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# ACTING APPOINTMENT POLICY



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TERM	DEFINITION
ACTING ALLOWANCE	Non-pensionable and taxable allowance paid to an employee who is appointed to act in a higher position by the Delegated Authority in order to compensate him/her for the increased responsibilities.
ACTING APPOINTMENT	A temporary appointment to a higher vacant and funded post on the approved staff establishment where there is an understanding that the employee returns to his/her substantive post as soon as the vacant post is filled.
ACTING INCUMBENT	An employee who has been appointed in an approved acting position on the staff establishment.
COLLEGE	Refers to the Public College including Technical and Vocational Education and Training (TVET) and the Community Education and Training (CET) colleges.
COMPONENT	A part that makes up the Department at various levels - i.e. Head Office Branches, Regional Offices and Colleges.
DELEGATED AUTHORITY	Any employee to whom power has been vested or who has been authorised to perform a duty in terms of a formal written delegation.
DEPARTMENT	Department of Higher Education and Training

B. Glossary of Terms

ACRONYM	DEFINITION
CET	Community Education and Training
CETC	Community Education and Training College
DHET	Department of Higher Education and Training
EE	Employment Equity
GPSSBC	General Public Service Sectoral Bargaining Council
PSCBC	Public Service Co-ordinating Bargaining Council
SMS	Senior Management Service
TVETC	Technical and Vocational Education and Training College

A. Acronyms

<p>A person appointed in terms of the Public Service Act, 1994 as amended, excluding an Independent Contractor, who works for another person or for the State and receives, or is entitled to receive remuneration.</p>	<p><b>EMPLOYEE</b></p>
<p>Department of Higher Education and Training</p>	<p><b>EMPLOYER</b></p>
<p>A strategy drawn for the Department or College indicating their EE objectives, affirmative action measures, timetables, duration, procedures and responsibilities that the Employer will implement to meet their EE targets and EE workplace practices over a given period of time.</p>	<p><b>EMPLOYMENT EQUITY PLAN</b></p>
<p>The Minister responsible for the national department of Higher Education and Training</p>	<p><b>EXECUTIVE AUTHORITY</b></p>
<p>An immediate superior to whom an employee reports.</p>	<p><b>LINE MANAGER</b></p>
<p>An HR Unit that may be based at either the Head Office, Regional Office or a Public College depending on the authority given in terms of the departmental delegations.</p>	<p><b>RESPONSIBLE HR UNIT</b></p>
<p>A strategy drawn for the Department or College that articulates how the Employer is going to address the training and development needs in the workplace for a specific period of time.</p>	<p><b>SKILLS DEVELOPMENT PLAN</b></p>
<p>A section within a Component for example the following:</p> <ul style="list-style-type: none"> <li>• Branches;</li> <li>• Chief Directors;</li> <li>• Directors;</li> <li>• Sub-Directors in Head Office; and</li> <li>• Units in Regional Office; and Units in the College.</li> </ul>	<p><b>SUB-COMPONENT</b></p>

## 1. BACKGROUND AND INTRODUCTION

### 1.1 Policy Statement

The Employer is committed to filling vacancies on a permanent basis, however there are circumstances where it is in the interest of the Employer to consider more flexible workforce work arrangements to meet operational needs and to ensure continuity. In this regard, acting appointments provide employees with a range of potential professional development opportunities whilst supporting and enhancing operational efficiency and the achievement of the Employer's strategic goals.

### 1.2 Legislative Framework

1.2.1 Public Service Act, Act 103 of 1994, as amended;

1.2.2 Labour Relations Act, Act 66 of 1995, as amended;

1.2.3 Basic Conditions of Employment Act, Act 75 of 1997, as amended;

1.2.4 Employment Equity Act, Act 55 of 1998, as amended;

1.2.5 Public Service Regulations 2016;

1.2.6 PSCBC Resolution 9 of 2001;

1.2.7 GPSSBC Resolution 1 of 2002, as amended;

1.2.8 CET Colleges Act, Act 16 of 2006, as amended;

1.2.9 DHET Delegations of Authority according to the Public Service Act,

Act 103 of 1994 and Public Service Regulations of 2016; and

1.2.10 DHET Labour Relations Manual.

**Note:** Where this Policy and the Delegations of Authority of the DHET differ, the Delegations shall take precedence.

**2. POLICY PURPOSE, OBJECTIVES AND PRINCIPLES**

**2.1 Purpose**

The purpose is to define the parameters for the implementation of the Acting Policy for employees of the DHET who are acting in posts at a senior or lateral level in order to advance the agenda of service delivery.

**2.2 Objectives**

To provide guidelines to employees with regard to acting in senior and lateral posts, the payment of acting allowances and to ensure the consistent application of such. It also seeks to provide opportunities for personal development.

**2.3 Principles**

- 2.3.1 Fairness and Transparency;
- 2.3.2 Professionalism and Credibility;
- 2.3.3 Consistency; and
- 2.3.4 Integrity.

**3. SCOPE OF APPLICATION**

This Policy is applicable to all permanent employees as well as employees on contract for 12 months or more. SMS members will be guided by the SMS handbook.

## 4. POLICY PROVISIONS

### 4.1 Acting Principles

- 4.1.1 To ensure continuity and operational stability so that there is no vacuum in any component that may compromise efficiency and effectiveness of service delivery;
- 4.1.2 The practice of acting in senior posts and the payment of an acting allowance is managed in an equitable, fair and transparent manner to enhance the DHET's performance.

### 4.2 Acting Appointments

- 4.2.1 An acting appointment may only be in a senior or a lateral post and cannot be in a lower post.
- 4.2.2 The employee appointed in writing to act in a senior post, by the delegated authority, shall be paid an acting allowance provided that:
- (a) he/she is appointed to act in a senior and vacant funded post;
  - (b) the period of appointment shall be for an uninterrupted period and longer than 6 weeks; and
  - (c) no more than two employees are simultaneously being compensated as a result of a single vacancy.
- 4.2.3 The employee must accept the acting appointment in writing before the acting allowance is payable to him/her and the allowance where applicable will be paid from the date of acceptance as signed by the official.
- 4.2.4 The incumbent must have the necessary competency for the post which he/she is appointed to act.
- 4.2.5 The appointment to act in the senior post must be for a period longer than six (6) weeks, but limited to a maximum of twelve (12) months. Only in circumstances that are beyond the control of the Employer will an acting period be extended beyond twelve (12) months. Approval for extension must first be obtained from the delegated authority.
- 4.2.6 If an employee is appointed to act in a vacant senior post, every endeavour must be made to fill the vacant post as soon as is reasonably possible.

### 4.3 Acting Appointment Criteria

- 4.3.1 The delegated authority has a duty to appoint employees to acting posts in a fair, consistent and transparent manner at all times.
- 4.3.2 The following must be taken into account when appointing employees into acting positions:

(a) An employee's performance over a maximum period of twelve (12) months preceding the acting appointment;

(b) Employee shall only act on one level higher than his/her

substantive post or in a lateral post. The exception would be if there are no post on a level between the incumbent and the acting

position. In this instance the acting allowance would only be the difference between the employee's notch and the start salary of next level, e.g. assume a person on Salary Level (SL) 7 need to act as ASD, the allowance will only be the difference between the employees notch and the start notch of SL 8, which would be the next level. In an instance where acting allowance should be at two levels up deviation may be sought from the DPSA.

(c) The Employment Equity Plan and the Skills Development Plan of the Component may be used as a guiding factor in determining who should act and when (e.g. by looking at gender, race and/or disability).

4.3.3 Selection criteria are based on:

(a) Consistent good performance;

(b) Meeting of the minimum requirements of the job; and

(c) Contractual status of the employee (permanency).

4.3.4 Should there be more than two (2) people eligible for the acting post, an interview/selection process may be undertaken to determine the most suitable person for the acting post.



- 4.6.3 The acting allowance is calculated on the difference between the employee's present salary notch (without benefits) and the commencing post due to the actual incumbent of the post acting in a higher vacant post. Delegated authority may also compensate an employee for acting in a higher vacant post in terms of the applicable public service determination relevant at that time.
- 4.6.2 Delegated authority may also compensate an employee for acting in a higher vacant post in terms of the applicable public service determination relevant at that time.
- 4.6.1 Delegated authority may only compensate an employee for acting in a higher vacant post in terms of the applicable public service determination relevant at that time.
- 4.6 Acting Allowance**

- 4.5.3 Calculation of the acting allowance in terms of this provision should be the same as per Section 5 below.
- 4.5.2 Only the delegated authority has the power to appoint lecturing staff and compensate them for acting in senior or lateral posts that are not vacant. The Chief Financial Officer and College Council must be consulted to confirm funding.
- 4.5.1 This only applies in circumstances where a substantive post holder's absence may impact negatively on teaching and learning.
- 4.5 Urgent/Critical circumstances requiring acting in non-vacant Academic posts**

CIRCUMSTANCE	ACTING ALLOWANCE
4.4.1 A senior post is vacant and funded	Yes
4.4.2 A senior or lateral post is not vacant but funded (e.g. job holder is on sabbatical)	No
4.4.3 A senior or lateral post is not funded but vacant	No
4.4.4 A senior or lateral post is not vacant and not funded	No
4.4.5 A senior post is shared by two employees to act for equal periods less than six weeks	No
4.4.6 Acting for periods equal to or less than 6 weeks	No
4.4.7 Acting prior approval	No

- 4.4 Circumstances to appoint to an Acting Post**
- The following circumstances warrant an acting appointment and indicate whether an acting allowance is payable or not:

(d) The maximum (combined) acting allowance payable to the two employees should not exceed the difference between the salary

proportional to the specified ratio above;

(c) The employees' individual acting allowances must be determined 30%/70% before they are both appointed to act in the post;

(b) The responsibilities are expressed in the form of a ratio (e.g. between the two incumbents;

(a) The responsibilities of the higher vacant post are divided between the two employees. The job description and performance agreement of the post should be used to divide the responsibilities

the two employees, provided that:

4.6.6 A maximum of two employees may receive an acting allowance for acting in one post. In this case the allowance must be divided between

cheque, incentive, bonus and any other allowances.

4.6.5 The payment of the acting allowance will not have any bearing on any other conditions of employment or any other benefits including 13<sup>th</sup>

writing.

4.6.4 The employee will be paid the acting allowance on a monthly basis, provided that the first payment takes place in the month following the completion of the uninterrupted six (6) weeks acting period, backdated to the date that the employee officially accepted the acting position in

of at least 6%. This could guide on the OSD positions.

Note: With reference to PAM document par C4.1.6. Should an employee identified for acting appointment already be in the salary band of the acting position, he/she would be paid an acting allowance

notch (without benefits) and the start notch of the next level post calculated on the difference between the employee's present salary salary Level and the acting position, the acting allowance will only be

one level higher. Should there be no post between the employee's notch (without benefits) of the senior post, on condition that the post is

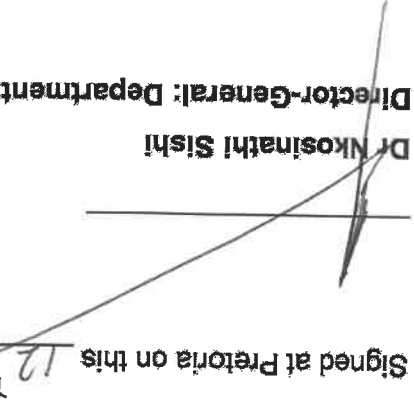
- notch of the lowest graded employee and the commencing salary notch of the vacant post;
- (e) The acting incumbents must be made aware in the letter appointing them of the duties they are to perform and the ratio of the acting allowance that they will receive; and
- (f) For the purpose of accountability, it is recommended that the shortest period be at least three (3) months. However, proper handing over procedures must be followed before the acting incumbent takes over the relevant duties.
- 4.7 Subsidence and Travel Allowances**
- Where acting is to be performed at an office that is geographically removed from the employee's current place of work, an applicable subsistence, travelling allowance and accommodation may be paid to him/her according to the relevant DHET's Travel and Subsistence Policy.
- 4.8 Performance Evaluation**
- 4.8.1 An employee's performance will be evaluated based on the functions and responsibilities of the senior post in which he/she is acting;
- 4.8.2 The delegated authority may withdraw an acting appointment at any time in writing should the performance of the employee not be satisfactory;
- 4.8.3 Notice of termination of an acting appointment on the basis of performance shall be issued to the employee concerned in writing; and
- 4.8.4 The employee concerned must acknowledge receipt of the notice of termination by signing a copy of the aforesaid notice, which must be forwarded to the responsible HR Unit for record purposes.
- 4.9 Termination of Acting Appointment**
- 4.9.1 The acting appointment will be terminated if:
- (a) An employee in the acting position goes on maternity leave;

5. ROLES AND RESPONSIBILITIES
- 5.1 Director-General shall ensure accountability for effective implementation and adherence to the policy.
- 5.2 Branch heads, regional managers and principals shall ensure effective management of acting appointments.
- 5.3 Director: HRMA shall:
- 5.3.1 Ensure effective implementation, adherence and compliance to the Policy;
- 5.3.2 Receive acting documents and prepare submission to delegated authority, where applicable.
- 5.4 Employees shall complete acting appointment request form and attach CV and the required documents (CV, Qualifications and ID copy, et cetera).
- 5.5 Regional Managers shall play a part in proposing acting Principals in consultation with the Chairperson of the College Council. Consent from the College Council Chairperson is a requirement by the Minister.
- 4.9.2 Acting allowance will be terminated when acting appointment is discontinued.
- (b) An employee goes on continuous leave for 30 days or more, upon return from leave if the employee is still required to act in a senior position he/she must be re-appointed in writing to qualify for an acting allowance;
- (c) The incumbent of the post returns to his/her post earlier than anticipated;
- (d) The new permanent appointee commences duty;
- (e) The performance of the employee in the acting post is not satisfactory; and
- (f) The employee is relocated for one or other reason.

- 6. DELEGATIONS**
- 6.1** Employees appointed on Salary Levels 2-8 and Post Levels 1-3:  
 Institution based: Principal  
 Regional Office: Regional Manager  
 Head Office: DDG: Corporate Services
- 6.2** Employees appointed on Salary Levels 9-12 and Post Levels 4-5:  
 Institution based: DDG: Corporate Services  
 Regional Office: DDG: Corporate Services  
 Head Office: DDG: Corporate Services
- 6.3** Employees appointed on Salary Level 13 and above:  
 Institution based: Minister or their delegated official  
 Regional Office: Minister or their delegated official  
 Head Office: Minister or their delegated official
- 7. POLICY MONITORING AND EVALUATION**
- This Policy shall be monitored by the Directorate responsible for HRM.
- 8. POLICY REVIEW**
- This Policy will be reviewed as and when a need arises

**9. DISPUTE RESOLUTION**  
Any dispute arising out of the interpretation and/or application of this Policy shall be dealt following applicable legislations and policies.

**10. POLICY APPROVAL SIGNATURE**

Signed at Pretoria on this 12<sup>th</sup> day of November 2021  
  
Dr Nkosinathi Sishi  
Director-General: Department of Higher Education and Training