



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

ACTING POLICY

2021

Departmental Contact Details	
Physical Address	Tyamzashe Building Phalo Avenue Bhisho 5605
Postal Address	Department of Cooperative Governance and Traditional Affairs Private Bag X 0035 Bhisho 5605
Document Number	1
Document Name	Acting Policy
Custodian	Mr Vuyani Mbenga
Designation	Director: Human Resource Management
Component	Human Resource Management
Telephone No.	040 609 5627
Cell Phone No.	082 495 2924
Fax No.	
E-mail Address	vuyani.mbenga@eccogta.gov.za
Date Completed	February 2021
Date of Approval	March 2021
Date Last Amended	February 2021
Date For Next Review	
Related Policies	Training and Development Policy, Recruitment & Selection Policy, Leave Management Policy, Performance Management and Development System


SIGN OFF

I. Head of Department

This Acting Policy has been recommended by Mr.A.A. Fani in my capacity as Head of the Department for Cooperative Governance and Traditional Affairs.

I am satisfied and concur with the contents of this Policy.

The development of the policy on Acting will ensure that the department is able exercise its powers in compliance with the law and guide decision-making in the department.

Recommended	
Designation	Head of Department
Date	30/03/2020

II. Executive Authority

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the lives of the staff by effectively rendering services that it is expected to provide. We have envisaged a Department that has the required capacity to respond adequately to challenges of its staff.

I therefore trust that the guidance from this Policy will contribute to the effective Acting in the department.


Signed	
Designation	MEC: Honourable X.E. Nqatha of Cooperative Governance and Traditional Affairs
Date	16/03/21 30/03/21

TABLE OF CONTENTS

Contents

SIGN OFF	3
I. Head of Department.....	3
II. Executive Authority.....	3
1. PREAMBLE.....	5
2. PURPOSE OF POLICY	5
3. DEFINITIONS	5
4. APPLICATION AND SCOPE.....	6
5. LEGISLATIVE FRAMEWORK	6
6. POLICY PRINCIPLES	6
7. POLICY STATEMENT	6
8. ROLES AND RESPONSIBILITIES	7
8.1. Line Managers.....	7
9. REQUIREMENTS FOR ACTING	7
9.1. ACTING IN A VACANT FUNDED POST	7
9.2. ACTING IN A FILLED POST	Error! Bookmark not defined.
10. CALCULATION OF ACTING ALLOWANCE.....	8
11. REPORTING	9
12. MONITORING AND EVALUATION	9
13. COMMUNICATION / EDUCATION OF THE ACTING POLICY	9
14. APPROVAL OF THE POLICY	9
15. DISPUTE RESOLUTION MECHANISM.....	9
16. REVIEW OF THE POLICY.....	10
17. VERSION CONTROL AND CHANGE HISTORY.....	0

1. PREAMBLE

The Department of Cooperative Governance and Traditional Affairs commits itself in ensuring that all employees who act in higher positions are acknowledged through the developed Acting Policy as a guiding document.

2. PURPOSE OF POLICY

- 2.1 To provide guidance on the acting of staff
- 2.2 To promote best practices in giving effect to acting in higher vacant posts in the department.
- 2.3 To assist the department in implementing the acting policy effectively and with fairness.

3. DEFINITIONS

Terms and definitions that will be used throughout the procedure that need clarification for the reader, this can also include any keywords; include also technical terms, abbreviations that may be used in this document.

Acronyms	Definitions (with examples if required)
Acting	To temporarily stand in and perform duties and perform tasks in a higher position other to those required or assigned tasks and duties to the employee, necessitated by a vacant position.
Higher posts	Supervisory/ managerial posts
PSCBC	Public Service Co-ordinating Bargaining Council
Employee	Any person, excluding an independent contractor who works for another person or for the State and who receives, or is entitled to receive any remuneration; or any other person who in any manner assists in carrying on or conducting the business of an employer.
Acting Allowance	An amount of money paid when an official is appointed to act on a senior vacant funded post
Salary notch	An increment on a salary scale
Initial notch	A salary scale where an employee starts to be paid
Personal notch	A scale which is above the employee's bracket
Vacant position	Without an incumbent or unoccupied, no one is performing the tasks and duties assigned to that post.

4. APPLICATION AND SCOPE

This policy is applicable to employees of the Department of Cooperative Governance and Traditional Affairs appointed in terms of the Public Service Act 104 of 1994.

5. LEGISLATIVE FRAMEWORK

- 5.1 The Constitution 108 of 1996
- 5.2 Public Service Act, 1994
- 5.3 Public Service Regulations 2001 as amended (2016)
- 5.4 Senior Management Services (SMS) Handbook
- 5.5 Labour Relations Act 66 of 1998
- 5.6 DPSA Circular E1/6/4/1
- 5.7 PSCBC Resolutions
- 5.8 Public Finance Management Act 1 of 1999
- 5.9 Employment Equity Act 55 of 1998
- 5.10 Disability Framework
- 5.11 Youth Framework
- 5.12 Gender Policy framework

6. POLICY PRINCIPLES

This policy is guided by the following main principles:

- 6.1 Consistency
- 6.2 Fairness
- 6.3 Reasonable
- 6.4 Transparency
- 6.5 Value System
- 6.6 Accountability

7. POLICY STATEMENT

The Department of Cooperative Governance and Traditional Affairs is committed to take steps to promote fair labour practices for all its employees in implementing the acting policy.

8. ROLES AND RESPONSIBILITIES

8.1. Line Managers

Line managers are responsible for making sure that acting in higher vacant posts is managed fairly and procedurally.

8.2 Human Resource Management

Human Resource Provision will be responsible for facilitation of acting processes.

8.3 Financial Accounting Services

Salaries Section will be responsible for implementation of acting allowance.

9. REQUIREMENTS FOR ACTING

9.1. ACTING IN A VACANT FUNDED POST

- 9.1.1 Acting will only be approved when the appointee is the next level supervisor (e.g., for director the acting official should be the deputy director not assistant director).
- 9.1.2 An immediate supervisor of the vacant post nominates an employee to act on that vacant post in writing.
- 9.1.3 An employee directed to perform other functions in terms of section 32(1) of the Act shall perform the functions so directed for a period not exceeding 12 consecutive calendar months.
- 9.1.4 An employee directed to act in another post in terms of section 32(2) should have the necessary competency for the post to which he or she is appointed to act.
- 9.1.5 An employee identified to act in a higher post must meet the requirements of the post in terms of educational qualification and prescribed working experience.
- 9.1.6 The acting period must be uninterrupted and longer than six (6) weeks before the payment of an acting allowance
- 9.1.7 An employee shall not act in a higher vacant post for an uninterrupted period exceeding 12 months unless prior approval is obtained from the relevant Executing Authority for re-appointment

- 9.1.8 It is encouraged that the post should be filled within six months to avoid prolonged acting period.
- 9.1.9 If the acting period exceeds six months, rotation is encouraged where practically possible.
- 9.1.10 The period and other conditions of, and compensation for, so acting shall be subject to any applicable determination made in terms of section 3(5) of the Act, including any applicable deemed determination in terms of section 5(6) of the Act.
- 9.1.11 The official must accept the acting appointment in writing before the acting allowance is payable.

10. CALCULATION OF ACTING ALLOWANCE

- 10.1 The acting allowance is calculated on the basis of the difference between the current notch of the employee (MMS) and the commencing salary notch of the higher post (SMS).
- 10.2 An Assistant Director appointed to act in a post of a Deputy Director will receive the difference between his/her current salary notch and the basic salary of the commencing salary notch applicable to the post level (As per DPSA Circular E1/6/4/1).
- 10.3 A Personal Assistant to act as an Office Manager will receive the difference between his/her current salary notch and the commencing salary notch applicable to the post level.
- 10.4 The maximum (combined) acting allowance to be paid to the two employees is the difference between the salary notch of the lowest graded member and the commencing salary notch of the higher graded vacant post. (This means that the expenditure may not exceed the expenditure if only the lowest graded employee would have been appointed to act in higher graded vacant post)
- 10.5 The employees' individual acting allowances are to be determined proportional to the above- determined ratio. (This means that if the split in responsibilities between the employee is 30/70 % and the other employee will qualify for 30% and the other employee 70% of the maximum (combined) acting allowance);

10.6 If the payment of the acting allowance after the 1st day or terminates before the last day of the month, the daily tariff is calculated by dividing the annual amount by 12 (number of months) and then by the number of days for the specific month.

10.7 An employee acting in a higher position shall be assessed at the level of his or her post that he or she occupied at the time immediately prior to the acting position.

11. REPORTING

Line managers must inform the Directorate: Human Resource Management when they intend to appoint an employee on acting capacity to ensure that proper procedures are consistently applied.

12. MONITORING AND EVALUATION

The Human Resource Management Directorate will monitor the implementation of this policy and will submit a quarterly report to the Chief Director: Corporate Services for submission to the Head of the Department.

13. COMMUNICATION / EDUCATION OF THE ACTING POLICY

The Acting Policy will be communicated by means of workshops, virtual workshops and circulars to all employees of the Department.

14. APPROVAL OF THE POLICY

The policy will be approved by the Member of the Executive Council on the recommendation of the Head of Department as per the updated Departmental Delegations and the policy will become official on the date it is signed by the Executing Authority (i.e. the MEC for Cooperative Governance and Traditional Affairs).

15. DISPUTE RESOLUTION MECHANISM

An employee who has a grievance or dispute within the Department concerning unfair application of procedures as defined in this policy, shall have normal recourse to the applicable resolutions as well as any other right they have by law.

16. REVIEW OF THE POLICY

The policy will be reviewed and amended in line with future legislative and collective agreements promulgations. The development of this policy is a dynamic process and that it may require revision from time to time.

17. VERSION CONTROL AND CHANGE HISTORY

Version Control	Date Effective	Approved By	Amendment
Start from	YYMMDD (the date the policy takes effect.	Contact person – full name & title.	Include any superseded procedures and what the amendment is to the document.
2010	2010-03-19	Sicelo H. Gqobana	
2017	2017-05-10	F.D Xasa (MEC)	

XU

[0]

AF