

LAG

LEGAL AID BOARD



T

POLICIES AND PROCEDURES ON RECRUITMENT, INDUCTION, PROBATION AND RELOCATION

V2.

T

1. RECRUITMENT

1.1 Purpose and Objectives

- 1.1.1 Recruitment is a process of attracting and appointing the best possible candidates for employment into suitable positions within the Legal Aid Board with the purpose of enhancing high performance in the business. As a principle, the services rendered by the Legal Aid Board, especially taking into account the provision of access to justice for the poor and indigent should be taken into consideration.
- 1.1.2 This policy and procedure aims at ensuring that appropriate recruitment procedures are followed, in line with all relevant statutory legislation and business practices, so that the Legal Aid Board's operational needs and requirements are met adequately. The recruitment process must be fair, objective, transparent, and non-discriminatory.
- 1.1.3 This policy and procedure provides the Legal Aid Board with clear guidelines to be followed when a vacancy exists.

1.2 Recruitment Procedure

1.2.1 General

- 1.2.1.1 A request for the filling of a position (vacant or new) should be initiated on the Staff Requisition form. The Regional Operations Executive will approve the filling of vacancies for the relevant Justice Centres and the Departmental Executive responsible will approve the filling of vacancies at National Office.
- 1.2.1.2 New positions and position profiles will be only be created after it has been motivated and approved as per the LAB approval framework and signed off by Chief Operations Officer.

V2.

T

1. RECRUITMENT

1.1 Purpose and Objectives

- 1.1.1 Recruitment is a process of attracting and appointing the best possible candidates for employment into suitable positions within the Legal Aid Board with the purpose of enhancing high performance in the business. As a principle, the services rendered by the Legal Aid Board, especially taking into account the provision of access to justice for the poor and indigent should be taken into consideration.
- 1.1.2 This policy and procedure aims at ensuring that appropriate recruitment procedures are followed, in line with all relevant statutory legislation and business practices, so that the Legal Aid Board's operational needs and requirements are met adequately. The recruitment process must be fair, objective, transparent, and non-discriminatory.
- 1.1.3 This policy and procedure provides the Legal Aid Board with clear guidelines to be followed when a vacancy exists.

1.2 Recruitment Procedure

1.2.1 General

- 1.2.1.1 A request for the filling of a position (vacant or new) should be initiated on the Staff Requisition form. The Regional Operations Executive will approve the filling of vacancies for the relevant Justice Centres and the Departmental Executive responsible will approve the filling of vacancies at National Office.
- 1.2.1.2 New positions and position profiles will be only be created after it has been motivated and approved as per the LAB approval framework and signed off by Chief Operations Officer.

1.2.1.3 The newly created position will then be filled by the Human Resources Department in consultation with the Executive who will be responsible for preparing a detailed position profile outlining the key performance areas that attach to that position.

1.2.1.4 Any upgraded or new position will thereafter be graded and the grading will be considered by the Job Evaluation and Grading Committee and approved in accordance with the approval framework.

1.2.1.5 Vacant posts should be advertised in as wide a range of media as possible, including, but not limited to, the Legal Aid Board intranet, newspapers and other print media. However, when at the discretion of management, an appropriate pool of candidates are available within the organisation, posts may be advertised on an internal basis only. Care must be taken in the formulation of the advertisement to ensure that the following information is clearly contained in the advertisement:

- (a) The designation of the post;
- (b) The minimum qualifications for the post
- (c) The minimum experience required
- (d) The key performance areas that attach to the post,
- (e) The manner in which interested persons may apply for the post,
- (f) Contact details of the relevant person in the Legal Aid Board from whom application forms and/or further particulars can be obtained,
- (g) The number of references required
- (h) Addresses and fax numbers to which returned applications must be returned, and
- (i) The closing date for all applications which must be at least 10 working days after the publication date of the advertisement or from the date of circulation of the internal notice - shorter periods may be considered for urgent recruitment.
- (j) An indication that the LAB reserves the right not to make an appointment and that applicants not contacted within 2 months may consider their applications unsuccessful.

1.2.1.6 Vacant positions are to be advertised internally by means of intranet.

1.2.1.3 The newly created position will then be filled by the Human Resources Department in consultation with the Executive who will be responsible for preparing a detailed position profile outlining the key performance areas that attach to that position.

1.2.1.4 Any upgraded or new position will thereafter be graded and the grading will be considered by the Job Evaluation and Grading Committee and approved in accordance with the approval framework.

1.2.1.5 Vacant posts should be advertised in as wide a range of media as possible, including, but not limited to, the Legal Aid Board intranet, newspapers and other print media. However, when at the discretion of management, an appropriate pool of candidates are available within the organisation, posts may be advertised on an internal basis only. Care must be taken in the formulation of the advertisement to ensure that the following information is clearly contained in the advertisement:

- (a) The designation of the post;
- (b) The minimum qualifications for the post
- (c) The minimum experience required
- (d) The key performance areas that attach to the post,
- (e) The manner in which interested persons may apply for the post,
- (f) Contact details of the relevant person in the Legal Aid Board from whom application forms and/or further particulars can be obtained,
- (g) The number of references required
- (h) Addresses and fax numbers to which returned applications must be returned, and
- (i) The closing date for all applications which must be at least 10 working days after the publication date of the advertisement or from the date of circulation of the internal notice - shorter periods may be considered for urgent recruitment.
- (j) An indication that the LAB reserves the right not to make an appointment and that applicants not contacted within 2 months may consider their applications unsuccessful.

1.2.1.6 Vacant positions are to be advertised internally by means of intranet.



- 1.2.1.7 Either prior to or concurrent with the external and internal advertisement, an invitation for the internal referral of suitably qualified and culturally compatible candidates must be extended to LAB employees and Board members. This invitation must meet the requirements contained in (a)-(j) above.
- 1.2.1.8 In the case of an external advertisement in the local print media, once the draft in line with the provisions of (a)-(j) above has been completed, the Recruitment Officer/Administration Manager/ Regional Human Resources Manager will advise the advertising agency to draw up the final advertisement, and submit quotations for the publication thereof in the media as specified. In the case of advertisement in national print media, Recruitment Officer / Administration Manager / Regional Human Resources Manager shall refer the draft advert to the Human Resources Administration Supervisor for centralised placement and publication of the advert.
- 1.2.1.9 After the prescribed requisition procedures have been followed, the advertising agency must be instructed to place the advertisement.

1.2. 2. Selection Committee / Panel

- 1.2.2.1 The Human Resources Department, in consultation with the relevant line manager, will use the relevant criteria and the relevant key performance areas to shortlist candidates whose CVs and applications meet the minimum and all other inherent requirements of the job, and interview questions will then be prepared in consultation with the manager who would manage the incumbent to the vacant post. The Human Resources Department will also be responsible for ensuring that due consideration is taken of the Legal Aid Board's employment equity policy and affirmative action policies in the short listing and formulation of interview questions. The Human Resources Department will also ensure that employees, amongst the applicants, who have been identified to participate in the succession planning development programme are included on the shortlist.

- 1.2.2.2 It is the responsibility of the Human Resources Department and the relevant line manager to jointly ensure that a diverse and knowledgeable selection committee/ panel is appointed. As far as is reasonably practicable, the selection committee or panel should be suitably representative and diverse, provided, however, that the selection committee or panel should include at least one official who has been fully trained in recruitment and selection process and procedures of the organisation and whose function is to ensure that the interviewing process and the deliberations of the committee take place in a fair manner. A trained official must be included in the selection committee or panel irrespective of the level of the position.
- 1.2.2.4 Where only one (1) candidate meets the minimum requirements, the Human Resources Department should endeavour to source further CVs from employment agencies listed on the preferred suppliers database of Legal Aid Board or advertise externally via the media to ensure that the greatest number of potential candidates are informed and interviewed in the best interests of organisation.
- 1.2.2.5 Irrespective of the level of the position, the manager who would manage the incumbent filling the vacant position must also be on the selection committee or panel, since this manager would know the exact requirements of the job, the expectations attached to the position to be filled and the key performance areas that would attach to the incumbent filling the vacant post.
- 1.2.2.6 The selection committee shall consist of at least three (3) members who are employees of a grading equal to or higher than the grading of the post to be filled. For non-SMS posts, a union representative is to be invited as an observer. The union representative is additional to the minimum of three members.
NB. A document on the role of the trade union representative during an interview may be obtained from Human Resources Department.

- 1.2.2.7 For positions at level eleven (11) and above, the relevant department within the Legal Aid Board should be represented by the Executive or his/her nominee. For Professional Assistants, irrespective of level, the JCE should always form part of the panel.
- 1.2.2.8 Managers/employees of a lower grading than the grading of the post to be filled may record or provide advisory services during the selection process but shall not form part of the selection committee. Any issues relating to processes or interview itself, to be raised by a non-selection committee member should be addressed to the ROE concerned or the Human Resources Executive.
- 1.2.2.9 In the process of interviewing, the selection committee or panel must avoid irrelevant questions or questions that could be potentially discriminatory, including, but not limited to an employee's family status, religion, political or other beliefs, social status, family responsibilities, race, gender or sexual orientation. The interviewing process and subsequent deliberations of the committee or panel should focus on assessing whether the person being interviewed is suitable for the position or not.
- 1.2.2.10 Employees nominated to serve on a selection committee or panel should be informed, and, where necessary, trained in respect of the consequences of discrimination in the recruitment and selection process and ways to avoid hidden or latent discrimination in the recruitment processes.
- 1.2.2.11 Short listed candidates should be informed timeously before interviews take place.
- 1.2.2.12 Before interviewing applicants, all members of the selection committee or panel should be informed of the Legal Aid Board's employment equity and affirmative action policies and how these policies impact on the vacancy for which they are interviewing; interview panel members are obliged to keep the interview information confidential.



1.2.3 Selection Criteria

- 1.2.3.1 The Human Resources Department will prepare criteria against which all applications for a specific post are to be evaluated consistent with and based on the inherent requirements of the post as listed in the advertisement.
- 1.2.3.2 Care must be taken to avoid the making of recruitment decisions on discriminatory grounds.
- 1.2.3.3 An internal candidate who qualifies for the post in terms of the advertised requirements will not automatically be appointed to the position but will be selected through the same process as an external candidate.
- 1.2.3.4 After the selection committee has identified the most suitable candidate for appointment in a post, procedures will be followed to appoint the individual into a position or a temporary one.
- 1.2.3.5 The selection committee may require certain short listed candidates undergo for psychometric assessment to supplement the interview results.
- 1.2.3.6 Before the final appointment is made, and only where the advertisement indicated that references were required, the referees as submitted by the applicant should be contacted and objectively verifiable information should be obtained from the referees. Objectively verifiable information includes the candidate's length of service, the capacity in which the referee knows the candidate and the position the candidate occupied (if appropriate).
- 1.2.3.7 Before any offer is made to any candidate, the candidate's personal particulars including but not limited to, qualifications, security checks, and credit checks must be verified in compliance with the LAB Recruitment Check Procedure.

NB: Motivation has to be signed off by all the members of the panel and the line executive before being forwarded to the HRE/ COO/CEO/ delegated for approval, appointment recommendations will be approve in line with the approval framework

1.3 Recruitment Check Procedure

1.3.1 Purpose

The purpose of the LAB-RC for the Legal- Aid Board is to :

- 1.3.1.1 ensure that the LAB will only consider the best suited candidates for positions in the organisation;
- 1.3.1.2 safe guard and limit the LAB's exposure to possible fraud; and
- 1.3.1.3 provide guidelines in terms of rehabilitation.

For the purpose of this procedure, reference to the existing Avalanche and MIE tests will be replaced by LAB-RC (Legal Aid Board recruitment check).

1.3.2 Authorisation

1.3.2.1 Regional Appointments

The responsibility of authorising this test will vest in the ROE, who in turn can delegate it to the Regional Human Resources Manager. When authorising this test the ROE or his/her nominated representative should consider the parameters of this procedure.

1.3.2.2 Central Office Appointments

The responsibility of authorising this test will vest in the relevant executive. When authorising this test the Executive should consider the parameters of this procedure.

1.3.3 Consent to Recruitment Check

The candidate must consent in writing to the recruitment check and should the candidate refuse to grant such consent, they may not be employed.

a pre-established questionnaire must be used when interviewing the short-listed candidates.

- 1.4.4 Once the selection committee/panel has completed this process, an appointment of the most suitable candidate will be made. The Administration Manager is then responsible for writing up contracts for approval by the Justice Centre Executive. The Administration Manager must also request and retain on file an acknowledgement of the terms and conditions from the Candidate Attorney. A copy of the signed contract and supporting documents i.e. (qualifications, Identity Documents, CVs etc) must be forwarded to the Human Resources Department in order for the salary to be administered.
- 1.4.5 All the necessary documentation must be completed by the Candidate Attorney upon commencement of duty and sent to the Human Resources Department immediately.
- 1.4.6 A trainee programme must be provided for the Candidate Attorney in order to monitor progress and ensure that each aspect of the training is completed correctly. The Justice Centre Executives must sign off after each aspect of training has been successfully completed through a performance management process and kept on the individual's file.

1.5 Unsuccessful candidates

- 1.5.1 Unsuccessful short listed external candidates should, as far as is reasonably practically, be informed of the fact that they were not successful. As part of the selection process, reasons why a particular candidate was not successful should be recorded in case the unsuccessful applicant asks for reasons for rejection. The advert should indicate that applicants who have not received communication within 2 months should consider themselves unsuccessful.
- 1.5.2 Unsuccessful internal and external shortlisted candidates should be informed in writing before the successful candidate commences his/her duties.
- 1.5.3 Internal candidates may request reasons as to why they were not successful. In appropriate circumstances, the Human Resources