

NDLAMBE MUNICIPALITY

CORPORATE SERVICES



INTERNAL BURSARY POLICY

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1. PREAMBLE

The Municipality strives to secure adequately qualified personnel for its services by providing financial assistance to employees to enable them to qualify themselves educationally and to enhance their levels of competence to perform the duties assigned to them.

2. PURPOSE

- 2.1** To encourage career development of employees through further education.
- 2.2** To encourage self-development activities that also benefit the Municipality.
- 2.3** To provide financial assistance to employees who wish to improve their qualifications.

3. SCOPE

This policy applies to all employees of the Municipality. The bursary scheme does not apply to full time study or overseas study leave.

4. LEGISLATIVE AND POLICY FRAMEWORK

- Constitution of the Republic of South Africa Act 108 of 1996
- Municipal Systems Act 32 of 2000
- Municipal Structures Act 117 of 1998
- Local Government: Regulations on appointment and conditions of employment of senior managers, dated 17 January 2014
- Local Government: Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Local Government: Guidelines for the Implementation of the Municipal Staff Regulations, 2016 (issued in terms of Section 72, read with Section 120 of the Municipal Systems Act 32 of 2000)
- Municipal Finance Management Act 56 of 2003
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Skills Development Act 97 of 1998
- Occupational Health and Safety Act 85 of 1993
- Skills Development Levies Act, No. 9 of 1999
- National Qualifications Framework
- South African Local Government Bargaining Council: Collective Agreements

shall be made at least fifteen (15) working days prior to the closing date of such application at the educational institution.

- 7.2.4** Application for payments shall be aligned with the approved study plan, and if not, a revised study plan motivation shall accompany the request that shall be considered by the Head of Corporate Services and payment shall only be done if the revised study plan is approved.

7.3 Applicable courses

- 7.3.1** The course shall be relevant to the service of the Municipality and in line with the employee's official duties.
- 7.3.2** The NQF level of the course shall be higher than the employee's already obtained qualifications.
- 7.3.3** General courses, such as management, project management shall only be approved for employees in management positions.
- 7.3.4** Short courses of one year and less shall only be approved if the cost of the course is such that it can be worked back in a period of two (2) years.
- 7.3.5** Only studies/courses which are accredited by the SAQA and/or the LGSETA and which carry NQF credits may be approved.
- 7.3.6** Notwithstanding the above, the Municipal Manager may consider and approve any specific application without setting a precedent if the:
- 7.3.6.1** employee's obtaining of qualification is in the interest of the Municipality
- 7.3.6.2** course is beneficial to the Municipality, and upon written motivation the Municipal Manager is convinced that the course is in line with the employee's career planning and service delivery.
- 7.3.7** Bursaries may not be granted for courses which the official has already passed.

7.4 Approval of bursary

- 7.4.1** The Head of Corporate Services shall consider the application, taking into account the following:
- 7.4.1.1** Relevance of the course to the service of the Municipality.
- 7.4.1.2** Eligibility of the official to be granted a bursary.

7.4.1.3 Availability of funds, considering the cost of the course over the intended study period.

7.4.1.4 When funds are limited, consider:

- a. Needs of the Municipality
- b. Needs of local government sector, and the cost of courses to get the maximum number of employees to further their education.
- c. Possible granting of part bursaries where the official can be liable for the payment of part of the cost, especially in cases where employees are guaranteed promotional positions upon the attainment of a specific qualification.

7.4.2 An employee shall be granted only one active bursary at a time except in cases where courses are sequential, i.e. undergraduate degree, Honours, Masters, Doctorate, or certificate, diploma, National Diploma, and so on.

7.4.3 Upon approval of the bursary the employee shall enter written agreement with the Municipality.

7.5 Contractual Obligations

7.5.1 The Head of Corporate Services may cancel the bursary if:

7.5.1.1 the employee's study progress is not satisfactory as measured against the approved study plan.

7.5.1.2 the employee failed more than 50% of the courses / subjects entered for in a particular study period.

7.5.1.3 the employee does not submit results in terms the bursary conditions.

7.5.1.4 the employee failed to enrol for courses / subjects during a study year irrespective of whether the employee or Municipality pays.

7.5.1.5 the employee fails to comply with any obligation under the bursary agreement.

7.5.1.6 it is found that the bursary application was approved on the grounds of incorrect information furnished by the employee.

7.5.2 The employee shall, within two (2) months after the examination results are available, furnish the Municipality with such results. If the employee fails to comply with the above, the Head of Corporate

Services may cancel the bursary, or further advances shall be held back until compliance is achieved.

- 7.5.3** Should an employee at any time suspend or abandon his / her studies for the approved qualification, or be refused permission by the educational institution or examining authority to continue his / her studies, or not pass any qualifying course of study during two (2) consecutive years, he / she shall be obliged, from a date fixed by the Municipal Manager to repay the Municipality the full amount of the financial assistance given to him / her, inclusive of study leave, in terms of the Scheme plus interest thereon, calculated at prime interest rate plus 1%.
- 7.5.4** Where an employee has been granted leave on full pay he / she may, at his / her option, be permitted to have his / her accumulated annual leave reduced by an equivalent number of days taken as study leave provided that such action is not in conflict with the Leave Policy.
- 7.5.5** In the event of an employee retiring, resigning or being dismissed from the Municipality's service before having obtained the qualification in respect of which he / she was granted financial assistance in terms of the Scheme, he / she shall repay to the Municipality the total financial assistance paid by the Municipality plus interest thereon, calculated at prime interest rate plus 1%.
- 7.5.6** The time frame within which an employee can complete a qualification ranges from three to more years. The employee shall be under an obligation to pay back all financial assistance over the period that he / she studied if the employee wants to resign, etc. An employee has to remain in the service of the Municipality for an equivalent of time proportional to subjects done or year of study completed.
- 7.5.7** For block release courses, an employee shall, whether or not he/she obtains the qualification concerned, serve the Municipality for two years in respect of each year in which study leave was given.
- 7.5.8** Service obligation shall not be condoned on a *pro rata* basis. Therefore, unless the employee remains in the service of the Municipality until the expiry date of his / her service obligation he / she shall remain liable for the full settlement of the financial assistance received in terms of the Scheme.
- 7.5.9** The employee shall cede to the Municipality his / her rights, title and interest in and to all amounts due to the employee by the Municipality and the Retirement Fund to which the employee contributed during his / her employment with the Municipality, both future and present, as security for the indebtedness of the employee to the Municipality arising out of the obligation created by this agreement.

7.5.10 The cession referred to in the policy shall endure and be of force and effect until the liability of the employee to the Municipality has been paid by the employee to the Municipality or otherwise discharged.

7.5.11 The certificate signed by the CFO certifying the amount due by the employee to the Municipality shall be *prima facie* proof of the amount due and payable by the employee to the Municipality.

7.5.12 If an employee is unable to pay the Municipality the full amount owing to the Municipality in terms of the Scheme, the CFO shall, in consultation with the employee, make suitable alternative arrangements to facilitate full settlement of the amount owing to the Municipality, provided that such arrangement shall not extend beyond one year from the date on which the employee originally became liable for the full settlement of his / her debt in terms of the Scheme.

7.6 Study Leave

An employee who is a part-time or distance learning student and who is studying for an approved qualification, shall be granted examination and study leave in terms of the leave policy.

7.7 Applications

7.7.1 Employees wishing to apply for financial assistance shall do so on prescribed forms, and on guidelines prescribed by the HRM Unit from time to time.

7.7.2 Continued financial assistance shall depend on submission of results, and on meeting other requirements of the Scheme or conditions set by the Municipal Manager and / or skills development committee.

7.8 Roles and responsibilities

7.8.1 The Municipal Manager or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. Furthermore, the Municipal Manager shall:

7.8.1.1 Approve qualifications and their priority for inclusion in the Scheme, or delete those which are no longer appropriate.

7.8.1.2 Determine, with help of the CFO, the amount of and conditions governing financial assistance for approved qualifications as deemed necessary to give effect to the principles of the scheme and to safeguard the interests of the Municipality.

7.8.1.3 Approve the continuation, extension, variation or termination of facilities to individual students on conditions laid down in the Scheme.

7.8.1.4 Determine institutions at which students may pursue approved qualification.

7.8.1.5 In conjunction with the CFO, determine method and terms under which money owing to the Municipality for financial assistance in terms of the scheme shall be repaid.

7.8.1.6 Adopt whatever actions are deemed necessary to address any anomalous situation which is not specifically addressed by the Scheme.

7.8.1.7 Continuously monitor the effectiveness of the Scheme and submit recommendations to the Council for any required amendments to the Scheme to match changing or anomalous circumstances.

7.8.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management Unit

8. POLICY MONITORING AND EVALUATION

8.1 This policy shall be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8.2 Non-compliance to the stipulations contained in this policy shall be regarded as misconduct, which shall be dealt with in terms of the Code of Conduct.

8.3 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

9. POLICY APPROVAL

Formulated by HR Management:

Signature: _____

Date: _____

Consulted with Local Labour Forum: