

**CAPRICORN
TECHNICAL & VOCATIONAL EDUCATION & TRAINING COLLEGE**

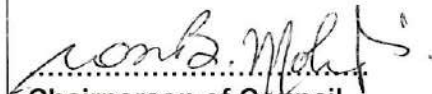


GOVERNANCE: COUNCIL CODE OF CONDUCT

**CAMPUSES:
POLOKWANE
SESHEGO
SENWABARWANA
RAMOKGOPA**

**Code of Conduct Revised: 25 January
2022**

**Approval of Code of Conduct for and on
behalf of College Council:**


.....
Chairperson of Council

Next revision date: January 2024

VISION OF CAPRICORN TVET COLLEGE



“A dynamic Technical Vocational Education and Training Institution of Excellence”

MISSION STATEMENT OF CAPRICORN TVET COLLEGE

Capricorn TVET College is to offer responsive, flexible and quality programmes that are accessible to all learners through formal learning, skills development and learnerships. This is achieved by adhering to policies and procedures, making use of committed human capital and employing appropriate physical and fiscal resources.

Values

- **Respect:** We treat others as we would like to be treated ourselves. Abusive or disrespectful treatment is not tolerated. We will strive for fairness and equity.
- **Integrity:** We are committed to transparency, honesty and sincerity.
- **Communication:** We are committed to effective communication. We believe information is meant to move and that information moves people.
- **Excellence:** We are satisfied with nothing less than the best quality in everything we do

Governance: Council Code of Conduct	Date of Version : 2022-01-25	Due date for next review: January 2024	Authorised By Management	Page 2 of 9
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TABLE OF CONTENTS

CAPRICORN TVET COLLEGE GOVERNANCE	4
COUNCIL CODE OF CONDUCT	4
1. INTRODUCTION.....	4
2. OBJECTIVES (<i>DECLARATION OF INTENT</i>)	4
3. TERMINOLOGY	4
4. ABBREVIATIONS:	4
5. THE SCOPE OF APPLICATION.....	4
6. LEGISLATIVE FRAMEWORK	4
7. GUIDING PRINCIPLES.....	5
7.2 CONFLICTS OF INTEREST	5
7.3 INTERPERSONAL BEHAVIOUR AND ATTITUDES.....	6
7.4 CONFIDENTIALITY	6
7.5 CARE AND DILIGENCE	6
7.6 DEALING WITH COLLEGE FINANCIAL AFFAIRS	6
7.7 OFFERING AND ACCEPTING GIFTS.	7
7.8 COUNCIL MEETINGS.	7
7.9 COUNCIL MEETING PROCEDURES	8
7.10 COUNCIL INDUCTION TRAINING AND DEVELOPMENT.	9
8. REPORTING REQUIREMENTS.....	9
9. CODE OF CONDUCT IMPLEMENTATION AND REVIEW.....	9

CAPRICORN TVET COLLEGE GOVERNANCE

COUNCIL CODE OF CONDUCT

1. INTRODUCTION

The strength of community participation in local governance and decision making lies in the relationships that are established and maintained within the College community. The Minister of Higher Education and Training and the College community elects or nominates Councilors to the Council placing its trust in the Council's consultation and decision-making processes and the integrity and diligence of each Councilor.

All members of the Council of Capricorn TVET College must adhere to the standards contained in this Code and should consult the Code for guidance when dealing with day to day matters in his/her position, acting on behalf of the College or in the interest of the College.

2. OBJECTIVES (*Declaration of Intent*)

This code of conduct is intended to provide a guide for proper governance of the College as well as promote its prestige in the community of Technical and Vocational Education and Training Colleges in South Africa and internationally. In carrying out its obligations, Council is guided by the values enshrined in the Constitution of the Republic of South Africa.

3. TERMINOLOGY

- a) **Accounting Officer** means the person responsible and accountable for the overall management of Capricorn TVET College.
- b) **College** means Capricorn TVET College
- c) **Constitution** means the Constitution of the Republic of South Africa, 1996.
- d) **Council** means the College Council of Capricorn TVET College as established in terms of Continuing Education and Training Act 16 of 2006 as amended.

4. ABBREVIATIONS:

- a) **CEO** Chief Executive Officer or Principal of Capricorn TVET College
- b) **DHET** Department of Higher Education and Training
- c) **FET** Further Education and Training
- d) **TVET** Technical and Vocational Education and Training
- e) **CET** Continuing Education and Training

5. THE SCOPE OF APPLICATION

This Code of conduct applies to appointed and selected Council Members of Capricorn TVET College.

6. LEGISLATIVE FRAMEWORK

The policy is based on the following legislative Acts:

Governance: Council Code of Conduct	Date of Version : 2022-01-25	Due date for next review: January 2024	Authorised By Management	Page 4 of 9
-------------------------------------	---------------------------------	---	-----------------------------	-------------

- The Constitution of the Republic of South Africa, 1996
- CET (former FET) Act 16 of 2006 as amended by Act 1 of 2013

7. GUIDING PRINCIPLES

7.1 Every Council member shall:

- Always act in the best interest of the College.
- Comply with all approved College policies and procedures.
- Protect and advance the image of the College at all times.
- Use the information obtained through Council duties exclusively for the purpose for which the information was obtained and keep the information strictly confidential.
- Share all information at his/her disposal that is relevant to College decisions with Council colleagues.
- Disclose all detailed information that may lead to conflict of interest.
- Share personal interest that may require an individual to be recused from a discussion or decision taken.
- Disclose all information at his/her disposal that may impact on the College activities or decisions.
- Make objective decisions based upon facts and disregard subjective information that may impair his/her judgment.
- Avoid all actions or statements that may bring the College into disrepute.
- Use all resources made available by the College with care and honesty.
- Challenge all Council members and decisions contravening the code of conduct.
- Treat fellow Council members and others with respect at all times.
- Execute all Council duties with care and diligence to the best of his/her ability.
- Refrain from using the College and Council membership for his/her personal benefit.
- Have a clear understanding of and respect for his/ her related role, responsibilities and powers.
- Exercise his/her related powers for the purpose for which they were conferred within the law and for the benefit of the College.

7.2 Conflicts of Interest

- A member of the Council may not have a conflict of interest with the College.
- A member of the Council who has a direct or indirect financial, personal or other interest in any matter which is to be discussed at a meeting and which entails or may entail a conflict or possible conflict of interest must, before or during such meeting, declare the interest and/or recuse himself/herself from the meeting when such matter(s) are discussed.
- Any person may, in writing, inform the Chairperson of a meeting, before a meeting, of a conflict or possible conflict of interest of a member of the Council of which such person may be aware of.

- d) The Council member must recuse himself /herself from the meeting during discussion of the matter and the voting thereon.
- e) It is expected that all Council members shall act in a manner that will prevent a conflict of interest by disclosing annually in writing personal, financial or business interest with the College.
- f) Copies of disclosures will be kept on record by the **Secretary** of the Council.

7.3 Interpersonal Behaviour and Attitudes

- a) In all their dealings with one another and with other members of the Institution, Council members shall do so with courtesy and respect.
- b) Any disclosure of Council information to people, within or outside the Institution, who are generally not privy to such information, shall be done in absolute confidence and only if it is absolutely necessary and will best serve the interest of the College.

7.4 Confidentiality

Each Council member shall:

- a) Protect the intellectual property, strategic plan, software, technical data and any other information relating to and generated by the College.
- b) Treat all Council documents, content and outcomes of debates as strictly confidential.
- c) Refrain, at all times from using information obtained through his/her association with the Council for any other purpose.
- d) Upon ceasing to be a member, immediately return all Council assets to the Council Secretary.

7.5 Care and Diligence

Each Council member shall:

- a) Obtain and maintain the relevant knowledge and understanding regarding governance in a
- b) TVET Institution as mandated by the relevant legislation.
- c) Comply with all the relevant legislation and regulations.
- d) Obtain and maintain an adequate understanding of his/her fiduciary responsibilities as a Council member as stipulated in the Continuing Education and Training Act.
- e) Apply knowledge and expertise, and network to benefit the College.
- f) Attend all Council and relevant committee meetings or send apologies if he/she is unable to attend/prepare for these meetings as required.
- g) Keep abreast of developments regarding Council matters and related issues that are relevant to the sector or the College.
- h) Use the College resources only to perform / execute College-related tasks and responsibilities.

7.6 Dealing with College Financial Affairs

Each Council member shall:

Governance: Council Code of Conduct	Date of Version : 2022-01-25	Due date for next review: January 2024	Authorised By Management	Page 6 of 9
-------------------------------------	---------------------------------	---	-----------------------------	-------------

- a) Have a working knowledge of the Public Financial Management Act (PFMA) 1 of 1999.
- b) Act with integrity, honesty and within the internal control systems when making decisions that may affect the finances of the College.
- c) Ensure that financial policies and internal control are in place to prevent irregular, unauthorised, fruitless and wasteful expenditure.
- d) Disclose to the Council, any information that may prejudice the financial well-being of the College.

7.7 Offering and Accepting Gifts.

Each Council member shall ensure that:

- a) The College policy regarding the offering and acceptance of gifts is adhered to.
- b) The purpose of the gifts does not provide him/her or any Council colleague with any preferential status within Council and it is not linked to future business relationships.
- c) The acceptance or offering of the gift will not bring the College into disrepute.
- d) Acceptance of the gift does not create a conflict of interest.

7.8 Council Meetings.

- a) The Council will have at least four ordinary meetings during each academic year.
- b) Meetings of the Council shall take place during the week at 5pm.
- c) Notice of any motion for consideration at the next ordinary meeting must be in writing and must be logged with the Secretary at least 21 days before the date determined by the Council for such meeting, provided that any matter of an urgent nature may, without prior notice, by consent of the Chairperson and a majority of the members present, be considered at such meeting.
- d) At least 14 days prior to the date of an ordinary meeting, the Secretary gives due notice to each member of all the matters to be dealt with at such meeting and states the time and place of such meeting.
- e) A special meeting may be called at any time by the Chairperson.
- f) A special meeting must be called by the Chairperson at the request in writing of at least five members, if the objective of such meeting is clearly stated in the request, provided that at least seven days' notice of a special meeting is given.
- g) No business other than that for which the special meeting was called may be transacted at such meeting.
- h) An emergency meeting may be called by the Chairperson or, in his or her absence, by the CEO and Principal at any time.
- i) Notice of an emergency meeting may be given in any manner convenient under the circumstances.
- j) The objective of an emergency meeting must be stated to members and no business other than that stated may be transacted at such meeting.

- k) Each Council member shall maintain a high attendance level at Council meetings and achieve assigned deliverables.
- l) Apology to any of the Council meetings must be done in writing to the Secretary of the Council, at least 7 days prior to the meeting.

7.9 Council Meeting Procedures

- a) Council members will be punctual and remain in attendance for the duration of the meeting.
- b) Council members must participate in the deliberations of the Council in the best interest of the College.
- c) All matters authorised or required to be done or decided by the Council or its committees and all questions that may come before it; are done or decided by the majority of the members present at any meeting, provided that the number present at any meeting is at least 50% plus one of the total number of members of the Council or its committees holding office on the date of such meeting.
- d) In the absence of the Chairperson and the Deputy Chairperson of the Council, the members present must elect one of their members to preside at such meetings.
- e) The first act of an ordinary meeting, after being constituted, is to read and confirm by the signature of the Chairperson, the minutes of the last preceding ordinary meeting and of any special meeting subsequently held, provided that the meeting may consider the minutes as read if a copy thereof was previously sent to every member of the Council, provided further that objections to the minutes of a meeting are raised and decided before confirmation of the minutes.
- f) A member of the Council may not, without the consent of the meeting, speak more than once to a motion or to any amendment and the mover of any motion or any amendment has the right to reply.
- g) Every motion/resolution or amendment must be seconded and, if so directed by the Chairperson, must be in writing.
- h) A motion/resolution or an amendment seconded may not be withdrawn except with the consent of the meeting.
- i) The Chairperson has a deliberate vote on any matter and, in the event of an equality of votes, also a casting vote.
- j) If so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes or, if so requested by any member, the Chairperson must direct that such votes be recorded.
- k) The ruling of the Chairperson on a point of order or procedure is binding unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting whose decision is final.

7.10 Council Induction Training and Development.

Each Council member shall:

- a) Obtain a thorough understanding of their duties and responsibilities by participating in the Council Induction Programme and regular refresher workshops.
- b) Conduct an annual review of the performance of the Council, including the execution of its duties and responsibilities, as part of a continuing and critical process of self and College evaluation.

8. REPORTING REQUIREMENTS

The Council must report to the Minister of Higher Education and Training on the following:

- a) The overall management and governance of the College
- b) The overall performance of students in the College programmes
- c) A duly audited statement of income and expenditure and balance sheet and cash flow statement.

9. CODE OF CONDUCT IMPLEMENTATION AND REVIEW

- a) This Code of Conduct will be implemented the day on which it has been approved by the College Council and will be reviewed from time to time as the need arises and amended as legislation changes.
- b) This Code of Conduct will be reviewed after two years.

Governance: Council Code of Conduct	Date of Version : 2022-01-25	Due date for next review: January 2024	Authorised By Management	Page 9 of 9
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