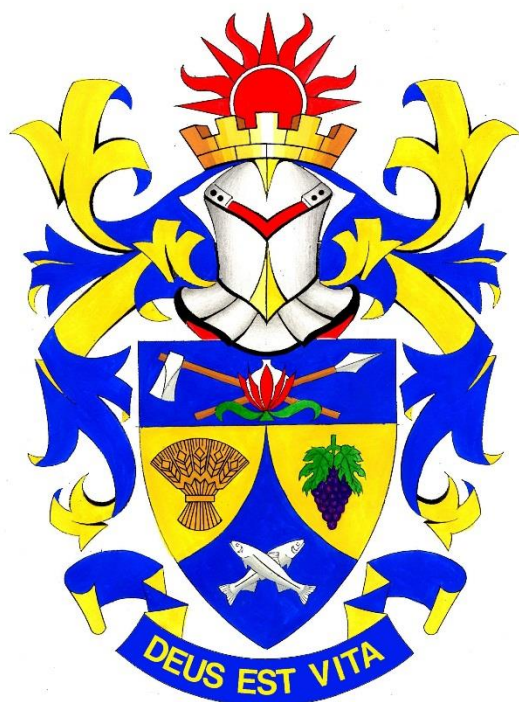


BERGRIVIER MUNICIPALITY



PROBATIONARY PERIOD POLICY

DATE APPROVED : 19 SEPTEMBER 2022

COMMITTEE : MAYORAL COMMITTEE

VERSION	DATE CREATED	STATUS	WRITER	CHANGES
1.0	16/03/2022	Draft	AW Rheeder	New
1.1	11/04/2022	Draft	AW Rheeder	Comments
1.2	09/05/2022	Draft	AW Rheeder	Director's meeting
1.3	18/05/2022	Draft	AW Rheeder	Local Labour Forum
1.4	08/06/2022	Draft	AW Rheeder	Corporate Services Committee
1.5	28/06/2022	Draft	AW Rheeder	Mayoral Committee
1.6	29/08/2022	Final	AW Rheeder	Mayoral Committee
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Contents

1. PREAMBLE	3
2. LEGISLATIVE FRAMEWORK.....	3
3. DEFINITIONS.....	3
4. OBJECTIVES OF THE POLICY.....	5
5. SCOPE AND APPLICATION	5
6. PROBATIONARY PERIOD REQUIREMENTS.....	5
7. NOTIFICATION OF PROBATIONARY PERIOD.....	5
8. EXTENDED PROBATIONARY PERIOD	5
9. COMPLETION OF PROBATION	7
10. PROCEDURE IN DEALING WITH POOR PERFORMANCE AND/OR INCAPACITY	8
11. IMPLEMENTATION AND MONITORING.....	8
12. DISPUTE RESOLUTION.....	8

Annexure A: Probation review form

1. PREAMBLE

A newly appointed employee should be subjected to performance assessment to establish whether he/she is able to satisfy the requirement of the job for possible permanent appointment.

2. LEGISLATIVE FRAMEWORK

Labour Relations Act, 1995 (Act 66 of 1995)

Basic Conditions of Employment Act, 1997 (Act 75 of 1997)

Local Government: Municipal Staff Regulations (Reg 890 of 20 September 2021)

3. DEFINITIONS

In this policy, unless the context indicates otherwise: -

<i>“Director”</i>	means an employee of Bergrivier Municipality who, in terms of a Council's resolution or an Act, is directly responsible to the Municipal Manager for the administration of a directorate of the Municipality's service, or is acting in such capacity;
<i>“Employee” (as per clause 200A (1) of the Labour Relations Act, 1995)</i>	means a person who works for, or renders a service to, the Municipality regardless of the form of her/his employment contract, and in respect of which any factor enumerated in section 200A (1) of the Labour Relations Act applies;
<i>“Establishment”</i>	means the permanent staff establishment (organogram);
<i>“Municipal Manager”</i>	means the person appointed as such in terms of Section 54(A) of the Local Government: Municipal Systems Act (Act 32 of 2000) and includes a person acting in his/her stead;
<i>“Municipality”</i>	means the Bergrivier Municipality (WC013), a local municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), as amended;

<i>“Local Government: Municipal Staff Regulations”</i>	means Regulation no. 890 promulgated in Government Gazette 45181 dated 20 September 2021;
<i>“Local Government: Guidelines for the Implementation of the Municipal Staff Regulations”</i>	means Regulation no. 891 promulgated in Government Gazette 45181 dated 20 September 2021;
<i>“Performance Feedback”</i>	means the frequency and quality of performance discussions between the Manager/Supervisor and Employee;
<i>“Performance Requirements”</i>	means the resources, competencies, knowledge, skills and behaviour the employee needs to have, in order to perform a particular job effectively;
<i>“Permanent Employee”</i>	means an employee, excluding a contract employee and/or a temporary employee, occupying a post on the fixed approved establishment of the Council in a permanent capacity, whether full-time or part-time, and includes interns, a person appointed in such post for a probationary period and the four positions in Bergrivier Municipality that legally prohibits to be appointed permanently namely: <ul style="list-style-type: none"> • Municipal Manager; • Strategic Officer in the Office of the Executive Mayor; • Personal Assistant in the Office of the Executive Mayor, and • Public Liaison Officer in the Office of the Executive Mayor
<i>“Probationary Period”</i>	refers to an initial period of employment during which an employee’s performance is tested to determine performance;
<i>“Supervisor”</i>	means a staff member with staff members within his/her span of control, for whom s/he is directly responsible and to whom such staff member(s) are directly accountable.

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

4. OBJECTIVES OF THE POLICY

The objective of this policy is to establish guidelines for employees to serve an introductory period of employment to determine if the employee is suitable and will be granted permanent employment in the municipality.

5. SCOPE AND APPLICATION

The policy is applicable to all newly appointed employees of Bergvriër Municipality.

6. PROBATIONARY PERIOD REQUIREMENTS

- 6.1 All newly appointed employees must according to the Municipal Staff Regulations serve a probationary period of a minimum of three months and a maximum of twelve months, which is calculated from the inception of appointment.
- 6.2 The probationary period must be determined based on job requirements and the minimum period required to establish whether performance is satisfactory or not.

7. NOTIFICATION OF PROBATIONARY PERIOD

- 7.1 The appointment letter that the employee receives must include the conditions that the appointment is subject to serving a probationary period of minimum six months.
- 7.2 The Municipal Manager or his/her delegate must-
 - 7.2.1 inform the employee within the first two weeks of employment of the employee's performance requirements;
 - 7.2.2 ensure that the employee completes the municipality's induction programme; and
 - 7.2.3 assess the employee's performance and provide the employee with feedback quarterly on that member's performance.

8. EXTENDED PROBATIONARY PERIOD

The probationary period may be extended up to and not exceeding the period of twelve months on the following conditions: -

8.1 Performance reasons

- 8.1.1 The extension of a probationary period will be done based on performance. The immediate supervisor must monthly evaluate the employee's performance, record it, and keep a portfolio of evidence.
- 8.1.2 The performance appraisal of the employee should be done on an ongoing basis to ensure that shortcomings in work performance are identified, and necessary corrective action taken immediately. However, such an appraisal must be aimed at correcting behaviour in terms of the criterion set.
- 8.1.3 The employee on probation is also entitled to be given whatever instruction, training, guidance or counselling where necessary to enable him/her to render a satisfactory service.
- 8.1.4 The prescribed probationary report attached as **Annexure A** must be completed by the immediate supervisor of the employee and approved by the Head of the Department.
- 8.1.5 The probationary report shall be sent to the Human Resources division for record keeping until the last report is received. If the employee succeeded in the first six months of his/her appointment, then the total number of probationary reports will be three (including the final report) which would have approved permanent appointment.
- 8.1.6 In case when the employee does not meet the required performance standard or is alleged to be incompetent, the Supervisor should advise the employee of the aspects in respect of which he/she does not meet the required standards or is alleged to be incompetent. The Supervisor through the Director of a department must give written reason(s) to the employee as to why it is necessary to initiate the procedure in respect of poor performance.
- 8.1.7 Before terminating an employee's service for poor performance, the employer must convene an inquiry to give the employee the opportunity to make representation in response to the allegations against him/her.
- 8.1.8 Despite paragraph 8.1.1, 8.1.3 and 8.1.7, the Municipal Manager or his/her delegate may extend the probationary period by a period not exceeding six months (over and above the extension of twelve months in par 8 above) to afford the Supervisor an opportunity to further assess the staff member's performance.

8.2 Leave

The probationary period in respect of the newly appointed employee will be extended based on leave taken during the probationary period. All types of leave as contained in the Conditions of Service and as per Bergvriev Municipality's leave

policy will extend the period of probation if taken during the period in which the employee is still under probation. The extension of probationary period may not exceed twelve months, excluding periods of leave with or without pay as described above.

8.3 Change of position during probation

Should an employee, during the six months' probationary period move to a different position, he/she will have to start a new probationary period in the new position.

9. COMPLETION OF PROBATION

- 9.1 The Human Resources division shall monitor the probationary period of all newly appointed employees and advise the Director concerned to submit the last probationary report which either approves or extends the employee's probationary period.
- 9.2 Within one month after the completion of the probationary period, the Municipal Manager or his/her delegatee must-
 - 9.2.1 confirm the appointment if-
 - 9.2.1.1 the staff member's performance during the probationary period was satisfactory; and
 - 9.2.1.2 the staff member complied with all the conditions of the probationary appointment;
 - 9.2.2 subject to the Labour Relations Act, terminate the appointment if—
 - 9.2.2.1 the staff member's performance was not satisfactory during the probationary period; and
 - 9.2.2.2 the staff member did not comply with all the conditions of the probationary appointment.
- 9.3 If a probationary employee works beyond the six months period without being evaluated and/or submission of reports and/or without notification of the extension of his/her probationary period, will be regarded as having successfully completed the probationary requirements.
- 9.4 When the final probationary report is submitted to the Human Resources division, the employee's probationary period will be retrospective from the date in which he/she was supposed to have been confirmed.

10. PROCEDURE IN DEALING WITH POOR PERFORMANCE AND/OR INCAPACITY

- 10.1 The existence of a probation clause in an employee's contract does not give the municipality automatic right to terminate the services of the employee.
- 10.2 In dealing with incapacity and/or poor performance in respect of employees on probation, the provisions of fair labour practice as embodied in various legislations including the Labour Relations Act, 1995 should be strictly adhered to.
- 10.3 The Director of a department shall motivate to the Municipal Manager and give reasons why the employee's permanent appointment must not be confirmed.
- 10.4 In his/her report, shall be the attachment of evaluation reports, monthly probationary reports as well as evidence of support given to the employee for him/her to improve performance.

11. IMPLEMENTATION AND MONITORING

The policy will be implemented and become effective once approved by Council.

12. DISPUTE RESOLUTION

Any dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy.



BERGRIVIER MUNICIPALITY

PROBATION REVIEW FORM

The supervisor will ensure that the employee is given a copy of this document at each stage of their probation. A copy of this completed probation form must be e-mailed to hadmin@bergmun.org.za

Probation Record

Name		
Job Title		
Personnel no.		
T-Grade		
Directorate		
Department		
Section		
Start Date		
Supervisor		
	Date Due	Please tick when completed
Initial Meeting		
1-month review:		
3-month review:		
6-month review:		
9-month review:		
12-month review:		



BERGRIVIER MUNICIPALITY

PROBATION REVIEW FORM

PART 1

Initial meeting

This section should be completed by the supervisor within a week (5 working days) of the employee commencing his/her employment.

SECTION A: Objectives	
The supervisor should identify specific performance requirements for the employee. These will be statements of what should be achieved during the probationary period, including key performance indicators.	
SECTION B: Development Plan	
To support the employee in achieving these requirements, the supervisor should identify any training and development needs and specify how and when these needs will be addressed during the probationary period. The induction training is compulsory and must be recorded here.	
Employee's Signature:	
Supervisor's Signature:	
Date:	



BERGRIVIER MUNICIPALITY

PROBATION REVIEW FORM

PART 2

First review (1 month) – a copy of this form (Part 2) may also be used to conduct a 3, 6, and 9–month review with a staff member whose probationary period is 6, 9, or 12–months.

To be completed by the supervisor in discussion with the employee.

(Please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attendance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Time Keeping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work relationships (teamwork and interpersonal communication skills)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Competency in the role	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If any areas of performance, conduct or attendance require improvement please provide details below.				
Where concerns have been identified, please summarise how these will be addressed during the remaining period of probation.				

Summarise the employee's performance and progress over the period.			
Have the objectives identified for this period of the probation been met?	YES / NO	If NO, what further action is required?	Review Date
Have the training / development needs identified for this period of the probation been addressed?	YES / NO		
Employee's Signature:			
Supervisor's Signature:			
Date:			



BERGRIVIER MUNICIPALITY

PROBATION REVIEW FORM

Final Review

To be completed by the supervisor in discussion with the employee:

(Please tick)	Improvement required	Satisfactory	Good	Excellent
Quality and accuracy of work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attendance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Time Keeping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work relationships (teamwork and interpersonal communication skills)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Competency in the role	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have the requirements identified for the probationary period been met?	YES/NO	If NO, please provide details		
Have the training/development needs identified for the probationary period been addressed?	YES/NO			

Summarise the Employee's performance and progress over the period.	
Is the Employee's appointment to be confirmed?	YES/NO
If NO, please provide reasons below and summarise what action has been taken to address any difficulties which have arisen during the probationary period.	
The Employee may provide any comments about his or her experience of the probationary process here.	
Should the Employee's probationary period be extended?	YES/NO

(Please tick)	Improvement required	Satisfactory	Good	Excellent
<p>If YES, please provide reasons and, where appropriate, specify any areas of improvement required and how these will be monitored.</p>				
Length of the extension (max 3 months):				
New Probation Period completion date:				
Employee's signature:				
Supervisor's signature:				
Date:				