

Date: 23 May 2023

File Reference: Filling of vacancies: HODs

Author: Adv NG Mpangane

Designation: Head of CSe (Acting)

APPROVAL

1st Level: EMT (N/A)

2nd Level: Section 80 Committee (N/A)

3rd Level: MAYCO (N/A)

4th Level: Council (06/03/223 & 31 May 2023)

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS AT MANGAUNG METROPOLITAN MUNICIPALITY IN ACCORDANCE WITH THE LOCAL GOVERNMENT REGULATIONS for the CONDITION AND APPOINTMENT OF SENIOR MANAGERS

1. PURPOSE

1.1 The purpose of this submission is to seek council to establish and appoint selection panels for furtherance of recruitment, selection and appointment of Heads of Departments (HODs) in accordance the Regulations and Council approved Macro Organisational Structure.

- HOD- Corporate Services.
- HOD Engineering Services.
- Chief Financial Officer.
- HOD, Planning, Economic, Rural Development and Human Settlements.
- HOD Public Safety and Security.
- HOD Community Services and Waste Management.
- HOD Strategy, quality assurance, monitoring and evaluation (Office of City Manager)

2. BACKGROUND

2.1 Since approval of the Macro Organisational Structures, two attempts to establish the Selection Panel were made by administration, however the matter has been deferred. The municipality has 100% vacancy rate at the level of senior management hence the secondment of the acting HODs from national government and one municipal official due to the vacuum created by several factor including, poor recruitment planning,

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS

political instability amongst others. The appointment of HODs is past due with the positions of the City Manager and Chief Financial Officer having far reaching financial implication towards the municipality should such appointments are not concluded on or before the beginning of the 2023/24 financial year.

2 DISCUSSION

- 2.1 On 06 March 2022, Council approved readvertisement of the positions of Heads of Departments and deferred the establishment and appoint of selection panels for the next council meeting. The positions of head Corporate Services, Technical Services and Chief Financial Officer were readvertised in City Press Edition published 21 May 2023 and erratum (to correct salary levels) on 28 May 2023 with closing date of 09 June 2023.
- 2.2 The acting Executive Mayor made request for exemption for filling of MM and Heads of Departments to fast track the appointments due to National Treasury pronouncement that should the council fail to fill the two positions namely City manager and Chief Financial Officer, there are possibility of withholding of equitable shares and any other grants allocations. To that end, Council is advised to appoint selection panels for furtherance of the recruitment, selection, and appointment of HODs.

3 LEGISLATIVE PROVISIONS

- 3.1 The relevant piece of legislation that regulates the appointment of managers directly accountable to the municipal manager is as follows, namely: Local Government: Municipal Systems Amendment Act. Section 56 (1) (a)(ii) provides that a municipal council, after consultation with the municipal manager, *must appoint managers directly accountable to the municipal manager under circumstances and for a period as prescribed.*
- 3.2 Regulations 12(4) prescribe the composition of the selection panel for the appointment of a manager directly accountable to a municipal manager must consist of at **least three and not more than five members-**
 - (a) *The municipal manager, who will be the chairperson.*
 - (b) *A member of the mayoral committee or councillor who is a portfolio head of the relevant portfolio; and*
 - (c) *At least one other person, who is not a councillor or a staff member of the municipality, who has expertise or experience in the area of the advertised post.*
- 3.3 It is proposed that panel must constitute of three (3) panellists prescribed in the Regulations in the table below:

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS

Reg 12(4): Proposed composition of Selection Panel Members for Heads of Departments						
HOD: Public Safety and Security	HOD: Corporate Services	Chief Financial Officer	HOD: Technical Services	HOD: Planning, Economic Development and Human Settlements	HOD: Community Service and Waste Management	HOD: Strategy, Quality Assurance, Monitoring and Evaluation
1. City Manager - Chairperson	City Manager - Chairperson	City Manager - Chairperson	City Manager - Chairperson	City Manager - Chairperson	City Manager - Chairperson	City Manager - Chairperson
2. 1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio	1 x Cllr MMC responsible for the portfolio
3. 1 x Specialist Expert in road traffic management , public safety and policing and law enforcement.	1x Specialist in municipal human resource and systems	1 x Specialist in municipal fiscal management , budgeting, and revenue enhancement.	1 x Specialist in Expert in LG Built environment and engineering with experience on MEGA planning and budgeting.	1 x Specialist in urban, regional, and human settlements	1x Specialist on waste management and municipal services.	1 x Specialist in municipal strategy, quality assurance (audit, risk and fraud management).
OBSERVERS						
4. NCR Service Delivery Specialist	NCR Governance Specialist	NCR Finance Specialist	NCR Service Delivery Specialist	NCR Service Delivery Specialist	NCR Service Delivery Specialist	NCR Governance Specialist

5. DELEGATIONS

5.1 The Executive Mayor oversee the administration component of the municipality.

6. IMPLICATIONS

6.1. FINANCIAL

Council must consider appointing person on pro bona basis and or employees from public institution considering the financial position of the municipality.

6.2. LEGAL

Municipal council must establish and appoint selection panels members for the recruitment, selection, and appointment of managers accountable to the City Manager in accordance with the Regulations and approved Macro Organizational Structure.

6.3. COMMUNICATION

None

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS

6.4. COMMUNITY & SERVICE DELIVERY

The absence of heads of directorates impacts on development of long-term visions and strategies to improve service delivery. The uncertainty, high turnover of the managers reporting to the municipal manager brings in instability in administration, uncertainty, lack of continuity in administration leading to different approaches and turn around strategies.

7. RECOMMENDATION

IT IS RECOMMENDED THAT COUNCIL:

7.1 Establish and appoint selection panels members in furtherance of Council executive obligations to recruitment, selection and appoint Heads of Departments (HOD) in accordance with the Regulations and Council approved Macro Organisational Structure.

a. HOD: Corporate Services

- (i) **Chairperson** – City Manager.
- (ii) **Panel Member** – MMC responsible for the portfolio.
- (iii) **Panel Member** – Expert in LG human resource and systems / legal governance and ICT.
- (iv) **Observer: NCR Governance Expert.**

b. Chief Finance Officer

- (i) **Chairperson** – City Manager.
- (ii) **Panel Member** – MMC responsible for the portfolio.
- (iii) **Panel Member** – Expert in municipal fiscal management, budgeting, and revenue enhancement.
- (iv) **Observer- NCR Finance Expert.**

c. HOD Engineering Services

- (i) **Chairperson** – City Manager.
- (ii) **Panel Member** – MMC responsible for the portfolio.
- (iii) **Panel Member** – Expert in LG Built environment and engineering with experience in MEGA planning and budgeting.
- (iv) **Observer** – NCR Service Delivery.

d. HOD Planning, Economic and Rural Development and Human Settlements

- (i) **Chairperson** – City Manager
- (ii) **Panel Member** – MMC responsible for the portfolio
- (iii) **Panel Member** – Expert in urban, regional planning and human settlements.
- (iv) **Observer** – NCR Service Delivery

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS

e. HOD Community Safety and Waste Management

- (i) **Chairperson** – City Manager
- (ii) **Panel Member** – MMC responsible for the portfolio
- (iii) **Panel Member** –Expert in waste management and municipal services.
- (iv) **Observer** – NCR Service Delivery

f. HOD Corporate Planning, Quality Assurance, Knowledge Management.

- (i) **Chairperson** – City Manager.
- (ii) **Panel Member** – MMC responsible for the portfolio.
- (iii) **Panel Member** – Expert in municipal strategy development and quality assurance (audit, risk and fraud management).
- (iv) **Observer** – NCR Service Delivery.

g. HOD Public Safety and Security

- (i) **Chairperson** – City Manager
- (ii) **Panel Member** – MMC responsible for the portfolio.
- (iii) **Panel Member** – Expert in road traffic management, public safety and policing and law enforcement.
- (iv) **Observer** – NCR Service Delivery.

8. SUBMITTED BY


Adv N Mpangane
ACTING HOD CORPORATE


.....
DATE

9. RECOMMENDED BY:


N Dumalile (Ms)
ACTING CITY MANAGER


.....
DATE

10. APPROVED BY:

G Nthatisi (Mr)
Acting EXECUTIVE MAYOR


.....
DATE

11. RATIFIED BY:

G Malaza (Ms)
NATIONAL CABINET REPRESENTATIVE


.....
DATE
26 May 2023

APPOINTMENT OF SELECTION PANELS FOR RECRUITMENT, SELECTION AND APPOINTMENT OF HEADS OF DEPARTMENTS

12. ANNEXURES

12.1 ANNEXURE A

- **COUNCIL RESOLUTION 31.4 – 6/3/2023**

12.2 ANNEXURE B

- **LETTER BY ACTING EXECUTIVE MAYOR TO MINISTER FOR COGTA AND RESPONSE OF THE MINISTER.**

12.3 ANNEXURE C

- **LOCAL GOVERNMENT: REGULATIONS ON APPOINTMENT AND CONDITIONS OF EMPLOYMENT OF SENIOR MANAGERS**