

# **SOUTHBROOM COMMUNITY POLICING FORUM: CONSTITUTION**

## **CONSTITUTION for the MARGATE STATION SOUTHBROOM COMMUNITY POLICING FORUM**

### **NAME**

The name of the structure shall be the SOUTHBROOM COMMUNITY POLICING FORUM (herein after referred to as the Forum)

### **AIMS AND OBJECTIVES**

The Forum shall:

- Establish and maintain a partnership between the Police and the Community.
- Jointly identify, prioritise and solve problems related to crime, public disorder, fears, poor Police community relations and service delivery.
- Promote Police community relations by addressing factors that are causing dysfunctional perceptions and attitudes, such as corruption and poor quality of service that the Police may be rendering.
- Promote communication between the Police and the local community.
- Develop ways and means to promote Police accountability.
- Encourage and promote objective and fair media coverage of Policing activities.
- Promote respect for Human Rights within the ranks of the Police and the community.
- Negotiate and co-operate with any other institution at local level, in promoting the interests of the SAPS and its members.
- Promote co-operation with business and all other organised interest groups in its area, and encourage joint action in issues of mutual concern.
- Evaluate visible Policing which includes:
  - the procurement, positioning and staffing of Police stations
  - the receiving and processing of complaints and charges
  - the provision of protection services at gatherings
  - the patrolling of residential and business areas
  - the prosecution of offenders
- Develop mutual understanding on a cross-cultural level.
- Propagate a change in attitude within the community.
- Promote co-operation between the South African Police Service and the fulfilment of the needs of the local community in general and regarding Policing.

### **MEMBERSHIP**

- Membership of the Forum shall be open to all members of the community including residents, home-owners or ratepayers, and those working within the area of SOUTHBROOM and shall be non-racist, non-sexist and there shall be no discrimination whatsoever against any person
- These members shall be voluntary and representative of all people being served by the MARGATE Police Station and local interest groups (organisations).
- In terms of section 19(3) of the South African Police Service Act, 1995 (Act No 68 of 1995) the station commander and members designated by the station commander from time to time for that purpose, shall be members of the Community Policing Forum.
- No membership fees shall be payable.

### **DUTIES AND FUNCTIONS OF MEMBERS**

- The duties and functions of the members of the Forum shall be:
- To perform such functions as may be necessary to realise the aims and objectives mentioned in paragraph 2 herein above.
- To encourage every member of the community and the police to take part in activities of the Forum.
- To give input for formulation of Policing Policies, needs and priorities.
- To support the Provincial and National Policing Objectives and Priorities.
- To improve delivery of Police service to the community.

- To strengthen the partnership between the community and the Police.
- To promote joint problem identification and problem solving.
- To ensure Police accountability and transparency.
- To ensure consultation and proper communication between the Police and the community.

## **MANAGEMENT OF THE FORUM**

The Forum is managed by a Management Committee which will be elected at Annual General Meetings and be comprised as follows:

- A chairperson, who may not be a member of the SAPS.
- A vice-chairperson who may be a member of the SAPS.
- A secretary, who may be a member of the SAPS.
- A treasurer, who may be a member of the SAPS.
- A minimum of three additional members.
- The station commander or acting station commander or his / her delegate.
- The director or acting director or his / her delegate of the Protection Services.

If an office bearer of the Management Committee is absent without valid apology from meeting for a period of three (3) consecutive meetings, his / her seat can be declared vacant by the Forum concerned. If an office bearer of the Management Committee does not attend more than 70% of the scheduled meetings during his / her year of service, he / she will automatically become ineligible for re-election.

## **MEETINGS**

### **Annual general meeting**

An Annual General Meeting, which is to be attended by the members of the Forum, Community and other interest groups, will be convened annually after notice in writing is given at least twenty one (21) days in advance by the secretary.

Annual General Meetings shall:

- Consider and make proposals to the Area Board
- Receive, discuss and adopt the management committee's report on the work of the Forum
- Discuss and draft resolutions on local matters pertaining to overall policy objectives of community policing
- Elect the Management Committee as set out in paragraph 5.1 herein above

### **Special general meeting**

- The Forum may instruct the secretary to convene a Special General Meeting to discuss and rule on special matters.
- The secretary must on written request from at least ten (10) members of the Forum of which at least 50% has to be non-office bearers, convene a Special General Meeting to discuss and rule on issues stated clearly by the members concerned.
- Requests for a Special General Meeting must reach the secretary at least one (1) month prior to the envisaged meeting. The secretary will then notify members of the Forum of such a meeting at least twenty-one (21) days in advance. Notice of such a Special General Meeting will specify the purpose of the proposed matters to be dealt with at the meeting and may include notices for reviewing and revoking any of the resolutions passed at an Annual General Meeting or at a Special General Meeting.
- No resolution or ruling mentioned in paragraph 6.2.3 can be reviewed or amended by such a Special General Meeting unless total consensus is reached.

### **Meeting of the forum**

The Forum's General Meeting consisting of representatives from the local community shall be held at least once a month and may:

- Adopt campaigns and programs for the Forum.
- Receive and consider reports from the Management Committee.
- Consider and implement directives and feedback from the Area Board.
- Make submissions and give input to the Area Board.
- Receive reports on the state of policing within the area of the MARGATE POLICE STATION.

### **Management committee meeting**

- The Management Committee of the Forum will convene at least every two (2) months, and more often if necessary to discuss and rule on matters relating to the management of the Forum.
- All resolutions at Management Committee Meetings are passed by means of consensus.
- When the chairperson is absent for whatever reason from a Management Committee Meeting, the vice-chairperson will chair the meeting.

### **QUORUM**

#### **Annual general meeting and special general meeting**

- Fifty percent (50%) plus one of the members of the Forum plus the Station Commander or his / her delegate shall constitute a quorum at such meetings.
- If a quorum is not present at the convening of a scheduled meeting, the meeting will be adjourned.

#### **Management committee meetings**

At least four (4) members of the Management Committee, including the secretary and the chairperson or vice-chairperson, constitute a quorum at a Management Committee Meeting.

### **MEETING PROCEDURES**

#### Annual general meetings

The following procedure must be adhered to at an Annual General Meeting:

- Reading of the notice according to which the meeting was convened.
- Reading and validation of the minutes of the previous Annual General Meetings and the minutes of Special General Meetings if any such meetings were called since the convening of the previous Annual General Meeting.
- The discussion of any issues arising from the minutes mentioned in clause 8.1.2.
- Reading and consideration of the chairperson's annual report.
- Election of the Management Committee of the Forum.
- Discussion and consideration of issues put on the agenda for deliberation of the Annual General Meeting as mentioned in paragraph 6.1.2.

#### **Meeting procedures**

- Meetings shall be conducted in terms of generally accepted procedures and practices relating to meetings in general.
- Silence should be kept during meetings and members may not leave their seats without the permission of the chairperson.
- Members shall obtain permission from the chairperson to speak, by putting their hand up.
- Members should, at all times when they have the floor, address the chairperson and irrelevant matters should not be discussed - only subjects for consideration
- When persons at the meetings are being addressed, the formal form of address shall be used e.g. Mr, Mrs, etc.
- When a member becomes guilty of poor conduct during the meeting, it is the responsibility of the chairperson to excuse the guilty person from the meeting.
- No unnecessary disturbances will be tolerated, but a representative may interrupt a speaker on a point of order.
- With regard to a point of order, the chairperson will make a final decision.
- The agenda of the meeting may be amended by the chairperson. Additions / omissions may be made.

### **DUTIES AND POWERS OF THE MANAGEMENT COMMITTEE**

The Management Committee of the Forum will, in executing its managerial functions, have the following powers and duties:

- To set up geographical sub-forums for the effective and efficient managing of the Forum.
- To appoint at its own discretion sub-committees and direct issues and allocate tasks to these committees, and co-opt members of the Forum to serve on these bodies.

- To maintain and supervise efficient control over members and the administration of the Forum.
- To accept, investigate, consider and rule on grievances or hints received regarding the activities of the Forum.
- All the actions by the Management Committee or any of its members, in bona fide performance of their duties, will be regarded as if performed by the entire forum.
- The Management Committee will on a day-to-day basis be empowered to make necessary urgent rulings.

#### **ELECTION OF OFFICE BEARERS**

The election of all office bearers shall be done by a show of hands or by means of a secret ballot at the Annual General Meeting.

#### **DUTIES OF THE CHAIRPERSON**

- Shall preside over meetings of the Forum.
- Shall liaise with the Area Board.
- Shall present reports on the state of the Forum to the general meetings.
- Shall supervise all work of the Forum in conformity with the constitution and rules of procedures agreed upon by the Forum.
- Shall report regularly to the Area Board and Provincial Board.

#### **DUTIES OF THE SECRETARY**

- To take minutes in accordance with the provision of this constitution.
- To receive and dispatch correspondence to and from the Forum.
- To arrange all meetings.
- To safe keep all official documents of the Forum.
- To further the interests of the Forum as instructed by the Executive Committee.
- To perform all duties usually associated with the office of the secretary.
- The secretary is by virtue of his / her office, a member of all committees and sub-committees of the Forum, whether such a committee is temporary or permanent, elected or nominated.

#### **DUTIES OF THE TREASURER**

- Shall keep records of all financial matters / transactions.
- Shall handle all funds received by the Community Police Forum.
- Shall prepare a quarterly income and expenditure statement.
- Shall prepare an annual financial statement to be submitted at the Annual General Meeting.

#### **CODE OF CONDUCT**

- Members shall at all times act in a manner that will uphold and promote the objectives and principles of the Forum as established by the Forum's Constitution.
- No member may exploit their membership of the Forum to their own personal advantage.
- Members shall serve the Forum in an unbiased and objective manner.
- No member shall display racism, nor sexual, nor religious discrimination, nor use any form of abuse to any other person.
- Members shall not divulge to any other person, any confidential or privileged information that they may have acquired as a result of their membership of the Forum.
- Members will not address the media, or make public announcements, in matters connected to the business of the Forum without the authority of the Forum's Management Committee.
- No members shall accept any payment, commission or gratuity in connection with their membership of the Forum, except after being authorized to do so by the Forum's Management Committee.
- The Forum will not be aligned to any political party and members shall not use their membership to promote the aims and objectives of any political party.
- Any member who is being prosecuted, or who is on bail, after timeous notice of such a member, the Management Committee is to determine the continued membership of such a member.

- Any member who has been convicted of a serious crime, shall be expelled from membership of the Forum should the Management Committee decide that the member is no longer a fit and proper person to be a member of the Forum.
- In case of any breach of this Code of Conduct after administrative process, the Management Committee may expel any member guilty of such a breach should the Management Committee consider that the person is no longer a fit and proper person to be a member of the Forum.
- Any member, resident or working within the area of SOUTHBROOM, who is absent from three consecutive Forum meetings, without apology or good cause, may after administrative process be expelled from membership by the Management Committee.
- Any member, homeowner or ratepayer not resident or working within the area of SOUTHBROOM, who is not represented by proxy and is absent from three consecutive Forum meetings without apology or good cause, may after administrative process be expelled from membership by the Management Committee.

## **DISCIPLINARY PROCEEDINGS**

### **Fundamental principles**

The objectives of the disciplinary proceedings are to:

- address instances of unacceptable conduct by members of the Forum
- effectively manage conflict in the Forum
- ensure that before disciplinary steps are taken: a member has a reasonable opportunity to state his/her case; and all relevant circumstances are fully and objectively considered before a decision is taken.

## **CLASSIFICATION OF OFFENCES**

### **Grave Offences**

Any offences aimed at damaging the integrity of the Forum and / or destroying its personnel or property, shall be considered as grave offences.

A grave offence shall be committed by a person who *inter alia*:

- acts with intention to destroy the integrity of the Forum, its personnel or property;
- sabotages the activities of the Forum;
- creates divisions within its ranks;
- does any other act calculated to undermine its effectiveness as a Forum;
- act for other organisation(s) or groups hostile to the Forum's policy and principles;
- act for any group or person who wishes to destroy the Forum or prevent it from fulfilling its set aims and objectives.

### **Serious Offences**

Any violation of the principles of the Forum and standards of behaviour expected of members, which seriously threatens the safety, property or good name of the organisation, or which substantially impedes its good functioning, or which creates or is calculated to create demoralisation amongst the members, shall be considered a serious offence.

Such offences shall include:

- acting in a way that exposes members to serious physical harm or death;
- deliberately destroying the property of the organization or recklessly exposing it to danger;
- behaving dishonestly in relation to the property of the organization;
- careless passing on information that might be harmful to the working of the Forum;
- abusing office by using one's position to obtain material or other undue advantage from members or others;
- fighting or behaving in grossly disorderly and unruly ways;
- committing a serious crime defined by the Criminal Justice System in South Africa

### **Schedule of penalties**

- Reprimand
- Suspension
- Expulsion

### **Disciplinary procedures**

- The Management Committee of the Forum or any leadership organ from Area Board shall be the adjudicating body in any disciplinary enquiry.

- An accused in any disciplinary matter shall have the rights to appeal to a superior organ than the one that heard the case.
- An accused person shall not have the right to be represented by a legally qualified person but may be assisted by any other member of the Forum.

### **Disputes**

Any dispute of whatever nature, resulting from matters being dealt with by the Forum or from meetings or from an interpretation of the Constitution, shall be referred to the Umzimkulu South African Police Area Board for adjudication and final determination of such dispute.

### **AMENDMENTS TO THE CONSTITUTION**

- The constitution may only be amended at an Annual General Meeting or a Special General Meeting called for that purpose.
- Should a Special General Meeting be called to amend the constitution, the rules pertaining to calling a Special General Meeting, as set out in paragraph 7.1 and paragraph 8 above, will apply.

### **DISSOLUTION**

The Forum shall continue to exist for as long as it continues to serve its desired purpose.

The Forum may be dissolved at an Annual General Meeting, or at a Special General Meeting called for that purpose, should the majority of the Forum be in favour of such dissolution.

In the event of the dissolution of the Forum, its assets will be disposed of as follows:

- If the reason for dissolution is the establishment of an alternative body that will continue the work of the Forum, then such a body shall inherit the assets of the Forum.
- If the reason for dissolution is to form separate and similar Forums (for example, should the office of the Umzimkulu Area Commission be split), then the assets of the Forum shall be distributed pro-rata between the new Forums.
- If the reason for dissolution is outright cessation of the activities of the Forum, then the assets shall be distributed equally to each of the Forums that shall be in existence at that time. Should no Forums be in existence, the assets of the Forum shall be distributed to a charity nominated by the Area Commissioner, on condition that the beneficiaries of the charity are police members and / or their dependants.

### **GENERAL**

- Headings used in this Constitution are not part of the Constitution and are only for the benefit of order
- Use of the male gender shall include the female gender and incorporated bodies, unless otherwise specifically stated.

### **ADOPTION**

This Constitution of the MARGATE Police Station SOUTHBROOM Community Policing Forum was approved and adopted at a Special General Meeting held on 28 December 2002.