

Det 8 of 2012

Appellants must be informed of the *modus operandi* of interviews. Here one interview was done for two posts without it being announced.

In this appeal, Appellant deplored that he was interviewed only once for two different posts. He contested the duration of the interview, which he claimed was not adequate to assess his competence for the two posts. Appellant's grounds were primarily that he was unaware that he was being interviewed for both posts simultaneously though each post was characterised by different lines of command and duties. Also, he claimed that he was senior to Co-Respondent and they both had the same qualifications.

Respondent highlighted that appointment was made by selection and the interview for both posts was carried out consecutively for time-saving purposes and that proper assessment procedures were followed. Further, seniority was not a guiding criterion and Respondent claimed that Appellant could not prove that he was more deserving. But Respondent agreed that in previous selection exercises for one of the posts, Appellant had done better than Co-Respondent. Respondent filed an affidavit to prove that Appellant had been told that he was being interviewed for both posts.

The Tribunal has determined that Appellant should have been informed about the interview's modus operandi. As the maker of the affidavit filed was not available for cross-examination, the Tribunal believed Appellant when he said that nothing was said to him during the interview, which explains why he waited outside to be called for the second interview. Also, there is no clarity as to what demarcated Co-Respondent from Appellant in this interview and the nebulous areas around which the exercise was conducted needed to be looked into. Thus, the appeal was allowed.