resident or he/she has been issued with an appropriate permit in terms of the Immigration Act 13 of 2002.

7.5 Advertising

7.5.1 All vacant posts in the public service must be advertised as a minimum within the department but may also be advertised in the public service, locally or nationwide, to reach the widest pool of potential applicants, including designated groups.

7.5.2 An advertisement for a post must as a minimum specify the job title, salary scale, core functions, place of work, inherent requirements of the job and any other requirements prescribed by the Regulations.

7.5.3 The advertisement must advise applicants if they will be subjected to more than one selection method in addition to the interview.

7.5.4 When advertising outside the department, the department must advertise in the DPSA's public service vacancy circular. An Executive Authority may fill a post without advertising the post if: -

- (a) The post can be filled from the ranks of excess employees who are on a salary level linked to the grade of the post.
- (b) The department can appoint into the post an employee who was appointed under an affirmative action measure as contemplated in section 15 of the Employment Equity Act.
- (c) The post is to be filled through the transfer of an employee in terms of section 14 of the Act.
- (d) The post falls within an occupation or category of employee as directed by the Minister.
- (e) The post is in the Office of the Executive Authority and is filled in line with Regulation 66 of the Public Service Regulations, 2016.
- (f) An advertisement for a post may not unfairly discriminate against or prohibit any suitably qualified person or employee from applying.
- (g) A funded vacant post must be advertised within six months of becoming vacant and be filled within twelve months of becoming vacant.

7.6 Selection

7.6.1 The Executive Authority must appoint a selection committee to make a recommendation on the appointment to a post which committee must consist of between three (3) and five (5) members who are either employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service.

7.6.2 The Chairperson of the selection committee must be an employee and must be of a higher grade than the post to be filled.

7.6.3 If the head of a component within which the vacant post is located, is graded lower than the vacant post, such head may be a member of the selection committee.

7.6.4 A selection committee must, where possible, include adequate representation of designated groups.

7.6.5 Secretarial or advisory services during the selection process must be provided by the HR section responsible for recruitment in the Department.

7.6.6 A selection committee may reduce the number of qualifying candidates selected for interview by electing to utilise independently verifiable criteria agreed to by the selection committee members.

7.6.7 A selection committee may make a recommendation on the suitability of the candidate after considering: -

- (i) information based on valid methods, criteria or instruments for selection that are free from any bias or discrimination.
- (ii) the inherent requirements of the post.
- (iii) the department's employment equity plan.
and in respect of candidates applying for posts from salary level 9 and above also consider the: –
 - (i) level of understanding of departmental mandates.
 - (ii) ability to identify problems and find innovative solutions at a strategic level.
 - (iii) ability to work in a team.

- 7.6.8 A selection committee is not obliged to recommend the appointment of the highest scoring candidate to a post if that candidate is not the most suitable candidate for the job. It must recommend the most suitable candidate for the job.
- 7.6.9 A selection committee must record the reasons for its recommendation in writing with reference to the requirements above.
- 7.6.10 Should a suitable candidate not be found, the Executive Authority may approve the head-hunting of one or more persons with the requisite competencies who qualify in every respect for the post and subject them to the same selection process as those who applied for the post.
- 7.6.11 An Executive Authority must satisfy him/herself that the candidate qualifies in all respects for the post and that his/her claims on his/her application for the post have been verified and the verification must be recorded in writing.

7.7 Confidentiality

- 7.7.1 All of the proceedings of the recruitment and selection process must be kept confidential at all times and may not be disclosed to any person outside of the selection committee.
- 7.7.2 Any information and documentation regarding an applicant may only be disclosed with the prior consent of the applicant in accordance with the Promotion of Access to Information Act No. 2 of 2000.
- 7.7.3 Panel members serving on selection committees, including the secretariat and representatives from human resources are bound by this confidentiality clause.
- 7.7.4 Panel members, the secretariat and representatives from human resources must sign a declaration of confidentiality before the selection process commences.

7.8 Personnel suitability checks

- 7.8.1 Personnel suitability checks in respect of all candidates selected for appointment or deployment to a post must be conducted in line with the approved National Vetting Strategy for the Public Service.
- 7.8.2 The authenticity of certificates of educational qualifications must be verified by human resources before a successful candidate is appointed and commences employment.
- 7.8.3 Foreign qualifications must be evaluated by the South African Qualifications Authority (SAQA) at the applicant's own expense prior to applying for a post.
- 7.8.4 The State Security Agency will assist Departments by conducting criminal record checks and citizen verifications.
- 7.8.5 Human Resources must undertake reference checks by verifying previous employment.

8. DISPUTE RESOLUTION

Aggrieved candidates, who are dissatisfied with the manner in which the process of recruitment, selection or promotion has been dealt with, may utilise the normal procedures in line with the Labour Relations Act, 66 of 1995 and/or the Grievance Procedure for the Public Service.

9. ROLES AND RESPONSIBILITIES

9.1 The Head of Department is responsible for: -

- (a) ensuring that human resource programmes and plans that reinforce the policy are in place; and
- (b) ensure that funds are available to implement this policy.

9.2 The Senior/line managers are responsible for: -

- (a) ensuring all posts under their direct control are created with due consideration of the inherent requirements of the post;
- (b) ensuring that there are valid and up-to date job descriptions for every post under their direct control;
- (c) providing the content of advertisements to the human resources component timeously;
- (d) providing a guideline in the formulation of interview questions to be set;
- (e) chairing the short-listing and selection committee where posts under their responsibility are concerned; and
- (f) ensuring that vacant funded posts within their direct control are filled within the specified timeframe.

9.3 Heads of human resource component is responsible for the following: -

- (a) ensuring that an approved departmental organisational structure exists;
- (b) advising senior/line managers on the nature of appointments i.e. permanent, temporary, full-time or part-time;
- (c) aligning departmental policies and practices on recruitment and selection with the provincial policy framework;
- (d) ensuring the existence of current and approved departmental human resource and employment equity plans which have been communicated to all employees in the department;
- (e) assisting senior managers in the department with all human resource related processes attached to recruitment, selection, promotion and appointment.
- (f) reviewing and updating personnel Delegations in respect of recruitment, selection, promotion and appointment;
- (g) ensuring the maintenance of all records pertaining to this human resource practice; and
- (h) ensuring that the procedural fairness of the process is maintained.

9.4 The selection committee is responsible for: -

- (a) ensure that the selection process is fair and impartial;
- (b) establish the suitability of a candidate in terms of the job requirements;
- (c) determine the relative suitability of the various candidates as objectively as possible;
- (d) maintain confidentiality of the selection process;
- (e) render valid advice to the final decision maker; and
- (f) formulate and record the reasons for specific recommendations

10. MONITORING, EVALUATION AND REVIEW

The Policy will be monitored, evaluated and reviewed every three (3) years or as and when the need arises.

11. EFFECTIVE DATE

This Policy will be effective on the date of approval.

12. POLICY VERSION

This is the 3rd version of the Policy and is available in the English.

13. TITLE OF THE POLICY

This Policy shall be called Policy on Recruitment and Selection.

14 This policy supersedes all other policies in existence. This policy is approved with effect from the 30th day of APRIL in the year 2021.



MRS NI VILAKAZI
HEAD OF DEPARTMENT:
DEPARTMENT OF SOCIAL DEVELOPMENT



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Social Development
PROVINCE OF KWAZULU-NATAL

DECLARATION

I _____ (full names) and identity number _____ hereby accept appointment as a panel member for the post/s of _____.

I declare that:

1. I am aware that I am required to maintain the confidentiality of all information, whether written or oral, pertaining to the recruitment and selection process.
2. I have no direct or indirect interest in any of the applicants who have applied for the above position and who have been presented to me or the panel for consideration.
3. I have no direct or indirect interest in the success or failure of any of the applicants presented to me or the panel for consideration.
4. I acknowledge that any matters raised in any part of the shortlisting/interviews (including written or oral submissions, discussions, recommendations, minutes or any related matter not mentioned herein) are strictly confidential to the panel.
5. Except for discussions with the panel members or the Human Resources representative, I will not disclose to, or discuss with, any person any of the matters raised during the short-listing/interviews in any direct or indirect manner.
6. I am aware that disciplinary action may be taken against any person who discloses, either verbally or in writing or by any other means (including electronically), any of the matters raised in any part of the shortlisting/interview process (including written or oral submissions, discussions, recommendations, minutes or any related matter not mentioned herein).

Identity Number: _____

Signed at _____ on _____

SIGNATURE OF PANEL MEMBER

