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DEPARTMENTAL POLICY DOCUMENT

RECRUITMENT AND SELECTION POLICY

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1. INTRODUCTION

The recruitment and selection policy is aimed at providing guidelines, standards and measures in obtaining skills necessary to enhance the department's strategic and operational needs. This policy outlines the recruitment practices to be followed to enhance service delivery and cultivate a positive image of the department as an equitable employer in the public service

2. OBJECTIVES

The overall objective of this policy is to ensure that quality education and excellent pass rates are attained through placement and development of qualified and competent educators. The secondary objectives are as follows:

- (a) This is to ensure recruitment and selection practices that are fair, transparent and in compliance with the requirements of the Employment Equity Act;
- (b) To ensure that the department's strategic goals are met in relation to the attraction and retention of proficient personnel;
- (c) To attract and retain competent personnel and to ensure full utilisation and continued development of thereof;
- (d) To provide systematic process to be followed by the department in ensuring timeous and qualitative filling of vacant positions;
- (e) To achieve equitable representation in all occupational categories in order to redress the imbalances of the past and promote workplace diversity;
- (f) To ensure that recruitment procedures are efficient, clear, fair, equitable and consistently applied.

3. COMPLIANCE FRAMEWORK

This policy document is governed by the following relevant legislation:

- The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- Employment of Educators Act, 76 of 1998
- Labour Relations Act, 6 of 1995
- Employment Equity Act, 55 of 1998
- Public Service Act, 1994 (as amended)
- Public Service Regulations, 2001
- Basic Conditions of Employment Act, 75 of 1997
- Skills Development Act, 97 of 1998 as amended
- Senior Management Service Handbook
- The Collective Agreements of the PSCBC
- Education Labour Relations Council
- South African Schools Act, 84 of 1996

4. DEFINITIONS

Approved Structure – these are the posts that the Executive Authority approved to give direction to the Departmental Personnel to carry out the mandate of the Department.

Executive Authority – the executive authority (MEC) as defined in section 1(1) of the Public Service Act, 1994, except with regard to the appointment of a Head of Department (HOD), in which case means the executing authority as contemplated in section 3B of the Act.

Candidate – a person who is not yet employed in an advertised vacant post but has shown interest in the post by applying for it

Employee – a person who holds a temporary or permanent post on the fixed establishment of a department including those held additional to the establishment.

Employer – refers to the Northern Cape Department of Education

Headhuntings - refers to a process of identifying a pool of people with the required skills for the vacant position/s and then follow the normal recruitment and selection process.

Recruitment – is a process of identifying and attracting a pool of candidates for changes in employment status, for which some will later be selected to receive an offer of employment.

Senior Management – Officials from director level upwards (salary level 13+)

Competence – is a blend of knowledge, skills, behaviour and aptitude that a person can apply in the work environments which indicates a person's ability to meet the requirements of a certain post

SGB – refers to the school governing body appointed to govern the affairs of a school

5. RESPONSIBILITIES

This policy is applicable to all employees and prospective employees of the Northern Cape Department of Education.

The various responsibilities relating to the recruitment and placement of employees within the department may be outlined in the tables below. The responsible officials as shown on the tables are in line with the internal departmental delegations relating to appointments.

5.1 PSA Employees

Post Level	Responsibility
Approval of Organisational Structure	MEC
Appointments of Salary Level 13 and above	MEC
Appointments of Salary Level 7– 12	MEC
Appointment of Salary Level 1– 6	HOD

5.2 Educators

Post Level	Responsibility
Appointment of Educators - PL2 and above	Head of Department or Delegate
Appointments of substitutes and Temporary Educators	District Director
Abnormal Appointments (Supervisory Allowance)	District Director
Appointments of PL1 Educators	District Director
Creation of Posts on Persal	Persal controller
Approval of Selection Panel	Chief Director: HR

6. POLICY PROVISIONS AND PROCESSES

The recruitment and appointment processes for Educators and Public Service Act employees are different. A further distinction is also on whether an employee will be placed as permanent or temporary employee. The processes for each category of employees are outlined below:

6.1 Educators

The employment for educators is governed by the Employment of Educators Act 76 of 1998. The following processes guide the Northern Cape Department of Education in effecting the appointments of educators.

6.1.1 Permanent Educators

Permanent Educators are appointed into public schools by the department as part of filling up the vacant posts of each school in the approved staff establishment. The educators are recruited, selected and appointed into posts after having sent relevant applications to the department for the posts as advertised in the Government Gazette. Each post has an opening and closing date after which all applications are processed and interviews conducted by the selection committee. After the interviews, one or two candidates is recommended for the Head of Department to make the final appointment.

6.1.2 Temporary Educators

Temporary positions arise where the permanent educators are not available to teach in a school for an extended period. This can be due to many reasons for example maternity leave, incapacity leave etc. The process of appointing temporary educators therefore becomes simpler as there is no requirement for formal advertisements. The SGB recommends a suitable candidate to the Head of Department who makes the final decision to appoint.

6.1.3 Conversion of temporary employment to permanent employment

The conversion of the temporary appointment into a permanent appointment is at the discretion of the Head of Department. The permanent appointment of a temporary educator must be made to a vacant substantive post level 1 post. The educator should:

- Be professionally qualified for the education profession
- Meet the inherent requirements of the post in which his/her conversion or appointment will be made
- Be registered with SACE
- And be in the education system for a minimum of 2 years.

6.1.4 Abnormal Appointments

The department also appoints officials in contract posts whereby a definite term is not known and/or the hours to be worked are not consistent with those prescribed in the Labour Relations Act. These appointments are commonly effected in the case of ABET educators and hostel caretakers. These posts do not have a fixed salary and the amount paid every month is based on the hours worked. The process followed for abnormal appointments will be similar to that of temporary/contract employees whereby necessary extensions are granted at the HOD or MEC's discretion

- (a) In terms of ELRC collective agreement no 2 of 2003, where a department has educators in excess of staff establishment and posts become available, only suitably qualified applicants in excess as a result of operational requirements must be considered first for interviewing
- (b) A provincial educational department may publish a 'closed vacancy list' for which only serving educators in excess may apply.
- (c) In terms of Employment of Educators Act, an HOD may transfer an educator who is in excess to another department that matches his/her skills.

6.2 Public Service Act Employees

The appointment of employees other than educators is governed by the Public Service Act in the Public Service. The positions in the Public Service can also be of a permanent or temporary nature and are addressed in the sections below.

7. ADVERTISING

7.1 CREATION AND FILLING OF POSTS

7.1.1. Before creating a post for any newly defined job, or filling any vacancy, the HOD must—

- (a) confirm that the post is required to meet the department's objectives; in the case of a newly defined job, evaluate the job in terms of the job evaluation system;
- (b) in the case of a vacant post on grade 9 or higher, or any vacant post advertised on a higher grade than current, evaluate the job, unless the specific job has been evaluated previously; and
- (c) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for the filling of the post

7.1.2. JOB GRADING AND REMUNERATION

- i. To ensure that work of equal value is remunerated equally, the public service shall increasingly use job evaluation-
 - to assist in achieving cost-effective work organisation and
 - to determine appropriate remuneration.
- ii. The Minister shall determine a job evaluation system or systems that shall be utilised in the public service;
 - a range of job weights derived from the system or systems for each salary range in a salary scale; and
 - a job or category of jobs that an executing authority must evaluate.

- iii. An executing authority may evaluate or re-evaluate any job in her or his department
- iv. An executing authority shall determine the grade of a post to correspond with its job weight and set the commencing salary of an employee on the minimum notch of the salary range attached to the relevant grade, unless the salary proves inadequate after job evaluation
- v. If a job has a weight that applies to more than one salary range, the executing authority shall determine which of the relevant salary ranges to use
- vi. An executing authority may set the salary for a post or an employee above the minimum notch of the salary range indicated by the job weight-
 - (i) If she or he has evaluated the job, but cannot recruit or retain an employee with the necessary competencies at the salary indicated by the job weight; and
 - (ii) She or he shall record the reason why the salary indicated by the job weight was insufficient.
- vii. An executing authority may increase the salary of a post to a higher salary range in order to accord with the job weight, if-
 - (i) the job weight as measured by the job evaluation system indicates that the post was graded incorrectly; and
 - (ii) The department's budget and the medium-term expenditure framework provide sufficient funds
- viii. If an executing authority increases the salary of a post as provided under regulation V, she or he may continue to employ the incumbent employee in the higher-grade post without advertising the post if the incumbent -
 - (i) already performs the duties of the post;
 - (ii) has received a satisfactory rating in her or his most recent performance assessment; and
 - (iii) Starts employment at the minimum notch of the higher salary range.

7.2 ADVERTISING REQUIREMENTS (PSA Officials)

- (a) The advertisement must be compiled in consultation with the relevant Unit Head or Director and the contents must avoid direct or indirect discrimination or misinterpretation.
- (b) In terms of Public Service Regulations Chapter 1 Part III (F) all newly defined posts and vacant posts on grade nine (9) or higher or any vacant post advertised on a higher grade than current, must be subjected to a job evaluation prior to advertisement
- (c) An executing authority may fill an SMS post or any vacant post without advertising as required by PSR if-
 - (i) The department can fill the post from the ranks of excessive staff of equal grading;
 - (ii) the department can absorb into the post an employee who was appointed under an affirmative action programme, if the candidate meets the requirements of the post;
 - (iii) The department plans to fill the post as part of a programme of laterally rotating or transferring employees to enhance organisational and skills; or
 - (iv) the post is filled in terms of section 3B of PSA ,HOD deployment
- (d) An advertisement for a post must clearly set out—
 - (i) The inherent requirements of the job ,job title, job description and criteria to be used for selection;
 - (ii) The number of posts to be filled, competence required and key performance areas
 - (iii) The form on which an application must be submitted;
 - (iv) The annual salary attached to the post;
 - (v) What documentation must accompany the application;
 - (vi) In respect of a post in the Senior Management Service of the department, the advertisement must state that the successful candidate will be required to sign a performance contract

- (vii) To whom and at which address an application for the post can be submitted; the closing date for applying for the post;
- (viii) That the department is an equal opportunity employer and that preference will be given to candidates who helps the department to meet its Employment Equity goals;
- (ix) That if candidates are not contacted by the department within six weeks after the closing date, they should consider their application to have been unsuccessful;
- (x) That the applicants may be subjected to any of the following: a security clearance; a competency assessment; signing a performance contract on appointment; signing an employment contract on appointment.

7.3 INTERNAL RECRUITMENT (Only PSA Officials)

- 7.3.1 Internal recruitment shall take precedence over external recruitment to promote upward mobility of internal employees, except when specific qualities are sought in line with departmental transformation requirements.
- 7.3.2 All new and vacant posts up to level eight (8) must be advertised within the department through internal circular and /or local media to allow potential candidates to be reached on a broad scale.
- 7.3.3 Factors to be considered for internal applicants shall be –
 - (a) The extent to which internal employee meets the inherent job requirements.
 - (b) The extent to which departmental and overall employment equity targets have been achieved.
 - (c) Particular requirements contained in the job specification
 - (d) Considering the relevant experience of the employee as deferred to qualifications required of the post.

7.4 INTERNAL RECRUITMENT (Educators)

- 7.4.1 Internal recruitment shall take precedence over external recruitment to promote upward mobility of internal employees, except when specific qualities are sought in line with departmental transformation requirements.
- 7.4.2 All new and vacant posts up to post level two (2) must be advertised in a closed gazette to allow potential candidates to be reached on a broad scale.
- 7.4.3 Factors to be considered for internal applicants shall be:
 - (a) The extent to which internal employee meets the inherent job requirements.
 - (b) The extent to which departmental and overall employment equity targets have been achieved.
 - (c) Particular requirements contained in the job specification
 - (d) Considering the relevant experience of the employee as deferred to qualifications required of the post.

7.5 EXTERNAL RECRUITMENT (Only PSA Officials)

- (a) All posts from level 9 to 12 will be advertised both internally and externally on a provincial and/ or National level.
- (b) Posts on senior management level (level 13 and above) will be advertised through national print media to accommodate applicants from both Public and Private Sector

7.4.1. Head-hunting (PSA Officials only)

- (a) Head-hunting must be applied with caution at all times, and can be used—
 - (i) To encourage suitably qualified, skilled and competent people to apply for a position when advertised; and
 - (ii) If it proves difficult to recruit suitably-qualified candidates and/or candidates from historically disadvantaged groups, following the normal recruitment processes.
 - (iii) For the recruitment of most senior officials or political office bearers where it has become difficult to locate an available candidate
- (b) Criteria
 - i. When headhunting a pool of candidates, minimum 3, are to be evaluated and assessed for the post
 - ii. Head-hunting should be a last resort after all other means of recruitment and selection have been exhausted

7.4.2. Database of prospective educators

- (a) A comprehensive registry of all applicants available for short term temporary employment must be kept by personnel provisioning unit
- (b) All candidates must qualify for registration with the South African Council of Educators and upon appointment then proceed with registration

8. SELECTION PROCESS

8.1 APPOINTMENT AND COMPOSITION OF SELECTION PANEL

8.1.1 SELECTION PANEL FOR PSA APPOINTMENTS

A selection panel is required in order to conduct the selection process and effect appointments. The following provisions apply to the appointment and composition of the Selection Committee –

- (a) A Human Resources representative must assist on all Selection panels, to provide administrative support, technical advice and to ensure that the principles of Employment Equity and Labour Relations are adhered to, but shall not complete score sheets if graded lower than the post to be filled.
- (b) The selection panel must consist of at least three members but not exceeding six members. These members must fall within a grading category equivalent to, or higher than, the grading of the post to be filled. Alternatively, the panel may be made up of suitable people from outside the Department
- (c) The selection panel must include a representative from a recognised labour union who must only act as an observer. The acceptable minimum time frame of the invite to reach the union should be 5 working days before the date of the selection.
- (d) Should the invited representative of the labour union not attend, the selection panel can proceed.
- (e) The selection panel for the appointment of Head of Department must constitute at least three members of the executive council of the Northern Cape province
- (f) In all instances, the Chairperson of the selection panel must be an employee of the department and be of a grading higher than the post to be filled.
- (g) In the event that the manager of the component within which the vacant post is located is graded lower than the vacant post, such manager may be a member of the Selection panel.

- (h) A Selection Committee must include adequate representation (race and gender) and include members with relevant expertise.
- (i) A recruitment and selection manual will further define the roles and responsibilities of selection panel members

8.1.2 SELECTION PANEL FOR INSTITUTION BASED EDUCATORS

In terms of the Employment of Educators Act, the Panel shall be established at the educational institution where there are advertised vacancies. The Panel shall comprise:

- (a) One departmental representative (who may be the school principal), as an observer and resource person;
- (b) The principal of the school (if he/she is not the department's representative), except in the case where he/she is the applicant;
- (c) Members of the school governing body, excluding educator members who are applicants to the advertised post/s;
- (d) One union representative per union that is a party to the Provincial Chamber of the ELRC. The union representative shall be observers to the process of shortlisting, interviews and the drawing up of a preference list
- (e) The committee shall appoint from amongst its members a chairperson and a secretary;
- (f) The selection panel is representative of race, gender, and disability where possible;

8.2 PRE-SELECTION PROCESS PRIOR TO SHORT-LISTING

8.2.1 The pre-selection process is the overall responsibility of HR or an HR representative

8.2.2 The following provisions apply to the functions and meetings of the Selection Committee –

- (a) The inherent job requirements as contained in the advertisement must be the guiding principle for shortlisting candidates, taking into account employment equity requirements.
- (b) Short-listing will be done within 30 days after the closing date. However in the case of appointment of temporary/permanent educators where the continuity of learning must not be negatively affected, this period might be shorter
- (c) All decisions in short-listing, including reasons why applicants were not short-listed must be recorded on the required form and should be filed with the CVs of applicants.
- (d) Final short-listing should, in general, not exceed a maximum of six applicants

8.3 INTERVIEWS

- 8.3.1. Short-listed candidates must be invited to an interview using the most reliable communication available at least five working days before the interview date.
- 8.3.2. All interviews must be structured. The Selection panel must use a predetermined and flexible questionnaire to obtain information on training, skills, competence and the necessary knowledge to meet the inherent job requirements of the post, as well as a scorecard. However, it is imperative that all questions be job-related as per labour legislation.
- 8.3.3. Selection Committee members must complete score sheets for individual candidates, immediately after the interview. The candidate's score guides panel members on the suitability of that particular candidate for the position.
- 8.3.4. The interview questionnaire and all questions asked should be based on the inherent job requirements and the principles of Labour Relations Act, 1995 and the bill of Rights must be adhered to. Biased or discriminatory questions must be avoided.
- 8.3.5. The candidates' responses and score during the interview must be documented.

8.4 ASSESSMENTS

8.4.1 MEDICAL EXAMINATION

- (a) Appointed candidates may be required to supply medical information in line with legislative requirements only if it is an inherent requirement of the post
- (b) Medical screening must be done through Council's Occupational Health Service all information must be provided in confidence

8.5 REFERENCE CHECKS

The following guidelines need to be observed in the performance of reference checks for both educators and office based personnel

- (a) Reference checks shall be conducted by a member of the panel appointed by the selection panel chairman.
- (b) All reference checks must be conducted in a structured, fair and transparent manner and clearly documented.
- (c) Reference checking should take place at any stage of the recruitment but preferably during the short listing process.
- (d) Direct contact with referees is highly recommended rather than reliance on written reports presented by candidates

- (e) Reference checks should also be carried out for internal candidates by consulting with current supervisors and managers.
- (f) When a reference results in a decision not to offer a candidate a job, the areas of concern and their relevance to the job requirements must be documented.
- (g) In the case of educator appointments, a reference check must be performed whenever there is suspicion of any non compliance with the appointment legislative requirements and code of good conduct.

8.6 SECURITY CLEARANCE

- (a) A security clearance of the selected candidate may be undertaken by the department if ever it is deemed necessary
- (b) Security clearance must be done through a registered Vetting Unit
- (c) If the successful candidate is not offered the job as a result of the outcome of security clearance, the next most suitable candidate must be offered the job
- (d) If, after security clearance has been refused, there is no suitable candidate on the short-list, the recruitment process must recommence
- (e) If the employer cannot afford the time to wait for a positive outcome of the security clearance, eventual clearance must be made a condition of employment.
- (f) If the suitable candidate has assumed duty and the security clearance is subsequently declined, the appointment must be terminated.

8.7 RECOMMENDATIONS AND APPROVAL

- (a) The Selection panel shall make a recommendation on the suitability of the candidate after considering— (in the case of educators the panel must make a recommendation to the School governing body)
 - (i) Information based on valid methods, criteria or instruments for selection that are free from any bias or discrimination;
 - (ii) The training, skills, competence and knowledge necessary to meet the inherent requirements of the post;
 - (iii) The needs of the Department for developing human resources;
- (b) Where possible, at least three candidates in order of preference must be nominated and recommended for approval for a specific post, in order to avoid the post being re-advertised should the first candidate decline the job offer in writing

- (c) All recommendations together with draft letters of appointment will be submitted to the delegated authority within 30 days after conducting interviews except in the case of temporary educators
- (d) Submissions must be prepared in a prescribed format designed by the Personnel Provisioning Unit.
- (e) All motivations for nominating the successful and unsuccessful candidates must be in the minutes and submission

8.8 APPOINTMENTS

- (a) Once the selection process is concluded, and the delegated authority has approved the appointment, the job must be formally offered to the successful candidate.
- (b) An HR representative must make a written offer of employment to the successful candidate within five (5) working days, after the recommendation for appointment has been approved. The written offer must include a contract of employment, a salary package and conditions of employment.
- (c) The candidate must respond to the job offer in writing within five (5) working days and if he or she accepts the offer, indicate when duty will be assumed.
- (d) If the successful candidate rejects the offer, the next most suitable candidate must be offered the job, after consultation with Unit head or a Principal in the case of school appointments
- (e) Upon receipt of the successful candidate's acceptance of the job offer and assumption of duty, the other candidates interviewed must be informed that their applications were unsuccessful.
- (f) No appointments of candidates under the age of 16 will be considered

8.8.1 PROBATION

- (a) The employment of new employees is subject to a twelve (12) month probation period. This must be reflected in the job offer. The probationary period may be reduced or excluded by the delegated official. Conditions under which this may take place, are—
 - (i) when an employee is on probation and is transferred or promoted to another post (a lesser period of service on probation may be recommended but the total probation period should not be less than 12 months); or
 - (ii) where an employee has already completed a contract employment period of two years or more in the post.
- (b) No PSA employee's probation will be confirmed without having gone through the Mass Induction Programme subject to the Public Service Act as amended.
- (c) Employees employed for a period not exceeding twelve months would not be subject to probationary period

- (d) Supervisors are responsible for monitoring progress of employees on probation by offering training, guidance and advice and providing feedback on performance on a quarterly basis
- (e) Probationary reports must be completed and submitted to HR for implementation.
- (f) The probation period shall be extended with the number of leave days taken during the probation period or extension thereof.
- (g) In the event of unsatisfactory work performance, the supervisor or manager must immediately implement the relevant incapacity processes. If the performance does not improve, possible actions are the extension of the probation period or termination thereof.
- (h) Termination of employment can take place during the probation period as long as the formal dismissal procedures were followed. When dismissal is considered, the employee must be afforded the opportunity to state his/her case.

8.8.2 APPOINTMENT ON CONTRACT

- (a) An executing authority may consider appointing a person on a limited period contract where—
 - (i) an existing employee is expected to be absent for so long that his or her duties cannot be performed by other personnel;
 - (ii) there is additional work demand which is not necessarily of a permanent nature, or
 - (iii) It is necessary to temporarily increase staff of the department
- (b) Employment Equity principles – in terms of race, gender and disability – must be strictly adhered to.
- (c) The recruitment and selection requirements for a contract employee are the same as for the recruitment and selection of permanent employees.
- (d) An employment contract may not exceed a period of six months at a time except for special contracts.
- (e) All requests for contract workers should be made in a submission to be approved by head of department and the executing authority
- (f) The Unit Head must confirm that no permanent employee is available to perform the necessary service
- (g) Reasons must be given as to why a person must be appointed on contract; these must include the following information:
 - (i) The purpose and extent of the specific task to be performed.
 - (ii) The specific duties that must be performed.
 - (iii) The duration of the contract.
 - (iv) The rank and level on which the person will be appointed.

8.8.3 RE-APPOINTMENT OF FORMER EMPLOYEES (PSA)

- (a) An officer who has retired and who is above the age of 65 may be re-appointed if it is in the public interest and the officer consents to his or her re-appointment
- (b) An officer who has attained 65 years may, with own consent and with the approval of the relevant executive authority be retained for further periods which may not, except with the approval of the delegated authority, exceed in aggregate two years
- (c) A former employee who took early retirement may be re-appointed by the delegated authority, provided that -
 - (i) he or she did not leave the public service earlier, on the condition that he or she would not accept or seek re-appointment, or
 - (ii) where the original grounds for the termination of service do not militate against re-appointment.
- (d) A former employee, who has left the public service due to ill-health, may be re-appointed by the delegated authority, if he or she can provide recent and conclusive evidence of recovery.
- (e) A former government employee who took a voluntary severance package will not be re-employed, depending on the terms and conditions of the severance package. Re-appointment is in the discretion of the executing authority.
- (f) An employee whose services were terminated as a result of misconduct in terms of section 17(2)(e) of the Public Service Act, 1994, or of the Labour Relations Act, 1995, may not be re-employed.

8.8.4 RE-APPOINTMENT OF FORMER EMPLOYEES (EDUCATORS)

- (a) Every reappointment of an educator who has retired or has been retired on pension before reaching his/her retirement age shall be approved by the HOD or delegated person.
- (b) Such approval shall be applicable only to reappointments to educator posts for which the State has accepted financial responsibility.
- (c) The only consideration shall be the interests of education, which includes the interests of the Provincial department, the child, the school and the State.

- (d) Other applicants who comply with the prescribed requirements for appointment, and young entrants to the profession in particular, shall be given preference over persons who have already had the opportunity of an extensive career in education.
- (e) In considering a person whose services have been terminated owing to rationalisation and who has not been given the option of appointment to another suitable post, the termination of his/her services shall not prejudice him/her being considered for reappointment.
- (f) In the absence of sound reasons, the reappointment of persons whose services have been terminated owing to rationalisation and who have been given the opportunity of being transferred to another suitable post but who have nevertheless exercised the choice of retiring on pension prematurely, shall be deemed not to be in the interest of the State
- (g) In the absence of sound reasons the reappointment of persons who have at their own request retired prematurely on reduced pension benefits shall not be deemed to be in the interests of the State.
- (h) The application for reappointment of persons who have retired on pension prematurely on grounds of continued ill health and whose state of health has improved to such an extent that the prescribed health requirements are met shall be considered bearing in mind the principles in paragraph (c) and (d).
- (i) Subject to the above principles, the consideration of any reappointment of an educator shall take into account the principles of fairness and justice and the generally accepted principles relating to the maintenance of sound employer employee relations.

8.8.5 APPOINTMENT TO ACTING POSITIONS (PSA)

- (a) An employee may be appointed in writing to act in a higher post of not more than one level higher, by the delegated authority if the post is vacant and funded. This is to enable the department to have enough time to perform a formal recruitment process in order to fill the vacant post
- (b) An employee may be appointed to act in a higher position for an uninterrupted period not exceeding twelve months

- (c) A senior management official may be appointed as an acting Head of Department for an uninterrupted period not exceeding six months

8.8.6 APPOINTMENT TO ACTING POSITIONS (EDUCATORS)

- (a) An educator, complying with the minimum requirements, shall be appointed in writing by the employer to act.
- (b) An educator may only be appointed to act in a post that is one level higher than his/her current position.
- (c) Within fourteen days of notification by the employer, a School Governing Body shall be requested to recommend to the employer the educator to be appointed to act in a higher post.

8.8.7 SENIOR MANAGEMENT APPOINTMENTS

- (a) A person shall be appointed in the office of Head of Department on the prescribed conditions and in terms of the prescribed contract for a period of not exceeding five years from the date of his or her appointment, or such shorter period as the executing authority may approve;
- (b) The term of office as Head of Department of such a person may be extended at the expiry thereof in accordance with the terms and conditions of the contract or a further contract, as the case may be, for a period or successive periods of not less than twelve months and not more than five years, as the executing authority may approve
- (c) Competency assessments are compulsory for all senior management candidates.

8.8.8 SPECIAL APPOINTMENTS

The Public Service Act, 1994 as amended gives heads of departments power and duty regarding the post establishment of that office or department, including creation, grading and abolition of posts in ensuring effectively managed human resources and enhancement of staff development and retention.

As part of the underlying principles of this policy to attract competent employees necessary for the enhancement of service delivery, the department will engage in headhunting as part of special recruitment strategy

COUNTER-OFFERS

- (a) In terms of the Public Service Regulations, 2001 (Chapter 1, part V C.3), the salary and/or salary level for a post (or an employee) can be set at a higher notch or level than usual if necessary to recruit or retain an employee with the required skills
- (b) Counter offers may be in the form a promotion or a modified reporting structure in the case current employees that need to be retained
- (c) The Department may retain the services of an employee who is being offered a higher post within the Public or private sector:
 - The head of department must confirm that a vacant post on the offered level to the employee is available on the establishment and is funded.
 - In the case where there is no suitable vacant post in the directorate, the head of department must source a suitable vacant post within the relevant programme.
- (d) In the event of attracting an employee whose services are considered critical to the objectives of the department, the HOD shall consider matching the said offer after full motivation has been submitted depending on the nature and level of the offer.
- (e) Scarcity of the skills or the competencies that the said employee possesses, shall be the guiding factors that inform the final decision of the HOD
- (f) In making his/her consideration, the HOD shall be guided by the following:
 - Motivation for raising the salary and the availability of a budget to sustain the increase within the Medium Term Expenditure Framework allocation;
 - Provided evidence that all alternatives to recruit, retain the employee were exhausted;

- Demonstration that the decision will not create hostility within the organisation;
- Demonstration how the department would benefit from the appointment

8.8.9 APPOINTMENT OF NON-SOUTH AFRICAN CITIZENS

- (a) Non South African citizens may be considered, but only if the required skills are not available in the relevant area the post is vacant in.
- (b) The employee needs to be in possession of a valid work permit.
- (c) A key element of the contract must be the transfer of skills to citizen employees

8.8.10 PROMOTIONS

An executing authority may promote an employee to a vacant post on the approved establishment of the department if-

- (a) sufficiently budgeted funds, including funds for the remaining period of the relevant medium-term expenditure framework are available for filling the vacancy; and
- (b) the vacancy has been advertised and the candidate went through the selection process

9. IMPLEMENTATION AND EFFECTIVE DATE

This policy becomes effective on approval by the Head of Department of the Northern Cape Department of Education:

10. POLICY REVIEW

This policy shall be reviewed at least annually to ensure that it is aligned with all the relevant legislation and complies with all adequate internal control requirements.



G.T. PHARASI
HEAD OF DEPARTMENT

11/10/31
DATE