

SECTION HR 27

AMAHLATHI
MUNICIPALITY

POLICY FOR THE

PREVENTION OF

NEPOTISM

SECTION HR 27

POLICY FOR THE PREVENTION OF NEPOTISM

<u>INDEX</u>	<u>PAGE</u>
1. Scope	3
2. Definitions	3
3. Mutual Service Relationship	3
4. Supervisors and Promoters	4
5. Purchase of Goods and/or Services	4
6. Other Situations	5
7. Exceptions	5

SECTION HR 27

POLICY FOR THE PREVENTION OF NEPOTISM

1. Scope

This policy is applicable to all employees of the Municipality whether employed on a contract basis or in a permanent, temporary, full-time or part-time capacity.

2. Definitions

For the purpose of this Policy, the following definitions shall apply:

Nepotism is the unfair favouring of relatives and household members by an employee who is in a position to do so.

Relatives includes a husband, wife, son, daughter, mother, father, brother, sister, grandfather, grandmother, grandchildren, in-laws, brother-in-law, sister-in-law, son-in-law, daughter-in-law and adopted children.

Household members include all individuals that share a staff member's home on a regular basis.

Purchaser refers to any employee who acquires goods and/or services for the Municipality.

3. Mutual Service Relationship

3.1 Staff members may neither directly nor indirectly be involved in the initiation of or participation in decisions about conditions of service, e.g. appointment, promotion, salary, work allocation, allowances, leave, etc., in respect of relatives or household members.

3.2 Staff members may not be employed in positions where a relative or household member takes decisions in the normal course of business or plays a significant role in decision making in respect of their direct conditions of service.

3.3 Staff members may not be employed in positions where they are exposed to the close supervisory authority of a relative or household member.

3.4 In the cases where other personal relationships are of such a nature that objective and accountable supervisory decision making is impossible, the Human Resources Manager must be consulted to

ensure that action is taken which is consistent with the content and spirit of the policy.

4. Supervisors and Promoters

In cases where it is unavoidable that an employee acts as a supervisor or co-supervisor, provision must be made for an unrelated supervisor or co-supervisor to supervise the related employee.

5. Purchase of Goods and/or Services

5.1 Before the purchase transaction takes place in respect of goods and/or services where relatives or household members are involved as suppliers, the employee authorised to make a purchase on behalf of the Municipality must declare the relevant personal association to his/her immediate supervisor.

5.2 Once the employee referred to in paragraph 5.1 has declared the relevant personal association to his/her immediate supervisor, the purchase must be handled by an unrelated employee.

5.3 If the procedure detailed in paragraph 5.2 is impracticable, the immediate supervisor may grant permission for the employee who was initially authorised to make a purchase on behalf of the Municipality to handle the transaction further once the immediate supervisor is satisfied:

5.3.1 that the goods/services cannot be supplied by another supplier on more favourable terms;

5.3.2 that the same product specifications were submitted to other potential suppliers;

5.3.3 that the supplier in question is required to offer the same delivery conditions and after-sales service as would be expected from any other independent supplier; and

5.3.4 that inside information did not play a role in the transaction.

5.4 In respect of a closed tender, the prescribed procedure in paragraph 5.1 to 5.3 is replaced by the following:

5.4.1 The employee authorised to make a purchase on behalf of the Municipality declares his/her personal association with one or more of the potential suppliers to the panel of reviewers.

5.4.2 The aforementioned employee withdraws him/herself from further participation in the tender process.

6. Other Situations

Inevitably, not all specific situations where nepotism may play a role can be listed in this policy. Where such situations arise, the principles arising from the previous paragraphs ought to form the basis of the policy and be applied equally.

7. Exceptions

Exceptions to the stipulations of the policy require a written recommendation from the immediate supervisor of the relevant employee. The final decision on this recommendation rests with:

- 7.1 The Human Resources Manager where it concerns mutual employment relations; and
- 7.2 The Chief Financial Officer where it concerns the purchase of goods and/or services.