

SOUTHERN AFRICAN EMERGENCY SERVICES INSTITUTE

CODE OF CONDUCT FOR OFFICE BEARERS & STANDING COMMITTEE MEMBERS

All Office Bearers or Standing Committee members of the Southern African Emergency Service Institute (SAESI) have to abide by a code of conduct which requires them, among other things, to declare their personnel interests, and to report back to the Institute Council and/or Management Committee at regular intervals.

Preamble

Office Bearers or Standing Committee members are elected to represent local branches on Standing Committees, Management Committee and the Institute Council, to ensure that the Institute have structured mechanisms of accountability to members, and to meet the priority needs of members by providing services equitably, effectively and sustainable within the means of the Institute. In fulfilling this role Office Bearers must be accountable to branches and report back at least quarterly to the branches on Institute matters. In order to ensure that Office Bearers or Standing Committee members fulfil their obligations to their branches and members, and support the achievement by the Institute of its objectives set out in section 6 of the Constitution, the following Code of Conduct is established.

1. DEFINITIONS

In this Schedule "partner" means a person who permanently lives with another person in a manner as if married.

2. GENERAL CONDUCT OF OFFICE BEARERS OR STANDING COMMITTEE MEMBERS

An Office Bearer or Standing Committee member must:

- (a) perform the functions of office in good faith, honestly and a transparent manner; and
- (b) at all times act in the best interest of the Institute and in such a way that the credibility and integrity of the Institute are not compromised.

3. ATTENDANCE AT MEETINGS

An Office Bearer, or Standing Committee member, must attend each meeting of the Standing Committee, Management Committee or Institute Council whichever one is applicable of which that Office Bearer or Standing Committee member is a member, except when:

- (a) leave of absence is granted; or
- (b) as determined by the rules and orders of the Institute, or
- (c) that an Office Bearer or Standing Committee member is required in terms of this Code to withdraw from the meeting.

4. SANCTIONS FOR NON-ATTENDANCE OF MEETINGS

4.1 The Institute Council may impose a fine as determined by the standing rules and orders of the Institute on an Office Bearer or Standing Committee member for:

- 4.1.1 not attending a meeting which that Office Bearer or Standing Committee member is required to attend in terms of item 3; or

4.1.2 failing to remain in attendance at such a meeting.

- 4.2 An Office Bearer, or Standing Committee member, who is absent from three or more consecutive meetings of the Management Committee, or from three or more consecutive meetings of a Standing Committee, which that Office Bearer or Standing Committee member is required to attend in terms of item 3, must be removed from office as an Office Bearer or Standing Committee member.
- 4.3 Proceedings for the imposition of a fine or the removal of an Office Bearer or Standing Committee member must be conducted in accordance with a uniform standing procedure which the Institute must adopt for the purposes of this item. The uniform standing procedure must comply with the rules of natural justice.

5. DISCLOSURE OF INTERESTS

An Office Bearer or Standing Committee member must-

- 5.1 disclose to the Institute, or to any committee of which that Office Bearer or Standing Committee member is a member, any direct or indirect personal or private business interest that that Office Bearer or Standing Committee member, or any spouse, partner or business associate of that Office Bearer or Standing Committee member may have in any matter before the Standing Committee, Management Committee or Institute Council; and
- 5.2 withdraw from the proceedings of the Standing Committee, Management Committee or Institute Council when that matter is considered by the committee or Institute Council, unless the committee or Institute Council decides that the Office Bearer or Standing Committee member director indirect interest in the matter is trivial or irrelevant.
- 5.3 An Office Bearer or Standing Committee member who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the Institute, must disclose full particulars of the benefit of which the Office Bearer or Standing Committee member is aware at the first meeting of the Standing Committee, Management Committee or Institute Council at which it is possible for the Office Bearer or Standing Committee member to make the disclosure.
- 5.4 This section does not apply to an interest or benefit which an Office Bearer or Standing Committee member, or a spouse, partner, business associate or close family member, has or acquires in common with other members of the Institute.

6. PERSONAL GAIN

- 6.1 An Office Bearer or Standing Committee member may not use the position or privileges of an Office Bearer or Standing Committee member, or confidential information obtained as an Office Bearer or Standing Committee member, for private gain or to improperly benefit another person.
- 6.2 Except with the prior consent of the Institute Council, an Office Bearer or Standing Committee member may not:
- 6.2.1 be a party to or beneficiary under a contract for:
- 6.2.1.1 the provision of goods or services to the Institute, or
- 6.2.1.2 the performance of any work otherwise than as an Office Bearer or Standing Committee member for the Institute; or
- 6.2.1.3 obtain a financial interest in any business of the Institute; or

6.2.1.4 for a fee or other consideration appear on behalf of any other person before a Standing Committee, Management Committee or Institute Council.

6.3 If more than one quarter of the Office Bearers or Standing Committee members object to consent being given to an Office Bearer or Standing Committee member in terms of sub item (2), such consent may only be given to the Office Bearer or Standing Committee member with the approval of the President of the Institute.

7. DECLARATION OF INTERESTS

7.1 When elected, an Office Bearer or Standing Committee member must within 60 days declare in writing to the President of the Institute the following financial interests held by that Office Bearer or Standing Committee member:

- 7.1.1 shares and securities in any company;
- 7.1.2 membership of any close corporation;
- 7.1.3 interest in any trust;
- 7.1.4 directorships;
- 7.1.5 partnerships;
- 7.1.6 other financial interests in any business undertaking;
- 7.1.7 employment and remuneration;
- 7.1.8 interest in property;
- 7.1.9 pension; and
- 7.1.10 subsidies, grants and sponsorships by any organisation.

7.2 Any change in the nature or detail of the financial interests of an Office Bearer or Standing Committee member must be declared in writing to the President of the Institute annually.

7.3 Gifts received by an Office Bearer or Standing Committee member above a prescribed amount must also be declared in accordance with sub item (1).

7.4 The Institute Council must determine which of the financial interests referred in sub item (1) must be made public having regard to the need for confidentiality and the member's interest for disclosure.

8. FULL-TIME OFFICE BEARER OR STANDING COMMITTEE MEMBER

An Office Bearer or Standing Committee member who is a full-time Office Bearer or Standing Committee member may not undertake any other paid work, except with the consent of the Institute Council which consent shall not unreasonably be withheld.

9. REWARDS, GIFTS AND FAVOURS

9.1 An Office Bearer or Standing Committee member may not request, solicit or accept any reward, gift or favour for:

- 9.1.1 voting or not voting in a particular manner on any matter before the Management Committee, Institute Council or before a Standing Committee of which that Office Bearer or Standing Committee member is a member;
- 9.1.2 persuading the Management Committee, Institute Council or any Standing Committee in regard to the exercise of any power, function or duty;
- 9.1.3 making a representation to the Management Committee, Institute Council or any Standing Committee of the Institute; or
- 9.1.4 disclosing privileged or confidential information.

10. UNAUTHORISED DISCLOSURE OF INFORMATION

- 10.1 An Office Bearer or Standing Committee member may not without the permission of the Management Committee, Institute Council or a Standing Committee disclose any privileged or confidential information of the Institute or committee to any unauthorised person.
- 10.2 For the purpose of this item "privileged or confidential information" includes any information:
 - 10.2.1 determined by a Standing Committee, Management Committee or Institute Council to be privileged or confidential;
 - 10.2.2 discussed in closed session by a Standing Committee, Management Committee or Institute Council;
 - 10.2.3 disclosure of which would violate a person's right to privacy; or
 - 10.2.4 declared to be privileged, confidential or secret in terms of law.
- 10.3 This item does not derogate from the right of any person to access to information in terms of national legislation.

11. INTERVENTION IN ADMINISTRATION

- 11.1 An Office Bearer or Standing Committee member may not, except as provided by law:
 - 11.1.1 interfere in the management or administration of any Standing Committee or Management Committee of the Institute unless mandated by Institute Council;
 - 11.1.2 give or purport to give any instruction to any member of the Institute except when authorised to do so;
 - 11.1.3 obstruct or attempt to obstruct the implementation of any decision of the Management Committee, Institute Council or a committee by a member of the Institute; or
 - 11.1.4 encourage or participate in any conduct which would cause or contribute to maladministration in the Institute.

12. INSTITUTES PROPERTY

- 12.1 An Office Bearer or Standing Committee member may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the Institute to which that Office Bearer or Standing Committee member has no right.

13. DUTY OF CHAIRPERSONS OF STANDING COMMITTEES, MANAGEMENT COMMITTEE OR INSTITUTE COUNCIL

- 13.1 If the chairperson of a Standing Committee, Management Committee or Institute Council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must:
 - 13.1.1 authorise an investigation of the facts and circumstances of the alleged breach;
 - 13.1.2 give the Office Bearer or Standing Committee member a reasonable opportunity to reply in writing regarding the alleged breach; and
 - 13.1.3 report the matter to a meeting of the Management Committee or Institute Council, whichever is applicable, after paragraphs (a) and (b) have been complied with.
- 13.2 A report in terms of sub item (1)(c) is open to the members.
- 13.3 The chairperson must report the outcome of the investigation to the members of the Institute Council.
- 13.4 The chairperson must ensure that each Office Bearer or Standing Committee member when taking office is given a copy of this Code and that a copy of the Code is available in every Branch and where a Standing Committee, the Management Committee or Institute Council meets.

14. BREACHES OF CODE

- 14.1 The Institute Council may:
 - 14.1.1 investigate and make a finding on any alleged breach of a provision of this Code; or
 - 14.1.2 establish a special committee:
 - 14.1.2.1 to investigate and make a finding on any alleged breach of this Code;
and
 - 14.1.2.2 to make appropriate recommendations to the Institute Council.
 - 14.1.3 If the Institute Council or a special committee finds that an Office Bearer or Standing Committee member has breached a provision of this Code, the Institute Council may:
 - 14.1.3.1 issue a formal warning to the Office Bearer or Standing Committee member;
 - 14.1.3.2 reprimand the Office Bearer or Standing Committee member;
 - 14.1.3.3 request the members of the Institute Council to suspend the Office Bearer or Standing Committee member for a period;
 - 14.1.3.4 fine the Office Bearer or Standing Committee member; and
 - 14.1.3.5 request the members of the Institute Council to remove the Office Bearer or Standing Committee member from office.
- 14.2 Any Office Bearer or Standing Committee member who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of sub item (2) may within 14 days of having been notified of the decision of Institute Council appeal to the members of the Institute Council in writing, setting out the reasons on which the appeal is based.
- 14.3 A copy of the appeal must be provided to the members of the Institute Council.
- 14.4 The Institute Council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the members of the Institute Council in writing.
- 14.5 The members of the Institute Council may, after having considered the appeal, confirm, set aside or vary the decision of the Institute Council and inform the Office Bearer or Standing Committee member and the Institute Council of the outcome of the appeal.
- 14.6 The members of the Institute Council may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the Office Bearer or Standing Committee member should be suspended or removed from office.
- 14.7 The Commissions Act, 1947 (Act No.8 of 1947), may be applied to an investigation in terms of sub item (3).
- 14.8 If the members of the Institute Council is of the opinion that the Office Bearer or Standing Committee member has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the Institute Council may:
 - 14.8.1 suspend the Office Bearer or Standing Committee member for a period and on conditions determined by the members of the Institute Council, or
 - 14.8.2 remove the Office Bearer or Standing Committee member from office.
- 14.9 Any investigation in terms of this item must be in accordance with the rules of natural justice.

Signed on behalf of the Institute Council by the President of the Southern African Emergency Services Institute, Mr. DN Naidoo

(Signature of President)

(Date)