



# **HUMAN RESOURCE COMMITTEE POLICY**

**2023/24**

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## 1. BACKGROUND

1.1 The Municipal Systems Act. No 32 of 2000 section 53 (1) states that a municipality must , within its framework and in accordance , with relevant provisions of the Municipal Structures Act , no 117 OF 1998 and other applicable legislation. Define the specific roles and area of responsibility for each political structure and office bearer of the municipality. Such roles and areas of responsibility of each political structure and office bearer must be defined in precise terms by way of separate terms of reference , in writing (53 ) (2) (a)the terms of reference may include the delegation of powers and duties to the relevant political structure or office bearer in terms of section 59 of the act.

1.2 The Municipal Structure Act , No 117 of 1998 , section 79 , provides that a council may

- (a) Establish one or more committee necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers,
- (b) Appoint the members of such committee from among its members and
- (c) Dissolve a committee at any time

1.3 In terms of section 79 (2) the municipal council :

- (a) Must determine the functions of the committee
- (b) May delegate duties and powers in terms of section 32
- (c) Must appoint the chairperson
- (d) May authorise a committee to co-opt advisory members who are not members of the council within the limit determined by council
- (e) May remove a member of the committee at any time and
- (f) Determine a committee's procedure

1.4 A committee established in terms of the above legal mandates must report to council or the executive committee in accordance with directions given by council or its executive committee.

## 2. OBJECT OF THE HUMAN RESOURCE COMMITTEE

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2.1 The Human Resource Committee of the Municipality shall in terms of the Municipal Systems Act and Council Committees rules of order and probity by-laws. Be responsible for:

- (a) Formulating the municipality's policies on human resources.
- (b) Formulating and monitoring the municipality's performance management system.
- (c) Considering the municipality's Human Resource plan.
- (d) Ensuring that the Municipality complies with the legal requirement in terms of:
  - (I) Conditions of Employment
  - (ii) Labour Relations
  - (iii) Skills Development
  - (IV) Occupational Health and Safety
  - (V) Code of good practice
  - (vi) Employment Equity

### **3. DUTIES & POWERS**

The Human Resource Committee shall have the following duties and powers:

- 3.1 To ensure that the municipal manager performs his / her functions in terms of section 55 of the Municipal System Act.
- 3.2 To report to council in writing with regard to their activities.
- 3.3 to ensure that minutes are kept recommendations and resolutions duly recorded and submitted to the executive committee
- 3.4 To conduct any investigation into any matter which they deem fit within the scope of operation and limit of delegation of authority.

### **4. CONSTITUTION OF THE COMMITTEE**

4.1 The Human resource committee shall be under the leadership of a chairperson who shall be elected by council before nominations are made to the committee

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4.2 Council shall appoint a human resource committee consisting of not fewer than five and not more than ten members.

4.3 In deciding on the number of members council shall give due regard to the need to ensure a fair distribution of workload amongst its members.

4.4 Nominations to the human resource committee shall be done during a council meeting. Nominations shall take into consideration experience, qualifications and expertise of members to deal with Human Resource matters.

4.5 The speaker has the power to alter the outcome of the nominations in order to ensure fair representation of parties and designated groups like youth, disabled and women.

## **5. TRAINING AND DEVELOPMENT**

5.1 Members of the Human Resource Committee shall attend such training courses, workshops and conferences as may be required to build their capacity

5.2 It is the duty of the members to identify and plan a for their skills development within the municipal skills development plans.

## **6. HUMAN RESOURCES COMMITTEE MEETINGS**

6.1 Meetings of the HR committee shall be called by the chairperson in writing as and when it is necessary provided that a minimum of four meetings shall be held in any period of 12 months

6.2 Attendance of committee meeting shall be recorded on the attendance register signed by each member present.

6.3 A meeting shall quorate when more than 50% majority of its members are present

6.4 In the absence of a chairperson the members present shall appoint a chairperson for the meeting.

6.5 The speaker, the mayor, councillors and members of the public have the right to attend meetings of the HR committee even if they are not members. Such people are only observes and do not have the right to vote

6.6 Members of the HR committee shall conduct themselves in consistence with the dignity of the committee and follow all formalities required at council meetings. No members shall use offensive or unbecoming language during HR committee meetings.

6.7 A member who wishes to absent him/herself shall obtain leave to be absent from the chairperson or his nominee.

6.8 A member who misses three consecutive committee meetings shall cease to be a member of the committee such absence shall be reported to the executive committee.

## **7 CONDUCT OF MEMBERS**

7.1 Members of the HR committee shall conduct themselves with dignity and according to the code of conduct of the municipality schedule 1 of the municipal systems Act and schedule 5 of the municipal structures Act.

7.2 A member of the committee who deliberately contravenes a provision of these terms of reference municipal by-laws and code of conduct in contempt of the chairperson or disregards his/her authority or interrupts the orderly conduct of a meeting or proceedings may be withdrawn from the committee meeting and subjected to disciplinary procedures which may lead to suspension or termination of his/her membership.

## **8 TERM OF OFFICE**

8.1 The term of office HR committee members shall be for the full duration of council

8.2 A member may voluntarily be removed from a committee if he/she applies in writing giving reasons that are acceptable to council.

8.3 A member may be suspended or removed from a committee if he is absent for three consecutive committee meetings

8.4 A member may be removed from committee as a result of a disciplinary procedure arising from improper conduct.


## **9 DISOLUTION**

9.1 A committee which after through mentoring, training and development fails to carry out its functions and duties contained herein may be dissolved by council after due notice has been given of intention to dissolve it.

9.2 A committee may be given an option to advance reasons and mitigating circumstances which may motivate against such a step being taken.

9.3 A decision not to dissolve a committee shall be with an undertaking made by the committee with a measurable plan of action.

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