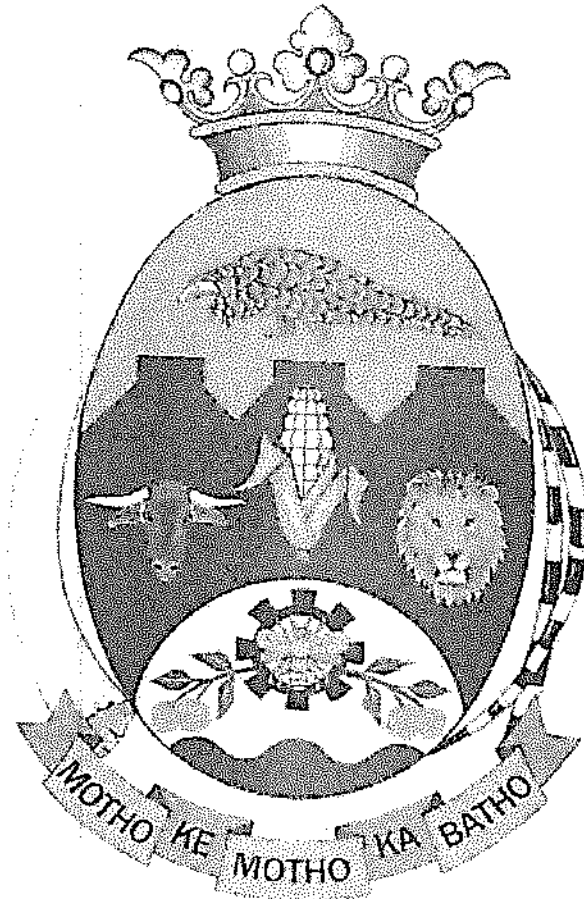


# LEPELLE-NKUMPI LOCAL MUNICIPALITY



## LEPELLE-NKUMPI INTERNAL BURSARY POLICY

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## INTERNAL BURSARY POLICY

### 1. PREAMBLE

The Municipality strives to secure adequately qualified personnel for its services by providing financial assistance to staff members 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 staff members through further education.
- 2.2 To encourage self-development activities that also benefit the Municipality.
- 2.3 To provide financial assistance to staff members who wish to improve their qualifications.

### 3. SCOPE OF APPLICATION

This policy applies to all staff members 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, 1996 (Act No. 108 of 1996)
- Municipal Systems Act, 2000 (Act No. 32 of 2000)
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003)
- Labour Relations Act, 1995 (Act No. 66 of 1995)
- Employment Equity, 1998 (Act No. 55 of 1998)
- Skills Development Act, (Act No. 97 of 1998)
- Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997)
- National Skills Development Strategy
- National Qualifications Framework
- South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- Skills Development Levies Act, 1999 (Act No. 9 of 1999)

- South African Local Government Bargaining Council: Collective Agreements

## **5. DEFINITIONS**

All terminology used in this policy shall bear the same meaning as in the Regulations or applicable legislation, or as defined and / or explained in the Glossary of Terminology in the Human Resources Policies Manual.

## **6. PROBLEM STATEMENT**

[Unique to each Municipality's situation: state prevailing problems that the policy shall regulate and provide framework for managing them]

## **7. POLICY PROVISIONS**

### **7.1 Administration of the bursary**

The HRM Unit shall be responsible for the administration and implementation of the bursary and shall have the power to conclude contracts on behalf of the Municipal Manager.

### **7.2 Financial Assistance**

**7.2.1** The bursary shall only be granted for the payment of:-

- (a) the registration fee;
- (b) compulsory administrative fees;
- (c) tuition fees (cost of the study units or subjects enrolled in);
- (d) text books and prescribed text material to a maximum of the amount approved by Council, and the conditions set by Council from time to time; and
- (e) for fixed term staff members, the bursary amount may not exceed the amount that the staff member shall be able to work back during the term of the contract of employment.

**7.2.2** All payments in respect of a bursary shall, on receipt of an original account, be paid by the Municipality directly to the educational

institution, provided that where the bursary has been granted for a part of any course, payment shall only be made for such part of the course, provided further that payment may be made directly to the staff member upon submission of an original account of the educational institution together with proof thereof that the fees as set out in the account have already been paid to the relevant institution by the staff member.

7.2.3 Application shall be made in writing for the payment of any study related fees, accompanied by the necessary documentary proof and 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 staff member's official duties.

7.3.2 The NQF level of the course shall be higher than the staff member's already obtained qualifications.

7.3.3 General courses, such as management, project management shall only be approved for staff members 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:

(a) staff member's obtaining of qualification is in the interest of the Municipality; and

(b) course is beneficial to the Municipality, and upon written motivation the Municipal Manger is convinced that the course is in line with the staff member'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:

- (a) Relevance of the course to the service of the Municipality.
- (b) Eligibility of the official to be granted a bursary.
- (c) Availability of funds, considering the cost of the course over the intended study period.
- (d) When funds are limited, consider:
  - (i) Needs of the Municipality;
  - (ii) Needs of local government sector, and the cost of courses to get the maximum number of staff members to further their education; and
  - (iii) Possible granting of part bursaries where the official can be liable for the payment of part of the cost, especially in cases where staff members are guaranteed promotional positions upon the attainment of a specific qualification.

7.4.2 A staff member 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 staff member shall enter written agreement with the Municipality.

#### **7.5 Contractual Obligations**

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

- (a) the staff member's study progress is not satisfactory as measured against the approved study plan.
- (b) the staff member failed more than 50% of the courses / subjects entered for in a particular study period.
- (c) the staff member does not submit results in terms the bursary conditions.
- (d) the staff member failed to enrol for courses / subjects during a study year irrespective of whether the staff member or Municipality pays.
- (e) the staff member fails to comply with any obligation under the bursary agreement.
- (f) it is found that the bursary application was approved on the grounds of incorrect information furnished by the staff member.

7.5.2 The staff member shall, within two (2) months after the examination results are available, furnish the Municipality with such results. If the staff member 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 a staff member 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 a staff member 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 a staff member 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 a staff member can complete a qualification ranges from three to more years. The staff member shall be under an obligation to pay back all financial assistance over the period that he / she studied if the staff member wants to resign, etc. A staff member 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, a staff member 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 staff member 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 staff member shall cede to the Municipality his / her rights, title and interest in and to all amounts due to the staff member by the Municipality and the Retirement Fund to which the staff member contributed during his / her employment with the Municipality, both future and present, as security for the indebtedness of the staff member 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 staff member to the Municipality has been paid by the staff member to the Municipality or otherwise discharged.
- 7.5.11 The certificate signed by the CFO certifying the amount due by the staff member to the Municipality shall be *prima facie* proof of the amount due and payable by the staff member to the Municipality.
- 7.5.12 If a staff member 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 staff member, 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 staff member originally

became liable for the full settlement of his / her debt in terms of the Scheme.

7.5.13 In the event of a deceased staff member, the outstanding debt will be written off.

7.5.14 In the event of a staff member who become physically or mentally incapable of completing their qualification, subject to the medical reviews from the relevant pension funds, the outstanding debt may be written off.

## **7.6 Study Leave**

A staff member 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 Staff members 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:

- (a) Approve qualifications and their priority for inclusion in the Scheme, or delete those which are no longer appropriate.
- (b) 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.

- (c) Approve the continuation, extension, variation or termination of facilities to individual students on conditions laid down in the Scheme.
- (d) Determine institutions at which students may pursue approved qualification.
- (e) 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.
- (f) Adopt whatever actions are deemed necessary to address any anomalous situation which is not specifically addressed by the Scheme.
- (g) 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 breach of Code of Conduct, 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

This policy was formulated by HR Management in consultation with the Local Labour Forum.

Approved by:



SPEAKER)

Date:

RESOLUTION NUMBER: 6.1.05/2023/2028/