

12/10 DRAFT STUDY ASSISTANCE POLICY FOR EMPLOYEES
DATE : 19/09/2024
AGENDA: COUNCIL MEETING: 30/10/2024

REPORT: EXECUTIVE MAYOR

1. PURPOSE

To present the Draft Study Assistance Policy for Employees to Committee for approval/adoption.

2. BACKGROUND

Sub-Clause 11.8.4.2.1 of SALGBC Main Collective Agreement encourages the Parties to bargain on matters of education and training. In the past, the Council adopted Training and Development Policy in 2014.

The draft study Assistance Policy for Employees bring among others, criteria for allocation of study assistance, Application procedure for study assistance, study assistance, mentoring, coaching.

3. DISCUSSIONS

The policy's objective is to enable permanently appointed Setsoto Local Municipality staff members by means of financial assistance in the form of study assistance, to undergo part-time study or any training with a view to better qualify themselves for possible career advancement within the municipality's staff establishment.

The policy must be read concomitant with the Municipality's.

- Performance Management Framework.
- Succession Planning policy.
- Employment Equity Plan.
- Workplace Skills plan.

4. STAKEHOLDERS CONSULTED

Local Labour Forum (LLF)

5. LEGAL IMPLICATIONS

- Compliance with Skills Development Act of 1998.
- Compliance with Skills Development Levis Act of 1999.

6. STAFF IMPLICATIONS

- Undergraduates will be given first preference for study assistance.

7. FINANCIAL IMPLICATIONS

- Training budget for Skills Development should be utilized for implementation of training interventions.

8. RISKS

- Non- implementation of the Workplace Skills Plan (WSP).

9. ANNEXURE/S

- Draft Study Assistance Policy.

10. RECOMMENDATIONS

1. That the Draft Study Assistance Policy for employees be accepted and approved.
2. That all previous policies relating to the Study Assistance for employees be repealed.

Minutes : Council Meeting – 30 October 2024

The Executive Mayor, Cllr Mbiwe proposed that the report be noted and was seconded by Cllr Constable.

RESOLVED

1. That the Draft Study Assistance Policy for employees be accepted and approved.
2. That all previous policies relating to the Study Assistance for employees be repealed.

Cllr Mohanoe raised a concern in relation to the amendments that was raised within the Section 80 Committee as it appears not to have been incorporated into the Policy and felt that the policy should be referred back.

Specific reference was made to the amounts payable towards that various studies as well as the agreement which reflects that an employee must work back for the period that he/she studied to avoid employees resigning immediately after they have completed their studies. The municipality should benefit from their investment into the studies of an employee.

MMC Ancell clarified the concern by referring to the respective pages within the policy to highlight where the issues were captured.



**DRAFT STUDY ASSISTANCE POLICY FOR
EMPLOYEES**

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1. SCOPE OF APPLICATION

- 1.1 The field of study for which a bursary is awarded must be relevant to the career development of the individual and in relation to the vision, mission, and objectives of the municipality.
- 1.2 The bursary shall be awarded per course as it appears on the application form if the application wishes to change, approval in writing will be sought from the Municipality via the recommendation of the relevant Director.
- 1.3 The bursary policy will cover aspects relating to tuition fees from undergraduate up to a degree, hence undergraduate will be given first preference.

2. DEFINITIONS

"Setsoto Local Municipality Staff"	A permanent staff member of Setsoto Local Municipality
"Financial Assistance"	Study bursary provided by Setsoto Local Municipality
"SAQA"	Workplace Skills Plan (WPS) document skills need in an organisation and describe the range of skills development interventions that an organisation will use to address these needs
"Performance Development Plan"	A plan where employees can identify their personal and business goals that is most significant to the organisation's success.
"IDP"	Integrated Development Plan is a five-year plan compiled to determine the development needs of the Municipality.
"EEP"	Enable the employer "to achieve reasonable progress towards employment equity" to assist in eliminating unfair discrimination in the workplace and to achieve equitable representation of employees from designated groups by means of affirmative action measures.
"Educational Institution"	An institution where people can gain an education e.g university, colleges, technical colleges etc.
"Prescribed Books"	Book that the institution list as essential reading/reference for success in the unit.
"Employee"	A permanent person employed by Setsoto Local Municipality who works full-time under a contract of employment.

"Supervisor"	A line manager overseeing and managing other employees whilst reporting to a more senior member of management.
"Mentor"	<ol style="list-style-type: none"> 1. a wise and trusted counsellor or teacher 2. a person who trains/teaches and guides someone. 3. a person who gives help and advice over a period, especially help and advice related to another person's job.
"Mismatch"	<ol style="list-style-type: none"> 1. may occur between a mentor and mentee. 2. to put together people or things that are unsuitable for each other. 3. to match two people or thing wrongly or unsuitably. 4. when two people don't work well together or correspond with each other. 5. there may be a mismatch between worker's skills and the actual jobs that are available.
"Best fit"	Pairing the correct mentor in terms of skills, experience and competencies with the mentee.

3. LEGAL FRAMEWORK

3.1 This policy must comply with all relevant requirements including:

- 3.1.1 The Local Government Municipal System Act, Act 32 of 2000
- 3.1.2 The Skills Development Act, Act 97 of 1998
- 3.1.3 The Skills Development Levies Act, Act 9 of 1999
- 3.1.4 The Local Government Municipal Finance Management Act, Act 56 of 2003
- 3.1.5 Employment Equity Act, Act 55 of 1998
- 3.1.6 The Further Education and Training Act 1998
- 3.1.7 South African Qualification Authority Act, Act 58 of 1995
- 3.1.8 National Qualification Framework Act, Act 12 of 2019
- 3.1.9 Local Government: Municipal Staff Regulations, Government Notice No. 890 as published in Government Gazette 45181

4. OBJECTIVES

This policy's objective is to enable permanently appointed Setsoto Local Municipality staff members by means of financial assistance in the form of study assistance, to undergo part-time study or training with a view to better qualify themselves for possible career advancement within the municipality's staff establishment.

This policy must be read concomitant with the Municipality's.

- Performance Management Framework.
- Succession Planning Policy.
- Employment Equity Plan and
- Workplace Skills Plan.

5. QUALIFYING REQUIREMENT

5.1 In the normal course of events the Municipality shall recognise only qualification standards that are recognised by the South African Qualification Authority (SAQA), or which are compulsory in terms of legislation and are presented by recognised educational or academic institution. However, the Municipal Manager may approve qualifications that are not recognised by SAQA, but which are in the Municipality's general interest.

5.2 Recognised educational or academic institution referred to in clause 5.1 shall be governed and or SAQA approved institutions such as:

- A South African University
- A South African University of Technology
- Other Diploma/Degree granting Institutions within South Africa
- A South African College
- Correspondence College
- A Government/ SAQA approved Institution.
- Any other appropriate Institution as approved by the Municipal Manager

5.3 The course or subjects selected for study shall be confined to the Municipality's working environment as well as the functional and career development activities of a specific employee as per performance agreement/plan.

- a. The selected field of study should form part of the Skills Development section of the employee's Performance Agreement or Performance Development Plan. This should be incorporated as part of the Workplace Skills Plan of the Municipality. Consideration for training will only be at the discretion of the Director: Management Services after considering each employee's skills development plan contained in the performance agreement.
- b. Should the request for study assistance by an employee not comply with clause 5.3 above, such an employee will be required to submit a motivation for a career change, supported by his/her Manager and Director, via the Director Corporate Services, to the Municipal Manager and the latter will only favourably consider the application if such career change is in the interest of the Municipality.

6. CRITERIA FOR ALLOCATION OF STUDY ASSISTANCE

All applications must be assessed/prioritised by the relevant manager for approval by the relevant director according to the following criteria:

- Subject to availability of funds, all studies must be undertaken at an approved institution (withing South African Borders), unless otherwise decided by the Municipality Manager.

- Priority Number One

Preference will be given to employees for courses from the lowest educational level to the highest.

First	-	Basic education
Second	-	Certificate courses
Third	-	Diploma
Fourth	-	Degree

Mandatory studies as prescribed by legislation will enjoy preference above non-mandatory/ optional studies.

- Priority Number Two

Employees who are current study assistance holders and must still complete their studies.

- Priority Number Three

As determined in the Workplace Skills Plan, Integrated Development Plan and Employment Equity Plan.

- Priority Number Four

Employees who want to study towards their first qualification up to and including Grade 12.

- Priority Number Five

In addition to the provision of clause 5.3 (b), an student/ application who has already attained a tertiary qualification, be it a diploma, or certificate, and wishes to further his/her studies in the interest of self-development within the context of local government , will be required to apply for approval supported by a comprehensive motivation in writing, to his/her Manager/Director, and will the final decision as to whether his/her application and motivation were successful or not, be that of the Municipal Manager or his/her delegated authority.

7. APPLICATION PROCEDURE FOR STUDY ASSISTANCE

- 7.1 Study assistance application must be submitted on the prescribed form obtainable from the Department of Corporate Services through the Human Resource Development Division.
- 7.2 Application must be accompanied by a statement/certificate by the educational institution that the employee complies with the entrance requirement for the course concerned.
- 7.3 The courses or subjects selected shall be confirmed to those courses directly linked to operational activities of the Municipality, especially as espoused in the Integrated Development Plan.
- 7.4 Study assistance application must be properly motivated and be supported by the head of the department for a recommendation for approval by the municipal manager or his/her delegate.
- 7.5 Applicable manager must recommend the study assistance in terms of the qualifying requirements.
- 7.6 Manager must furthermore consider the implication of recommended study assistance in terms of service delivery.
- 7.7 Study assistance application must be recommended for approval by the relevant Manager, via his/her Director to the Municipal Manager or his/her delegate. Approval must be obtained at least two weeks prior to the closing date for submission. No late application will be accepted after the closing date.
- 7.8 Notwithstanding the provision of Priority Number 5 of this policy, but in addition to the provision of clause 6, consistent budgetary constraints as well as challenges with regard to the availability and possible legal implications with regard to the appointment of qualified and sufficiently experienced temporary staff, employees will only be permitted to enrol for 1 (one) Degree, or Diploma, or Certificate at any time, with the further proviso, that subsequent to having successfully attained said degree or Diploma or Certificate, may only enrol for a second or further Degree or Diploma or Certificate subsequent to a period of 2 (two) years have elapsed since said attainment.

In this sense, "year" means an ordinary academic year notwithstanding the attainment of qualification after a period of 6 (six) months, by way of example.

8. STUDY ASSISTANCE

- 8.1 The term "study assistance" shall be deemed to be study fees for purposes of registration, class and examination fees, matriculation exemption fees and thesis fees but will not include any penalties imposed by the educational institution or membership of any student body.
- 8.2 The study fees shall be paid by the Municipality in full directly to the educational institution.
- 8.3 The employee must submit document proof, by means of a statement account, or invoice on which the study fees are fully specified and defined.
- 8.4 If an employee has paid the fees directly to the educational institution, he/she may claim reimbursement on submission of documentary proof of the said amount. Reimbursement claims may not be submitted later than six calendar months after passing the examination of the said subject/course.

- 8.5 Should an employee fail a subject/module, he/she must repay the fees in respect of the subjects/module failed within a maximum period of 12 (twelve) months in equal monthly payments to the Municipality. Such an employee will qualify only once more for financial assistance in respect for a second time, financial assistance in respect of the specific subject/module. If an employee fails the subject/module for a second time, financial assistance for the specific subject/module will be totally withdrawn and the employee must repay to council the cost the subject/module that he/she had failed. The employee may however after the subject/module was obtained at his/her own cost, claim reimbursement for the relevant fees in respect of said subject/module.
- 8.6 An annual amount determined by the Municipal Manager to be paid towards prescribed book fees, prescribed textbook, and class notes forming part of the curriculum or studies which is all-inclusive in the study/class fees, the Municipality will make no contribution in respect of other prescribed books, equipment, stationary, class notes, travel, and subsistence cost or tools. The provision of this clause are not applicable to the compulsory training of employees in terms of legislation. Council will only reimburse where the employee has a legal obligation towards the employees, with regard to training.
- 8.7 Exemption cost will not be paid by Council where employees who enrolled for a recognised course at a university and who must pay exemption fees for subjects/modules that were passed at another university.
- 8.8 Assistance to study for approval qualifications will be awarded to employees for a total period of not more than five years per qualification (two years per standard in respect of school studies; two years in respect for Degree, Higher/Advanced Diplomas. This period may be decreased or extended at the discretion of the relevant Director, acting on the recommendation of the Municipal Manager or his/her delegate. The number of years for which assistance will be granted will be determined at the commencement of the course unless the Director Corporate Services waives this requirement. However, if an employee has been granted "leave of absence" by his/her academic institution, or if he/she decides to postpone his/her studies, the study assistance period may be extended by a corresponding period, at the discretion of the Municipal Manager or his/her delegate. No financial assistance will be provided in the period of postponement or "leave of absence".
- 8.9 If in the first two years of study if an employee does not pass at least two subjects/module in respect of a course leading to a university degree or diploma, or four subjects in respect of any other diploma/certificate course, assistance in terms of the study assistance policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate.
- I. If an employee has to suspend enrolment for any particular year of a course, an application for approval of such suspension must be made, together with the reasons for the request, for the discretion of the municipal manager or his/her delegate.
 - II. If an employee has suspended enrolment for any particular year of study, without obtaining approval as per paragraph (i), the employee will have to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate.

- III. If an employee has at any stage aborted studies, in order to complete qualification for which assistance has been received, the employee will have to repay the registration, class, and examination fees that council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate. Unless the discounting was considered and approved at the discretion of the Municipal Manager or his/her delegate.
- IV. If services of an employee are terminated before serving or completing the required period of service, the refund of the study fees shall be based on the following formula:

$$\frac{A \times C}{B}$$

Where A = amount of study fee

Where B = study period

Where C = required or balance of required services period

- V. Study fees will be for part-time studies or distance learning only.
- VI. If an employee has received a study fee for a three (3) year Diploma/ Degree, he/she will have to work back equivalent to the years studied for the Diploma/Degree.

9. EXAMINATION RESULTS

Employees will be obliged to submit their examination results to the Human Resource Development Division within one month of receiving the said results failing which it shall be deemed that the subject/modules were failed and in which case clause 8.5 shall apply.

10. EMPLOYEE OBLIGATION

- 10.1 Employees must enter into study assistance agreements with the Municipality in terms of which the contractual relationship in terms of this policy is set out.
- 10.2 An employee will be required to remain in the Municipality's service for a period of one year for which study assistance was granted. This required period will come into effect annually on the date on which the last examination for that year was written. Where no examination was taken but a master's thesis was submitted, the employee will be required to remain in the Municipality's services for one year after his/her thesis has been finally accepted.
- 10.3 Should an employee leave the Municipality's service within the timeframes mentioned in clause 10.2 for whatever reason, the employee must pro-rata repay the amount of study assistance to the Municipality in full. If an employee leaves council services for any reason whatsoever after assistance has been given and before the period within which he/she is required to remain in council service as expired (including dismissal, but death or legal inability to carry out duties), he/she will be liable for the immediate total repayment of the registration, class and

examination fees that Council has paid on his/her behalf in terms of the study assistance policy.

- 10.4 Should it be necessary to institute legal action to recover money in terms of clause 10.3, the employee will be liable for all legal costs on a scale of attorney and client monies are due to the Municipality.

11. MENTORING/COACHING

The role and responsibilities of Supervisors: –

- (a) Monitor skills needs and constraints that have, or may, a major impact on the achievement of their objectives and report on these during the institutional skills needs analysis process.
- (b) Provide coaching to and support founder the development of their staff members.
- (c) Position mentoring/coaching as a key activity within the Municipality's overall approach to staff learning and development.
- (d) Establish what skills and experience are needed to develop an individual's career.
- (e) Provide the opportunity to learn from someone with a greater understanding of the organisation.
- (f) Enable both Managers and Employees to understanding the different roles within the mentoring/coaching relationship and how each should be undertaken.
- (g) Provide opportunities for the development of all staff through the mentoring/coaching relationship.
- (h) The decision as to who will be eligible for the mentoring/coaching programme will rest with the respective Directors.
- (i) The Respective Director will decide on the mentor/coach who will undertake his/her responsibilities subject the availability of times and other resources. The match will be based on the perceived "best fit" of both parties, in terms of overall attitude, approach, experience, etc. in the event of a "mismatch" occurring between the mentor and mentee, a substitute will be found.

The Mentor or Coach will have responsibilities to:-

- (a) Establish and agree to mentor/coach the mentee in terms of regular meeting, feedback, timescales, action plans, and resources required.
- (b) Encourage regular meetings with the mentee and oversee their progress against the agreed timetable.
- (c) Liaise with the Director over the mentee's personal development plan and find ways of helping to take this forward.
- (d) Help to evaluate the overall mentoring process and its outcomes.
- (e) Take responsibilities for the mentor/mentee relationship and its success with the programme.

12. DISPUTE RESOLUTION

12.1 Any dispute referral can be dealt with in terms of the Bargaining Council Grievance Procedure.

MUNICIPAL MANAGER:

DATE APPROVED:

RESOLUTION: