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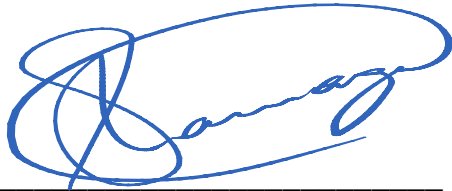
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# DISCIPLINARY PROCEDURES



## CONFIRMATION OF CONSULTATION

I, **Tintibane Thamaga** declare that this policy/procedure manual has been communicated to all members for inputs towards the development or review of the CGASA human resource management policy. I also declare that consultation with members has been conducted in good faith with all members.



Signature: \_\_\_\_\_

2019/12/10

Date \_\_\_\_\_

<b>Table of Content</b>	<b>Page</b>
1. Introduction .....	4
2. The purpose of the policy.....	4
3. Scope of Application.....	4-5
4. Abbreviations and meaning.....	5
5. Forms of disciplinary procedures prevailing at CGASA .....	5-6
6. Validity and duration of warning.....	6
7. Termination of membership.....	6
8. CGASA rights in disciplinary proceedings.....	6
9. Members rights towards disciplinary procedures.....	7
10. Actions by members that may result to disciplinary procedures.....	7
10.1 Absence without permission /late coming.....	7
10.2 Drunkenness .....	7
11. Disciplinary enquiry.....	7
12. Decision and sanction.....	8
13. Monitoring of policy .....	8
14. Policy review.....	8
15. Policy approval.....	8

## 1. Introduction

Members have a responsibility to maintain satisfactory standards of conduct in line with the CGASA principles, values, and the Code of Conduct. CGASA is committed to ensuring any allegations of inappropriate behaviour by members are managed fairly and consistently. Wherever possible, disciplinary matters should be managed informally and formal action should only be taken in cases of more serious and/or repeated members ill-behaviour.

## 2. The purpose of the policy

The purpose of this disciplinary code is to regulate standards of conduct of members of the CGASA. The policy seeks to correct unacceptable behavior and adopt a progressive approach for all CGASA members. This also creates certainty and consistency in the application of discipline.

CGASA needs to ascertain that all members are aware of the rules and the reasonable standards of behavior that are expected of them while the members remain members in good standing. All members need to comply with the CGASA disciplinary code ensure that they familiarize themselves with the provisions of the Code of Conduct.

## 3. Scope of application

This policy applicable to all our members of the CGASA.

## 4. Abbreviations and meaning

<b>CGASA</b>	<b>Certified Government Accountants of South Africa</b>
<b>Member</b>	<b>An individual registered as a member of CGASA.</b>
<b>Discipline</b>	<b>The practice of obeying rules or a Code of Conduct.</b>
<b>Trespass</b>	<b>To act unlawfully or not in accordance with the requirements of the law.</b>

<b>Transgression</b>	<b>Conduct of a member that goes against the law, rule or code of conduct</b>
<b>Terminate</b>	<b>To bring to an end</b>
<b>Misconduct</b>	<b>Unacceptable or improper behaviour</b>
<b>Demotion</b>	<b>Reduction in rank or status</b>
<b>Appeal</b>	<b>Make a serious , urgent or heartfelt request</b>
<b>Offence</b>	<b>A breach of law, rule or an illegal act</b>
<b>Insubordination</b>	<b>Refusal to obey orders</b>

## **5. Forms of disciplinary procedures prevailing at CGASA**

Disciplinary action can take a number of forms, depending on the seriousness of the offence and whether the member has breached the particular rule before.

The following underpins all disciplinary actions taken against any member (in order of severity):

- Where appropriate, concerns will be settled without recourse to a formal process.
- The procedure will be applied consistently with a defined process for all stages.
- All members will be treated fairly and sensitively and supported during the process.
- Formal disciplinary matters will be investigated promptly, thoroughly considered in an impartial and independent manner and in confidence.
- Members have the right to be accompanied at formal meetings.
- Members have a right of appeal against the outcome of a disciplinary hearing.

Disciplinary Procedure undertaken by CGASA:

- CGASA will establish the seriousness of an offence with reference to the disciplinary rules.

- If the offence is a minor offence, informal disciplinary action can be taken against a member by serving a member a verbal warning.
- The law does not specify that members should receive any specific number of warnings, for example, three verbal warnings or written warnings, and termination could follow as a first offence in the case of serious misconduct.
- Formal disciplinary steps would be taken in all serious offences and may include written warnings and the other form of disciplinary action considered appropriate.
- A final written warning could be given in cases where the contravention of the rules is so serious or where the member has received warnings for the same offence committed before.
- A member can appeal against any outcome by following the provisions of the CGASA Appeal Policy.

## **6. Validity and duration of warning**

All CGASA written warnings will remain valid for 3 to 6 months. Final written warnings will remain valid for 12 months. A warning for one type of contravention is not applicable to another type of offence. All members will be requested to sign warning letters and will be given an opportunity to state their objections, should there be any. Should a member refuse to sign a warning letter, this does not invalidate the warning. A witness will be requested to sign the warning, stating the fact that the member refused to accept the warning.

## **7. Termination of membership**

Termination of membership is reserved for the most serious offences and will be preceded by a fair disciplinary enquiry, unless an exceptional circumstance results in a disciplinary enquiry becoming either an impossibility, e.g. the member being rude or impossible.

## **8. CGASA rights in disciplinary proceedings**

CGASA has the right to:

- Discipline its members,

- Terminate member's membership,
- Issue a warning to any member as it may deem necessary,
- Have access to all documentary evidence produced,
- Impose a monetary fine to any member as one of the penalties.

## **9. Members right in disciplinary proceedings**

Members have the following rights during disciplinary proceedings:

- Appeal the outcome of any disciplinary process,
- Access to information about an investigation if he or she is subject thereof and the right to choose whether results be issued in the disciplinary inquiry or not,
- Be heard in disciplinary inquiries, and
- Access to documents produced in disciplinary inquiry as evidence.

## **10. Transgressions examples**

- None compliance with any provision of the Code of Conduct,
- Involvement in corruption and fraud activities,
- Involvement in criminal activities,
- Etc.

## **11. Disciplinary inquiry**

In deciding whether a disciplinary inquiry need to be carried out, the following questions should be asked:

- Is there transgression of such a serious nature that counselling or the issuing of a warning will not suffice?
- Does the transgression constitute a material breach of the rules?
- Has the member repeated transgression or committed a related transgression during the validity of a warning especially a final written warning?
- Could termination of membership be an appropriate sanction?

## **12. Decision and sanction**

At the end of any disciplinary inquiry, the presiding officer will arrive at a conclusion on whether the affected member is guilty or not guilty. If the member is found guilty, the presiding officer may pronounce any of the following:

- Counselling,
- A written warning,
- A final written warning,
- Suspension of membership,
- Demotion from higher level to a lower level,
- A combination of any of the above,
- Community work, or
- Termination.

If a member's membership is terminated, the membership fees paid are not refundable.

## **13. Monitoring of the policy**

The Board of Directors is responsible for monitoring the successful implementation of this policy.

## **14. Effective Date**

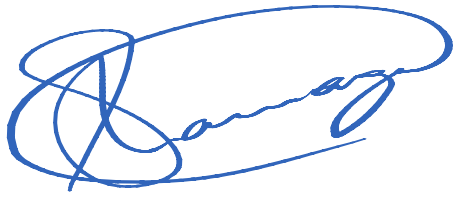
This policy is immediately applicable.

## **15. Policy Review**

This policy shall be reviewed annually.

## **16. Policy Approval**

**This Policy is approved and signed at Nelspruit on this 20<sup>th</sup> day of September 2020.**



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**SIGNATURE**

**CHAIRPERSON - CGASA**