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TITLE: LOCAL COMMUNITY AND WARD COMMITTEE POLICY

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1.0 ACCRONYMS

CSS	-	Customer Satisfaction Survey
IDP	-	Integrated Development Plan
MCM	-	Municipal Council of Mbabane
MUFP	-	Mbabane Upgrading Fund Project
LCC	-	Local Community Committees
WC	-	Ward Committee
SLGP	-	Swaziland Local Government Project
UDP	-	Urban Development Project

2.0 DEFINITIONS

- **Constitution** means the Constitution of The Kingdom of Swaziland Act of 2005.
- **Council** means The Municipal Council of Mbabane
- **City** means The City of Mbabane.
- **Councillor** shall have the same meaning as in the Urban Government Act of 1969.
- **Community** means the communities formations found in all the wards in Mbabane.
- **Ward Committee (WC)** refers to a body duly created by the Council in each of the Wards in accordance to the **2014 Local Community and Ward Committees Policy** to assist the Councillor of each Ward to effectively carry out Council duties with the optimal participation or engagement of the people of the ward.
- **Local Community Committee (LCC)** refers to committees chosen within a ward one or two to represent townships or adjacent areas in the formal areas (suburbs) where there are no zone 1
- Leadership structures and/or Bandlancane.
- **Zones:** the community settlement found in Ward 1 which are historically informal where there are areas named according to zones.
- **Suburb:** the community where the settlement is referred to as ‘formal’ with surveyed plots that are contained in the Valuation Roll and are ratable) where there are neither zone nor ‘Bandlancane’ leadership structures. These are communities found in Ward 5,6, 8, 9 and 10.
- **Bandlancane** refers to a leadership structures occurring in informal settlement areas where there are no zones e.g. Ward 2, 3, 7, 11 and 12.

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- **Special committees** mean committees that are responsible for specific tasks; these committees could be appointed by the Council or the LCC's or WCs. The special committees could be health committees or fundraising committees, etc.

3.0 INTRODUCTION

The Municipal Council of Mbabane is a Local Government in terms of the Constitution of the Kingdom of Swaziland. The constitution Act of 2005 has the following enabling provisions;

- “222 (1) the primary duty of a Local Government Authority is to ensure, in accordance with the law, the efficient management and development of the area under its jurisdiction.
- (3) Depending on its level of development, a Local Government Authority shall determine, plan, initiate and execute policies, taking into account the National Policy or Development Plan.
- (4) A Local government authority shall organise and provide popular participation and cooperation in respect of political, economic, cultural and social life of the area under its control.”

Pursuant to its constitutional duties, the principles enshrined in the Swaziland Local government Project Agreements of 2012 and Council's Stakeholders Engagement Policy of 2013 the Municipal Council of Mbabane has resolved to develop a Community based Policy framework to promote popular participation by the Communities in the management and development of the Municipality. This community based framework is intended to operate under and support the Ward system as established by the Minister of Housing and Urban Development in terms of the Election Regulations of 1969 as amended.

In the development of the framework, Council has been cognisant of the existence of certain administrative structures within some communities and has sought to build on these structures. Further Council has sought to provide in this framework the transition of some of the areas from part rural to fully urban area.

In establishing Ward and Local Community Committees (where there are no zone leadership structures) Council does not remove or interfere with the free operation of the Council within the urban area of Mbabane. Neither does it remove the right of an individual in any community to directly report to Council issues that will affect him or her as an individual or his/her homestead.

As an overarching principle, Council does not support any form of discrimination and xenophobic activities and encourages all members of the Community to play an active role in the affairs of the Community they live in. People shall therefore not be discriminated upon because of race and gender in the participation in Local Community Committees.

Council may from time to time set up other special committees to do specific tasks in the communities. Council will not be required to get permission from the structures created by this policy to do so. These special committees will work with the Local Community Committees

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and or Ward Committees as necessary. The Communities or wards can also set up special committees to do specific jobs.

4.0 POLICY OBJECTIVE

The objective of this policy is to promote development and provide an institutional framework for community participation within Council structures. The aims of the policy are:

- 4.1 To establish Ward Committees and Local Community Committees and rules to regulate their establishment and operations.
- 4.2 To standardise the operations of Ward committees and LCC's throughout the City of Mbabane.

5.0 ELIGIBILITY CRITERIA FOR LCC'S AND WC'S

A person shall be disqualified from being elected or appointed or from continuing in office as a Ward Committee or Local Committee member if he:

- 5.1 Is the spouse of a person employed by Council
- 5.2 Is the spouse of a Councillor
- 5.3 Is an un-rehabilitated insolvent
- 5.4 Has been certified insane or otherwise adjudged to be unsound mind.
- 5.5 Has been convicted of any offence:
 - i. Relating to corrupt or illegal practices under the provisions of this or any other law
 - ii. Under sections 24, 25 or 122 of the Urban Government Regulations

Within five years immediately preceding the date of election or appointment, as the case may be, or since his election or appointment.

- 5.6 Has been convicted of an offence under this or any other law and sentenced to imprisonment, without the option of a fine, for a period of twelve months or more, within three years immediately preceding the date of election or appointment, or since his election or appointment, unless he has obtained a pardon.
- 5.7 Less than eighteen years of age.
- 5.8 Has not been a resident of the ward or community as the case maybe for at least six months.

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- 5.9 Is an employee of the Council or of the Ministry of Housing and Urban Development.
- 5.10 Is a member of any political government structure (e.g. Member of Parliament, Indvuna, etc.).
- 5.11 Is in arrears with and has not made any approved arrangements to settle their rates payment or any authorized Community levy.

6.0 LOCAL COMMUNITY COMMITTEES

6.1 Phasing out of Zone Leadership and Bandlancane:

Through the Urban Development Project (UDP) and the Mbabane Upgrading fund Project (MUFP), the informal areas are upgraded and they will eventually be divided into townships instead of zones. In these areas, once the townships take shape, Local Community Committees will be elected for each township. Whilst these areas are still on a transition period, the roles and responsibilities of Zone leaders and Bandlancane will be similar to those of LCC's. Council shall determine through a policy when an area no longer qualifies to have the customary zone leaders and bandlancane structures.

6.2 Purpose of the Local Community Committees:

- a) To run the day to day affairs of the townships/zones.
- b) Resolve conflict and provide representation of townships within a ward.
- c) In the process of being Serve as a link between the townships and the ward committees.

6.3 Roles and responsibilities of Local Community Committees:

- a) To ensure regular contact between the ward committees and their respective communities.
- b) To facilitate public participation in the process of development of Council policies affecting communities.
- c) To serve as a mobilising agent for community action and assist the Ward Committees in the implementation of Council programmes.
- d) To assist and support the Ward Committees in identifying community needs and resources within the Ward.
- e) To run the day to day community affairs and support community members in the following:

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- i. scholarship applications
- ii. the registration of births and deaths
- iii. land allocations application
- iv. regional and youth fund applications
- v. applications for gun permits
- vi. registration of marriages
- vii. Any other duties that the Council may prescribe.

- f) To resolve community issues such as disputes between community members.
- g) To report to the ward committees issues that is beyond their scope and to support the Ward Committee and Council to preserve law and order.
- h) To execute any other responsibility Council may determine

6.4 Composition of local community committees

6.4.1 The Local Community Committees shall comprise of:

- a) The Chairman
- b) Vice Chairman
- c) Secretary
- d) Vice Secretary
- e) Treasurer
- f) Two members

6.4.2 To ensure genders balance in representation, at least (3) members of the committee shall be females.

6.4.3 In the establishment of special committees by the Local Community Committees, at least 40% of the nominated members shall be female.

6.5 Responsibilities of Individual Committee Members

6.5.1 The individual committee member shall have duties similar to those of individual Committee Members.

6.5.2 Council may develop additional duties of Committee Members

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7.0 WARD COMMITTEES

7.1 Ward Committee Objectives

- a) To create formal unbiased communication channels and co-operative partnerships between Council and the community within a ward.
- b) To ensure regular contact between Council and their respective communities.
- c) To create harmonious relationships between residents of a ward, the Ward Councillor, Bucopho, Member of Parliament and the overall community within the City.
- d) To facilitate public participation in the process of development of Council policies affecting communities within the ward.
- e) To serve as a mobilising agent for community action and assist the Ward Councillor in formulation and implementation of Council programmes.
- f) To participate in stakeholder consultation forums; and
- g) To promote transparency and accountability amongst the community and its members.
- h) To promote and improve community development economically, socially and environmentally to the benefit of the community.
- i) To assist and support the Municipal Council in identifying community needs and resources within the community.
- j) To contribute in the decision making process of the Municipal Council through proper mechanisms and in accordance with processes and procedures provided for in terms of this policy or any other applicable law.

7.2 Duties of the Ward committees:

7.2.1 The duties of Ward committees may include:

- a) Organising and attending meetings of the ward committee, Council, **organised community and consultation meetings.**
- b) Visiting relevant organisations and communities for the purposes of information gathering, sharing, Council feedback, intervention, networking, community mobilisation, conflict resolution and other reasons;

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- c) Participating in stakeholder consultation forums;
- d) Identifying projects at Ward level that require support at Inkhundla and/or Council level.
- e) Coordinating ward programmes; and
- f) To seek financial assistance for community projects and to monitor community projects from initiation to completion.
- g) Approving the financial report of the Treasurer

7.3 Composition of Ward committees

7.3.1 A Ward committee will comprise of the:

- a. The Chairpersons of the Local Community Committee
- b. Where there are no Community, the Chairpersons of the **Local Community Committees (LCC)**.

7.3.2 Each Committee will have a:

- a. Chairperson,
- b. Vice Chairperson,
- c. Secretary,
- d. Vice Secretary,
- e. Treasurer,
- f. the Ward Councillor who will be an ex officio member,
- g. Youth Representative and
- h. Additional Committee Members. The additional Committee Members may be two or more depending on the number of LCC's chairpersons available.

7.3.3 Where the number of LCC Chairpersons is less than 7, then the other committee members will be elected directly from the LCC committee members.

7.3.4 At least 3 members of the committee should be females.

7.4 Responsibilities of Ward Committee Members

7.4.1 The Chairperson

The duties of the chairperson shall be:

- a. to preside on all meetings of the community;

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- b. to represent the Community **together with other Committee Members** at all functions where they are invited;
- c. To ensure that the objectives and duties listed above are properly exercised by the Committee.
- d. Inform Council when there is a vacancy in any position of the Committee.

7.4.2 The Vice Chairperson

The duties of the Vice Chairperson shall be:

- a. To act as Chairperson in the absence of the Chairperson;

7.4.3 The Secretary

The duties of the Secretary shall be:

- a. To take minutes.
- b. To have custody and control of all records and documents of the Community.
- c. To be responsible for the general administration of the committee together with other Committee Members.

7.4.4 The Assistant Secretary

The duties of the Assistant Secretary shall be:

- a. To act for the Secretary in his/her absence.
- b. To assist the Secretary in the exercise of his or her duties.

7.4.5 The Treasurer

The duties of the treasurer shall be:

- a. To be responsible for the keeping of accurate records of the financial affairs of the Community.
- b. To present a financial report to the Ward committee at meetings.

7.4.6 Ex Officio

- a. The Ex Officio Member, who is a Councillor shall participate in all activities of the Ward Committee but will not have a voting power.
- b. To provide advice and information on Council policies, programmes and plans for proper decision making by the committee.

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- c. To take input from the Committee for Council's attention.
- d. Liaise with Council and chairperson for suitable date for election.

7.5 Additional Roles and Responsibilities

7.5.1 Council may approve additional roles, responsibilities not inconsistent with the objects of this Policy.

8.0 ELECTION PROCEDURE FOR LOCAL COMMUNITY COMMITTEES (LCC'S) AND WARD COMMITTEES (WC)

The procedure for the election of LCC's and WC's is annexed in this document as *Annexure 1*.

9.0 TERM OF OFFICE FOR LOCAL COMMUNITY COMMITTEES AND WARD COMMITTEES

9.1 The term of office of the LCC's and WC's shall be fifty six (56) months.

9.1.1 Notwithstanding clause 9.1 above, this term shall terminate at least within 6 months after a new Council has been sworn in.

9.1.2 The term of office of a Ward committee can be terminated upon a resolution of the Council to terminate the Committee for whatsoever the reason or when there is a legal order so terminating the Committee.

9.2 A Ward committee member shall cease to be a member of the committee he/she:

- a) Resigns in writing
- b) Moves to reside in another ward
- c) Dies
- d) Is removed from the office by Council through a resolution of the Council
- e) Is incapacitated from holding such an office mentally, physically or due to legal pronouncements.
- f) Or upon dissolution of the Ward Committee.

9.3 A Committee member may be removed from office if such a member:

9.3.1 Has been absent without leave from the Ward/LC committee meeting for three or more consecutive meetings.

9.3.2 Is found guilty of any form of corruption.

9.3.3 Fails repeatedly to adhere to meeting procedures or misconduct himself during meetings.

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- 9.3.4 Fails repeatedly to submit reports or take action or information as mandated by the Committee.
 - 9.3.5 Becomes involved in activities that undermine the Council or Ward Councillors authority.
 - 9.3.6 Is found guilty of contravening the code of conduct for Ward/LCC committee members.
 - 9.3.7 Is insolvent or declared mentally incompetent.
 - 9.3.8 Contravenes against Council policies, rules and laws.
 - 9.3.9 Takes a legal action against the Council or the Committee after due process of natural justice.
 - 9.3.10 Utters statement in public or the media that brings the good name of Council or the Committee to disrepute.
- 9.4 A Councillor in whose Ward the removal of a member is being considered may not participate in the proceedings.

10.0 LEVELS OF REPORTING

Committee	Reports to Local Community Committee
Special committee	Local Community Committee or MCM
Local Community Committee	Ward Committee
Ward Committee	MCM

11.0 REPLACEMENT OF A COMMITTEE AND THE FILLING OF VACANCIES

- 11.1 When a Committee has vacated the office, it shall be replaced with a new Committee which shall be elected in accordance to this policy within at least three (3) months of office becoming vacant.
- 11.2 When a vacancy occurs, a by-election will be conducted in terms of Clause 8 above.
- 11.3 No vacancies shall be filled if they occur within 12 months before the end of the Committee's term of office.

12.0 CODE OF CONDUCT FOR LCC'S AND WC'S

The behaviour of the committees shall be guided the set of rules and practices annexed in this document (**SEE ANNEXURE 2**)

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13.0 POWERS OF THE WARD COMMITTEE

13.1 Ward committees have the power to:

13.1.1 Make recommendations to the Ward Councillor and Council through the Ward Councillor on any matter affecting their ward.

13.1.2 Maintain law and order in the wards using lawful means and working in collaboration with the Council Security and the Royal Swaziland Police.

13.1.3 Make rules, not inconsistent with this Policy or any rules approved by Council for Communities, to regulate the conduct of meetings of the Committee or the Community.

13.2 Council may delegate additional powers to Ward committees.

13.3 Promote Council policies, strategies, plans and programs of the Council and Ward.

13.4 In collaboration with the Council, promote and manage community events.

13.5 Try and resolve community and family matters submitted on appeal by the Local Community Committee under its jurisdiction by the formal parties to the issues of divergence.

13.6 Any appeals by members of the Community against committee decisions shall be directed to Council through the Community Liaison office.

14.0 DISSOLUTION OF THE WARD OR LOCAL COMMUNITY COMMITTEE

14.1 The Ward/Local Community Committee may be dissolved at a properly constituted meeting of the community, with due written notice of the dissolution.

14.2 If the Ward/Local Community committee wishes to dissolve itself, it must call a meeting of community members, specially convened to consider this proposal.

14.3 The Ward/Local Community committee shall then be dissolved upon a decision being taken by a two-thirds majority of all members attending the meeting on the day. The members in attendance shall be at least $\frac{2}{3}$ of the meeting that participated in the election of the Community or Ward Committee.

14.4 In the event of the dissolution of the Ward/Local Community Committee all property, both movable and immovable and funds held by the Ward committee on behalf of the community and belonging to the community shall be handed over to an ad hoc committee for the purpose of management and control

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pending the election of a new Ward committee which shall then fully manage and control the property on behalf of the community.

- 14.5 The ad hoc committee shall comprise of 3 (three) members of the community to be appointed at the meeting where the Ward/Local Community committee is dissolved.
- 14.6 Council may dissolve a ward/Local Community committee on the following instances:
- 14.6.1 The committee has continuously breached this policy.
- 14.6.2 The Committee has committed a felony whose consequences call for dissolution.
- 14.6.3 Whereby the existence of the committee or operation or act is contrary to the object of the community, Council or Ministry of Housing and Urban Development.
- 14.7 Wherein there is resistance by the Ward/Local Community Committee or its member against leaving or vacating the office following action of a Council instituted in accordance with clause 9, Council may approach the magistrate for an order to effect the sought remedy.

15.0 MEETINGS

- 15.1 Local Community Committees shall:
- a. Hold at least one meeting per month and shall inform the Ward Committee Chairman of resolutions taken.
 - b. The copies of the agenda, minutes and attendance for such meetings shall be given to Council for information.
- 15.2 Ward committees shall:
- a. Hold quarterly meetings to inform Council resolutions, and any other development matters affecting the Ward.
 - b. Hold an annual general meeting (AGM) to present the Council's annual report.
 - c. Inform Council of all meetings to be held in the Ward.
 - d. Submit to Council an agenda, minutes as well as attendance registers for meetings held.

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- e. Council members and officials have a right to attend and observe any Ward committee meetings.
- f. Council may formulate rules to regulate and standardise the conduct of Community Committees, Ward Committees and Community meetings in the Municipality.

16.0 REVIEW OF POLICY

This policy shall be reviewed every five years following Council approval or as and when necessary.

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ANNEXURE 1

RULES FOR THE ELECTION OF LOCAL COMMUNITY AND WARD COMMITTEES

The Returning Officer shall conduct the election of Local Communities and Ward committees in accordance with rules established by Council.

The election of Ward Committees shall be held once an Induction of all Local Community Committees or Zone Leaders or Bandlancane has been held. The rules may be amended by council from time to time to keep them up-to-date with good practice but shall not be made once Local community Committees elections have been held.

1. THE ELECTION OF LOCAL COMMUNITY COMMITTEES:

1.1 Notice of meeting

The Returning Officer shall serve a notice of the meeting to all members of the community for the election of the Local Community Committee. The notice shall be issued at least fourteen days before the Inaugural meeting.

1.2 Venue for the elections

Voting will occur in places where the communities normally hold their community meetings with the Community Leadership.

1.3 Female representation in the committee

Before the elections start the Returning Officer shall read the procedure to followed during the elections and make emphasis that there should be at least three females in the committee. During the elections process, if the Returning Officer realises that there are no females elected and only three positions now remain to do elections, he shall call for the nomination of females only.

1.4 The election of Local Community Committees shall be as follows:

Voting process to be followed shall be as follows:

1.4.1 The system of voting is secret ballot.

1.4.2 It shall be one man one vote.

1.4.3 Not more than 3 (Three) nominees shall be required for each position.

1.4.4 There shall be a seconder for a candidate nominated and the nominated person should give consent.

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- 1.4.5 Residents that are not present at the election are not eligible for nomination.
- 1.4.6 The nominated candidates will stand in front of the people for the ease of identification.
- 1.4.7 Nominees allocated numbers according to the manner or order they were nominated.
- 1.4.8 Each of the voting papers shall have a number and these number becomes the candidate's ID.
- 1.4.9 People vote for the candidates using the numbers instead of their respective names.
- 1.4.10 After voting for each position counting shall be done and the results are announced by the returning officer before moving on to vote for the next position.
- 1.4.11 For positions where there is a deputy (Vice Chairman or Vice Secretary), the nominee that will have the second best votes shall automatically be the deputy.

1.5 Induction by Council:

- 1.5.1 Once elections have been completed Council shall induct incoming committee members and empower them through the provision of training. Other training will be scheduled as and when it is needed.

2. THE ELECTION OF WARD COMMITTEES:

2.1 Notice of Meeting

The Returning Officer shall serve a notice of the meeting to all members of an LCC or Zone Leaderships or bandlancane for the election of the Ward Committee. The notice shall be issued at least seven days before the Inaugural meeting of the Ward Committee

2.2 Delegates to the Ward Committee Inaugural meeting.

- 2.2.1 Each Local Community Committee/Zone leadership/bandlancane shall be entitled to nominate three delegates to the inaugural Ward Committee Meeting.
- 2.2.2 The delegates shall include the Chairman, a youth and a woman.
- 2.2.3 In the event the chairman is also a youth and or female, the LCC/Zone Leadership/Bandlancane may nominate other members as appropriate to be part of the delegates.

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- 2.2.4 A meeting to nominate delegates may be convened at any time after the Induction of all Local Community Committee Members.
- 2.2.5 At the Ward Committee Inaugural meeting the Returning Officer shall chair the proceedings until all the positions of the Ward Committee are filled.
- 2.2.6 The Returning Officer will call for nominations for each of the positions in the Ward Committee on the prescribed form.
- 2.2.7 The nominations shall be amongst those delegates who hold the position of chairperson in the LCC/Zone Leadership/Bandlancane and shall be supported by delegates who hold similar position.
- 2.2.8 The Returning Officer shall conduct the elections in such a manner as to ensure that at least three members of the Ward Committee are female. For this purpose the Returning Officer shall throughout the nomination process draw the attention of the delegates to this requirement. In furtherance of this provision the Returning Officer shall when he/she become aware that the number of positions remaining are such that the requirement for three females will not be met, not accept any nomination who is not a woman.
- 2.2.9 Each delegate at the meeting shall cast one vote by writing legibly the name of the eligible nominated candidate on the paper provided for the purpose.
- 2.2.10 The Returning Officer shall with the Officers appointed to assist him, count the votes cast for each nominated candidate and shall declare the candidate with the highest vote the winner.
- 2.2.11 In the event there is a tie in the highest votes, there will be a run-off ballot conducted for the candidates who obtained the highest votes. In the event there is a tie in the run-off ballot, the winner shall be decided by the toss of a Swazi coin.

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Annexure 2

CODE OF CONDUCT FOR LOCAL COMMUNITY AND WARD COMMITTEES

1. INTRODUCTION

The public is entitled to expect conduct of the highest standards from all those involved in the local government service be they councillors, city managers, other local authority staff or non-councillor members ("external members") of local authority committees. The code of conduct sets out an ethical framework and imposes a duty on all in the leadership of local community and ward committees to maintain proper standards of integrity, conduct and concern for the public interest. Local government has a long tradition of honest and impartial service to its communities and therefor the core principles underlying local government are based on committee members acting in good faith and with fairness and impartiality for the common good and to promote the public interest. This Code has been issued to promote these principles and to uphold public confidence - so that all committee members can be seen to act solely in the public interest and within the law. The Code is accordingly to be read in this spirit at all times and not in any selective or restrictive manner contrary to its intent.

All committee members are obliged to be guided by this Code in the exercise of their functions. Given the range and complexity of local government activity a code such as this cannot deal with all situations and eventualities which may arise. If other situations of potential conflict arise between personal and public interest or if instances of perceived questionable conduct arise, committee members should aim to deal with them in accordance with the principles and intent of the Code.

2. GENERAL CODE OF CONDUCT

The general conduct and behavior of committee member in carrying out their role is an important yardstick by which the honesty, integrity, impartiality and performance of local government is judged and public trust maintained. It is important therefore that these core values underpin all actions of committee members affecting local authority business. As holders of elected office they have a duty to keep faith with the public trust placed in them. This is a personal responsibility and requires them to observe the highest ethical standards in the performance of their role.

No member shall engage in any activity which may aggravate existing differences or create mutual hatred or cause tension between different races, castes and communities, religions or language.

Members shall refrain from criticism of all aspects of private life, not connected with the public activities of the member. Criticism of other members based on unverified allegations or distortion must be avoided.

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All members shall avoid scrupulously all activities which are “corrupt practices” and offences such as bribery, intimidation and impersonation of other members or community members.

Committee members must not seek to use their official position so as to benefit improperly themselves, their professional or business interests, or others with whom they have personal, family or other ties. Likewise they must not seek to use or pass on for personal gain or the personal gain of others, official information which is not in the public domain, or information obtained in confidence as a result of their public position.

3. CODE OF CONDUCT IN CARRYING OUT THEIR DUTIES

Community committee members in carrying out their role should abide by this code and:-

- 3.1 Act in a way which enhances public trust and confidence;
- 3.2 Avoid conflicts of interest and never seek to use improper influence;
- 3.3 Make decisions based solely on consideration of the public interest and the common good;
- 3.4 Serve their local authority and its people conscientiously, honestly and impartially;
- 3.5 Promote equality and avoid bias;
- 3.6 Perform their functions in a responsible and diligent manner;
- 3.7 Treat their colleagues and local authority employees with courtesy and respect.
- 3.8 Generally, committee members should in all matters seek to ensure that their conduct does not bring the integrity of their office or of council into disrepute.

No member of the committee shall:

- 3.9 Knowingly give wrong information about the community.
- 3.10 Raise money for personal use by using the name of the community, its official stamp, letterhead or any other means which suggest an identification with the community; or
- 3.11 Misappropriate the Community’s money.
- 3.12 Interfere in the disciplinary hearing of any member or interfere with any member carrying out his responsibilities.

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4. CODE OF CONDUCT IN MEETINGS

- 4.1 All members of committees shall treat each other with respect and use of abusive shall not be allowed.
- 4.2 No member of the Committee shall at meetings or outing and any recognised event:
 - a) Involve himself or herself in a physical fight with any other person present;
or
 - b) Use abusive language towards any other person present.
- 4.3 Members of the committees shall ensure that they keep time and avoid coming late in meetings.
- 4.4 If a member has to be absent from a meeting, the absence shall be reported to the chairman or secretary prior to the meeting.
- 4.5 No committee member shall divulge confidential information arising from his membership of the Committee.
- 4.6 The Committee shall conduct all its affairs in an open and accountable manner, and any members shall be entitled to any information, books, records and financial statements of the community to enable such members to exercise his/her membership rights to the full.

5. MISCODUCT

- 5.1 All members of the Committee have a duty to report any act by a Committee member which may be perceived as inappropriate.
- 5.2 Members of the Committee must report such acts to the Chairperson of the Committee. If the alleged misconduct involves the Chairman it shall be reported to the Ward Councillor.
- 5.3 Upon receipt of allegations of misconduct, the Chairman or Ward Councillor shall conduct a preliminary investigation of the allegation to assess if indeed there is substance to the allegation.
- 5.4 In the event the preliminary investigation does believe that there may indeed be substance to the allegation, the Chairman or Ward Councillor shall promptly inform the Chief Executive Officer and provide the full details of the allegation and outcome of the preliminary investigation.
- 5.5 The Chief Executive officer shall arrange to have the matter investigated by the appropriate disciplinary structures of Council.

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- 5.6 The disciplinary structures of Council may impose the appropriate penalty including, a fine, a suspension not exceeding six months or removal from office.
- 5.7 Any member subjected to a disciplinary hearing is entitled to a fair hearing that complies with the laws of natural justice.
- 5.8 A member subjected to a disciplinary action shall be entitled to any information in the public records of Council including relevant minutes of meetings, relevant financial records.
- 5.9 The Council disciplinary structure shall ensure that any disciplinary enquiry referred to is conducted as soon as possible.