

MOGALE CITY LOCAL MUNICIPALITY (MCLM)



Mogale City

Local Municipality

DR

**AFT COUNCILLOR (CLLR)
SKILLS DEVELOPMENT &
TRAINING POLICY**

DN Dicks//OOTS

MAY 2008

Preliminary

This policy is an internal guidance document produced by The Office of The Speaker (OOTS) in accordance with MCLM's Human Resource Development Policies and the requirements of the Labour Relations Act and Skills Development Act, 1998

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1. Definitions

“bursary holder” means a Councillor who is a member of Mogale City Local Municipality, duly elected according to the provisions of the Municipal Structures Act 117 of 1998 and who fits the definition in Section 1 of the Act,

“bursary” means a bursary, which is granted to a bursary holder

“Council” means Mogale City Local Municipality

“course” means a degree or diploma course or other approved study field or any portion thereof that consists of any amount of subjects or modules which is concluded over a period of no longer than four (4) years and which is approved by Council. This is with the understanding that post graduate courses such as Masters and Honours degrees, that are concluded over a specified period, also form part of this Agreement;

“educational institution” means an institution mentioned in Section 79 (16) (d) and (51) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) or a university or a University College or any other higher teaching institution determined and approved by Council

“training committee” is MCLM’s training committee established in terms of the Skills Development Act, Act 97 of 1998 and its promulgated regulations and annexures

2. Policy Statement

The purpose of this policy is to outline the process associated with education, training and development (ETD) located within the OOTS. This policy applies to all Cllrs located at MCLM.

The intent is that Skills development must facilitate a strategic output to ensure that Cllrs are professional, productive and competent in executing their tasks. It is also further envisaged that skills development must provide effective, efficient and cost effective service delivery that is essential in ensuring that competencies are continuously improved.

3. Policy Objectives

The objectives of this policy are to ensure and to:

- i. develop the professional capacity, thus promoting service delivery
- ii. promote an integrated strategic approach in addressing education, training and development needs
- iii. address areas of skills shortages
- iv. contribute to the full personal development of every Cllr from the day that person assumes duty until the end of their career at MCLM
- v. facilitate access to training which inevitably ensures mobility and progression with every individual's career path
- vi. create a culture of life-long learning
- vii. promote fair and transparent education, training and development practices within OOTS

4. Core Education, Training and Development (ETD) Principles

OOTS will promote the following principles in order to achieve the objectives of this policy:

- i. stakeholders' support is of utmost importance for the efficiency and effectiveness of ETD
- ii. alignment of ETD interventions to the strategic objectives of MCLM and OOTS
- iii. investment in Human Capital
- iv. competency based job profiling
- v. assessment of competencies and potential
- vi. full utilisation of potential
- vii. career pathing and development

- viii. alignment to ETD policy and legislative framework
- ix. an integrated ETD process
- x. outcomes orientated activities
- xi. support and acceptance of responsibility and accountability, including adequate resourcing
- xii. improved performance and service delivery

5. Sanctioning of Policy

This policy needs to be approved by Council, no amendment shall be made to the Policy nor shall any deviation be made without the approval of Council

In the event that there is a need to deviate from the aspect of this policy and procedures, a formal disposition document must be prepared stating the nature and reasons for the proposed departure which must be submitted to Council for approval.

6. Process to be followed

The following process around ETD needs to be followed by OOTS:

- i. conduct a skills audit annually to inform, amongst others, the ETD budget
- ii. submit an annual report on skills development areas
- iii. assessment of competencies by means of potential evaluation, actual work performance, skills audits and training needs analysis
- iv. promote specific development interventions, including:
 - a) financial assistance by MCLM to allow study towards further relevant qualifications
 - b) attendance of training courses
 - c) participation in formal development programmes leading to qualifications, such as formal studies through accredited institutions and learnerships
 - d) mentorship and career counselling
 - e) ABET
 - f) Development and maintenance of career management

7. Education, Training and Development

To afford Cllrs the opportunity to equip themselves with skills, knowledge, compatibility and expertise that will add value to their functions and MCLM that will be accredited according to the specifications of SAQA/NQF. Interventions should take the format of internal and external training courses and formal studies.

8. Internal Training Courses

OOTS will provide in-house training courses and/or develop or purchase new training courses on the following principles:

- i. Cllrs should have ongoing and equitable access to training to be equipped with the necessary and relevant skills and knowledge
- ii. training should support/enhance work performance
- iii. training should be needs driven

9. External Training Courses

Financial assistance may be granted to attend external training courses in line with the strategic plans set out for personal development. External courses include congresses, symposia, seminars, conferences, workshops, lectures, short interventions and study tours. All Cllrs may be considered. Training assistance by means of organisational and/or donor funds can be made available for short courses and formal studies (part and full time) locally or another province.

Application has to be submitted to OOT for approval on the prescribed application form.

Applications will be evaluated by means of the following criteria:

- i. If the nature of the short intervention is applicable to the functions and responsibilities of the applicant
- ii. Will the training intervention enhance the performance of the applicant:
 - a) What is the performance profile of the applicant
 - b) Fair exposure to ensure that all deserving employees are afforded an opportunity to be nominated for external training interventions

- c) Cost –benefit analysis of prospective training course/training provider to ensure value for money and optimal investment
 - d) Alignment with employees' personal development plans
- iii. Fees related to the training intervention will be paid in accordance with an original invoice from the relevant, appropriate and registered service provider
- iv. OOTS in accordance with its training needs and subject to normal budgetary procedures, make provision for the financing of its training activities in accordance with the MFMA which is centrally managed

10. Formal Studies

- i. OOTS through MCLM may grant bursaries for formal studies to councillors who have the desire to further their development in line with the organisation's objectives and needs, or for specifically identified courses.
- ii. Bursaries may also be awarded for Senior Certificates and ABET qualifications
- iii. Bursaries must be in line with the business of the Political Support Office and the municipality and the agreed –on career path of the individual
- iv. Bursaries will be awarded in line with recommendations received.
- v. Bursaries will only be awarded for studies at recognised tertiary institutions. Campuses that claim to be extensions of overseas concerns need to prove compliance with SAQA/NQF

11. Time off to attend classes

- i. Time off may be granted by the relevant senior, with full pay, to a Cllr whose classes commence before the end of a working day, taking into account the work situation, and such time off shall not exceed 8 hours per week.
- ii. The mentioned 8 hours may not accumulate. If for example, only 4 hours are utilised in a week, the employee cannot expect to be allowed 12 hours time off in the next week

12. Bursaries

This serves the purpose of furthering studies in line with career planning and personal development plans. Councillors must apply in writing for a bursary and in the application full details pertaining to the subjects for the course or module as well as the costs involved at the

Educational institution must be reflected. This can be done twice yearly. In the case of post graduates it is expected of the bursary holder to:

- i. Indicate the minimum period required (on which extension will only be granted in exceptional cases)
- ii. Identify the topic he/she is planning to research
- iii. Explain how the topic will benefit the organisation
- iv. Give an official detailed breakdown, from the relevant institution, of the amount needed, time, course, content etc.

13. The Training Committee and Evaluation of Applications for Bursaries

- i. It is accepted that this committee is part of the organisation as established in terms of the Skills Development Act, Act 97 of 1998 and its promulgated regulations and annexures.
- ii. In the selection of bursaries for Councillors, a representative from OOTS (the person responsible for training) should be represented to ensure that the conditions contained in this policy are taken into consideration.
- iii. Any grievance by a political official born out of the implementation of this policy will be dealt with according to the Collective Agreement on Grievances as adopted by Council
- iv. In the case of Councillors, any grievance born out of the implementation of this policy will be dealt with according to the processes and practices as determined by the Council and exercised by the Speaker in his/her capacity as custodian of Council

14. Bursary Conditions

- i. A bursary is awarded according to an academic year , not a financial year
- ii. Bursaries are granted to Bursary holders for payment of registration, examination, tuition and book fees to a maximum of R 15 000 per year pertaining to a course at a educational institution to enable the Bursary Holder to obtain the necessary training and qualification
- iii. A bursary holder is obliged to utilise the bursary only for the approved direction of study and no monies will be paid out before the signed contract has been returned to department

- iv. Payment of a bursary, which is due for study fees, will be made directly to the relevant institution after receiving specified invoices/accounts.
- v. No bursar will receive any financial assistance before he/she submits results and /or proof of registration to OOTS
- vi. If the bursary –holder does not perform according to the required standard, OOTS has the right to stop any further payment towards studies of the said holder. The bursary holder may continue at his/her own cost (in case a request for extension must be submitted), or be considered in breach of contract
- vii. Book fees will be paid per full registered subject (not for modules or sub courses) the amount will be revised annually
- viii. Study on Extension: extension will be granted for a maximum period of two years over the full period of study. The only exception to this will be for a proven substantial unforeseen increase in workload motivated by the bursar’s immediate senior. No monies will be paid on extensions. A submission asking for an extension must be forwarded to OOTS who will motivate whether the extension is supported or not to the relevant division
- ix. Changes in a study course, as well as postponement of fulfilment of bursary commitments have to be approved by the relevant division and sanctioned by the Bursary committee

15. Financing and repayment of the Bursary

- i. All fees which falls within the allocated period of the course will be paid to the institution, upon registration of the course
- ii. The bursar will be a recipient of the bursary as long as he/she remains in the employment or serve as a Councillor at MCLM
- iii. In the event that the holder gets separated or leave the employ of Council, for whatever reason, he/she will be liable for refunding council. This will be the amount received in accordance with the agreement, minus any amount correlating with the remainder of the contractual period to Council by the holder, is immediately repayable to Council, and the Council reserves the right to deduct such monies from the salary, wages, compensation or any other monies owed to the holder, and to pay the outstanding balance in full
 - a) Any period that the Bursary Holder has completed after the successful completion of his/her studies will be credited, with the amount which is repayable

to the Council, with the understanding that one month completed service is equal to 1/12 of the amount owed

- b) In the event that the Bursary holder is suspended from the services of council, such suspension period is not brought into consideration
- c) In the event that more than one bursary for a specific course is granted to a Bursary Holder, the period is not accumulated
- d) Interest calculated at a rate as determined by Council, in accordance to Section 50 A of the Local Government Ordinance, 1939 (ordinance 17 of 1939), as amended from the date of termination of service on arrears monies, and calculated from the date of successful completion of the course of the bursary holder

16. Breach of Contract/Withdrawal of the Bursary

This occurs as described in the relevant contract/agreement, and will apply when:

- a) The bursary is revoked as a result of
 - i. Poor performance
 - ii. failure to submit required results/invoices
 - iii. poor attendance of lectures, failure to submit an apology
- b) The bursary holder indicates in writing that he/she intends terminating his/her studies
- c) A bursar changes institutions or study direction without informing OOTS in writing
- d) Non-registration of course within the period
- e) Council through the advice of OOTS can withdraw the bursary at any time when there is enough evidence that the holder has made him/her guilty of misconduct, is not progressing satisfactory with his/her studies or is not adhering to any of the clauses of this policy or study agreement
- f) Where breach of contract occurs, the bursar will be held responsible for repaying any outstanding debts incurred either in terms of actual funds paid and or time owing

ANNEXURE A

MEMORANDUM OF AGREEMENT

BURSARIES TO COUNCILLORS ENTERED INTO BY AND BETWEEN

MOGALE CITY LOCAL MUNICIPALITY

Herein represented by Mr. D Mashitsho

in his capacity as the MUNICIPAL MANAGER

Duly authorised thereto by resolution of the said Municipality

(Herein after referred to as 'Employer')

and

(Herein referred to as the 'Employee')

Whereas the bursary holder intends to study part-time at a recognised educational institution to enable him/her to obtain the following qualification:

-
- 'Educational Institution'** an institution mentioned in Section 79 (16) (d) and (51) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) or a University or a University College or any other higher educational institution determined by the Council;
- 'Employer'** MCLM, The Executive Mayor, the Municipal Manager of the Council or any other official approved by Council, to whom the

competence, functions and duties in accordance with this Policy of Council, has been delegated.

This Agreement will be valid for the full duration of the course and until all responsibilities of the Bursary Holder has been met.

COURSE AND EDUCATIONAL INSTITUTION:

- a) The bursary Holder is registered for the:

----- at-----for the -----
academic year.

- b) The course is for the period of -----, in accordance with the stipulations of the Educational Institution attached to this agreement as Annexure B, with a minimum completion period of -----and a maximum completion period of -
-----.

MEANS OF PAYMENT OF CLASS FEES:

- a) The class fees amounts to R ----- (-----
-----) and book fees amounts to R ----- (-----
-----) and the total amounts to R ----- (-----
-----) for the course mentioned above and class fees are payable to the Educational Institution mentioned above on or before the date of registration.
- b) Class fees are payable directly to the Educational Institution and only with sufficient proof received from the Educational Institution that the Bursary Holder is registered for the subjects and course, mentioned above. In the event that the Bursary Holder has paid for the course, the monies will only be refunded upon receipt of an official receipt from the Educational Institution. Book fees are payable directly to the Educational Institution or the book Store or the Bursary holder upon receipt of official documentation.
- c) In the event that the Bursary holder is unable to register, without partial or full payment for the course/and or book fees, the Council/OOTS undertakes to inform the Educational

Institution in writing to pay full fees, as indicated in this Agreement, upon receipt of adequate documentation.

OBLIGATIONS:

- a) The Bursary Holder undertakes to complete the course as mentioned above, within the maximum allocated period. **No further class fees and/or book fees will be payable to the Bursary Holder should the maximum period be exceeded.**
- b) If the Bursary Holder is only partially successful during an academic year, he/she does not qualify for class fees or book fees for repeating the subjects wherein he/she was unsuccessful and all costs for those subjects will be for the account of the Bursary Holder.

VOLUNTARY TERMINATION:

When the Bursary Holder voluntarily terminates his/her studies, he/she will immediately be responsible for the repayment of all monies paid by Council, plus interest, as stated in Section 50 A of the local government Ordinance, 1939, (Ordinance 17 of 1939), calculated from the date of payment to the Educational Institution: With the understanding that should the Bursary Holder remain in the employ of MCLM, such monies may be repaid over a period of 12 months as determined by the department of Finance.

REPAYMENT OF STUDY BURSARY:

Study bursary will be repaid to MCLM if:

- a) The Cllr refuses to or does not remain in the service of MCLM for the specified time;
- b) The Cllr's service is terminated due to misconduct;
- c) The Cllr discontinues his or her study bursary out of his/her own free will;
- d) The Cllr needs to discontinue his/her bursary due to unsatisfactory academic achievement as prescribed by the academic institution.

:

The parties bind themselves to the jurisdiction of the Magistrates Court in regards to any action or case, which may result out of this Agreement. The Bursary Holder chooses as Domicilium Citandi et Executandi as

FULL AGREEMENT

The parties agree that this document is the full Agreement between them and that any Agreement conflicting with the stipulations of this Agreement will not be binding to the parties, and that no exemptions, postponements or compromise given will be of force, except when given in writing and signed by both parties.

**THUS DONE AND SIGNED AT ----- ON THIS THE-----
DAY OF -----.**

AS WITNESS:

1. _____

2. _____

THE SPEAKER

**THUS DONE AND SIGNED AT ----- ON THIS THE -----
DAY OF -----.**

AS WITNESS:

1. _____

2. _____

THE MUNICIPAL MANAGER