



**The Bay
Academy**

Policy No.: TBA010

RECRUITMENT POLICY

1. INTRODUCTION

- 1.1. This Recruitment Policy ("**Policy**") has been drafted in accordance with the provisions of the Constitution of the Republic of South Africa; the South African Schools Act No. 84 of 1996, as amended ("**SASA**"); the Employment of Educators Act No. 76 of 1998, as amended; the Personnel Administration Measures ("**PAM**"); the Labour Relations Act No. 66 of 1995, as amended; the Basic Conditions of Employment Act No. 75 of 1997, as amended; the Employment Equity Act No. 55 of 1998, as amended ("**EEA**"); the EEA: (Code of Good Practice: Key Aspect on the Employment of People with Disabilities); and the Protection of Personal Information Act No. 4 of 2013, as amended ("**POPIA**").
- 1.2. In terms of section 6(2) of the SASA, The Bay Academy ("**the School**") has approved the following Policy.
- 1.3. This Policy applies to all prospective employees of the School and aims to procure suitably qualified people in accordance with the process outlined herein and shall be guided by the following principles:
 - 1.3.1. The School prohibits any direct or indirect unfair discrimination against the job applicant on one or more of the following grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth or any other arbitrary grounds.
 - 1.3.2. Unless the specific circumstances of the job vacancy dictate otherwise, all applicants that meet the minimum requirements for the vacancy applied for will be presented an equal opportunity of being considered.
 - 1.3.3. In accordance with the EEA, the School may apply affirmative action measures aimed at redressing past imbalances and promoting diversity where reasonable and necessary, without imposing undue restrictions or arbitrary actions on the selection process. The School prohibits the use of any psychometric testing or assessments of a job applicant unless the Health Professions Council of South Africa has certified the tests or assessments.
 - 1.3.4. The School retains the discretion to select applicants it considers to be the best candidate for the job vacancy, striking a balance between employment justice and the efficient operation of business and may depart from procedural norms in exceptional circumstances where justified by specific circumstances.

- 1.4. The School's management is responsible and accountable for all recruitment and selection.
- 1.5. The School's management reserves the rights to review and amend this Policy in furtherance with the aims and objectives of the School as well as all applicable legislation.

2. PRE-APPLICATION PROCESSES

- 2.1. School management should establish a job description detailing the full range of tasks, duties, and responsibilities as well as the appropriate salary range. This document determines an objective assessment of an applicant's suitability for an employment position and reduces the potential of bias and discrimination.
- 2.2. School management shall prepare selection criteria based on the job description detailing the skills, knowledge, and experience that the successful applicant must have to carry out the job. The selection criteria shall indicate the objective requirements to screen applicants based on the inherent requirements of the job and should not form the ground for introducing subjective factors to discriminate against applicants.
- 2.3. Simultaneous internal and external adverts detailing the vacancy and required criteria shall be placed on platforms with the widest reach to suitably qualified applicants. As a minimum, the advert should be placed on the ISASA vacancy list. The advert should specify the minimum requirements of the job and indicate the closing date that formal applications can be considered.

3. APPLICATIONS

- 3.1. Only applicants submitting a written response to an advertisement together with the accompanying documents requested, will be considered as a job applicant. The onus is on the applicant to confirm that the School has received their application.
- 3.2. Current employees will not be considered as job applicants unless they complete a written application. The onus is on the applicant to confirm that the person handling the recruitment process has received the application form.
- 3.3. External applicants may submit their applications in response to vacancy advertisements through registered post, email, or internet portals (where used). They may also physically deliver an application form duly completed at the School's reception. Unsolicited applications will not be accommodated, and any documents submitted thereby will be returned or securely destroyed or anonymized, if not returned.

- 3.4. All applications will be handled in compliance with POPIA, with data stored securely and disposed of in a manner that protects the privacy of the applicants.

4. INTERVIEWS

- 4.1. All applicants will be received by the Principal's office. A shortlisting committee appointed by the Principal will screen all applications and those applications that meet the minimum criteria will be considered for shortlisting. Those candidates who are shortlisted will be notified and informed of an interview date. Applicants that do not hear from the School should consider their applications to be unsuccessful.
- 4.2. An interview guide setting out appropriate interview questions and the selection criteria shall be established to ensure that the interview runs fairly in order to objectively assesses the applicant's suitability for the job.
- 4.3. Interviews will either be conducted virtually or face to face. Panel interviews (where appropriate) are preferable to one-on-one interviews and should be composed of persons knowledgeable of the job competencies, and the line manager. The composition of panels should be sensitive to their demographic diversities.
- 4.4. A short-list of the most suitable applicants should be identified to reference checks and if absolutely necessary, a second interview conducted. However, if the interview committee is satisfied with the most suitable candidate and has reached consensus, then the successful candidate/s will be formally advised. Applicants who do not hear from the School should consider their applications unsuccessful.

5. FINAL SELECTION

- 5.1. Data gathered during the interview process must be organized to ensure that the decision-making process is consistent, manageable, and accurate. Applicants will be evaluated and rated on the basis of the selection criteria, as well as section 20(4) of the EEA. The selection decision should be guided by the highest ratings, although this will not always be determinative and may be departed from in appropriate circumstances.
- 5.2. Reference checks will be conducted for the applicant that obtains the highest rating. These will be restricted to confirming the factual information and any areas of concern based upon the inherent job requirements outlined in the interview and advertisement. Extreme caution should be taken to ensure that references do not infringe on privacy, amounts to defamation, or are discriminatory. If reference checks are used to reject an applicant, care should be taken to verify the correctness of the information obtained.

- 5.3. Upon the successful verification of references, the highest rated applicant will be deemed successful, and sent a formal written offer of employment at the earliest date after the selection decision has been taken.
- 5.4. Offers of employment are conditional upon the successful completion of required background checks, including criminal history, Child Protection and Sexual Offences Registers, credit checks (only where relevant), academic and professional qualifications, and in compliance with the Children's Act No. 38 of 2005, as amended, the Sexual Offences Act No. 23 of 1957, as amended, and any other relevant legal provisions for positions involving engagements with minors. Applicants that do not hear from the School should consider their applications unsuccessful.

6. END OF RECRUITMENT PROCESS

- 6.1. The records of recruitment relating to successful applicants will be filed and become a part of the employment record. The successful applicants' data will only be retained as necessary and protected throughout employment, as per POPIA. Records for all unsuccessful applicants will be destroyed after a designated retention period (6 (six) months) following the closure of recruitment.
- 6.2. To avoid a conflict of interest, it is the School's policy to avoid the employment of family members and managers in the same school. All such cases of a potential conflict of interest shall be referred to the Principal for further consideration and action.
- 6.3. In line with relevant legislation, including but not limited to the Immigration Act No. 13 of 2002, as amended, the School will only consider non-South African citizens as applicants who are in possession of relevant and valid work permits.
- 6.4. Disputes by external job applicants regarding alleged unfair conduct by the School on grounds of discrimination fall under the jurisdiction of the Commission for Conciliation, Mediation and Arbitration ("**CCMA**") and/or the Labour Court.
- 6.5. Disputes by internal job applicants regarding the alleged unfair conduct by the School in relation to promotion fall under the jurisdiction of the CCMA (or accredited Bargaining Council).

POLICY TRACKING AND REVIEW RECORD

Policy No. : TBA010
Policy Title : Recruitment Policy
Version Number : V1.0
First Draft Completion Date : 28 October 2025
Approval Date : 28 October 2025
Ratification Date : 13 November 2025
Next Review Due : 28 October 2027