



Councillor A Lovemore
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4 May 2026

The Speaker of Council
Nelson Mandela Bay

Copy: (Acting) City Manager

ATTENTION: Councillor EUGENE JOHNSON

Dear Ma'am

MOTION re APPOINTING THE BEST PERSON FOR ANY JOB

This motion is submitted in compliance with the requirements of Rule 25 of Council's Rules of Order. The motion is intended for tabling at the next ordinary Council meeting.

1. On 30 April 2024, in an interview focused on the Local Government White Paper Review on Morning Live on SABC2, Velenkosini Hlabisa, the Minister of Cooperative Governance and Traditional Affairs, stated categorically that appointments to positions within municipalities must be made on merit.
2. The National Development Plan maintains that, only "if two candidates have the same qualifications, similar competencies and experience" should the person from the designated group be appointed.
3. The Democratic Alliance believes in merit as the overriding deciding factor in making appointments of staff, and thus fully agrees with the sentiments of the NDP.
4. Currently, the municipality strives to appoint the best candidate from the designated group targeted in terms of the Employment Equity plan for the institution, and not necessarily the best possible candidate.
5. The practice is currently that, should the candidate identified after the conclusion of the interview process as most fit for purpose not be from the targeted designated group, and should that candidate be considered by the recruiting directorate as the most desirable possible appointee, the executive director of the recruiting director must, in writing, request a waiver from the target of the Employment Equity plan, motivating his/her reasons for doing so.
6. The waiver request and the motivation is considered by the Deputy Director: Skills Development and Employment Equity who provides a recommendation, but the ultimate decision is made by the City Manager.
7. Should the City Manager not approve the request, the best person from the targeted group will be appointed.
8. There is no written policy or standard operating procedure governing this process; it has simply become accepted practice.

9. The possibility exists that persons who are not wholly fit for purpose are appointed into positions simply because of their skin colour or their gender, and that highly meritorious candidates, who might serve the institution exceptionally well, are overlooked because they are of the “wrong” skin colour or the “wrong” gender.
10. Nobody benefits when the best person for the job is not appointed. Certainly, the community served by the municipality would expect that vacancies would be filled by the most compelling candidate – the person who can perform at a level superior to his/her competitors in the selection process.
11. It is the view of the Democratic Alliance that a new procedure must be implemented, whereby the equity targets only be applied in the event that, as described in the NDP, two candidates emerge, at the end of the process, who are similarly fit-for-purpose.
12. Unless the latter is the case, the person considered best for the job must be appointed, with no need for a waiver if that person is not from the targeted designated grouping.
13. The Democratic Alliance is fully aware that the municipality must explain deviations from the plan when it reports to the Department of Employment and Labour on its Employment Equity progress annually. If the National Development Plan considers it prudent that only “if two candidates have the same qualifications, similar competencies and experience” should the person from the designated group be appointed, this should suffice to satisfy the Department of Employment and Labour.

I thus move that:

1. With immediate effect, the practice of requiring a waiver to be approved by the City Manager should the candidate considered most fit for purpose at the conclusion of a recruitment and selection process not be from the targeted designated group be entirely expunged from the practices of the municipality;
2. A standard operating procedure be compiled setting out the appropriate requirements within the selection process; and
3. That this standard operating procedure be submitted to Council for consideration and approval.

PROPOSER:



COUNCILLOR ANNETTE LOVEMORE

SECONDER:



COUNCILLOR ONDELA KEPE