



GOVERNING BODY FOUNDATION
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Undercurrents

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SGB CHARTER, CODE OF CONDUCT AND CONSTITUTION

SCHOOL CLOSURE

President Ramaphosa's announcement on Sunday evening that schools would close on Wednesday and remain closed until 14 April is an important and responsible decision which the GBF supports.

The practical difficulties associated with this decision are many, not the least of which is finding a way to care for children whose parents are expected to go to work and to provide the daily nutrition children receive at school.

We wish all SGB members, learners, school staff, and parents a restful break which will require some innovative ways of keeping the children busy. Please be safe and follow all reliable advice from the Department of Health, the National Institute for Communicable Diseases (NICD) and the World Health Organisation (WHO). It's not going to be easy. We will all have to play our part the best we can. See DBE Circular 3 of 2020 on the DBE website.

What can schools do?

If you have an opportunity to speak to learners or send a communication to parents, it would be beneficial to:

- ♦ remind them, where possible, in a leaflet/online message, of the COVID-19 pre-ventive tips and where to find useful and reliable information, for example, <https://www.gov.za/NovelCoronavirus> and <https://sacoronavirus.co.za/>.
- ♦ suggest activities that can be done at home such as reading (ensure they have access to books that are not likely to be infected), using e-learning sites, viewing YouTube children's educational sites (subject, of course, to having data/Wi-Fi). Material is being added on a daily basis as schools all over the world are closing and turning to on-line teaching.
- ♦ encourage imaginative play and healthy outdoor activities where there is little contact with others.
- ♦ emphasise the importance of children not spending time in malls or other places where people gather.

OPPORTUNITY TO EVALUATE SGB CONDUCT AND RELATIONSHIPS

The longer school closure than usual provides an ideal opportunity for SGBs to reflect on how effective they are in terms of adherence to a code of conduct that promotes good working relationships and effective governance in the best interests of the school.

We have produced exemplar documents to assist SGBs to reflect on the manner in which they perform their functions and how members relate to one another.

SCHOOL GOVERNING BODY CHARTER

The recent round of provincial seminars (except in KwaZulu-Natal) handled this new exemplar document and explained the rationale for our focussing on helping SGB members understand the expectations of their role.

During this longer than planned for break, consider taking some time to examine the documents discussed below. While you're keeping social distance from people, perhaps you could have an on-line discussion with key role-players about implementing the SGB Charter and ensuring your Constitution and Code say everything that you believe is necessary.

The rationale for the Charter

In recent years the number of clashes between members of the SGB has risen exponentially. Sometimes the clashes are between the principal and other members of the SGB; at other times they occur amongst the rest of the members. This leads to factions within the SGB.

This results in unpleasant working conditions, unmotivated staff and, at worst, paralysis in the school.

There are also many incidences of sharp practice, illegal activity, financial fraud and nepotism.

The reasons for these problems are many – incompetent people, ignorant people, people with personal agendas or questionable motives, clashes of egos resulting in power struggles.

In all of this, it is forgotten that in all decisions affecting children the best interests of the child should be paramount; that the function of the SGB as a collective is to promote the best interests of the school and strive to ensure its development through the provision of quality education for all its learners at the school; and that a governing body stands in a position of trust towards the school.

In order to fulfil their functions and to avoid the above problems, members of an SGB need to act in certain ways and to refrain from acting in certain other ways. This Charter serves to provide a succinct summary of how members of an SGB ought to conduct themselves.

NOTE:

1. This charter applies to *all* members of the SGB – parents, educators, non-educators and learners; elected and co-opted.
2. The charter is not a substitute for the SGB Code of Conduct; it is merely a brief summary of basic obligations. An SGB also needs a code of conduct which will, inter alia, spell out procedures to be followed where members are in breach of the code and the charter. In addition, each school must have an SGB constitution, which sets out how the SGB operates.
3. Each school must adapt this exemplar charter to suit the particular context of their school and to formally adopt it, but we suggest that there need to be cogent reasons for deviating from it. Attached is a Word version of the charter which you can use for this purpose.
4. We suggest that you try to keep the charter to one page.
5. We suggest that, once finalised, it be signed by all current members, as well as by new members and persons showing an interest in being elected. It can also be used in preparation for the next round of SGB elections.
6. We also suggest that you share the contents of the Charter with your staff.

SCHOOL GOVERNING BODY CONSTITUTION AND CODE OF CONDUCT FOR SCHOOL GOVERING BODY MEMBERS

The SGB Charter does not replace the requirement in terms of the South African Schools Act that the SGB must adopt a Constitution and submit it to the Head of Department within 90 days of having been elected (section 18). Section 18A directs the provincial MEC for education to determine a code of conduct for members of SGBS. Some provinces have published well-developed and detailed Codes of Conduct while other provinces' codes are very brief. The GBF suggests that devising your own school's code based on the provincial code would be best. A school may not add anything that conflicts with the provincial code but could include more detail if the provincial code is not specific.

You will find the exemplar SGB Charter and motivation, SGB Constitution (long version), SGB Constitution (short version) and Code of Conduct for SGB members on the GBF website under Documents/GBF exemplars/Policy documents.

Q & A

Do school-paid staff who normally work in school holidays still have to come to work if "schools are closed"?

The disaster measures have not yet implemented lockdowns. Staff may go to work unless they are sick. They should be advised to observe social distancing. They can work alone in offices or do maintenance or cleaning work in different places. Social meetings should be limited.

If their work can be done from home, that should be permitted.

If an SGB wants to give the staff paid leave as a preventive measure, nothing is stopping them from doing so. The principal should keep in touch with all these staff members in order to give instructions and to change arrangements depending on how the COVID-19 situation unfolds. See attached advice to employers provided by a GBF Board member.

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