

Guidance for the Implementation of Employment Equity, 2022-2026

Version 2.0

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Introduction

The University's new Employment Equity Plan came into effect on 1 January 2022 and will steer the University's implementation of Employment Equity until 31 December 2026. This Guidance, which supersedes the Practice Note that applied under the previous Employment Equity Plan, will be updated from time to time on the basis of the experience of practitioners across the university, changes in legislation, and new regulations and codes of good practice issued by the Department of Employment and Labour.

The approach that will be taken to the implementation of the university's current Employment Equity Plan will require amendments to a number of current policies and documents. Interim versions of university policies may be used, pending consultation with the Institution Forum and approval by Council.

The principal differences between this plan and guidance and previous practice are as follows:

- Numerical annual targets and five year goals have been determined by an evidence-based model and agreed following extensive consultation with the Faculties and PASS departments concerned. As required by law, T1 and T2 contracts longer than three months have now been included in the university's Employment Equity Plan.
- For the implementation of the 2022-2026 plan, the university has been divided into 14 "units" (Faculties, larger PASS Departments and clusters of smaller PASS departments). Each unit is responsible for achieving annual targets and overall numerical goals for their unit, in terms of the numerical targets set, and agreed, for their unit.
- Following the requirements of the UCT Employment Equity Policy, all chairs and members of selection committees will be required to complete training on the principles and practice of employment equity. This training requirements will be phased in through 2022. The required course, "Fundamentals of Employment Equity", will be self-paced and will be delivered via the HR SuccessFactors self-service platform.
- The roles and responsibilities of Employment Equity Representatives have been changed. Provided that at least 50% of selection committee members (including the chair) have completed the course Fundamentals in Employment Equity, selection committees will not be required to have an Employment Equity Representative as a member. Instead, each of the 14 administrative units will have an Employment Equity Committee made up of representative Employment Equity Representatives from the unit.
- Each Employment Equity Committee will be responsible for developing and implementing an annual project plan for recruiting and appointing suitably qualified candidates to known and anticipated vacancies in the unit, and for meeting the agreed annual targets for their unit. For each post, the Employment Equity Committee will decide which of two mandates should be used by the selection committee, and this mandate becomes the terms of reference for the selection committee. Each Employment Equity Committee will be represented on the Employment Equity Forum, which will

monitor achievement against targets and goals across the university as a whole, reporting the Executive and to the University Human Resources Committee, and recommending adjustments to targets and goals if these are required.

- Deans, Executive Directors and Directors will be accountable for the achievement of numerical targets and goals in their units through a KPA for employment equity. Progress in achieving targets and goals in their units will be reviewed as part of the annual Development Dialogue process.
- Maintaining the confidentiality of selection committees is a requirement both in terms of the university's regulations, and in terms of the Protection of Personal Information Act (POPIA). Confidentiality will be enhanced by requiring all members of selection committees to sign a non-disclosure agreement, to be introduced by HR in 2022.

General Principles

1. This Guidance must be read in conjunction with the University of Cape Town Employment Equity Policy and Procedure. This Guidance will serve as the equivalent to the requirement for a "practice note" specified in the University Employment Equity Policy.
2. Overall responsibility for Employment Equity at the University will rest with the DVC for Transformation, reporting to the Vice-Chancellor and to Council. The DVC will work in partnership with the Executive Director of HR to ensure compliance with labour law and best practice guidelines.
3. The primary objective of this Employment Equity Plan will be to realise all available opportunities for achieving equitable staff appointments and staff progression across the university as a whole: "we are committed to redressing inequality and building social justice through conscious interventions to return dignity to the formerly historically disadvantaged by amplifying their voices and creating an institutional culture that makes it possible for them to reclaim their agency" (Preamble, UCT Employment Equity Policy).
4. For practical purposes, the implementation of employment equity will follow the organizational and decision-making structure of the university, with sub-plans and targets for each Faculty, CHED, the Graduate School of Business and PASS Departments. In order to enhance their opportunities for making equitable appointments, smaller PASS Departments, which may otherwise have had no or very few employment opportunities over the next five years, will be included in "clusters". Together, this set of 14 "units" will constitute the framework for planning, implementing and reporting employment equity across the university's five-year plan.
5. For the purposes of implementing this plan, the Leadership Lekgotla is regarded as a group comprising the Vice-Chancellor, the Deputy Vice-Chancellors and Chief Operating Officer, the Registrar, the Deans and the Executive Directors. Responsibility for setting and attaining employment equity targets for this group rests with the Vice-Chancellor.

Units	Type	Total staffing complement (November 2021)	Target Report Reference No
Centre for Higher Education Development	Department	155	1
Faculty of Commerce	Faculty	403	2
Faculty of Engineering and the Built Environment	Faculty	476	3
Faculty of Health Sciences	Faculty	1642	4
Faculty of Humanities	Faculty	612	5
Faculty of Law	Faculty	170	6
Faculty of Science	Faculty	526	7
Graduate School of Business	Department	135	8
Finance, Human Resources, Properties and Services, ICTS	Cluster	1364	9
Research Contracts and Innovation, Research Office, International Academic Programmes Office	Cluster	121	10
Student Affairs	Cluster	599	11
University Libraries, Baxter Theatre, Institutional Planning Department, Development and Alumni Department	Cluster	193	12
Office of the Vice-Chancellor, Office of the Registrar, Communication and Media Department, Office for Inclusivity and Change	Cluster	154	13
Leadership Lekgotla	Group	22	14
Total staff positions included within the planning process		6572	

6. In accordance with the stipulations of the University Employment Equity Policy, all members of selection committees, and chairs of selection committees, will be expected to complete a specified Employment Equity training programme before being appointed to a selection committee. Training will be provided by the Office for Inclusivity and Change, in partnership with the HR Department. Training opportunities will be phased in during 2022, with the objective of ensuring that chairs and members of all selection committees are fully trained from the beginning of 2023.
7. Equitable progression is an essential dimension of any employment equity plan, and a strategy for achieving equitable progression is a requirement of the Employment Equity legislation. This “equitable scenario” should specify what the attainment of equitable progression will look like in terms of different occupational levels; academic rank for academic staff, and against the hierarchy of pay classes for PASS staff.
8. The appointment of Deputy Deans and Heads of Academic Departments in Faculties provide career advancement opportunities and fall within the scope of the University Employment Equity Policy in terms of clause 6.3.1: "the University recognises upward mobility and lateral transfers as having the potential to impact and accelerate equitable representation of all groups in occupational levels within a workplace, including acting in a more senior position for a specific period of time."

9. Faculties should use the appropriate Academic Recruitment Policy for the appointment of Deputy Deans and Heads of Academic Departments.
10. For academic staff appointments, and subject to budget availability, there will no longer be a requirement that all posts must revert to entry level when a new appointment is made. Instead, the unit must strive for achieving equity across all academic ranks, by appointing qualified candidates from designated groups directly into senior academic posts when the opportunity arises.
11. Appointing equity candidates to senior academic positions may require targeted funding. The current central funds for Accelerated Transformation and 3-year Employment Equity posts will be used together, and with flexibility, to meet specific unit needs. The funding for 3-year Employment Equity posts will be administered by a small committee, chaired by the DVC for Transformation, reporting to the University Human Resources Committee. Units will also be encouraged to take advantage of additional nGAP posts, administered and supported by the Centre for Higher Education Development.
12. The University is in the process of developing and implementing a new Talent Management Framework that will provide for equitable progression for PASS staff. In the interim, internal applicants will be considered in accordance with unit's equitable scenario and the mandate prescribed by the unit's Employment Equity Committee for the recruitment and selection process.
- ~~13.~~ Designated and non-designated group specifications will be as defined in the Employment Equity legislation, and all candidates will be required to declare their designated group status.
14. Designated Groups will mean black people, women and people with disabilities who
 - a) are citizens of the Republic of South by birth or descent; or
 - b) became citizens of the Republic of South Africa by naturalisation –
 - i. before 27 April 1994; or
 - ii. after 26 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date but who were precluded by apartheid policies.
15. Reasonable Accommodation for people from a Designated Group means any modification or adjustment to a position, or to the working environment, that will enable a person from a Designated Group to have access to, participate in, or advance in employment.
16. Neither the Employment Equity Act nor the UCT Employment Equity Policy recognises degrees of disadvantage amongst Designated Groups and therefore there is no hierarchy of Designated Groups. Instead, the Employment Equity Act advocates 'equitable representation' in occupational levels in the workforce in line with the Employment Equity Plan's targets and goals.
17. The Employment Equity Act requires the university to monitor staff appointments against specified "occupational levels". UCT equivalents are provided in the table below.

Department of Employment and Labour Occupational Level	UCT equivalent
Top Management	Vice-Chancellor
Senior Management	PC13, Pay Grades 1-3
Professionally Qualified and Mid-Management	PASS staff: PC12; PC13, Pay Grades 4-5 Academic staff: Associate Professor and Professor
Skilled technical and academically qualified	PASS staff: PC8-11 Academic staff: Lecturer and Senior Lecturer
Semi-skilled	PASS staff: PC 3-7
Unskilled	PASS staff: PC 1-2

18. There is no prohibition in the employment equity legislation for employing foreign nationals. In terms of the Employment Equity Act, foreign nationals include South Africans naturalized after 1994. Units can include targets for foreign nationals in their equitable scenarios and five- year goals, on the grounds that international staff recruitment improves the quality of management, teaching and research, positively improved comparative university rankings and may be required for accreditation purposes. However, Deans, Executive Directors and Directors need to bear in mind that foreign nationals cannot be included in employment equity returns and their appointment may reduce a unit's available options for meeting employment equity targets.
19. When contemplating recommending the appointment of a foreign national who is not a permanent resident, selection committees must take account of the Immigration Act (2002) and the Employment Services Act (2014): "employers must satisfy themselves that are no other persons in the Republic with suitable skills to fill a vacancy, before recruiting a foreign national".
20. Race definitions against designated groups are specific to South Africa and will not correlate with any precision with customary or statutory identifiers used in other countries. Therefore, race designations for foreign nationals who are not permanent residents will no longer be reported. Instead, units appointing foreign nationals to positions will report their nationality as an indicator of progress towards UCT's aspiration to be a university "in and for Africa".
21. In accordance with section 20 (3) and (4) of the Employment Equity Act, a candidate may be considered as "suitably qualified" for a position as a result of any one of, or any combination of, the following factors: formal qualifications, prior learning, relevant experience, institutional knowledge, and capacity to acquire (within a reasonable time) the ability to do the job. A selection committee may not discriminate against an applicant solely on the grounds of that person's lack of relevant experience.

Equitable Scenarios, Non-Numerical Goals and Numerical Goals

22. Each unit should have an equitable scenario for the demographic profile of staff in their area of responsibility, including all contract staff in GOB Funded fixed term employment for a period of more than three months. The equitable scenario constitutes the unit's vision for the attainment of employment equity in its specific area of work extending, if necessary, beyond December 2026 and the conclusion of the university's current Employment Equity Plan. The non-numerical goals for the university as a whole, and the numerical goals that each unit has set for the term of the current Employment Equity Plan, will contribute towards achieving the unit's equitable scenario, and in turn the unit's annual Employment Equity targets will contribute to the Employment Equity goals for 2026.
23. Non-numerical goals, as required in terms of the Employment Equity Act, have been determined by the Barrier Analysis that was carried out in 2021 as part of the preparation of the current plan. The key impediments to achieving employment equity at UCT have been identified from a representative questionnaire that was open to all staff at UCT. Each unit is required to actively consider each barrier as it may affect recruitment, selection and appointments for vacant posts in their jurisdiction, and to take whatever measures necessary to counter their effects.
24. There are seven barriers in all. Human Resources and the Office for Inclusivity and Change, as custodians of employment equity for the university as a whole, are responsible for addressing four barriers against a defined timescale and within the framework of the current Employment Equity Plan:

- lack of clarity on remuneration and benefits
- inadequate accommodation and support for people with disabilities
- inadequate training of line managers
- lack of equitable career progression for PASS staff.

Three barriers require attention by each unit's leadership, in consultation with Employment Equity Committees and Transformation Committees:

- selection committees do not implement Employment Equity consistently.
- improvements are required in the implementation of the UCT Employment Equity Policy.
- persistence of prejudice across the university in terms of race, ethnicity, gender and sexual orientation.

Progress in addressing all barriers - with their non-numerical goals for correction - are reported annually in conjunction with reporting on numerical targets.

25. Numerical goals have been set for each of the 14 units, and for the university as whole, by taking account of all anticipated vacancies that will occur between 1 January 2022 and 31 December 2026. The baseline for this analysis is the sum of all permanent PASS and Academic positions in the university, as well as all contract positions with a duration of three months and longer. Predicted vacancies are the sum of positions open at 1 January 2022, known retirements and statistically modelled resignations, less contract positions that may not be renewed. Annual targets for each unit are set for each of the five years of the current plan on the same basis.
26. As an interim measure, and before sector-wide goals for higher education are finalized in terms of the planned amendments to the Employment Equity Act, the Economically Active Population (EAP) for the Western Cape has been used for setting targets for all posts below the level of PC13. Targets for PC13 have been set against the representivity of designated groups in the EAP for South Africa as a whole.

Implementing the Employment Equity Plan

27. Each unit's specific employment equity goals have been agreed empirically, based on the gap analysis of anticipated new posts, resignations, retirements, and departures through the duration of the new Employment Equity Plan (2022-2026).
28. Deans, Executive Directors and Directors will be accountable, through KPAs and the Development Dialogue process, for achieving and reporting acceptable annual progress in meeting specified Employment Equity targets for their area of responsibility. KPAs for employment equity will be introduced for the Development Dialogue process starting in mid-2022, with the first reports for achieving targets taken into account in the 2023 performance appraisal process.
29. For clusters of smaller departments, this accountability will be shared. The executive heads of each department making up the unit will be expected to collaborate in the shared interests of the unit. The same processes of recruitment, selection, appointment and reporting that applies to a Faculty or a department will apply to each cluster.
30. Day-by-day oversight, monitoring and evaluation of progress in attaining specified employment equity targets, and the unit's overall equitable scenario, will be the responsibility of a senior manager or Deputy Dean, who is an existing member of staff, reporting directly to the Dean, Executive Director or Director.

31. Selection committees must be mindful and vigilant with regard to the right of privacy for each and every candidate for employment, and the rights of candidates and the obligations of the University in terms of the Protection of Personal Information Act. All documents circulated to selection committee members are confidential to the committee and may not be shared with third parties without the written permission of the chair of the committee, and the discussions and deliberations of selection committees are confidential to the committee. All reporting by selection committees will follow prescribed formats, and all reports from selection committees will be treated as confidential. For the avoidance of doubt, all members of selection committees will be required to sign a non-disclosure agreement.

Employment Equity Representatives and Committees

32. The role of Employment Equity Representatives will change with the implementation of the university's new Employment Equity Plan. Currently, the expectations of Employment Equity Representatives provide for a range of advisory and monitoring functions, that are provided primarily by means of membership of selection committees, with additional reporting to Transformation Committees and the Employment Equity Forum. For this new Employment Equity Plan, the role of Employment Equity Representatives will be enhanced in order to provide advice and guidance to the senior leadership of each unit, including defining the specific equity strategy for each new post that becomes vacant.
33. Once a majority of a selection committee's members - including the Chair- have completed the required training, then the selection committee may have, but will not be required to have, Employment Equity Representatives as members.
34. A unit's Employment Equity Representatives may be called on to advise and support selection committees in the unit, and to support chairs of selection committees in fulfilling their responsibilities. In this regard, Employment Equity Representatives will play a significant transitional role as training for chairs and members of selection committees is phased in during 2022.
35. The person responsible for Employment Equity in a unit will be assisted by an Employment Equity Committee. Terms of reference for unit Employment Equity Committees, including the process required for selecting and appointing members to Employment Equity Committees, will be specified by means of amendment to the UCT Employment Equity Policy following appropriate consultation.
36. As an interim guideline, prior to the amendment of the UCT Employment Equity Policy, the four smaller units with up to 100 members of staff should have Employment Equity Committees of four members. The eight units with between 100 and 500 members of staff should have seven members on their Employment Equity Committees. The University's five largest Faculties and Departments, each with more than 500 staff members, should have Employment Equity Committees made up of ten members.
37. A member of each unit's Employment Equity Committee will be elected to represent the unit on the University Employment Equity Forum, which advises the University Executive via the Deputy Vice-Chancellor for Transformation. Employment Equity Committees will advise on the unit's strategy for achieving its equitable scenario and its agreed employment equity goals and targets. Employment Equity Representatives' service on the committee will be recorded in their performance agreements under the KPA for Transformation, Diversity and Inclusion for PASS and Academic Staff. Line Managers for Employment Equity Representatives in Faculties and PASS departments will ensure that they have sufficient time available, as part of their recognized duties, to meet their obligations to appointment processes.

38. Each unit's Employment Equity Committee will be responsible for considering and addressing the barriers to equitable employment that were identified in the University's Barrier Analysis that was conducted as an integral part of the design and implementation of the Employment Equity Plan.
39. For each of the five years over which the University's Employment Equity Plan will apply, each unit's Employment Equity Committee is required to develop a project plan for the recruitment, selection and appointment process for the positions within the unit that are expected to become vacant, and which will contribute towards achieving the unit's targets for the year.
40. Project plans will be developed as follows. Each unit has been provided with an Employment Equity Calculator in the form of an Excel spreadsheet, pre-populated with employment equity details of the unit's full staffing complement at 1 January 2022. The Employment Equity Calculator is a dynamic planning tool that can be updated with new information, including new posts that become available and posts funded from accelerated transformation funding. The Employment Equity Calculator identifies positions that will become vacant in each of the five years comprising the employment equity plan as a whole. This constitutes the window of opportunity for progressing towards agreed employment equity targets through each year. This evidence-based foundation will allow the unit's Employment Equity Committee to identify the mix of appointees from designated groups that will be required each year to achieve the unit's targets.
41. Each Employment Equity will report annually on progress in achieving the unit's agreed targets for the year. Unit reports will be consolidated to provide an overall picture of the university's progress towards the employment equity goals for the university as a whole. The Employment Equity Forum's assessment for overall progress will be reported to the Executive and to the University Human Resources Committee. If necessary, the Employment Equity Forum will recommend an interim review of annual targets for one or more units, to ensure that the transformation objectives for the university as a whole are met.

Recruitment, Selection and Appointment Processes

42. Each unit's annual project plan for achieving its employment equity targets for the year will be the basis for initiating the process for filling each vacancy that will occur during the year. In some cases, this may not require a selection committee. For example, where a unit has been supported with a three-year grant from employment equity funding against an anticipated retirement, the person appointed against interim funding will move into the permanent position, subject to probationary requirements.
43. Where a selection committee is required, the Employment Equity Committee must approve a mandate for filling the position, which will guide the selection committee in its work. The mandate will take account of the category of the specific position (academic or PASS), the level of seniority of the position, reasonable accommodation for persons from Designated Groups and the balance between generic and specific competences required. The Employment Equity Committee will also invite representations from departments and divisions within the unit that may be necessary to guide the nature of the mandate. In particular, the Employment Equity committee will take account of progress made to date by the unit in meeting its agreed employment equity targets.
44. When setting the mandate for recruitment, selection and appointment to a specific post, the Employment Equity Committee should take into account the percentage of employment equity aligned opportunities for the relevant occupational level, as provided by the Employment Equity Calculator. These benchmarks reflect the level of probability

of filling a post with an equity candidate from the black Designated Groups, based on a review of the probable candidate field. The initial set of benchmarks, agreed as the basis for the plan and based on information available in 2021, are given in the table below; however, Employment Equity Committees should be careful to use the current version of the Employment Equity Calculator for their unit as this will have taken into account progress in moving towards the unit’s non-numerical and numerical goals.

PASS staff		Academic staff	
Professionally qualified and Mid-Management (PC12 and PC13, grades 4-5)	81%	Professionally qualified (professors and associate professors)	64%
Skilled (PC8 – PC11)	85%	Academically qualified (senior lecturers and lecturers)	90%
Semi-skilled (PC3 – PC7)	86%		
Unskilled (PC1 – PC2)	94%		

45. After taking these factors into account, the Employment Equity Committee may decide between two recruitment and selection models for the mandate under consideration: the Standard Mandate and the Open Mandate. The Standard Mandate prioritises appointments from underrepresented Designated Groups whilst the Open Mandate allows consideration of candidates from all designated and non-designated groups, while requiring attention to affirmative action opportunities as stipulated in the Employment Equity Act.
46. The reason for providing two different models for the recruitment and selection process is based on the challenges posed by supply and demand in the labour market. Because of the lasting legacies of unfair discrimination in South Africa, access to education, training and professional and academic qualifications is far from equal and is indexed to race, gender and other characteristics rather than with innate ability. As a result, South Africa has both very high and racially skewed unemployment as well as critical skills shortages in some areas of work. These imbalances were taken into account in drawing up the university’s current Employment Equity Plan; each unit was asked to assess, for each and every predicted vacancies, the probability of being able to make an appointment from a “black designated group”. The use of two different models for specific recruitment and selection processes extends this strategic approach into this, the implementation phase of the Employment Equity Plan. The logic for having each unit’s Employment Equity Committee decide on the recruitment and selection model for each vacant post – rather than defining this in the university’s regulations or leaving it to the selection committee to decide – is to allow the best possible opportunity for each and every selection committee outcome to contribute to meeting the overall goals of the 2022-2026 Employment Equity Plan.
47. The Standard Mandate prioritises appointments from underrepresented groups and especially prioritises candidates from underrepresented Designated Groups at the specific occupational level in the unit. Applicants must be graded as follows:

A: Applicants meeting **all** requirements as per the position advertisement, **and** matching Employment Equity targets for demographically under-represented employees at that specific occupational level.

B: Applicants meeting **some** (not all) requirements as per the position advertisement, being applicants from a Designated Group who may be suitably qualified for the position in line with the provisions of Section 20 (3) and (4) of the Employment Equity Act. (Only

Designated Groups can benefit from affirmative action measures as outlined in the provisions of section 20 (3) and (4) of the Employment Equity Act.)

O: Applicants meeting **all** the requirements as per the position advertisement but who **do not** fall within the under-represented employees within the relevant Occupational Level. This includes applicants who do not fall into a Designated Group as defined in the Employment Equity Act.

D: Applicants who **do not meet all or most** of the requirements as per the position advertisement.

Clear and justifiable reasons, in keeping with established criteria in advertising the position, must be recorded for the grading of each applicant. Discussions must take disability into consideration and ensure that Reasonable Accommodation is made for persons from Designated Groups, in particular those living with disabilities.

The following process must be followed:

- applicants who have been graded A must first be invited for interview. If an inadequate number of applicants have been graded A, then candidates who have been graded B and **who are from the under-represented designated groups**, may also be invited for interview.
- if the pool of applicants graded A and B fails to produce one or more suitably qualified candidates for appointment, then the selection committee should re-advertise the position.
- if, after following the Standard Mandate and re-advertising the position, the selection committee is still unable to attract an adequate pool of applicants graded A or B for the position, then the selection committee may decide to move to the Open Mandate, noting that that a full report on the Standard Mandate process will be required for completion of the Recruitment Report and that the decision to move to the Open Mandate will be reviewed by the unit's Employment Equity Committee.

The Selection Committee may carry forward to the Open Mandate applicants graded B or O who met either all or some of the requirements in the Standard Mandate, but who were from demographically over- represented employees at that specific occupational level. Written communication must be sent to those applicants who are being carried forward indicating failure to attract suitable candidates from under-represented Designated Groups and seeking consent to retain their applications for further consideration in the next round.

48. If the Open Mandate is stipulated in the brief given to the selection committee, then the following grading and decision-making process must be followed:

A: Applicants meeting **all** the requirements as per the position advertisement.

B: Applicants meeting **some** (not all) requirements as per the position advertisement. Also, applicants from a Designated Group who may be suitable for the position in line with the provisions of Section 20 (3) and (4) of the Employment Equity Act. (Only B-candidates from the Designated Groups can benefit from affirmative action measures as outlined in the provisions of section 20 (3) and (4) of the Employment Equity Act).

C: Applicants who **do not meet all or most** of the requirements as per the position advertisement.

Clear and justifiable reasons, in keeping with established criteria in advertising the position, must be recorded for the grading of each applicant.

49. Recruitment and selection processes that are subject to a 2-week internal advertisement per the 2021 EU Collective Agreement, will be required to follow a mandate as decided by the unit's Employment Equity Committee. If the Standard Mandate is followed and the process fails to identify internal candidates from the under-represented employees in the internal round of advertising, the post must be readvertised externally, leading to an Open Mandate process. A full report on the Standard Mandate process will be required for completion of the Recruitment Report and the decision to move to the Open Mandate will be reviewed by the unit's Employment Equity Committee.

The Selection Committee may carry forward to the Open Mandate internal applicants who met either all or some of the requirements in the Standard Mandate, but who were from the demographically over-represented employees at that specific occupational level.

Written communication must be forwarded to all internal applicants indicating failure to attract suitable candidates from under-represented Designated Groups and seeking consent to retain their applications for further consideration in the external round.

50. Each selection committee is required to follow the UCT recruitment policy that is appropriate to the post.
51. The formal accountability for achieving the agreed mandate for the specific selection committee will rest with the chair of the selection committee, assisted and advised where necessary by HR staff, and reporting to the unit's Employment Equity Committee.
52. When drafting the advertisement, the selection committee must ensure that job requirements are not formulated so as to unfairly exclude candidates from the Designated Groups who may possess the necessary ability and potential and who may be suitably qualified. Positions will therefore be advertised with a heading "requirements for the job" instead of "minimum requirements" to ensure that people from the Designated Groups are not prohibited from applying for positions purely because they do not meet the minimum requirements. The requirements as stipulated in the position description may not be changed by the selection committee when drafting the job advertisement.
53. The following universal EE statement will be placed on all UCT job advertisements: "UCT is a designated employer and is committed to the pursuit of excellence, diversity, and redress in achieving its equity targets in accordance with the Employment Equity Plan of the University and its Employment Equity goals and targets. Preference will be given to candidates from the under-represented designated groups including candidates with disabilities."

The intent of this Employment Equity statement is to demonstrate UCT's commitment towards seeking to achieve redress and equitable representation in all occupational levels. This statement does not discourage potential applicants from non-designated groups from applying, but it indicates the preference of UCT as a designated employer.

54. In line with the University's Redundancy, Redeployment and Retrenchment Policy, all staff on the Redeployment List must be considered prior to the placement of the advertisement.

55. All applications that are received by the closing date of the advertisement must be considered and no applications may be considered after the closing date as stipulated in the advertisement.
56. In considering candidates, selection committees must take particular account of intersectional equity characteristics – disability, women and non-binary gender self-descriptions. Selection committees must provide candidates with declared disabilities the UCT Disability policy, so that candidates are fully aware of the university’s policies and practices for reasonable accommodation in the workplace, as this applies to the requirements of the specific position.
57. Interview processes and other assessment tools must be fair and designed to determine an applicant’s competence, skill, and knowledge to perform the position as per the position description. The assessment of the suitability of a candidate must be in terms of the requirements of the position and not by comparison with other candidates.
58. The appointment of a candidate may only be implemented once relevant approvals in accordance with the Council-approved HR Delegations of Authority have been obtained and the administrative processes have been satisfied. An appointment letter will then be sent to the successful candidate who will then be required to accept the employment offer in writing. Written communication must be forwarded to all unsuccessful applicants who participated in the interview and assessment process upon conclusion of the recruitment and selection process.
59. Once the work of the selection committee has been completed the Chair of the selection committee, assisted by the HR professional, must submit a report on the process using the required template. This must measure the outcome of the process against the mandate that was agreed with the unit’s Employment Equity Committee prior to the search and selection processes commencing. This report will be submitted to the Dean or Executive Director/ Director with responsibility for employment equity and appointments in the unit.

Reporting

60. Each Employment Equity Committee will report formally on progress on an annual basis. Reports will be submitted to the Employment Equity Manager and all unit annual reports will be consolidated in a university wide progress report submitted to the Employment Equity Forum and the University Human Resources Committee. Real-time progress reports on achieving Employment Equity targets will be available in the University’s Intranet, and all units will be able to see, and compare, their own progress with the progress of other units.
61. The Employment Equity Act requires consultation with recognised trade unions on the formulation of the Employment Equity Plan, on each annual report prior to submission to the Department of Employment and Labour and on the summative report for the period covered by the plan, on outcomes for both numerical and non-numerical goals. Annual reports should first be considered by the Employment Equity Forum and the Workplace Forum, and then submitted to the Institutional Forum and the University Human Resources Committee.

Dispute Resolution

62. Ideally, a selection committee will achieve consensus on the preferred candidate for an appointment by following the principles and requirements set out in this Guidance. Failing consensus, a preferred candidate will be recommended on the basis of support from two-thirds of the committee. The chair of the selection committee will have a deliberative, but

not a casting, vote. Dissenting members of the selection committee may require that their objections are specified in the formal record of the selection and appointment process. If a selection committee cannot achieve an outcome on this basis, the Chair will report to the relevant Dean, Executive Director or Director for consideration of appropriate actions to resolve the situation.

63. Any dispute arising from a selection and appointment process that is related to Employment Equity must be handled in accordance with section 7 of the University Employment Equity Policy. The Policy stipulates that complaints must be made to the OIC in writing and will initially be referred by the OIC to the relevant Dean, Executive Director or Director, who has the discretion to endorse the outcome of the selection process, to refer the matter back to the selection committee or to dissolve the selection committee and re-start the recruitment and appointment process.
64. If a Dean, Executive Director or Director is a member of the selection committee against which a dispute is lodged, then the complaint must be considered by a Deputy Vice-Chancellor nominated by the Vice-Chancellor. If a Deputy Vice-Chancellor is a member of the selection committee against which a dispute is lodged, then the complaint must be considered by the Vice-Chancellor. If the Vice-Chancellor is a member of the selection committee against which a dispute is lodged, then the complaint must be considered by the Chair of Council
65. If the complainant is not satisfied, they may require the complaint to be referred to the Vice-Chancellor (or the Chair of Council if the Vice-Chancellor is a member of the selection committee) and, if not satisfied with the response, to the University Ombud. Complaints may be laid by candidates for positions or by members of selection committees or Employment Equity Representatives who are concerned about appointment procedures or outcomes.