

MATJHABENG LOCAL MUNICIPALITY



HUMAN RESOURCE DEVELOPMENT POLICY (HRDP)

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HUMAN RESOURCE DEVELOPMENT POLICY

1. PREAMBLE

The rendering of a sustainable service to the community of Matjhabeng is largely dependant on strategic decision making and effective implementation of operational plans. Such endeavours can only be executed through applying appropriate knowledge, skills and attitudes of trained councillors and officials. In addition there is a social responsibility to empower the community through providing opportunities via programmes such as learnerships and experiential training.

In order to accomplish the above stated vision, the mission of this policy is to facilitate opportunities for skills development through creating a culture of learning and the valuing of diversity.

2. AIM AND SCOPE

This Human Resource Development Policy seeks to integrate all skills development related policies and procedures into one comprehensive document. Hence the aim and scope of this Policy is to create a framework in order to facilitate the implementation and promotion of skills development within the Matjhabeng Local Municipality through a holistic approach which is based on and comply with current legislation pertaining to skills development.

More specifically the Policy aims in ensuring that:

- 2.1. the management and provision of Human Resource Development in the Matjhabeng Local Municipality (Municipality) promotes the achievement of institutional goals and objectives as expressed in the Integrated Development Plan (IDP) and supporting Staffing Strategies of individual Departments;
- 2.2. the provision of skills development supports the career progression, succession planning and retention of individual employees;
- 2.3. the Municipality complies with national guidelines and criteria for skills development.

3. GUIDING PRINCIPLES

The following are the basic points of departure regarding this policy:

- 3.1. The Community as an indirect employer has an interest in the functioning of the Matjhabeng Local Municipality as far as the quality and quantity of service rendering are concerned. The skills development of personnel as such are thus of extreme importance in order to render the appropriate quality and quantity of service in a sustainable manner.

- 3.2. The developing of our human resources should aim at the fulfilling of the mission by improving their knowledge, skills and attitude and unlocking potential to the benefit of the individual, organisation and community.
- 3.3. Each employee may claim entrance to and participation in relevant education, training and development programmes and as such the Council is responsible and compelled to create such opportunities and to communicate same to employees.
- 3.4. Line management is a critical factor in appraising performance, determining training needs and ensuring that newly acquired knowledge and skills be applied in the work environment.
- 3.5. All employees shall have the right to reasonable access to education, training and development within the broader service delivery strategies and priorities of the Municipality. This right, together with all supportive obligations contained within this Policy shall be dependent on available funding and a fair distribution of that funding among eligible employees.
- 3.6. Employees will be primary responsible for driving their own personal development within the framework of their personal development plan (PDP).
- 3.7. Education, Training and Development in the Municipality shall provide a systematic approach to the determining of training needs at an individual, team and organisational level, aligned with broader strategic objectives.
- 3.8. Individual learners shall be subjected to rights and obligations in relation to the provision of skills development by the Municipality. This may include the principles of co-payment and co-leave provisions where appropriate.
- 3.9. The training and development of an employee will commence with her/his appointment and continue as long as she/he is employed by the Municipality. Current employees will be drawn into the training process in accordance with priorities established by way of a structured analysis of training needs.
- 3.10. Council shall, in addition to any provision that it must make in its operating budgets for the payment of a statutory skills levy, provide additional funds in order to conduct training of its employees and councillors in order to comply with the approved integrated development plan.
- 3.11. The Municipality recognises that every supervisor of employees has a duty to ensure that her/his subordinates have the required skills, knowledge and attitude to perform her/his functions effectively and efficiently. Supervisors therefore have primary responsibility for identifying the training needs and improving the skills and knowledge of their subordinates.

4. LEGISLATIVE CONTEXT

Human Capital Development strategies within the Matjhabeng Local Municipality should comply with the provisions of current legislation:

- The South African Qualifications Authority Act (58 of 1995);
- The Labour Relations Act (65 of 1995);
- Employment Equity Act (55 of 1998);
- Municipal Systems Act, (32 of 2000);
- Municipal Finance Management Act;
- The Skills Development Act (97 of 1998; and amendments);
- The Skills Development Levies Act (9 of 1999);
- Basic Conditions of Employment Act (75 of 1997);
- Occupational Health & Safety Act (85 of 1993);
- Trade Test Regulations (2013)
- Adult Education and Training Act (52 of 2000).

5. CONDITIONS FOR POLICY IMPLEMENTATION

In order to implement the HRD Policy, the following must be achieved:

- 5.1 Implementation of a Workplace Skills Plan (WSP) approved by the Local Government Services Sector Education and Training Authority (LGSETA)
- 5.2 Creating a culture and climate conducive to skills development by establishing a Skills Development Committee (SDC), composed of representatives of employer and employee, to act as a channel for communication.
- 5.3 Members of the SDC should be fully informed regarding the training process which consists of the determining of training needs, available courses/workshops and evaluation of training interventions.

- 5.4 Management on all levels accept the process of training and development of employees as an integral part of their management function and accompanying responsibilities.
- 5.5 Line management should conduct pre- and post-training interviews with nominees in order to ensure that they optimally implement what they have learned during a training intervention. Guidelines in this regard will be provided by the Skills Development Facilitator (SDF) (See Annexure F).
- 5.6 The Council as direct employer should ensure that officials do not take advantage of and not misuse the training opportunities, or that management does not block such opportunities.
- 5.7 Trade unions are recognised as equal partners in the process of education, training and development as well as in the creation of policy and structures for the purposes of developing their members.
- 5.8 Members should be motivated to participate and they must collaborate actively towards the creation of a culture of learning.
- 5.9 By representing their members in the Skills Development Committee, trade unions should be an important source of information with regard to training needs as well as the distribution of course details.
- 5.10 The Skills Development Branch will only support programmes and activities for which there have been planned, budgeted and prioritised in advance, and which are being presented by approved institutions and service providers in collaboration with the Local Government Sector Education and Training Authority (LGSETA).
- 5.11 Skills Development within the Matjhabeng Municipality will comply with regulations and guidelines as set forth by the LGSETA from time to time.
- 5.12 Each manager/supervisor accepts the responsibility for the training and development of his/her subordinates through the identifying of training needs, nominating of candidates for courses, pre-and post-training interviews, coaching and mentoring of subordinates in the workplace and liaising with the SDC and/or the Skills Development Facilitator.
- 5.13 Approved in-service courses, workshops or programmes will be conducted during normal working hours.

6. ROLES, RESPONSIBILITIES AND AUTHORITY

To give effect to the Policy, line managers have to:

- Provide for planning and work scheduling in order for subordinates to receive required training and development.
- Submit duly completed and authorised nomination forms and any other required documents in order for officials to be considered for specific training interventions.
- Record monthly course attendance and training summary.
- Monitoring the individuals' performance after they have received training, to assess the suitability/effectiveness of training provided
- Ensure that any required post-course projects are completed and submitted
- Ensure that the technical skills requirements of their personnel are addressed.

On their turn, candidates for skills development interventions have to:

- Communicate specific professional, vocational, technical and academic (PIVOTAL) training needs;
- Assist management in planning and work scheduling in order for normal working performance not to be compromised;
- Complete and submit any required pre- and post-training assignments such as Portfolios of Evidence.
- Consistently attend the approved skills development programme and sharing their own expertise with other delegates.
- Objectively evaluate the training provided and informing their immediate superiors on same as well as the Human Capital Development Branch in order to improve on future intended training.

The Human Resource Development Policy and related Operational Plans and Procedures recognise the importance of life-long learning and continuous development. The following sections will inter alia deal with such processes such as Induction, Recognition of Prior Learning (RPL), Adult Education and Training (AET), Skills Programmes, Continued Professional Development (CPD), Workplace Integrated Learning (WIL) and Study Assistance.

7. INDUCTION

Induction is not a one-day event but takes place over the first few days and weeks after employment. The new appointee will not remember everything conveyed to him/her on the first day. Hence, information needs to be reinforced over a period of time. The aim of Induction Training is to assist with the orientation of newly appointed officials within the Municipality.

7.1 Phases in the Induction Programme

7.1.1 Phase One

Recruitment of staff for vacant positions represents the first phase of induction. During the recruitment process and even through the initial advertisement, applicants already obtain information about the Matjhabeng Local Municipality which may influence first impressions and perceptions. It mainly serves to introduce the most important conditions of service and the interview also provides the applicant with a preview of the municipality.

7.1.2 Phase Two

Probably the most important phase in the induction process commences the day that the new employee arrives at work for the first time. The relevant manager or supervisor is responsible for making the employee feels at home and to prepare him/her for his/her activities. The immediate supervisor/manager will prepare a formal, written orientation programme, a copy of which will be sent to the Human Resource Department.

The following act as guidelines during the departmental induction phase:

a) Preparation

The manager/supervisor ensures that the workplace of the official is properly organised and that the necessary furniture and/or equipment are available. The manager/supervisor prepares other employees in the Department or Branch prior to the arrival of the newcomer by informing them who is appointed, where he/she comes from, the date of commencement and requesting them to make the newly appointed person feel at home.

b) Reception

On the day of arrival, the manager/supervisor:

- Introduces the newly appointed official to his/her immediate superior (if applicable).
- Obtains more information on personal circumstances like any problems relating to transport, accommodation or any other issues.
- Introduces him/her to colleagues.
- Informs who will be available for future assistance.

c) Explanation of Activities

The rationale is to provide information in respect of the broader activities of the specific Section, Branch and Department in order to familiarise the appointee with the working environment and the bigger picture. The particular aim and objectives of the Section/Branch/Department, functions or activities to achieve them and the appointee's envisaged contribution in accomplishing the overall aim, is being explained.

In addition the Job Description and Key Performance Areas are discussed and agreed upon and formally signed by all relevant parties.

d) General Procedures

The newly appointed employee must know the following:

- Official working hours
- Attendance register procedures
- Vacation and Sick-leave procedures
- Facilities such as Rest Rooms and Parking Spaces
- Other office practices applicable to the particular Department/Branch

7.1.3 Phase Three

This phase involves the attendance of a formal briefing session in order for the new appointee to acquire a more comprehensive picture of the municipality. Such session preferably takes place after the new employee has been with the Municipality for approximately four weeks or in cases where the number of new appointees is sufficient to warrant a formal induction session. During this session, the core functions of Matjhabeng Municipality, including its Vision and Mission, Organisational Structure, HR Policies and Procedures, Conditions of Service and Union Membership Information are conveyed. Information on these issues are provided by relevant officials who are knowledgeable in the particular field.

The formal induction briefing session includes a synoptic explanation of local government as well as an outline of the important conditions of service and pointers concerning work performance and human relations.

The one-day briefing session consists of:

- Mission, Vision and organizational structure of the Municipality.
- Main activities of departments/branches and interrelations amongst them to achieve the mission and vision (e.g. the IDP).
- Conditions of Service, internal rules and procedures.
- Benefits offered by the Municipality (e.g. medical aid, pension/provident fund).
- Importance of maintaining sound relations with the broader community and colleagues (internal public) by referring to Public Relations/Customer Care and the Batho Pele Principles.

- Primary legislation that governs the organisation such as the Municipal Systems and Structures Act, Municipal Finance Management Act, Health and Safety Act, Basic Conditions of Employment Act, Labour Relations Act, Employment Equity Act, Skills Development and Skills Development Levies Act.
- Policies and procedures concerning Health and Safety, HIV/Aids, Employment Equity, Skills Development, Labour Relations (grievances and discipline) and Study Assistance.

Induction is not the sole responsibility of the Human Resources Department, but covers all processes from recruitment, interviewing, workplace orientation by relevant managers and supervisors and a formal briefing session involving various role-players. Due to practical considerations, phase two usually precedes phase three in that the new employee may first report at the workplace and come into contact with the supervisor or manager and co-workers before he/she participates in the formal briefing session. This emphasizes the important role of the immediate manager or supervisor in the induction process.

Especially during the probation period it is important that skills needs be identified as well as mentoring/coaching and performance evaluation steps to be taken by the relevant supervisor and/or manager.

8. DEVELOPMENT OF THE WORKPLACE SKILLS PLAN (WSP)

- 8.1 Apart from being legally obliged to develop an annual WSP (under the Skills Development Act and applicable Amendments), it provides a planned and structured approach to the type and amount of training for the year ahead based on the skills needs of the municipality.
- 8.2 The WSP should be seen as a strategic priority and continuously have executive buy-in or support. It should not only reflect generic workplace-based skills needs, but also carefully consider critical and scarce skills that are related to key technical and functional areas. Workplace skills planning should also be aligned with performance management and other human resource management systems, procedures and practices.
- 8.3 The Workplace Skills Plan is a statutory requirement as contemplated in the Skills Development Act (97/1998 as amended 2003 and 2008). The submission of a Workplace Skills Plan (WSP) and Annual Training Report (ATR) warrants a disbursement of a mandatory grant by the Local Government Sector Education and Training Authority (LGSETA). This grant, based on the skills levy paid by the Matjhabeng Local Municipality, is in essence a statutory fund designated for skills development. Its purpose is to formally plan and allocate budget for appropriate training interventions which will address the needs arising out of the LGSETA Sector Skills Plan, the Municipality's strategic requirements as contained in the IDP and the individual departmental staffing strategies and individual employees' Personal Development Plans (PDPs).
- 8.4 Head of Departments will be responsible for the development of annual departmental staffing strategies to support the WSP, consultation with organised labour through the

Skills Development Committee (SDC) and Local Labour Forum (LLF), the implementation of skills development initiatives contemplated in the WSP and realising Return on Investment (ROI) in terms of value gained for training programmes attended.

- 8.5 The Skills Development Facilitator (SDF) will be responsible for the development of the annual WSP and Annual Training Report (ATR) to be annually submitted to the LGSETA.

9. FUNDING OF SKILLS DEVELOPMENT

- 9.1. The WSP and related developmental interventions shall be funded out of the annual 1% skills levy allocation (current), based on Total Cost of Employment (TCOE) of all funded positions within the Municipality as well as any additional external grants or allocations from the budget to provide for further external training opportunities.
- 9.2. The allocation of funds between corporate projects and line departments shall be based on the annual requirements arising out of the Corporate Human Resources strategy, taken together with departmental staffing strategies. The Executive Director Corporate Services shall be responsible for approving the annual allocations, provided that departments shall not get less than a 60% allocation of their proportional share, based on the statutory skills levy.
- 9.3. Authority to reallocate anticipated or unplanned underutilized training budget allocations between departments to align to emerging priorities and underfunded departmental needs shall lie with the ED Corporate Services, in consultation with the respective Directorates.
- 9.4. The expenditure against the WSP shall be monitored by Corporate Services on a monthly basis, to identify opportunities, needs and possible under-expenditure which could result in reallocation of funding. The purpose would be to maximize both expenditure and ROI of the budget.
- 9.5. Implementation of the WSP, including both expenditure and training delivered, shall be monitored on a quarterly basis by the respective portfolio committees.

10. ADULT EDUCATION AND TRAINING

- 10.1. The Municipality shall encourage all employees to achieve a basic minimum level of literacy and numeracy in the General Education and Training (GET) band of the National Qualifications Framework (NQF).
- 10.2. In support of this the Municipality shall assess literacy and numeracy levels of all employees who currently have no formal qualification.

- 10.3. The Municipality shall aim to provide access to all employees to AET subjected to operational requirements.
- 10.4. The Municipality shall identify all current obstacles to successful completion of such training and shall, within reasonable parameters, provide support to mitigate such obstacles.

11. SKILLS COURSES (ACCREDITED AND NON-CREDIT BEARING TRAINING)

- 11.1 Employees shall be supported in attending short training courses which support the skills gaps and development opportunities identified within their PDPs or where such courses have been identified as general priorities within the municipality's corporate or departmental staffing strategies.
- 11.2 Ad hoc training courses which are not linked to PDPs or general staffing strategies or reflected in the WSP may be considered where they can be linked to specific new operational requirements.
- 11.3 As a general rule, training should be accredited and reflected in the Workplace Skills Plan.
- 11.4 Training which is linked to new or emerging needs should be supported.
- 11.5 Depending on the cost and/or duration of a skills course such training may attract a service obligation.

12. CONTINUED PROFESSIONAL DEVELOPMENT (CPD)

- 12.1 The Municipality shall endeavour to support CPD programmes for professional staff within identified Municipality career streams, where such CPD programmes are required to maintain professional registration and where such professional registration is a requirement of their current job within the Municipality.
- 12.2 The obligation to identify and attend such CPD programmes remains with the employee.
- 12.3 In the first instance, employees should seek CPD opportunities within the Free State Province and only where such training is not supported within the boundaries of the Free State, shall training outside the boundaries be supported.
- 12.4 In order to support such CPD, the Municipality shall engage with the various academic and professional institutions to provide appropriate CPD Programmes within the Free State Province;
- 12.5 The Municipality shall fund professional registration for staff if such registration is required in terms of their specific job designation and duties.

13. RECOGNITION OF PRIOR LEARNING (RPL)

- 13.1 The Municipality shall subscribe to an RPL practice which the further development and advancement of the employee.
- 13.2 The Municipality will offer an RPL Advice Service and will recommend an RPL process, where appropriate, to an accredited institution through which learners may be assessed and or awarded credits for learning which they have already obtained through work experience or some form of prior learning.
- 13.3 During such an assessment learners will be subject to the assessment criteria prescribed by Learning Institutions. All disputes relating to an RPL assessment process must be directed to the institute at which the assessment was conducted.
- 13.4 In cases where an RPL assessment is supported within an approved PDP, the employer will carry the related costs of registration.
- 13.5 Further interventions arising out of the RPL process will be subject to the approval of application for study assistance within this policy framework.

14. WORKPLACE INTEGRATED LEARNING (WIL)

14.1 LEARNERSHIPS AND SKILLS PROGRAMMES

14.1.1 Introduction

The National Skills Strategy has identified learnerships as a key route to achieving human resource targets on a macro-economic level. These include improvements in employment opportunities, re-skilling the workplace and replacing traditional restrictive apprenticeships with broader-based skills projects.

Shortcomings of some training interventions are that they fail to link theory with practice and leave most learners with a feeling of incompetence and the lack of skill when returning to real work environments. Learnerships are intended to overcome the gap between theoretical and practical learning by providing a system for the combination of structured institutional learning and learning experiences in the workplace. The aim of learnerships is to enable learners to obtain qualifications which are relevant to the working environment while being recognized nationally.

This policy intends to guide the implementation process and provide an effective way of evaluating whether learnerships are indeed contributing to the strategic aims of the Municipality. Both employed and unemployed candidates will be considered for learnerships in terms of provisions made in this policy.

14.1.2. Nature of Learnerships and Skills Programmes

A learnership may be regarded as a work-based route for learning and gaining qualifications. It includes both structured work experience (practical) and structured institutional learning (theory). “Learnerships”, first introduced in the Skills Development Act (97 of 1998: Chapter 4: see Annexure A), are structured learning programmes that combine classroom-based learning at an accredited training provider and on-the-job-training through mentoring in the workplace.

Learnerships are directly linked to specific Unit Standards, registered and recognized by the South African Qualifications Authority (SAQA). These standards indicate the outcomes that the learning should deliver and specify what learners should have achieved at the end of the learning process. The learning is a combination of theoretical classes and practical training in the workplace. The learners must receive active practical training in the workplace under supervision of a mentor. At least 50% of the assessment will take place in the workplace by means of demonstration (on-the-job assessment). The remaining 50% will be assessed by the provider in the classroom (off-the-job assessment). Most importantly, a Learnership has a contractual nature in the form of a Learnership Agreement (Annexure B) between three parties, i.e. the Learner, Learning Provider and Employer. This agreement has to be endorsed by the Department of Labour (DoL) via the Local Government Sector Education and Training Authority (LGSETA).

Learnerships are available to both employed and unemployed candidates and provide both the theoretical knowledge component and the practical experience candidates require to achieve a qualification registered on the National Qualifications Framework (NQF) (also see Annexure C).

Skills Programmes (see Annexure A: Chapter 5) are occupationally based and on completion constitute a credit or credits towards a qualification registered in terms of the National Qualifications Framework (NQF). A skills programme, therefore, is smaller in size than a learnership and consists of a unit standard or a cluster of unit standards. In the case of a skills programme, a learner can learn a specific amount of work skills by grouping clusters of unit standards instead of having to complete an entire qualification as in the case of a learnership. Skills Programmes allow for skills to be acquired that provide immediate access to income generation, e.g. being able to capture claims data is an important skill but it also does not require a full Claims Assessor Qualification for a person to be employable in a variety of clerical occupations positions relating to claims processing.

Parts of a Learnership can be presented as accredited short courses or as Skills Programmes. However, a Skills Programme per se will not result in a qualification, but various skills programmes, properly planned may lead to a qualification. As a learnership has an agreed fixed structure, skills programmes completed individually at various times will not generally lead to a learnership. The learnership structure has a planned programme of activities taking place over a period of time and encompasses all unit standards leading to a qualification in a fixed period, regulated by an agreement or contract. Hence, the combination of skills programmes does not usually result in a learnership but does not exclude the possibility of a qualification obtained at the learner’s own pace.

Considering the above, it is important to determine the suitability of a specific learnership for the Municipality, sourcing the learnership and ensuring that the learnership is a more viable solution to the development requirements rather than a skills programme. This would need to be agreed on a consultative basis with all stakeholders. The curriculum, the relationship

between the sectoral need and the in-house training need, as well as the link to the Municipality's performance management system would need to be agreed.

14.1.3 Learnerships in respect of current employees

Many employees have already acquired competencies around the tasks they perform in their jobs, but have never had access to the knowledge base or general education relating to their areas of work, or to qualifications. The learnership system for employees therefore plays a redress function – using recognition of prior learning (RPL) as a starting point, rather than assuming total ignorance of learners.

Learnerships offer an opportunity to help up-skill and refocus the efforts of employees. By coupling the concept of a “learning organisation” to learnerships, the Municipality can assist in the development of the employees and in the achievement of their organisational objectives by using the opportunities presented by appropriate structured workplace-based learning programmes.

In these cases the learnerships could both address gaps and deficits in the employees while providing the skills and knowledge required to adapt to new technologies, new opportunities and new challenges.

While learnerships in the short term may not appear to offer solutions, they will have a significant role to play in the development of human resources in the medium to long term.

14.1.3.1 The Learnership Agreement

A learnership agreement is a formal contract entered into for a specified period between a learner, an employer or a group of employers and an accredited training provider or group of training providers. The purpose of the learnership agreement is to provide a legally binding description of the rights and responsibilities of each party in relation to other parties. It therefore serves as the mechanism through which the quality of learnerships will be ensured and appropriate labour relations are maintained.

All learnership agreements will be binding once they have been registered with the LGSETA which, in turn, must furnish a record of learnerships to the Department of Labour.

The Skills Development Act (section 16), describes the terms of the learnership agreements as follows:

“The terms of a learnership agreement oblige--

- a. the employer to--
 - i. employ the learner for the period specified in the agreement;
 - ii. provide the learner with the specified practical work experience; and
 - iii. release the learner to attend the education and training specified in the agreement;
- b. the learner to--

- i. work for the employer; and
- ii. attend the specified education and training; and
- c. the training provider to provide--
 - i. the education and training specified in the agreement; and
 - ii. the learner support specified in the agreement.

A learnership agreement must be in the prescribed form and registered with the Sector Education and Training Authority (SETA) in the prescribed manner (Annexure B). The agreement may not be terminated before the expiry of the period of duration specified in the agreement unless--

- a. the learner meets the requirements for the successful completion of the learnership;
- b. the SETA approves of such termination; or
- c. the learner is fairly dismissed for a reason related to the learner's conduct or capacity as an employee.

The employer or training provider that is party to a learnership agreement may be substituted with--

- a. the consent of the learner; and
- b. the approval of the SETA.”

14.2 Learnerships in respect of unemployed learners

The Skills Development Act (No 97 of 1998) seeks to encourage employers to actively targeting the unemployed and pre-employed for learnerships. The term “pre-employed” tends to refer to people who are probably young and relatively inexperienced and are trying to start their working lives. Unlike the pre-employed, the unemployed have sometimes had work experience – even though it may not be directly relevant to the learnership in level or sector. It is important therefore that prior learning be recognised – be it experiential or formal – when deciding at what level to admit some unemployed people. Among this group there may be persons with low levels of formal education. While this does not imply that they are not competent in many ways, this would affect their ability to perform in some of the components of higher level learnerships.

Section 18 (2) of the Skills Development Act (97 of 1998) requires that “*the employer and the learner must enter into a contract of employment*”. This applies only if the learner is not already in the employment of an employer as described above. The employment contract for these learners is a mechanism for formalising the terms and conditions under which the education and training are to be conducted. Special circumstances apply to the contract of employment that flows from a learnership agreement (learnership employment contract). A Learnership is a fixed-term contract between Employer and Learner (Employee) and is possibly the only fixed-term contract which does not give rise to any expectation of ongoing employment at the end of the Learnership (in the case of previously unemployed learners).

Section 18 (1) and (2) of the Skills Development Act (97/1998) describes the contract of employment with a learner as follows:

(1) “If a learner was in the employment of the employer party to the learnership agreement concerned when the agreement was concluded, the learner's contract of employment is not affected by the agreement.

(2) If the learner was not in the employment of the employer party to the learnership agreement concerned when the agreement was concluded, the employer and learner must enter into a contract of employment.

The contract of employment with a learner contemplated in subsection (2) is subject to any terms and conditions that may be determined by the Minister on the recommendation of the Employment Conditions Commission established by section 59 (1) of the Basic Conditions of Employment Act.

The contract of employment of a learner terminates at the expiry of the period of duration specified in the learnership agreement unless the agreement was concluded with a person who was already in the employment of the employer party to the agreement when the agreement was concluded.”

14.3 Rights of Learner, Employer and Registered Training Provider

The learner has the right to:

- be educated and trained in terms of the Agreement;
- have access to the required resources to receive training in terms of the learnership;
- have his or her performance in training assessed and have access to the assessment results;
- receive a certificate upon successful completion of the learning;
- raise grievances in writing with the SETA concerning any shortcomings in the training.

The employer has the right to require the learner to:

- perform duties in terms of the Agreement; and
- comply with workplace rules and regulations in terms of the Conditions of Service.

- The registered training provider has the right of access to the learner's books, learning material and workplace, if required.

14.4 Duties of Learner, Employer and Training Provider

The learner must:

- a) work for the employer as part of the learning process;
- b) be available for and participate in all learning and work experience required by the learnership;

- c) comply with workplace policies and procedures;
- d) complete any timesheets or any written assessment tools supplied by the employer to record relevant workplace experience; and
- e) attend all study periods and theoretical learning sessions with the training provider and undertake all learning conscientiously.

The employer must:

- a) comply with its duties in terms of the Skills Development Act (the Act) and all applicable legislation including:
 - Basic Conditions of Employment Act (75 of 1997);
 - any applicable determination made in terms of section 18(3) of the Act;
 - Labour Relations Act (66 of 1995);
 - Employment Equity Act (55 of 1998);
 - Occupational Health and Safety Act (85 of 1993);
 - Compensation for Occupational Injuries and Diseases Act (No.130 of 1993);
- b) Provide the learner with appropriate training in the work environment to achieve the relevant outcomes required by the learnership;
- c) Provide appropriate facilities to train the learner in accordance with the workplace component of learning;
- d) Provide the learner with adequate supervision at work;
- e) Release the learner during normal working hours to attend off-the-job education and training required by the learnership;
- f) Pay the learner the agreed learning allowance both while the learner is working for the employer and while the learner is attending approved off-the-job training;
- g) Conduct on-the-job assessment, or cause it to be conducted;
- h) Keep up to date records of learning and periodically discuss progress with the learner;
- i) If the learner was not in the employment of the employer at the time of concluding the Agreement, advise the learner of the terms and conditions of his or her employment, including the learning allowance and workplace policies and procedures.
- j) Apply the same disciplinary, grievance and dispute resolution procedures to the learner as to other employees.

The learning provider must:

- a) Provide education and training in terms of the learnership;
- b) Provide the learner support as required by the learnership;
- c) Record, monitor and retain details of training provided to the learner in terms of the learnership;
- d) Conduct off-the-job assessment in terms of the learnership, or cause it to be conducted; and
- e) Provide reports to the employer on the learner's performance.

14.5 Termination of Agreement

The learnership agreement terminates:

- a) on a termination date stipulated in the Agreement; or
- b) on an earlier date if:
 - c) the learner successfully completes the learnership;
 - d) the learner is fairly dismissed by the employer for a reason related to the learner's conduct or capacity as an employee;
 - e) the employer and learner agree to terminate the Agreement; or
 - f) the SETA approves a written application to terminate the Agreement by the learner or, if good cause is shown, by the employer.

14.6 Disputes

If there is a dispute concerning any of the following matters, it may be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA):

- a) the interpretation or application of any provision of the Agreement, the learner's contract of employment or a sectoral determination made in terms of section 18(3) of the Act;
- b) Chapter 4 of the Act;
- c) the termination of the Agreement or the learner's contract of employment.

14.7. Quality Assurance

Quality management and assurance are integral to the learnership system and are achieved through the following mechanisms:

- Learnerships are registered with the Department of Labour (DoL) and undergo an evaluation based on set criteria. The quality process thus starts with the setting and registration of standards;
- The accreditation of employers as workplace providers and assessors by the LGSETA ensures that the workplace becomes a centre of quality for the provision of education and training; and
- Education and Training Quality Assurance Bodies (ETQAs) are accredited to monitor and audit the provision, assessment and achievement of standards and qualifications

14.8. Funding of Learnerships

The Municipality will be able to apply for Discretionary Grants for Learnerships from the LGSETA each time a Learnership Agreement is entered into. However, such grants will only be available once the Learnerships are registered with the Department of Labour. Grant approval must be obtained from the LGSETA prior to the conclusion of the Learnership Agreement and before any training commences. The grant will be used to pay provider costs and a learner allowance in the case of learnerships for unemployed persons in accordance with the Sectoral Determination on Learnerships as promulgated by the Minister of Labour (Annexure D).

14.9. Duration of Learnerships

A learnership will take into account a learner's previous learning as well as relevant experience through a mechanism referred to as Recognition of Prior Learning (RPL). Although normally twelve months or longer in duration, a learnership may therefore be reduced through RPL and it will therefore be possible for a candidate to exit the learnership earlier provided he/she successfully meets the outcomes of remaining unit standards relating to the qualification.

14.10 Criteria of selecting learners

Considering internal capacity in terms of providing support through mentoring and applicable workplace experience to learners, Heads of Departments will ultimately have to indicate the number of learners (employed and/or unemployed) to be accommodated in their respective Departments. Ideally, these numbers should be based on targets set in the Workplace Skills Plan.

Given the LGSETA's responsibility for grant approval, it will also be involved in the selection process, either directly or in an advisory capacity. The following issues need to be addressed in the criteria that the SETA negotiates with stakeholders:

- The appropriateness of the learner for the learnership which may include education level, current qualification and career path of the learner.
- Equity and geographical targets ensuring accessibility of learnerships.
- Technical requirements such as workplace readiness and commitment of parties to achieve the outcomes.
- The training provider could assist in screening learners to determine current skills and knowledge.
- Other criteria that may be specific to a particular learnership, e.g. someone entering a Community Worker learnership may be required to demonstrate previous commitment in the form of voluntary work in a community.

15. The Implementation Process

The roles of the employer, learner, training provider and LGSETA cannot be underestimated in ensuring the success of the implementation of a learnership. As with most projects, the success of the implementation depends on careful and detailed planning at the outset of the project. This will ensure that the resource and mechanisms required to support a successful implementation are identified and in place throughout the project.

It will be expected from the Municipality to:

- Appoint Project Team
- Identify members of a Learnership Implementation Committee
- Establish an administrative support system
- Sign Learnership Agreements

- Coordinate and supervise via the Project Team
- Report to LGSETA

The **Project Team** should consist of:

- A Project Team Leader or Learnership Co-ordinator
- An Administrator
- Other Support Staff as identified by the Project Team Leader
- A representative from the Training Provider
- Mentor and/or Assessor representative(s)

The role of the Project Team is to:

- Facilitate the planning, preparation and implementation of learnerships
- Develop a communication strategy with all stakeholders
- Establish criteria for learner selection
- Establish criteria for mentor selection
- Coordinate the identification of learners, mentors and assessors in liaison with the training provider
- Coordinate on-the-job and off-the-job structured learning
- Liaise with training providers
- Continuous monitoring of progress
- Report to the LGSETA

The role of the **Learnership Implementation Committee** is to establish the process for implementation. This committee should consist of:

- The Project Team Leader/Learnership Coordinator
- Management Representative(s)
- Union/Labour Forum Representative(s)
- Representative(s) from the Training Provider(s)
- LGSETA representative/Project Manager

Through the Learnership Implementation Committee, the Municipality must identify workplace mentors and assessors for a learnership. As vital role players in learnerships, mentors will guide learners through the practical training. Assessors will evaluate the learners' progress and assess them on the unit standards and/or outcomes of the learnership (the assessor and mentor could be the same person).

15.1 Preparation & Planning

During the preparation and planning phase, the Municipality will need to:

- Obtain grant approval from the LGSETA prior to the conclusion of the Learnership Agreement and before any training commences.
- Recruit learners via advertising in the media and/or liaising with Department of Labour in respect of possible learners (employment seekers) on database;
- Register Learners (i.e. enter into learnership agreement with the provider and learner: Annexure B);
- Define roles and assign organisational resources (i.e. including selecting mentors, coaches, assessors and moderators).
- Align processes/systems (i.e. ensure internal organisational alignment to learnership needs, including: contractual issues; learner support and guidance; workplace readiness; identifying internal resources for administration and learner support activities); and
- Prepare and induct Learners.

The LGSETA will require the learnership agreement/contract for each learner; proof of learner's registration with professional body or training provider (including student number, where applicable).

On receipt of concluded learnership agreements, the LGSETA will provide the employer with confirmation that learners are registered via a letter that will include details such as learnership title, particulars of learners, learnership agreement classification 18 (1) employed or 18 (2) unemployed, date of commencement and completion of the learnership.

15.2 Induction of Learners

Combined with an induction process, the learnership should ideally be officially launched in order to ensure clear communication of the scope of the learnership, and give learners the opportunity to ask questions or express concerns. Effective induction will assist in defining realistic learner expectations. It is advisable that a representative from the LGSETA is also present at such inductions.

Induction of learners will ensure that all role-players understand their roles and obligations. The learners must also understand the conditions of service that will apply to them whilst they are employed for the duration of the learnership (in case of 18(2) learners).

The following aspects have to be covered during induction:

- Roles and responsibilities of the learner;
- Roles and responsibilities of the employer;
- Roles and responsibilities of the training provider;
- The rights of each role-player within the learnership;
- House Rules – in line with organizational standard operating procedures;
- Conditions of Service and applicable policies;

- Introduction of learners to mentors and training provider
- The role of the LGSETA

15.3 Summary of Roles and Responsibilities

ROLE	RESPONSIBILITIES	POTENTIAL RESOURCES
Learnership Co-ordinator (Project Team Leader)	<ul style="list-style-type: none"> • Overall management, monitoring and reporting • Liaison with training providers, LGSETA, Department of Labour and learners • Selection of training providers • Selection and induction of learners 	<ul style="list-style-type: none"> • Training Officer (Skills Development Facilitator)
Learnership Administrators	<ul style="list-style-type: none"> • Administering Learnership Agreements • Scheduling • Maintaining database • Reporting • General information sharing • Communication 	<ul style="list-style-type: none"> • Administrators • Secretaries • HR/Training Assistants
Mentors (May be one or a number of persons per learner)	<ul style="list-style-type: none"> • Supporting learners • Coaching learners 	<ul style="list-style-type: none"> • Managers/Supervisors • Trainers • External Mentors (Training Provider)
Assessors	<ul style="list-style-type: none"> • Developing Assessment Tools • Planning, conduct and report on assessments • Supporting learners 	<ul style="list-style-type: none"> • Managers/Supervisors • Trainers • External Assessors (Training Provider)
Moderators	<ul style="list-style-type: none"> • Moderating assessment process • Reporting to LGSETA 	<ul style="list-style-type: none"> • Managers/Supervisors • Trainers • External Moderators (Consultants)
Other	<ul style="list-style-type: none"> • Identification of any other internal roles necessary for successful implementation of learnerships 	

16. Exit Strategy

The aim of an exit strategy is primarily to afford the Municipality the opportunity of selecting employees from a wider pool of suitably qualified workers who have already developed job-specific competencies through a learnership program.

The Matjhabeng Municipality has the prerogative of appointing beneficiaries who have successfully completed a learnership program. Duly qualified learners will inter alia be selected in accordance with performance as well as conduct displayed for the duration of the completed learnership. Appointment of learners will ultimately be done in terms of the recruitment and selection policy.

Terms and conditions pertaining to the exit strategy will be determined by the Municipality in collaboration with all stakeholders prior to the commencement of the learnership program and the signing of the learnership agreement.

17. CONCLUDING REMARKS

In following and successfully completing a learnership, learners will be increasing their knowledge and skills, which will impact positively on performance and service delivery to the community. In addition, previously disadvantaged persons have the opportunity to improve their work competence and obtain nationally recognised qualifications which ultimately improves employability.

In summary, learnerships are important because of the following reasons:

- The programme is outcomes-based;
- The learner interacts within the working environment;
- The learner interacts with clients and obtains an understanding of workplace dynamics;
- Assessment occurs at various stages and is based on the learner's competence;
- The qualification is nationally recognised and is benchmarked against international standards.
- The Municipality will be able to select employees from a wider pool of appropriately qualified workers who have developed job-specific skills

18. EXPERIENTIAL AND INTERNSHIP TRAINING

The aim of experiential and internship training is to provide students and graduates workplace experience and opportunity to practice and acquire work skills in the program that they have studied and intend practicing in future. This is also intended to assist students and graduates interns who are enrolled at tertiary institutions to obtain the required practical experience as part of their study program.

- 18.1 The Municipality shall establish graduate internship programmes (GIPs) within particular career streams with the objective of providing structured experiential learning opportunities.
- 18.2 Such programmes shall be subject to operational capacity and budget availability. The primary focus shall be on GIPs which have, as their outcome, professional registration in a field of scarce skill (e.g. Civil Engineering).

- 18.3 A third area of focus shall be to provide graduates in other disciplines opportunities to gain structured post graduate work experience, thereby enhancing their future employability.
- 18.4 All such programmes shall all contain formal, identified learning outcomes which shall seek to specifically build professional capacity through the acquisition of experience, completion of tasks and duties assigned to interns, which must be aligned to the practical workplace operations of the Municipality and the intern's career stream.
- 18.5 Special projects and research projects, amongst others, would be considered to be appropriate to add value to this programme.
- 18.6 The Municipality shall develop flexible, funding models to support such internships.
- 18.7 Internships may be located within permanent, full-time positions, fixed term contracts held against Municipality posts or fixed term contracts held against student posts within the organization, subject to the funding option relating to the particular GIP.
- 18.8 The Municipality shall, at its sole discretion, determine appropriate remuneration/stipends for graduate interns. This shall depend on the particular funding model, nature of skill and available budget. There shall be no general right to such remuneration/stipend; some internships may by mutual agreement, be without any such remuneration/stipend.
- 18.9 GIPs shall generally be between 12 months and 24 months in length, depending of the nature of the learning programme.
- 18.10 The appointment to a fixed term programme shall not give rise to any expectation of subsequent full time employment within the Municipality.

19. IN-SERVICE TRAINING PROGRAMMES (STUDENTS)

- 19.1 The Municipality shall support general skills development within the Free State Province through providing in-service training opportunities for undergraduate students from Free State based academic institutions and FETs. Exceptions to this may be considered by the Municipal Manager or his/ her nominee.
- 19.2 As a general rule, such programmes shall be limited to undergraduate qualification requirements.
- 19.3 Academic institutions shall provide structured learning outcomes for this purpose.
- 19.4 Priority will be given in the first instance to Municipality supported bursars.

- 19.5 Such programmes shall not undermine or interfere with primary service delivery imperatives and shall be subject to the Municipality's capacity to accommodate such students.
- 19.6 Such programmes shall be funded from within the Municipality training budget and shall be reclaimable from the SETAs.
- 19.7 Such programmes shall all be accompanied by appropriate contracts.
- 19.8 The Municipality shall appoint mentors for each individual student contracted through these programmes.
- 19.9 Students shall all be recommended by their respective tertiary institutions.
- 19.10 The Municipality shall, at its sole discretion, determine appropriate stipends for co-operative students. The purpose of the stipends shall be to assist students with transport and lunches. There shall be no general right to such stipends; some contracts may by mutual agreement, be without any such stipends.

20. MONITORING MEASURES

In order to ensure return on investment with regard to training expenditure, control measures concerning the attendance of external training events are needed. "External Training Event" refers to formal training courses, seminars, conferences, congresses, summits and workshops, but exclude meetings.

20.1 CONTROL MEASURES APPLICABLE TO OFFICIALS

The following control measures will apply:

- i. In terms of financing of training events, the Human Capital Development Branch shall give preference to activities contained in the Workplace Skills Plan which reflects the training needs as obtained from respective Directorates.
- ii. Requests for attending of training events should be submitted to the Manager: Training at least two (2) weeks prior to the event. Requests should be accompanied by an authorised nomination form or any other official approval by the relevant Manager/HOD.
- iii. Depending on the line of reporting and/or delegated powers, the attendance of external training events by Managers and Directors has to be officially approved by the relevant Director and/or Municipal Manager.
- iv. The training event should be relevant to the Local Government Sector, increases the employee's contribution to the Municipality in terms of his/her current post or prepare

the employee for a possible future post in terms of career pathing or succession planning.

- v. Preference shall be given to training provided by accredited providers where active learning is involved and a certificate of competence issued, seeing that funds for such training shall be obtained via skills grants.
- vi. Each Department is responsible for record keeping by completing an attendance register for all external training events attended by employees (Annexure A). Such register has to be returned to the Office of the Training Manager.
- vii. After attending external training events, it will be expected from delegates to submit a concise feedback report to be served before the relevant Portfolio Committee. A copy of such a report needs to be forwarded to the Training Manager.
- viii. The feedback report should contain the following information: an outline of the contents, new knowledge acquired, skills to be applied in the workplace, evaluation of the event and recommendations.
- ix. Departments have to budget for attendance of seminars held by their respective Institutes. Internal departmental procedures will apply with regard to attendance of Institute activities.
- x. Each department needs to budget for subsistence and travelling costs related to attendance of external training events.
- xi. In order to save costs, delegates must utilise only one vehicle in cases where four (4) delegates attend the same training event.
- xii. The particulars of delegates who travel with another delegate must be inserted as passenger on the travelling and subsistence claim form of the delegate who uses his/her vehicle.
- xiii. It will be expected from employees attending external training events, to remain in service of the municipality for a period as stated below:

Up to R 1 000 per attendance	2 months
R 1 001 to R 4 000 per attendance	6 months
R 4 001 to R 6 000 per attendance	9 months
R 6 001 and more per attendance	12 months

- xiv. If service is terminated before the said period expired, a pro-rata amount will be deducted from the employee's final salary.

20.2 ATTENDANCE OF EXTERNAL TRAINING EVENTS BY COUNCILLORS

The following control measures are applicable to Councillors attending external training events:

1. In terms of financing of training events, the Training Branch will give preference to activities contained in the Workplace Skills Plan which reflects the training needs as obtained from the Office of the Executive Mayor, in case of Mayoral Committee Members and the Office of the Speaker in case of other Councillors.
2. Requests for attending of training events funded via the Training Branch, should be submitted to the Manager: Training for approval at least two (2) weeks prior to the event. Such requests will only be considered if received in writing via the relevant mentioned Offices.
3. The training event should be applicable to the Local Government Sector and thus promotes Councillors' contribution to the Municipality in terms of their respective portfolios.
4. Preference shall be given to training provided by accredited providers where active learning is involved and a certificate of competence issued, seeing that funds for such training shall be obtained via skills grants.
5. The respective Offices of the Executive Mayor and the Speaker will be responsible for record keeping by completing attendance registers for all external training events attended by relevant Councillors (Annexure B). Such registers have to be returned to the Office of the Executive Manager: Human Resources.
6. After attending external training events, it will be expected from delegates to submit a concise feedback report to be served before the relevant Portfolio Committee. A copy of such a report needs to be forwarded to the Office of the Executive Manager: Human Resources.
7. The feedback report should contain the following information: an outline of the contents, new knowledge acquired, skills to be applied, evaluation of the event and recommendations.
8. Only the actual training costs as reflected on official invoices from the service provider will be covered by the Human Capital Development Branch. Any other expenditure such as accommodation, travelling, meals and telephone will be funded by the Speaker's Office.
9. In order to save costs, delegates must utilise only one vehicle in cases where four (4) delegates attend the same training event.

STUDY ASSISTANCE SCHEME (SAS)

1. PURPOSE

- 1.1 The purpose of the Study Assistance Scheme (SAS) is to encourage and assist Councillors and Officials who want to develop their potential and thus increase their value to the Municipality through obtaining formal qualifications recognised on the National Qualifications Framework (NQF).

2. GENERAL

- 2.1 The scheme covers approved courses or curricula leading up to a formal qualification provided by reputable, accredited education and training providers recognised by the Matjhabeng Municipality. The relevance of the intended studies, cost and the training provider need to be evaluated prior to approval of applications.
- 2.2 Recognised qualifications are generally school certificates, degrees and diplomas of substance aligned within the National Qualifications Framework (NQF). Applicants intending to further their education have to formally apply an application form.
- 2.3 The application of officials and Councillors must be recommended by the relevant Head of Department and Offices of the Speaker/Executive Mayor respectively, recommended by the Executive Director Corporate Services and approved by the Municipal Manager **prior to** commencement of the course. Where an applicant commences study without approval, he/she will not be entitled to financial assistance.
- 2.4 A beneficiary in terms of this scheme who fails all or part of the year/course will not be considered for further assistance in respect of the relevant failed subject(s).

3. CRITERIA FOR GRANTING ASSISTANCE

Applicants will be eligible to apply for study assistance under the following conditions:-

- That the course of study, provided by a recognised institution, is relevant to the Local Government Sector and that it will increase the applicant's contribution / value to the Municipality.
- That the course of study will benefit the employee in terms of his/her current area of specialization, or the employee's current or future responsibilities that have been identified.
- That the performance of the employee is sufficient to warrant the investment in the employee's future within the Municipality.
- That if deemed necessary, the applicant be assessed by a reputable institution in order to determine the likelihood of success in following a particular course.

- Newly appointed officials will only be considered for study assistance after successfully serving the required probation period.

4. FINANCIAL ASSISTANCE

- 4.1 Financial assistance will be considered for applicants in terms of the criteria as outlined. This assistance scheme only covers the cost of registration, tuition and first attempt examination fees.
- 4.2 Financial assistance to cover cost to a maximum of R 8000.00 per annum, annually adjusted with 5%.
- 4.3 The Municipality will normally pay accounts direct to the educational institution concerned.
- 4.4 Employees shall be supported through appropriate mechanisms, where required and where such interventions form part of their PDPs, provided that such support is not contradicted elsewhere in this or any other Municipality policy framework.
- 4.5 Employees shall be held financially accountable for non-attendance of Municipal funded interventions as required by the Municipal Management Finance Act, 56 of 2003, provided that the Executive Director may waive this requirement under exceptional circumstances.
- 4.6 The Municipality shall, as a general rule and within budget availability, prioritise first tertiary undergraduate qualifications. Such funding shall be for qualifications which are aligned to municipals needs.
- 4.7 The funding of full post graduate qualifications shall only be considered based on the business needs of the organization and on the submission of a compelling business case.

5. ADMINISTRATION

- 5.1 Applications must be submitted on the applicable 'Application for Study Aid' form attached hereto (Annexure A or B).
- 5.2 Applications will only be considered and processed if submitted within the time frame of 1 November to 28 February and 1 June to 31 July.
- 5.3 The applicant is required to supply proof of having successfully completed the course / module(s) applied for in order to be considered for any further assistance in respect of the specific course/module(s).
- 5.4 It will be expected from officials to remain in service for a period equal to the period of assistance granted. Such period will not run concurrently with the period of

assistance but will commence thereafter. If service is terminated before the said period, a pro-rata amount in terms of the amount granted for study assistance, will be deducted from his/her final salary.

- 5.5 The Municipality reserves the right to withhold any financial assistance or to cancel any agreement in terms of this scheme in the event that the Municipality in its own discretion considers that circumstances have been arisen which are not provided for or which would justify such withholding or cancellation.
- 5.6 The employee undertakes to inform the Municipality immediately of:
 - a) Any change of address
 - b) Cessation and/or change of courses
 - c) He/she is of the opinion that it has become impossible to fully comply with an agreement in terms of this scheme
- 5.7 The Municipality shall be entitled to vary any of the terms and conditions contained in this scheme if in its own discretion it will be to the advantage of either one or both parties to do so.

6. STUDY LEAVE

- 6.1 The Municipality will grant two (2) days study leave per subject (one for preparation and one for examination) to all employees who qualify for study aid in terms of the Study Assistance Scheme.
- 6.2 In cases where two subjects are being written on one day or on successive days, two (2) days study leave prior to writing the two papers will be granted.
- 6.3 Any additional leave required for examination purposes, must be taken as annual leave.
- 6.4 Examination results have to be submitted to Human Resources for purposes of administering study leave. Study leave will initially be treated as annual leave and only upon submitting successful results will it be changed to special leave.
- 6.5 In the event that a beneficiary to this scheme fails to sit for exams for no good reason(s), the relevant amount granted will be deducted from such a beneficiary.
- 6.6 If the employee fails the first time he/she writes the exam, study leave as stipulated in 6.1 and 6.2 will be granted to re-write. Any leave required to write the same subjects again after failing for a second time, will have to be taken as annual leave or, where no annual leave is due, as unpaid leave.
- 6.7 Authorised application for leave must be in writing on the official Leave Application Form and must be accompanied by the official examination roster as provided by the

educational institution. Employees who are repeating subjects shall be required to take their own leave for class attendance, examination preparation and writing. Such employees shall also be required to pay for their repeat subjects. The Municipal Manager shall have the authority to waive one or both these requirements, based of exceptional personal circumstances.

ANNEXURE E

STANDARD OPERATING PROCEDURE: SKILLS DEVELOPMENT BRANCH

1. INTRODUCTION

Training initiatives within Matjhabeng Municipality must comply with and be based on the following:

- The National Skills Development Strategy which provide for applicable legislation, i.e. the SAQA Act (58 of 1995), Skills Development Act (97 of 1998), Skills Development Levies Act (9 of 1999) and the Employment Equity Act (55 of 1998)
- The Skills Development Policy which was accepted by the Skills Development Committee (SDC) and approved by Council.
- The Annual Workplace Skills Plan (WSP) submitted and approved by the Local Government Sector, Education and Training Authority (LGSETA).

2. VISION AND MISSION

The Vision of Skills Development as contained in the Skills Development Policy is to provide an efficient and effective service to the community by applying the appropriate knowledge, skills and attitudes of well trained councillors and officials.

In order to accomplish this vision, the Mission is to provide sufficient opportunities for the education, training and development of councillors and officials through enhancing *capacity building* and *empowerment*¹ by facilitating a culture of learning and valuing diversity.

3. STRATEGY

To implement the Skills Development Policy and its Principles, the following strategy or procedure is followed:

¹ **Capacity-building** is often used as a synonym for training. However, capacity-building refers to the process of improving the ability of an organisation to perform its functions, exercise its powers and discharge its duties effectively and efficiently. Therefore, training is only one process that can be used to build capacity, but in itself is not capacity-building. Other capacity-building processes can include the implementation of appropriate structures, systems, procedures and management styles.

Empowerment is also often used as equivalent for training. Empowerment is the process of enabling people to take charge of their own lives. This can be achieved, amongst other things, by encouraging people to participate in the making and implementation of decisions that affect their lives as well as the transferring of knowledge and skills to people. As in the case of capacity-building, training is therefore only one method of empowerment but is not empowerment in itself.

- ◆ Implement the Workplace Skills Plan (WSP) approved by the Local Government Sector Education and Training Authority (LGSETA)
- ◆ Create a culture and climate conducive to skills development through informing the Skills Development Committee (SDC) as a communication channel, on the training process which consists of the determining of training needs, available courses/workshops and evaluation of training interventions.
- ◆ Convince management and supervisors, through regular visits and training, to accept skills development of subordinates as an integral part of their management function and accompanying responsibilities by identifying training needs, nominating candidates for courses, pre-and post-training interviews, coaching and mentoring of subordinates in the workplace (on-the-job-training) and liaising with the SDC and/or the Skills Development Facilitator.
- ◆ Render a human resources development service by means of conducting and/or facilitating courses/workshops by full-time employees (training officials) or approved/accredited external providers; advise the municipality regarding training matters and ensure the maintenance of national standards as set forth by the National Qualifications Framework (NQF).
- ◆ Support programmes and activities for which there have been planned, budgeted and prioritised in advance, and which are being presented by approved institutions and service providers in collaboration with the LGSETA.
- ◆ Monitor the payment of training levies to SARS and the recovering of grants via the LGSETA.
- ◆ Ensure the creation of a separate vote number on the budget for the mandatory and discretionary grants received from the SETA as contemplated in the Skills Development Levies Act (9 of 1999) as well as the proper administration of such funds.
- ◆ Comply with regulations regarding Learnerships and Skills Programmes as stipulated in the Skills Development Act (97 of 1998) and prescribed by the LGSETA.
- ◆ Apply the following quality assurance measures:
 - Ensuring that pre- and post-training interviews with nominees take place;
 - Evaluation of knowledge, reaction, behaviour (skills) and results;
 - Feedback on Performance Appraisals;
 - Approved providers through the LGSETA;
 - Quality Assurance via SETA
- ◆ Ensure that training initiatives assist in reaching employment equity targets as stated in the Employment Equity Plan by addressing gender and racial inequalities, upgrading skills of people with disabilities and generally improve equity in the workplace.

- ◆ The Council as direct employer, through its sub-committees, should see to it that officials do take advantage of and not misuse training opportunities, or that management does not block such opportunities.

Make recommendations to Council annually during the budgetary process regarding training needs, priorities and funds required after the determining of training needs in the various departments/branches.

4. STAKEHODERS

The following role players are involved in the skills development process:

- * The Council as Direct Employer.
- * The Municipal Manager and his/her Management Team.
- * The Councillor involved with Human Resources.
- * Officials in their capacity as individuals and collective groupings via Trade Unions.
- * The Community as Indirect Employer and interest group.
- * The Skills Development Committee (SDC).
- * A Provincial Committee to be established by the LGSETA.
- * The Skills Development Division
- * Other training institutions and service providers in deliberation with the Skills Development Division.

6. OTHER RELATED ACTIVITIES

- i) Skills development committee
- ii) Management committee / section 80 committee
- iii) Liaising with providers
- iv) Liaising with LGSETA
- v) Administration of levy/grant scheme
- vi) Compiling of workplace skills plan & implementation reports
- vii) Determining of training needs
- viii) Evaluation of training
- ix) Monthly reports

7. ROLE AND FUNCTIONS OF SKILLS DEVELOPMENT FACILITATOR (SDF)

The main objective of the nomination/appointment of a SDF is to encourage an employer to identify a person who will be responsible for the development and planning of the organisation's skills development strategy. This will include the development and implementation of an annual workplace skills plan and the submission of an annual training report. He/she will also serve as a resource to the employer with regard to the criteria required for accreditation of courses, skills programmes and learnership development.

According to the regulations published by the Department of Labour, the following functions will have to be performed by the SDF:

- I. Assist the employer and employees in the development of a workplace skills plan which complies with the requirements of the SETA and the National Skills Authority (NSA). The implication is that he/she will be able to gather, facilitate and analyse information in relation to the workplace skills plan which will meet the needs of individual learners, the organisation, the sector and national skills priorities;
- II. Advise the employer on the implementation of the workplace skills plan;
- III. Assist the employer with the drafting of an annual training report against the approved workplace skills plan (and which complies with the requirements of the NSA);
- IV. Advise the employer on quality assurance requirements as set by the SETA;
- V. Serve as contact person between the employer and the SETA.

More specifically, the tasks of the Skills Development Facilitator should include the following:

- a) Obtain key stakeholder participation in the planning and implementation of skills development within Council;
- b) Co-ordinate the establishment of a communication structure for skills development planning (i.e. Training Committee) within Council;
- c) Gather and review information about national and sectoral skills;
- d) Gather information on the strategic direction of Council;
- e) Gather information on the skills profile of the organisation (determine an appropriate skills audit system to assess the current competencies of employees);
- f) Gather information on the skills needs of the organisation (training needs analysis);
- g) Identify potential providers and consolidate into the Workplace Skills Plan (WSP);
- h) Contextualise the WSP to meet the strategic objectives of Council;

- i) Ensure that the WSP complies with SETA requirements;
- j) Liaise on a continuous basis with the SETA;
- k) Promote skills development strategies such as learnerships and skills programmes;
- l) Reconcile an appropriate information system to manage the implementation of the skills development process;
- m) Prioritise the implementation process of the WSP;
- n) Advise on learning interventions to meet the requirements of the WSP;
- o) Develop indicators to measure progress with regard to implementation of the WSP;
- p) Monitor effectiveness of training interventions linked to the strategic plan of Council;
- q) Ensure that quality assurance practices conform to South African Qualifications Authority (SAQA) / ETQA requirements;
- r) Develop and implement a quality management system to assess learning programmes' outcomes on employees;
- s) Determine the impact of the WSP on the performance of the organisation;
- t) Identify strengths and weaknesses of the WSP;
- u) Make recommendations for improvement;
- v) Submit WSP report to the Local Government SETA.

7.1. CORE COMPETENCIES OF THE SKILLS DEVELOPMENT FACILITATOR

Unit standards were developed under the auspices of the Standards Generating Body (SGB) for occupation-directed education, training and development practitioners to equip Skills Development Facilitators to perform the above mentioned functions. These unit standards will eventually be registered with SAQA to form a qualification. SDF's should be formally qualified within three years and should, in the interim, conform to certain guidelines regarding appropriate skills.

A SDF should be able to demonstrate a thorough knowledge and understanding of:

- ◆ The Skills Development Strategy:
 - ↑ South African Qualifications Authority Act (Act 58/1995)
 - ↑ Skills Development Act (Act 97/1998)
 - ↑ Skills Development Levies Act (Act 9/1999)

- ↑ Skills Programmes
- ↑ Learnerships
- ↑ ETQA's
- ↑ SETA functions
- ↑ Skills levies
- ↑ The National Qualifications Framework (NQF)
- ↑
- ◆ Related relevant legislation
 - * Employment Equity Act (Act 55/1998)
 - * Labour Relations Act (Act 66/1995)
- ◆ Labour market policies (strategic factors impacting on the organisation).
- ◆ A thorough understanding of the sector within which the organisation is operating.
- ◆ An understanding of the occupational classification system in the organisation/sector.
- ◆ The understanding to conduct skills needs analysis and skills audits.
- ◆ An understanding of current business performance (how performance/productivity is measured)
- ◆ Strong negotiation techniques to gain commitment to the objectives of Workplace Skills Planning.
- ◆ Career pathing, succession planning and lateral development.
- ◆ The role of diversity, values and belief systems within the enterprise and the sector.
- ◆ Quality assurance principles and procedures.

ANNEXURE F

LINE MANAGEMENT AS PARTNER IN HUMAN CAPITAL DEVELOPMENT

- **THE CRISIS OF THE TRANSFER OF LEARNING**

The most significant barrier to transfer of learning to the workplace, is the lack of reinforcement on the job to support trainees in applying training to their jobs. The work environment is not always conducive to the implementation of the newly acquired knowledge and skills. Established practices/procedures, interpersonal relations and supervisory patterns (management styles) can be resistant to any new and probably more effective work methods. Due to this possible resistance to change, the former trainee is not enabled to implement what he/she has learned.

- **SOLUTION**

An important part of the solution is founded in your role as the line manager of the nominee. You are definitely the critical factor in determining the extent of transfer of learning as you have regular contact with your subordinates and you can exercise the greatest influence on their activities.

Your role as Line Manager

In order to ensure that subordinates optimally implement what they have learned during a course it is advisable that you must conduct pre- and post training discussions with nominees. The following guideline for these discussions can be adjusted to fit your particular work situation.

- **Pre-Training Discussion**

Agenda

Your subordinates will mostly benefit from a training programme provided you show interest in their participation and indicate your own expectations. Pre-training discussions should take place within the last week before the commencement of the course.

The following guidelines can be followed:

- ◇ Discuss the subordinate's training needs with him/her as well as the reasons for attending a particular course.
- ◇ Discuss the course objectives (outcomes) and contents which were provided by the relevant provider.
- ◇ Discuss the nominee's personal interests, expectations and objectives concerning the course.

- ◇ Also discuss what you expect the nominee to gain from the course by referring to the course objectives and the nominee's job responsibilities.
- ◇ Record both your and his/her expectations.
- ◇ Discuss work arrangements so that the nominee can attend the course without any disturbances.
- ◇ Ask him/her to be prepared to give feedback during a similar discussion after the course regarding the following:
 - * to what extent did the course satisfy the set expectations?
 - * what objectives does he/she plan to achieve in the work situation through the contribution of the course?
- ◇ During the pre-training discussion it should be emphasized that you and your subordinate are primarily responsible for his/her skills development.

- **Post-training discussion**

Agenda

This discussion, as agreed upon during the pre-training conversation, should take place within three (3) working days after completion of the course in order to ensure that the person actually implement what he/she has learnt:

- ◆ Ask his/her opinion about the value of the course and its suitability for other members of the department/branch/division.
- ◆ Work through the objectives that he/she had set for himself/herself during the course and also discuss the inclusion of other things which you feel he/she can benefit from.
- ◆ If certain aspects cannot immediately be implemented (but maybe later), discuss ways in which the knowledge and skills can be maintained. For example, let him/her do a short presentation to his/her colleagues, inform a co-worker who needs the specific knowledge and skill.

IMPORTANT

- Create opportunities (instructions, tasks, projects) wherein the subordinate can apply what he/she has learnt.
- Identify and eliminate obstructions in the workplace which can prevent the subordinate to implement what he/she has aimed for.

- Support the former trainee by providing further on-the-job training and advice in order to reinforce newly acquired knowledge and skills.
- As line manager you are in the best position to ensure that subordinates implement what they have learned, to value improvement, to appraise performance, to provide further training and on-the-job mentoring.
- In neglecting the aforementioned guidelines, you increase the chances that the acquired knowledge and skills be lost, which in turn invalidate your training investment.
- Any information following from your discussions with nominees that could be of relevance to the Training Branch should be communicated to the latter.

ANNEXURE G

TERMS OF REFERENCE OF THE SKILLS DEVELOPMENT COMMITTEE (SDC)

1. NAME

The Committee shall be known as the Skills Development Committee, hereafter referred to as the SDC.

2. AIM AND OBJECTIVES

The SDC considers itself as a key role player in the implementation of the Skills Development Policy, by means of pursuing the following objectives:

- ♦ To promote the education, training and development of all employees.
- ♦ To establish a culture and climate conducive to education, training and development.
- ♦ To place responsibilities on appropriate executive levels.

3. FUNCTIONS

The responsibilities of the SDC are as follows:

- Formulate and revise the Skills Development Policy in line with applicable legislation.
- Assist with the determining of training needs in the various departments and branches.
- Identify approved and applicable courses, workshops and programmes.
- Ensure that the Skills Development Division receives nominations within the stated time frame.
- Identify and address reasons for the poor or non-attendance of courses nominated for.
- See that records of courses attended are being kept by line management.
- Assist in the evaluation of training by receiving and giving of feedback to Council and the Local Government, Water and Related Services Sector Education and Training Authority (LGSETA)
- Encourage line management in taking ownership of the training process by means of pre- and post-training discussions with nominees.

- Compile a biannually report to Council regarding the activities of the SDC.
- Report progress to the LGSETA in terms of the approved Workplace Skills Plan.
- Make recommendations to Council annually during the budgetary process regarding training needs, priorities and funds required after the determining of training needs in the various departments/branches.
- Monitor the payment of training levies to SARS and the recovering of grants via the LGSETA.

4. COMPOSITION

The SDC will consist of the following members:

Chairperson:

The Member of the Mayoral Committee (MMC) for Corporate Support Services will act as Chairperson for meetings of the SDC.

Other Members:

- ♦ Chief Financial Officer or Secundi
- ♦ Director Infrastructure or Secundi
- ♦ Director Community Services or Secundi
- ♦ Skills Development Representatives per Directorate (as per invitation)
- ♦ Manager: Organisational Efficiency Studies
- Skills Development Facilitators (Training Branch)
- Representative : Samwu
- Representative: Imatu

Secretary: Appointed / elected by the Committee

Additional members can be co-opted.

5. MEETINGS

The Committee will meet once every two months. A special meeting can be convened with the approval of the Chairperson or on request of the majority of members.

The Secretary must keep written minutes of each meeting and submit it for approval to the Chairperson and members at the next meeting.

6. QUORUM

A majority of the members of the Committee constitutes a quorum at SDC-meetings. In the absence of the Chairperson, the Committee may elect or appoint a Chairperson.

7. DUTIES OF MEMBERS

The Chairperson must lead the meetings by virtue of accepted meeting procedures and must see to it that it abides by the constitution at all times. He/she must also perform all duties that are usually attached to the position of Chairperson.

The Secretary must attend all SDC-meetings, handle secretarial duties such as the taking and sending of minutes, submission of minutes for approval and the compiling and sending of agendas/reports.

The Members are expected to carry the interests of the Municipality, which they represent in this Committee, at heart and at all times to set an example for their colleagues.

8. ACCEPTANCE OF TERMS OF REFERENCE

This terms of reference is approved and accepted by Council and is binding to all members of the Skills Development Committee (SDC).

ANNEXURE H: CONCEPTUALISATION

Term /Concept	Definition
Assessment	The process of gathering sufficient information for evaluating what learners know and can do, against a specific measurement, including but not limited to qualification, performance measure, unit standard. This may take place through a number of methods, including but not limited to portfolios, simulations, workplace assessments or written and oral examinations.
Career path	A growth plan that defines progress through the learning bands on a chosen career path.
Education, Training and Development	The term used to describe the practices which directly or indirectly promote or support learning.
Graduate Interns	South African Graduates who have successfully completed academic training in specific identified academic disciplines and are now seeking to gain formal, structured, industry-based experience.
In-service trainees (students)	Students who are still studying towards a tertiary qualification and require work experience as part of their academic curriculum. Such work experience is usually defined, with clear learning outcomes.
Learning Programme.	Skills programmes, Learnerships and Apprenticeships are structured learning programmes that combine learning at a Training Institution with practical work-based learning in an integrated programme. They may lead to a formal qualification.
Continuous Professional Development	Professional, credit-bearing short training courses including conferences and seminars where specific learning outcomes are assessed for the purposes of eligibility for professional registration with a professional body.
Coach	A knowledgeable and experienced individual who is responsible for providing support, advice and counsel to other employees.
Coaching	A process of deploying experienced individuals to provide guidance and advice that will help to develop the careers of protégés allocated to them.
Mentor	A subject matter expert who transfers specific skills to an employee.

Term /Concept	Definition
Mentoring	A formal process that enables specific learning and development to take place through transferring of skills from a Coach to an employee.
National Qualifications Framework (NQF)	A framework which consists of 10 hierarchical levels, including AET, for the registration of national standards and qualifications in the education and training system.
Personal Development Plan (PDP)	A PDP constitutes the creation of a clear development action plan for an individual employee for which the individual takes primary responsibility for their development.
Recognition of prior learning(RPL)	RPL is a form of assessment that acknowledges skills and knowledge acquired through, formal and informal training conducted by industry or educational institutions, work experience and on-the-job training. Its purpose is primarily developmental.
South African Qualification Authority (SAQA)	Responsible for overseeing the development and implementation of the National Qualifications Framework. The South African Qualifications Authority (SAQA) came into being through the promulgation of the SAQA Act.
Sector Education and Training Authority (SETA)	A body established under the Skills Development Act in terms of section 9(1). Its main purpose is to contribute to the improvement of skills in South Africa through achieving a more favourable balance between demand and supply. In addition, SETA's will monitor education and training in the sector, and therefore will fulfill all the functions of ETQA's.
Skills Development Facilitator	A senior employee who has been assigned the role of Skills Development Facilitator, as described in the Skills Development Act. This is not necessarily a job, but rather a role which can be assigned to any appropriate senior employee.
Workplace Skills Plan (WSP)	A Workplace Skills Plan is a formal documented plan of individual and organizational training interventions within an annual training cycle. The requirement to develop such a plan arises from the Skills Development Act. The process of developing this plan is contained within the act and includes consultation with staff and trade unions. The plan is submitted to the relevant SETA on an annual basis

ACRONYMS

Acronym	Definition
AET	Adult Education and Training (previously Adult Basic Education & Training — ABET)
CPD	Continuous Professional Development
ETD	Education. Training and Development
FET	Further Education and Training
GET	General Education and Training
GIP	Graduate Internship Program
HET	Higher Education and Training
HR	Human Resources.
IDP	Integrated Development Plan
LGSETA	Local Government Sector Education and Training Authority

NQF	National Qualification Framework
OBE	Outcomes Based Education
PDP	Personal Development Plan
PIVOTAL	Professional; Vocational, Technical and Academic learning areas
ROI	Return on Investment
RPL	Recognition of Prior Learning
SAQA	South African Qualifications Authority
SETA	Sector Education and Training Authority
TCOE	Total Cost of Employment (as defined in the Remuneration Policy)
WSP	Workplace Skills Plan