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1. INTRODUCTION

This policy provides the principles for acting arrangements.

2. PURPOSE

- 2.1 Council acknowledges that from time to time an employee, due to certain circumstances (such as death, resignation, leave, etc.) may not be in a position to discharge his/her duties and responsibilities in terms of the contract of employment.
- 2.2 Council further recognizes that from time to time there would be a need to appoint another employee to discharge the duties of that particular employee in their absence, hence the need to enter into an acting arrangement and acting allowances.
- 2.3 An employee is deemed to be acting in another post when he/she is duly appointed by the Municipal Manager to do so.
- 2.4 An employee who acts in another post must also be required to execute his/her original duties, functions and powers, if possible.
- 2.5 In cases where an employee is not able to perform his/her original duties, functions and powers, arrangements must be made that these duties, functions and powers are executed by other employees.

3. SCOPE AND APPLICATION

- 3.1. To ensure that the efficiency of the Municipality is maintained during the absence of the incumbent.
- 3.2. To promote on-the-job experience and exposure to other employees.

- 3.3. To provide a policy guideline for the handling of acting arrangements in various positions within the Municipality.
- 3.4. To provide a policy guideline within which acting arrangements can occur.
- 3.5. This policy is applicable to all permanent employees of the municipality including fixe term contract employees.

4. DEFINITIONS

“Acting” refers to where an employee, by written approval of the Municipal Manager to act in a higher post.

“Council” means the municipality.

“Employees” shall mean a person in the employment of the Bitou Municipality, either in a permanent, contract of temporary capacity.

“Executive Management” shall mean the Municipal Manager and Directors.

“Directors” shall mean all appointees in terms of section 56 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

“Municipal Manager” shall mean a person appointed by the Municipal Council as the Municipal Manager for the municipality in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

“Staff member” shall mean the employees of the Bitou Municipality including the Municipal Manager.

All terminology not defined under paragraph 4 of this policy shall bear the same meaning as in the applicable legislation.

5. LEGISLATIVE FRAMEWORK

This policy and its application must be in accordance with the following legislative prescripts:

- 5.1. The Constitution of the Republic of South Africa, 1996.
- 5.2. The Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).
- 5.3. The Labour Relations Act, 1995 (Act No. 66 of 1995).
- 5.4. The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).
- 5.5. The Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).
- 5.6. The Conditions of Service Collective Agreement of the Western Cape Division.

6. ACTING PROVISIONS

Acting refers to where an employee, by written approval of the Municipal Manager or his/her nominee, acts in a higher post for a period of at least ten (10) consecutive working days, including public holidays and compulsory closing of office during the festive season.

- 6.1 The Municipal Manager must authorise the payment, subject to budgetary provision, of an acting allowance to a person acting.

- 6.2 The acting allowance payable is calculated in terms of the Collective Agreement on Conditions of Service for the Western Cape Division of the South African Local Government Bargaining Council (SALGBC).
- 6.3 The period of acting shall not unreasonably be stopped or interrupted resulting in non-payment of an acting allowance.
- 6.4 An employee will not be paid an acting allowance whilst he/she is on any form of leave or any other absence during the acting period, however, where an employee has acted for a continuous period of three (3) months or longer, he/she will qualify for an acting allowance while on paid leave.
- 6.5 The acting period must not exceed nine (9) consecutive working months.

7. GENERAL

- 7.1 The powers of Council and the Municipal Manager in terms of this policy may be delegated to the terms and conditions as Council or the Municipal Manager may determine.
- 7.2 Any acting appointment must be in writing, by a person duly authorized to do so and that official must accept the acting appointment in writing before the acting commences.
- 7.3 Acting in the position of a Director can only be approved by Council if the position is vacant, and or if the Director is absent from work, due to vacational leave, sick leave or on compulsory business leave outside the municipal boundaries.
- 7.4 All managers or senior managers acting in the directors positions must meet the requirements of the position as contained in the regulations.

- 7.5 The letter of appointment as an acting Director will only be issued by the Office of the Municipal Manager.
- 7.6 The Municipal Manager will be responsible for circulating the signed acting letter throughout the municipality.
- 7.7 Only the Municipal Manager can approve the acting for the rest of the employees in the respective directorates.
- 7.8 A staff member may only act in a post that is equivalent to or one reporting line higher than the post that the staff member ordinarily occupies.
- 7.3 An official who has been appointed to act in accordance with the provisions of this Policy may only act in a higher post for the maximum period permissible and under the conditions stipulated in the policy after which the arrangement shall be reviewed.
- 7.4 The officials to be appointed to act should generally be the next in line in terms of seniority and Council must try and avoid appointing employees lower in line unless valid reasons exist for such appointments.
- 7.5 An official will only be considered to act in a higher post if that official have the skills, expertise, competency and qualifications applicable to the post in which he/she is expected to act.
- 7.6 An official acting in a vacant position has no right or expectation to be automatically appointed permanently when the position is advertised.
- 7.7 A person may only be appointed in an acting position for a period not exceeding three months. However only the Municipal Manager may extend the acting period beyond three months in the case other than section 56 employees if there is a justification.

8. DISPUTE RESOLUTION

Internal dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy.

9. AMENDMENTS

The Council may from time to time amend this policy and introduce any measure(s) to ensure efficient, economic and effective management of Council resources.

10. COMMENCEMENT

This policy comes into force on the date which it is adopted by Council.

11. SHORT TITLE

This policy will be known as the Acting Arrangements Policy.