



**RIGHT<sup>2</sup>KNOW**

# **POLICY AND PROCEDURES MANUAL**

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# 1 FOUNDING DOCUMENTS

## 1.1 Our Vision

“We seek a country and a world where we all have the right to know – that is to be free to access and to share information. □ □ This right is fundamental to any democracy that is open, accountable, participatory and responsive; able to deliver the social, economic and environmental justice we need. □ □ On this foundation a society and an international community can be built in which we all live free from want, in equality and in dignity. □”

## 1.2 Our Mission

- To co-ordinate, unify, organise and activate those who share our principles to defend and advance the right to know.
  - To struggle both for the widest possible recognition in law and policy of the right to know and for its implementation and practice in daily life.
  - To root the struggle for the right to know in the struggles of communities demanding political work towards ensuring that South Africa enjoys a free and diverse range of public, private and non-profit media and open and affordable access to the internet and telecommunications, social, economic and environmental justice.
  - To propagate our vision throughout society.
  - To engage those with political and economic power where necessary.
- continue to build the Right2Know Campaign as a free, independent, vibrant, democratic and supporter driven coalition. locally and internationally.

## 1.3 Our Principles

### **Preamble**

We subscribe to the right to know, which is founded in the right to dignity and is realised through rights freely to access and share information.

We shall defend and advance the right to know, encouraged that it and its constituent rights were won through peoples’ struggles in South Africa and internationally, and are affirmed in the Constitution of South Africa, the African Charter on Human and Peoples’ Rights and the Universal Declaration of Human Rights.

We commit to the following principles, both in our own policies and practices and in the vision we propagate throughout society:

### **Principle 1: Access to Information**

All people have the right to access information, and have it equally. This right has inherent value and enables many other democratic rights.

The right to access information must be defended and advanced in law, policy and practice as demanded inter alia by section 32 of the Constitution of South Africa.

**Principle 2: Free Flow of Information**

All people have the right to express themselves – that is to share information, including opinion – freely and equally. This right has inherent value and enables many other democratic rights.

The right to free expression must be defended and advanced in law, policy and practice as demanded inter alia by section 16 of the Constitution of South Africa.

**Principle 3: Free and Diverse Media**

The media have rights and corresponding duties to access and disseminate information, including opinion, freely and fairly, without fear or favour. These rights and duties are vital to the public's exercise of many other democratic rights.

Media freedom must be defended and advanced in law, policy and practice as demanded inter alia by section 16 of the Constitution of South Africa.

Media diversity must be extended so that everyone, in particular the socially and economically marginalised, shall have a voice.

**Principle 4: Accountability and Transparency**

Transparency, achieved through the right to know, holds power to account so that political, social, economic and environmental justice is realised.

**Principle 5: Informed Public Participation**

The right to know empowers all people to participate in democracy actively and effectively so that they can defend and advance their political, social, economic and environmental rights.

**Principle 6: Truth and Quality of Information**

The rights to access information must be served through the provision of information that is reliable, verifiable and representative of the data from which it is derived, and must include the right to access source data itself. Information must be provided transparently and equally, untainted by partisan interests.

**Principle 7: Proactive Dissemination of Information**

Public and private bodies must disseminate information proactively. Laws providing for access to information must not be used as a shield to obstruct its release.

**Principle 8: Equality**

All rights, including the rights here demanded like any other right, are equal to all people regardless of any human or social characteristic including class, race, gender, language or sexual orientation.

**Principle 9: Community Involvement**

The right to know is vital to the struggles of communities demanding political, social, economic and environmental justice. Campaign efforts rooted in communities and their needs are vital to

the campaign's success and the realisation of a responsive and accountable democracy that can meet the basic needs of our people.

**Principle 10: Solidarity**

The full realisation of the right to know cannot be defined by individuals, organisations or borders. Our campaign is best served where we act in concert and solidarity with like-minded people and organisations locally and internationally.

## **2 HOW WE WORK TOGETHER (POLICY STATEMENT ON INSTITUTIONAL STRUCTURE, CAPACITIES, AND COORDINATION)**

### **2.1 Preamble**

The Right2Know is an activist driven campaign with a small support staff and various structures and processes that enable democratic decision-making, accountability, participation, and implementation of our programme.

The campaign is a living evolving organisation. It was launched in September 2010 and formally constituted at our first National Summit in February 2011<sup>[1]</sup>. Since then the campaign has held our annual National Summits, adopted a Constitution<sup>[2]</sup>, and adopted a number of other policy positions relating to the working of the Campaign in the meetings of different structures. In addition to these various written policies the Campaign has also developed various standard practices as we have evolved over the years.

In this document we have pulled relevant policies and practices together to provide a detailed overview of how our campaign works in order to induct new activists and give clarity to everyone that enlivens the Campaign. It is a living policy document of the campaign that will be reviewed and amended from time to time by the National Working Group (NWG).

### **2.2 Structure and Capacities**

The following diagrams present the different structures of the Right2Know Campaign. The section below explains how they are constituted, their roles and functions, and their modes of implementation.

## **2.3 Provincial Summit**

Annual Provincial Summits are called by Provincial Working Groups (PWGs) in Gauteng, KwaZulu Natal and the Western Cape between December and February each year. They are open to all supporters of the Campaign.

The Provincial Summit takes stock of the work of the Campaign in the province and identifies areas of priority for the coming year - as well as national priorities that should be tabled at the National Summit.

The Summit in Gauteng and the Western Cape elects an agreed number of Provincial Coordinators. In KZN the Summits elects the Provincial working Group that elects Coordinator/s at their first meeting.

The Summit also elects delegates to attend the National Summit. These delegates become National Members of the R2K for the year.

PWGs send summit announcements out through all relevant email lists. The summit receives a narrative and financial report from the PWG, delegates deliberate these reports and the PWG prepares a Summit Report with resolutions from the Summit.

## **2.4 National Summit**

The National Summit<sup>[3]</sup> is constituted by R2K delegations elected at Provincial Summits and the outgoing National Working Group (NWG). It is called by the NWG in the first quarter of each year.

The National Summit is the highest decision making structure of the Campaign with the powers to amend the constitution and adopt policies and resolutions binding on the Campaign. The National Summit takes stock of the work of the campaign (adopting financial and narrative reports) and deliberates on these reports. The summit breaks into commissions and discusses the work of the campaign and plans a way forward which is captured in an adopted set of resolutions. The Summit also elects a National Working Group for the coming year.



## **2.5 Provincial Working Groups (PWG), Provincial Coordinators, Treasurers & Task Teams**

The KZN Provincial Working Groups (PWG) is elected at their annual Provincial Summit. In Gauteng and the Western Cape the PWG is more fluid - any interested supporters can participate fully in PWGs. In KZN PWGs are open to all Campaign supporters as observers to ensure transparency, exclusivity, and to enable participation and activism.

The task of the PWG is to prioritise and implement the Campaign programme in the province. The Campaign programme derives from National Summit Resolutions and priorities identified by the National Working Group and its Thematic Focus Groups. Within this framework the PWG identifies strategic priorities for the province's programme.

The PWGs meet at least monthly to assess the activities and financial reports of the province (presented in monthly written reports prepared by the Provincial Organisers) and adopt plans for the coming month. Minutes of these meetings are circulated and adopted. PWG meetings are convened by the Provincial Coordinator/s with support of the Provincial Organiser/s. Each province also has an email group that is used for consultation and decision-making between meetings.

Each province also has volunteer Provincial Coordinator/s who ensure overall leadership in the province, manage the Provincial Organiser/s day-to-day, and takes critical decisions in between PWG meetings, and oversee the province's finances, developing budgets and ensuring funds are accounted for.

Because R2K is an activist lead campaign the PWG is a "working group" and all participants are expected to implement tasks between PWG meetings. To this end the PWG also sets up standing or ad-hoc task teams to oversee and implement aspects of their programme. All R2K supporters are free to participate in Provincial Task Teams.

## **2.6 National Working Group (NWG) & Focus Groups**

The National Working Group (NWG) is elected at the National Summit and oversees the implementation of National summit resolutions. It is the highest decision making body between National Summits and takes legal and financial responsibility for the Campaign. This includes the power to determine policy, values, and strategy; and for authorising and mandating the establishment (or dis-establishment) of Provincial Working Groups, and for determining their operating conditions. The NWG does this directly or indirectly by delegation to PWGs, Focus Groups, or staff.

All staff and Provincial Coordinators participate in NWG meeting without voting rights to enhance consultation, communication, and coordination across the campaign.

The NWG meet monthly (via teleconference) to assess the activities and financial reports (an overall written report prepared by the National Coordinator, provincial reports are also presented and considered) and adopt plans for the coming month. NWG meetings are convened by the National Coordinator and chaired by a member of the NWG. Minutes of these meetings are circulated and adopted. The NWG also has an email group that is used for consultation and decision-making between meetings. In addition the NWG undertakes an annual Mid Term Review meeting to assess the progress of the year on the National Summit Resolutions.

Because R2K is an activist lead campaign the NWG is a “working group” and all participants are expected to implement tasks between NWG meetings. To this end the NWG also sets up standing or ad-hoc task teams (or Thematic Focus Groups) to oversee and implement aspects of their programme. The NWG aims to have functioning Focus Groups on each campaign area. A National Finance Team oversees prudent management of our finances, fundraising efforts and serves as a Human Resources Committee.

## **2.7 Campaign Staff**

As an activist lead campaign the Right2Know employs a minimum of staff to support activists and maintain key systems. We employ Provincial Organiser/s in each provincial node and a National Coordinator, Organiser, and Administrator in our National Office. We also employ Thematic Organizers to support Thematic Focus Groups and the work of Provinces in specific focus areas, as well as an Organiser to engage R2K supporters in the Provinces that do not have a Provincial Working Group.

Provincial Organisers support the work of PWGs and their task teams. They share relevant information, organise and mobilise organisations and movements to participate in the campaign and facilitate popular education programmes. Provincial Organisers work with the Provincial Coordinator to produce a monthly narrative and financial reports to the PWG meeting and support PWGs to develop and implement plans for the coming period.

In between PWGs the Provincial Organiser reports to the Provincial Coordinator/s to ensure R2K funds are well managed and accounted for. Provincial Organisers work closely with the national office - in particular the National Focus Organisers, Communicator and Administrators - to ensure provincial programmes are unfolding optimally and in line with R2K strategic framework and available resources.

Based on the activities planned and agreed in the PWG the Provincial Organiser works with the Provincial Coordinator/s to prepare the budget of the province and submit it to the National Office. The National Coordinator confirms that proposed activities are in line with overall strategic framework and that necessary funds are available before approving the processing the advance. After activities are undertaken the Provincial Organiser works with the Provincial Coordinator/s to prepare a financial report with supporting documentation to reconcile the advance received.

Provincial Administrators provide administrative support to the PWG and Provincial Organiser. This includes reconciling advances with all necessary supporting documentation and maintaining records of campaign supporters. S/he is responsible for general office maintenance and correspondence.

The National Coordinator ensures national strategic development & oversight, national advocacy, media & communications, financial planning, management, fundraising and accountability. The National Coordinator is also responsible for maintaining Human Resources systems of the Campaign as well as National staff. The National Coordinator reports to the NWG.

The National Communicator gives media & communications support to Provinces and Focus Groups. Thematic Organisers give research and advocacy support to Thematic Focus Groups and Provinces.

The National Administrator provides administrative support to the National Coordinator, Thematic Organiser, Provinces & the NWG, processes payments with all necessary supporting documentation, maintains the financial records and records of campaign supporters, and ensures PWGs receive and account for required resources. S/he is responsible for general office maintenance and correspondence, making logistical arrangements for national meetings, updating the website and social media. The National Administrator reports to the National Coordinator.

All staff participate in the NWG meetings, their PWG meetings & email lists and communicate all relevant information and NWG decisions to their PWGs.

In addition to these full time staff the Campaign does - from time to time - contract individuals and organisations to undertake paid work.

## **2.8 On operational strategy**

Our operational strategy is presented in the following diagram and unpacked below.

## **2.9 Strategic Review and Planning**

The Campaign draws its mandate for our constitution and a series of annual Provincial Summits that lead to an annual National Summit. Summit Delegates assess the context, review the Campaign's progress, and develop various resolutions to guide the Campaign in the coming year. Currently Right2Know holds Provincial Summits in Gauteng, KwaZulu-Natal and the Western Cape.

## **2.10 Monitoring and Coordination.**

The Summits also constitute Provincial Working Groups (PWG) and a National Working Group (NWG) to coordinate and monitor implementation of the Campaign's programme for the year. These Working Groups meet at least once a month. Provincial Summits and Working Groups are open to all Campaign supporters to ensure transparency, inclusivity, and to enable participation and activism.

The NWG serves as the legal governing structure of the organisation and employs a small staff to support campaign activists.

## **2.11 Research and Consensus Building**

All campaign focuses are underpinned by ongoing research and debate about appropriate campaign positions, strategic 'points of entry' and appropriate response to developments. To this end the Campaign's NWG has established a number of subcommittees (Focus Groups) where activists with specific interests and expertise work together to draft Campaign positions, support consensus building in our Work Groups and Summits and prepare technical statements or submissions to various policy or legal processes.

## **2.12 Popular Education**

The Right2Know undertakes popular education on the basis of the research and consensus emerging within the Campaign. The purpose of our popular education is to deepen the understanding of issues amongst campaign activists and to raise awareness of various issues and Campaign positions within communities and across society.

Our popular education takes the form of workshops, public meetings, as well as producing educational material and engaging the mass media.

## **2.13 Mobilisation & Advocacy**

Our research, consensus building and popular education lay the basis for advocacy campaigns targeted at shaping critical policy and governance processes in the public and private sectors, as well as shaping public perceptions. We deploy a full range of advocacy tactics from making policy submissions, media liaison and alliance building to marches, pickets, and mass meetings. We maintain an emphasis on mass mobilisation to strengthen the base of the Campaign and demonstrate that our positions have popular support

# 3 R2K ACTIVIST CODE OF CONDUCT

(As adopted by 2014 National Summit)

## **The Right2Know Campaign should be a space in which:**

We have a collective responsibility to run meetings that are focused and which address issues that are central to our programme.

We all have an opportunity to speak and be heard.

We have a responsibility to contribute practically to building Right2Know in whatever way we can.

This code of conduct is a personal commitment from every R2K supporter to carry out our meetings and activities in a way that helps to make this vision a reality.

### **1. Discipline:**

*Engaging as comrades*

- a. Supporters should engage one another with respect, regardless of gender, race, class, or age.
- b. If there is a personal relationship between two Supporters, they encouraged not to allow this relationship interfere with or disrupt the work of the organisation.
- c. Supporters should respect one another's views and organisations.

### **2. Meetings:**

*Respecting each other's time*

- a. Supporters are expected to keep time when coming to meetings.
- b. Supporters are expected to submit apologies if they cannot attend meetings or are going to arrive late, or leave early.
- c. Supporters are expected to switch off their phone or switch their phone to 'Silent' during meetings.

### **3. Participation:**

*Ensuring that everyone takes the opportunity to contribute*

- a. Supporters are expected to fully participate in any R2K structure they volunteer to or agree to be delegated to (e.g. working group or sub-committees).
- b. Supporters are expected to read and distribute any relevant media or information produced by the organisation.

### **4. Accountability:**

*Ensuring internal democracy and remaining accountable to the collective*

- a. Supporters should be accountable for their actions and views in general.
- b. Supporters should account for any funds or resources of the organisation for which they are responsible.
- c. Supporters should carry out the tasks that they have agreed to carry out.
- d. Supporters should act on a mandate when representing the Right2Know on another platform.

- e. Supporters should report back after any engagement in which they represented the Right2Know.
- f. Supporters should respect and carry out collective decisions.

## **5. Observance of policies**

### *Exercising the right to know*

- a. Right2Know Supporters should know and observe the policies, principles and constitution of the organisation, and take responsibility for ensuring these policies are respected and upheld by others.
- b. Each supporter accepts that disregarding these policies may result in disciplinary action.

## **3.1 Activist Disciplinary Procedures**

(as adopted by 2015 National Summit)

### **1. Principles:**

- The purpose of discipline is to regulate behavior in terms of the R2K Activist Code of Conduct and not merely to punish transgressions.
- The emphasis should be corrective, not punitive.
- No formal disciplinary action regarding a major office shall be taken before an enquiry has been convened to hear the case where the charged Active Supporter shall have the right to state her/his case and to be represented.
  - Active Supporters shall have the right of appeal and no disciplinary action will be implemented while the appeal is pending and until such appeal has been finalized.
  - All offences shall be dealt with in terms of the procedures set out below.

### **2. Rules of procedure for Minor Offences:**

- Minor offences include all violations of the Activist Code of Conduct that do not pertain to sexual misconduct, violent crime, corruption, fraud, theft, and/or consistent underperformance of duties.
- Minor offences do not require a hearing.
- Any R2K Structure (a PWG, Focus Group, or the NWG) can issue a written warning with regards to any breach of the Activist Code of Conduct.
- Such warning shall state the reason for the warning, the date of issue and date of expiry. A copy shall be handed to the Active Supporter concerned. The Active Supporter will be requested to sign the warning in acknowledgement of receipt thereof.

- The Active Supporter can appeal in writing to the structure within 7 days and a final decision from the relevant structure must be issued within a month of receiving the appeal. This decision will be final.
- The written warning will remain on our records for the months.
- Any Active Supporter who receives three written warnings in a period of three months will be deemed to have committed a major offence and the procedure below will be instituted.

### **3. Rules of procedure for Major Offences:**

- Major offences are violations of the Activist Code of Conduct that include sexual misconduct, violent crime, corruption, fraud, theft, and/or consistent underperformance of duties demonstrated by three written warnings in the course of three months.
- Disciplinary action regarding serious offences shall only be taken against a Active Supporter after a properly convened enquiry has sat and heard the case and thereafter given its decision.
- A disciplinary enquiry shall only be convened no less than 3 days after a charge sheet specifying the charges to be answered to has been handed to the accused, or after the accused and her/his representative have had reasonable access to relevant documents or information.
- The Active Supporter and her/his representative may collect evidence for the defense of the Active Supporter and shall be afforded reasonable facilities and time off to do so.
- An enquiry shall be composed of:
  - A chairperson appointed by the responsible structure (PWG, Focus Group, or NWG)
  - An R2K Representative appointed by the responsible structure to put the case against the accused
  - A translator where necessary and acceptable to both parties
  - An representative from within the R2K for the accused
  - Witnesses called by either side and
  - The accused, as per the charge sheet.
- Enquiries shall be fair and equitable. The representative of the accused shall have the right to call witnesses, put questions to witnesses and to call for adjournments.
- The chairperson of the enquiry may order the proceedings to be recorded on tape when considered necessary. The tapes will be available to all parties concerned.

- After having heard all evidence, the chairperson may adjourn the enquiry and shall reconvene it for the purposes of announcing the verdict (guilty or not guilty) of each charge.
- Where the Active Supporter is found guilty, the chairperson shall hear factors to be taken into account in mitigation and/or aggravation, whereafter a decision on appropriate disciplinary action shall be taken. Such a decision shall be communicated to the Active Supporter concerned in the presence of his representative.
- Disciplinary action may consist of either:
  1. A written warning (that will remain on our records for 3 months)
  2. A suspension (whereby the Active Supporter will be barred from participating in stated R2K activities for a stated period of time)
  3. An expulsion (whereby the Active Supporter may not participate in any future stated R2K activities)
- In the event of a Active Supporter being given a written warning, such warning shall state the reason for the warning, the date of issue and date of expiry. A copy shall be handed to the Active Supporter concerned. The Active Supporter will be requested to sign the warning in acknowledgement of receipt thereof.
- In the event of a Active Supporter being suspended or expelled s/he shall be informed in writing setting out the reasons thereof.
- A Active Supporter may appeal against his or her disciplinary finding to the NWG within 7 days of it being announced. The NWG will respond to the appeal within a month and the NWG's decision will be final.
- In a case where the Active Supporter is disciplined by the NWG, the Active Supporter can appeal to the next National Summit. Such an appeal must be lodged within 7 days of the disciplinary finding being announced. The National Summit decision will be final.

## 4 STAFF CONDITIONS OF EMPLOYMENT

- \* **These conditions of employment only apply to full-time staff of R2K that have worked for the organisation for at least four months and successfully completed the required probationary period.**

### 4.1 Basic Staff Rights

*All staff members have the following rights:*

- *The right to be treated fairly in relation to any employment policy or practice*



- *The right to hold meetings.*
- *The right to negotiate conditions of employment*
- *The right to negotiate salaries.*
- *The right, collectively, to strike.*
- *The right to further education and training.*
- *The right to representatives of their choice.*
- *The right to raise and discuss all work related grievances with the appropriate staff member and/or governing structures of the organisation.*

## **4.2 Duties of employee**

In addition to the duties contained in the job description, the employee will:

- carry out all duties that are assigned to them from time to time. This includes duties not normally associated with their specific position;
- devote her full time and attention, skill and ability to fulfilling their job description and to furthering the interests of R2K;
- observe the utmost good faith towards R2K and the highest standards of social justice;
- not behave in a manner detrimental to the reputation of the R2K;
- not engage in any other work during working hours without the prior written consent of R2K;

## **4.3 Remuneration**

- The continued payment of salaries and granting of benefits are subject to the availability of the necessary funds/financial resources.
- The agreed salary will be paid in arrears on the 25th day of each calendar month or the last working day before that date and will be deposited into the employee's account at a financial institution of their choice.
- The employee agrees that R2K will deduct from their salary all deductions (including tax and UIF), which R2K is lawfully obliged to deduct before making payment to him.
- Staff salaries will be agreed with prospective employees prior to their appointment within the band of the R2K salary scale agreed by the NWG. (See Annexure C: Salary Scales)
- The NWG may – at their discretion – consider an annual inflation related increase to all salaries to protect their purchasing value.
- The NWG may – at their discretion – consider additional individual salary increase within the relevant band of the R2K salary scale. (See Annexure C: Salary Scales)

## **4.4 Working Hours**

- Employees work a maximum of 40 hours per week, unless explicitly otherwise provided in the contract of employment.
- Ordinary working hours are from 09h00 to 17h00, Mondays to Fridays.

- Flexibility in the starting and ending times of the working day is permitted for up to one hour, on condition that the required number of working hours on any working day is fulfilled. In practice, this will mean that a staff member could commence the working day either at 08h00 or 10h00 and consequently complete the working day at 16h00 or 18h00.
- All R2K's employees are required to adhere to office working hours, unless flexi time has been arranged with the immediate supervisor in writing.

## 4.5 Overtime

- Given the nature of the work of R2K, work may happen outside of these ordinary times. As far as is possible the maximum number of hours in a week will be 40 hours.
- Overtime, beyond these 40 hours is to be approved by the line manager prior to work being done on an Overtime Record Form ([www.r2k.org.za/office](http://www.r2k.org.za/office) )
- Overtime can only be claimed where there is a backlog or deadline to be met.
  - Overtime work hours are to be remunerated by the employee being entitled to take paid leave for the equivalent overtime hours at a rate of 1.5 hours leave per hour overtime worked.
  - This means that overtime in any given year cannot exceed the amount of annual leave available to the staff member for that year.
  - In line with the Basic Conditions of Employment Act (1997), not more than 3 hours overtime per day and 10 hours per week are permitted. Such time off is preferably to be taken within 1 month and can be deferred to within a maximum of 3 months of the date of the actual overtime being accumulated.
  - Staff members are required to fill in an overtime form submit to the relevant administrative staff member.

## 4.6 Out of pocket expenses

- All necessary out of pocket expenses properly and reasonably incurred by the employee in the performance of their duties and pre-approved by their immediate supervisor will be repaid to them by R2K on the production of vouchers or such other satisfactory evidence as R2K may require.

## 4.7 Travel

- The employee agrees to make such journeys, whether in or outside the Republic of South Africa or abroad, as are required for the proper performance of their duties whether inside or outside normal working hours.
- A travel budget must be agreed with the Line Manager before such travel
- The travel budget can include a provision for incidentals

- If the travel includes accommodation with a R2K activists then the budget can include a provision to pay for a meal with the host

## 4.8 Annual leave

- The staff members are entitled to 1 working day of annual leave for every 17 days worked and in an addition to that there is a office closure period between Christmas and New Year.
- The employee may only take annual leave that has accrued to her at a time that is convenient to R2K and that has been agreed to between the parties.
- The employee must take her annual leave within the period of his contract no more than 3 months after the expiry of the employee's annual leave cycle.
- The employee must submit writing Leave Application Form ([www.r2k.org.za](http://www.r2k.org.za))
- R2K, in its sole discretion, may grant annual leave to the employee in advance.
- Upon the termination of the employee's employment, for any reason, R2K will pay the employee in full in respect of any leave which has accrued to her but which was not taken prior to the date of termination of their employment.
- R2K will not pay staff instead of granting leave, except on termination of employment

## 4.9 Sick leave

- The employee is entitled to up to six (6) days paid sick leave annually.
- The employee will notify R2K if they need to take sick leave and will also inform R2K of the date and time when they expect to be able to return to work by submitting a Leave Application Form ([www.r2k.org.za](http://www.r2k.org.za))
- R2K reserves the right to request a doctor's certificate or letter from equivalent expert if:
  - the period of leave is in excess of three (3) consecutive working days or falls on a working day immediately before or after a Saturday, Sunday or public holiday; or
  - the employee is absent from work on more than two (2) occasions during any two (2) month period.
- R2K may refuse to pay the employee for sick leave taken if the employee fails to provide a doctor's certificate or letter from equivalent expert immediately upon request.
- The doctor's certificate or letter from equivalent expert should state the following:
  - the nature of the sickness and/or injury, where necessary;
  - the date upon which the employee became unfit for work;
  - the date upon which the employee is expected to resume duty; and
  - the name and qualification of the medical practitioner or equivalent expert who diagnosed the employee.

## 4.10 Maternity & Paternity leave

- Staff members who are the primary care giver to a new-born child are eligible for leave to take care of the new-born child.
- Such staff members are entitled to 4 months off which will be partially paid.
- The staff member will not be entitled to a contribution to her maternity leave pay from the R2K during the first year of employment. However, the NWG may, in its discretion, make an ex gratia contribution to the employee in lieu of paid maternity leave.
- The staff member will be required to apply for the Unemployment Insurance Fund for the maternity benefit at least three months before they undertake maternity leave.
- R2K will top up the amount to be received from UIF, to ensure that staff members receive 100 percent of their salary during maternity leave.
- Maternity leave shall be taken on a date decided upon by the employee subject to the provision of a medical certificate.
- Further leave, up to six months in total of the leave taken, may be extended with unpaid leave or annual leave.
- Staff members, who are not the primary care giver to a new born child, are entitled to 10 working days of leave to be taken approximately 1 week before and 1 week after the birth of the child. Arrangements for such leave to be made with the National Coordinator at least one month prior to such leave being taken.
- The employee must submit a Leave Application Form ([www.r2k.org.za/office](http://www.r2k.org.za/office))
- 

## 4.11 Study Leave

- Staff registered for a course of study may take up to 15 working days of paid study-leave per annum. Proof of study is required for acquiring such leave.
- Upon request from a staff member, study leave is to be granted on the following basis:
  - **Examination Courses:**
    - A maximum of 2 working days per examination, including the day of the actual examination.
  - **Non-examination Courses:** (Post graduate thesis or long-papers)
    - For the completion of post-graduate theses and/or long papers.

## 4.12 Family Responsibility Leave

- The employee is entitled to three (3) days paid family responsibility leave during each annual leave cycle in the event of:
  - the birth or sickness of their child including adopted child; or
  - the death of their spouse, life partner, parent, grandparent, child, adopted child, grandchild or sibling.
- The employee must submit a Leave Application Form ([www.r2k.org.za/office](http://www.r2k.org.za/office))
- Family responsibility leave cannot be accrued by the employee.

## 4.13 Conflict of interest

- The employee will disclose in writing to R2K any interest (whether direct or indirect) that the employee or any family member of the employee has in any entity with which R2K has dealings or in which R2K has an interest.
- Except as provided in this agreement, the employee may not, without the prior written approval of R2K, derive any benefit from any dealings of R2K or any dealing of any entity in which R2K has an interest.
- The employee will withdraw from any decision-making process of R2K in respect of any matter in which their family member has an interest (whether direct or indirect), unless R2K decides that the interest is not relevant or is trivial.

#### **4.14 Staff Loans & Advances**

- R2K does not provide staff loans
- Staff requiring money may apply for an advance to address an emergency.
- Staff are only allowed 3 advances in each calendar year.
- These advances will be deducted from the following salary payment.
- The Finance Team has the sole discretion to grant advances.

#### **4.15 Study Contribution**

- Staff who have completed at least 2 years' service with the organisation are entitled to a study-contribution equivalent to 50% of the cost of part-time study for the payment of course fees only.
- This study-contribution amount is not to exceed R5000.00 in any year of study.
- This study contribution is subject to the following conditions:
  - Proof of payment of the course fees and registration
  - That the staff member studies a course relevant to the work and or activities of the organisation.
  - Such studies do not interfere with the work hours of the employee. Exception can be made by the manager with the requirement these hours should form part of over-time to be worked in by the employee
- Those staff members who have used the benefit within one year prior to their resignation or dismissal are required to pay back a pro-rata amount of the benefit before leaving the employ of R2K.

## **4.16 Property belonging to R2K**

- R2K provides staff with the necessary technical equipment and facilities to complete their work professionally and to the highest standards of quality.
- Staff will take every measure to ensure that such equipment and facilities are used correctly according to the specifications and with reasonable care.
- Similarly, staff are required to ensure the fullest possible security of equipment to protect it from harm and/or theft.
- If property is lost or damaged due to the neglect of the employee the employee will pay the insurance excess of either the repair or replacement of the property
- Upon termination of the employee's employment with R2K the employee is obliged to immediately return all property, photographs, and/or other tangible information concerning or related to R2K and/or any tangible document that contains or relates to any Confidential Information, without retaining copies of any such information.
- In addition, the employee must return to R2K all other material containing information relating to the affairs of R2K, regardless of whether or not such material was originally supplied by R2K to the employee, including but not limited to: records, discs, accounts, letters, notes or memoranda, client lists (whether these have been recorded on paper, magnetic tape, computer disc or otherwise).

## **4.17 Probation**

- All new appointments will be subject to a probationary period of three months, or such longer period as may be decided by PWG or NWG on the recommendation of the line manager.
- The Line Manager is responsible for conducting performance appraisals during the probation period
- At the end of the probationary period, the appointment may be confirmed if the performance of the new employee has been satisfactory, or the period may be extended to allow performance improve, or the appointment may be terminated if the performance and conduct of the new employee have been unacceptable and unsatisfactory.

## **4.18 Termination**

R2K may terminate this contract:

- if the employee commits a breach of a material term under the employment agreement;  
or
- on any grounds which would in law entitle R2K to terminate this agreement.

Upon the termination of this agreement, R2K:

- will be entitled to deduct leave taken by the employee in advance but not yet accrued from their final salary;
- will be entitled to deduct all outstanding loans granted to the employee by R2K from their final salary;
- will pay the employee the value of any annual leave accrued in terms of this agreement but not taken by then.

## **5 STAFF CODE OF CONDUCT**

This code applies to all people who are in the employ of R2K – full-time or part-time, temporary or permanent.

The code is intended to be a guide to staff attitudes and behaviour in relation to their work, the workplace, the people who we serve, our partners and towards each other to ensure a happy and productive workplace that operates in line with R2K's aims and ethos. Infringement of this code could result in disciplinary action against the staff member concerned.

### **5.1 Honesty**

A staff member must be honest with the organisation, fellow staff members and those who we serve at all times. This means:

- You do not misuse the organisation's money. All money that is entrusted in your care for organizational and/or project use must be spent with the knowledge and approval of the organisation according to its administrative policies and procedures. This includes not personally favouring service providers or suppliers and directing our business towards them.
- You are required look after the assets of the organization, e.g. motor vehicles, equipment, furniture etc. The assets of the organization are for the organization's use and may not be used for your personal use without the knowledge and approval of the organization.
- You tell the truth. This means giving a full report and not concealing information from the organization or the constituency that we serve.
- You do not use your position to benefit yourself, but you act for the benefit of the organization.
- When someone in a staff position is involved in dishonesty or corruption, that person shows that s/he is not fit to be a staff member. Staff members who are aware of another's dishonest and/or corrupt activity are required to report this to the National Coordinator.

## 5.2 Commitment & Loyalty

A staff member must be loyal to the organization – its aims, objectives and work.

This means:

At all times you act in the interests of the organisation, its aims, and constituency and in accordance with the constitution and policies of the organisation.

If you belong to other organizations you must make sure that your involvement in other organisations is not in conflict with R2K. If there is any conflict it must be reported to the organisation.

## 5.3 Openness

A staff member should have an open attitude. You should be open to different views and should encourage the expression of different views through the organisation. Out of open expression of different viewpoints, the organization can agree on a collective approach in a democratic way.

R2K encourages the open expression of views and encourages discussion and resolving differences in a democratic way within structures of the organisation.

## 5.4 Criticism

A staff member should encourage criticism of herself/himself and within the organization. However, criticism must be done in a correct way:

- A person must be criticized face to face i.e. in his/her work. At all times you should have consideration for the contribution each person has made.
- Criticism should be specific, so that it may be understood and not vague and general.
- Criticism should be aimed at the improving the individual's and the organisation's performance and not intended to humiliate, undermine or hurt the person towards whom the criticism is aimed.
- Bad-mouthing or gossiping about each other within the organisation or outside is not acceptable. If you have problems with someone in the organisation, you must resolve it with that person or within the organisation through its relevant procedures.

## 5.5 Discipline

A staff member should act in a disciplined manner. This means:

- You should not act on your own.



- You should ensure that issues are discussed in the correct way and matters are decided upon in line with the structures of the organisation.
- You do not make allegations that are unfounded or spread rumours.
- You respect decisions taken by the organisation in terms of its structures, whether or not you personally agree with it.

## **5.6 Hard Work**

A staff member must be willing to work hard and to the best of their ability.

## **5.7 Objectivity**

A staff member must be objective. This means:

- Issues must be presented to each other in an objective way, and not in a way that is coloured by your personal views or prejudice. If there are different views on an issue, all the views must be presented in a fair way.
- You listen to what others have to say and have regard for the views of others before putting your own views. You never try and impose your own views without regard for the views of others.
- Personal issues and considerations should play no part in decisions of the organization, and work issues.

## **5.8 Equality**

Discriminatory attitudes and behavior will not be tolerated in the organization

All comrades should be treated as equals and any attitude which discriminates against another comrade is incorrect. This includes discrimination on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth..

## **5.9 Chauvinism**

We should not have chauvinist attitudes or encourage such attitudes in the organization. Chauvinism is an excessive pride or boastfulness such as:

- The attitude that “my work” or “my project” or “my organisation” is better than another.

## **5.10 Professionalism**

A staff member should behave in a professional way in relation to his/her work. A professional is someone who works full-time and maintains a high standard in her/his work. Professional standards apply to all persons in staff positions. By this we mean:

- Being reliable;
- By being on time at work and for appointments;
- Keeping promises that you make and not making promises that you can't keep;
- Being efficient and getting the work done in an efficient manner;
- Becoming highly skilled in all aspects of your work and learning new skills;
- Acknowledging and respecting the leadership, decision-making structures, positions and processes of the organisation.

## **5.11 Resolving Differences**

Staff members must respect each other and be able to resolve differences in the organization in a correct way. Where there are differences:

- You should try to bring together the persons between whom differences exist. You should not discuss a problem without everyone involved in that problem being present, but at the same time you should not necessarily involve others who are not involved in the problem.
- You should encourage people to express their views, in the spirit that there is often no one right way.
- You do nothing which will make the problem worse, e.g. dogmatic, overbearing attitudes that make differences more difficult to resolve.
- Time is needed for discussion. No decisions in appropriate meetings and structures should be taken without full and thorough discussions.
- If possible decisions should be by consensus. If this is not possible then a decision must be taken where appropriate, by majority vote or the structures or individuals empowered to make decisions.

## **5.12 Professional behavior and mutual respect**

The personal behaviour of a staff member can have consequences for the organisation. In particular the following points must be borne in mind:

- Drug use that intoxicates or excessive drinking of alcohol while on duty or on organisational business will not be tolerated.

- Love affairs between people in the organisation can create problems in the organization and is discouraged.
- Differences and criticism between each other should be raised directly in a comradely and supportive way. Public “spats”, humiliating each other publicly and rudeness between staff members is unacceptable will not be tolerated.
- Staff are required to treat each other with respect and ensure that they greet each other and refrain from treating each other with hostility at all times.
- R2K office space is primarily a work-space shared by staff and activists. Staff members should respect this fact and not behave in a way that disturbs or distracts others from their work such as loud conversations, shouting at each other, and loud outburst of laughter etc.
- Your personal appearance should be neat.

## **5.13 Political Understanding**

- R2K employees are encouraged to play an active part, in their personal capacity, in a community group/social movement/political party of their choosing. Such participation can only happen outside of working hours and R2K resources may not be used for such purposes.
- R2K employees may NOT hold any official position (such an elected/appointed leader) in a political party or group.
- R2K employees may hold an elected/appointed leadership position in a community organisation/social movement. In such instances the employee must inform the PWG/NWG of her/his involvement within two weeks of this happening and avoid any conflicts of interest including recusing themselves from decision making when this arises.

## **5.14 Political Involvement**

R2K sees its employees as politically committed and informed staff members and accordingly and they must bear that responsibility which means that their activities in their own time concerns and affects R2K - in particular, involvement in political parties/groups and/or community organisations.

Consequently staff are asked to advise the NWG of any such involvement that they may have.

## **5.15 Commitment to the Code of Conduct**

All staff are required to commit adherence to the code of conduct whilst in the employ of R2K.

# 6 DISCIPLINARY PROCEDURE

## 6.1 Principles:

The purpose of discipline is to regulate behaviour and not merely to punish transgressions. Discipline must be seen as a total concept, which embraces communication of rules and regulations, retraining, encouragement and guidance as well as negative incentives. The emphasis should be corrective, not punitive.

It is the organisation's responsibility to train staff members to the required standards beyond the formal requirements and competencies of the job.

No formal disciplinary action shall be taken before an enquiry has been convened to hear the case.

Every staff member shall have to right to state her/his case and to be represented (see below):

- No staff member may be unfairly disciplined
- All offences shall be dealt with in terms of the procedures set out below.
- Staff members shall have the right of appeal and no disciplinary action will be implemented while the appeal is pending and until such an appeal has been finalized.

## 6.2 Rules of procedure:

Disciplinary action shall only be taken against a staff member after a properly convened enquiry has sat and heard the case and thereafter given its decision.

A disciplinary enquiry shall only be convened

- at not less than 3 working days after a charge sheet specifying the charges to be answered to, has been handed to the accused, or
- after the staff member and her/his representative have had access to the staff member's employment records for the purposes of preparing for the enquiry, or
- after the accused and her/his representative have had reasonable access to any documents or information e.g. log books, statements, correspondence, training records etc, for the purposes of preparing for the enquiry.

The staff member and her/his representative may collect evidence for the defence of the staff member and shall be afforded reasonable facilities and time off to do so.

An enquiry shall be composed of:

1. A chairperson appointed by the NWG or PWG

2. An Employer's Representative appointed by the NWG or PWG to put the case against the accused,
3. a translator where necessary and acceptable to both parties,
4. an Employee representative from within the R2K for the accused (in the case of a union member, her/his representative,
5. Witnesses called by either side and
6. the accused, as per the charge sheet.

Enquiries shall be fair and equitable. The accused representative shall have the right to call witnesses, to put questions to witnesses and to call for adjournments.

The chairperson of the enquiry may cause the proceedings to be recorded on tape when considered necessary. The tapes will be available to all parties concerned.

After having heard all evidence the chairperson may adjourn the enquiry and shall reconvene it for the purposes of announcing the verdict, guilty or not guilty of each charge.

Where the Employee is found guilty, the Chairperson shall hear factors to be taken into account in mitigation and/or aggravation whereafter the decision on disciplinary action, if any shall be taken. Such decision shall be communicated to the Employee concerned in the presence of his representative.

Disciplinary action may consist of either:-

A written warning; or

a final writing warning; or

a relocation/transfer; or

a demotion; or

a dismissal

In the event of a staff member being given a formal written warning, such warning shall state the reason for the warning, the date of issue and date of expiry. A copy shall be handed to the staff member concerned. The Employee will be requested to sign the warning in acknowledgement of receipt thereof.

By so doing s/he does not necessarily admit guilt or agree with the disciplinary action taken and having signed the reprimand form the staff member may still invoke the grievance procedure if s/he does not agree the warning is justified. Any written warning shall be valid for a period of up to 90 days whereafter it shall be removed from the staff member's record.

In the event of a staff member being dismissed s/he shall be informed in writing setting out the reasons therefore.

An employee may appeal against his or her dismissal to the NWG within 7 days of it being announced. An appeal against any sanction less than dismissal must be made within 7 days to the NWG or the PWG (as is appropriate).

# 7 WORKPLACE POLICY ON HIV & AIDS

## Preamble and General Principles

### 1.1 Preamble

With this policy, the NWG of R2K acknowledge the seriousness of the HIV & Aids epidemic in South Africa and its detrimental impact on workers, the working class and society as a whole.

R2K shares the understanding of Aids as a chronic, life threatening disease with social, economic and human rights implications. It seeks to minimize these implications through the implementation of continuous education and communication activities on HIV & Aids related issues with its staff, volunteers, interns and community, and commits itself to provide leadership in implementing this policy and to continuously provide programmes about HIV & Aids for the working class in general. R2K is committed to addressing HIV & Aids in a positive, supportive and non-discriminatory manner, with informed support and cooperation of all employees in dealing with HIV & Aids in the workplace.

R2K is committed to creating and maintaining a safe working environment for all employees and undertakes to deal with an HIV & Aids infected employee in the same manner as it would with employees suffering from any other form of life threatening disease with due consideration for the interests of all concerned.

### 1.2 Purpose

The purpose of this policy is:

- To ensure a uniform, fair and compassionate approach in managing the impact of HIV & Aids in the workplace of R2K and to decrease possible new infections among staff, volunteers and interns of R2K and to create an environment of openness and knowledge with regard to HIV & Aids at the workplace.
- To create a supportive working environment where employees who are HIV positive can get assistance and support.
- To Respect confidentiality and treat employees who contract the virus in a dignified and life affirming manner.

### 1.3 Policy principles

To ensure that confidentiality of the individual is protected.

Employees living with HIV & Aids have the same rights and obligations as all staff and they and all staff shall be protected against all forms of discrimination based on their HIV status.

To promote and implement education, training and counseling around HIV & Aids.

To ensure fair labour practices within R2K in relation to HIV.

#### **1.4 Confidentiality & disclosure**

1.4.1 Persons with HIV & Aids have the right to confidentiality and privacy concerning their health and HIV status.

1.4.2 Where an employee contracts HIV & Aids R2K accepts that it is not mandatory to disclose their status to the employer or employees.

1.4.3 No person will be advised of the individuals HIV status without the employee's prior consent.

1.4.4 Any breach of confidentiality will be regarded as a serious offence and treated accordingly.

#### **1.5 Discrimination**

1.5.1 No discrimination, prejudice or victimisation, directly or indirectly in any employment policy or practice or practice on the grounds of HIV & Aids status will be tolerated.

1.5.2 Where unfair discrimination has occurred the grievances and disciplinary policy and procedures will apply.

1.5.3 Such employees will be treated in a just, dignified and life affirming way.

#### **1.6 Working conditions and fair labour practices**

1.6.1 Resource permitting R2K guarantees employees living with HIV & Aids to work as long as they are able to perform their duties in accordance with R2K's job requirements.

1.6.2 When selecting applicants or employees, the medical criteria for employment is fitness to fulfill job requirements. Therefore prospective and existing employees will not be required to undergo HIV testing as a selection procedure for employment or job advancement.

1.6.3 Additional sick leave for HIV infected employees can be negotiated with R2K 's line manager and approved by the NWG. .

1.6.4 An employee with HIV & Aids is expected to meet the same performance requirements that apply to other employees with 'reasonable accommodation' where required.

1.6.5 An employee incapacitated by full blown Aids should be dealt with in terms of labour legislation on incapacity owing to ill health.

1.6.6 R2K will take reasonable steps to assist employees who become infected with HIV & Aids as a result of an accident at the workplace to claim compensation.

1.6.7 Refusal to work with an HIV positive colleague is unacceptable and will lead to disciplinary measures being taken.

## **1.7 Grievance procedures**

- 1.7.1 Should an individual feel uncomfortable to discuss a grievance relating to his/her HIV & Aids status with the R2K line manager such an individual should be encouraged to contact the National Coordinator or member of the NWG for assistance.
- 1.7.2 Breach of this policy shall be dealt with under the existing disciplinary and grievance procedure of R2K.

## **1.8 Employee benefits**

- 1.8.1 Employees with HIV & Aids have the right to receive the same employee benefits as all other employees, and will be treated as any other employee when becoming ill, and/or living with a life threatening illness with regard to employee benefits.
- 1.8.2 When an employee is no longer able to continue employment as a result of the impact of HIV & Aids R2K will apply its rules governing retirement due to ill health, failing which incapacity will apply.

## **1.9 Guidelines**

- 1.9.1 This policy and guidelines may be reviewed and amended as the need arises.

# **8 STAFF PERFORMANCE APPRAISALS POLICY AND PROCESS**

Performance appraisals are done by the organisation to evaluate the performance of individual staff members to assess the extent to which they are fulfilling their job-requirements as per their job description and contributing towards the success of R2K and its projects.

Performance appraisals are not related to grading staff nor taken into account for annual salary increases and adjustments as it pertains to existing job descriptions and is a separate process. It can however assist in evaluation of staff member's eligibility for promotion.

Appraisals will be done and managed by the Line Manager. It will be done twice per annum and completed during June and November.

The process must include staff member concerned and could include peer review and consultations with other members of staff.

### **SUCH CONSULTATIONS SHALL INCLUDE FOCUSING ON**

1. Agreement on priority of Job Objectives;
2. Areas meeting or more than meeting standards;



3. Identification of achievements over the last 6 months;
4. Areas where standards are not being met;
5. Identification of barriers/frustrations and enablers over the last 6 months;
6. Personal career path and areas of interest in the organisation;
7. Main job goals over the last 6 months;
8. Training requirements and opportunities for growth and development;
9. Overall performance rating

## PROCESS

- Staff members are given appraisal forms to complete at least one week before the date for appraisal meetings (self appraisal).
- The Line Manger then meets with the individual staff members to finalise their appraisal and sign off on an allocated score.
- If a staff member is not satisfied with the scoring they can take it up via the grievance procedure.

# 9 FINANCE POLICY

## 9.1 General provisions

1. An independent auditor will be appointed to audit annual financial statements.
2. The auditor will be appointed by the NWG
3. The Campaign must have a bank account with proper controls detailed below.
4. Levels of authority for becoming **bank signatories** must be agreed by the NWG and full lists of duly authorised officials must be made available for the administrators and finance personnel.
5. Responsibility for **updating the lists** and for providing mandates to the bank(s) must also be done by the NWG.
6. Copies of the **current mandates** must be retained in the files of the organisations.

7. **Levels of authority** for approving cheque requisitions and **signing cheques** must be agreed by the NWG,
8. All cheques must be signed by at least **two signatories**.
9. All EFTs must be released by at least 2 signatories
10. The Administrator should not be a signatory.
11. The current **cheque book** should always be retained at the office of the organisation and should, under no circumstances, be removed. The cheque book should remain under the control of the Administrator or delegated person in the office and held in a locked fireproof cabinet.
12. Clear arrangements for obtaining **bank statements** from the bank must be made. New, and changes to, stop or **debit orders** must also be authorised by the signatories.
13. All payments for goods/services received must be made against properly authorised documentation and available budget lines and actioned through two authorised signatories.
14. The bank reconciliation should be performed monthly ensuring that the financial records capture in the accounting software reconcile with the bank statement ensuring that the organisation's records agree to the bank statements.

## 9.2 Receipting and Banking

All money received, either as cash or cheques, must be recorded immediately on receipt and must all be banked promptly and intact.

1. All donor applications and contracts and reports must be kept on file.
2. A record of all donor applications must be updated monthly and kept on file.
3. Where money is received from a donor or statutory funder, acknowledge receipt according to their requirements and file a copy of the acknowledgement with the remittance advice / receipt document.
4. Details of all donations though the website and bank account must be kept on file
5. When any money is received, a pre-numbered receipt must be issued to the person giving the money by the person receiving the payment.
6. No money received must ever be used to fund expenses; it must all be banked.
7. All cash must be deposited in the main R2K Bank account and a record sent to the Administrator

## 9.3 Disbursing Programme Funds

When disbursing programme funds the following steps must be followed:

1. **Staff must complete a Request For Funds Form (Form 1) detailing a budget for envisaged activities.** ([www.r2k.org.za/office](http://www.r2k.org.za/office))
2. Request For Funds Form (Form 1) must include an indication of expenses that will be paid:
  - a. Via EFT from the National Office
  - b. Via cheque or EFT as an advance to the relevant staff member or province
3. The Request For Funds Form must be approved by the relevant line manager confirming that it reflects agreed programme
4. The Request For Funds must be approved by the National Coordinator confirming requested funds are available based on cash flow and donor commitments
  1. Any expense over R5000 requires three comparative quotes and the approval of the Finance Team unless, in exceptional circumstances, a Working Group or Focus Group motivates in writing for a service provider that is uniquely placed to meet the needs of the campaign - and this motivation is accepted Finance Team.
5. The Administer must then prepare a National Office EFT/cheque Requisition Form to authorize the payment
  1. In the case of an advance the Request For Funds Form must be attached to the National Office EFT/cheque Requisition Form
  2. In the case of a follow-up advance, a record of the reconciliation of the previous advance must be attached to the National Office EFT/cheque Requisition Form
  3. In the case of a EFT payment an invoice made out to the Right2Know campaign must be attached to the National Office EFT/cheque Requisition Form
  4. In the case of a EFT payment over R5000 three comparable quotes must be attached to the National Office EFT/cheque Requisition Form unless, in exceptional circumstances, a Working Group or Focus Group motivates in writing for a service provider that is uniquely placed to meet the needs of the campaign - and this motivation is accepted by the Finance Team.
6. Two signatories mandated by the NWG must satisfy themselves that the National Office EFT/cheque Requisition Form and supporting documentation are in order and sign approval of the payment
7. The Administer must then prepare a cheque or load the payment to the internet banking
  1. Cheques may not be made out to 'cash'
8. Two signatories mandated by the NWG must either sign the cheque or release the intern banking payment.
  1. In the case of a cheque the recipient must sign the National Office EFT/cheque Requisition Form acknowledging receipt of the cheque.
9. In the case of an advance to a staff member/province the advance must be recorded in a schedule of advances

## 9.4 Disbursing Funds for Overheads & Coordination

When disbursing funds for overhands & coordination the following steps must be followed:

1. An invoice made out to the Right2Know campaign must be submitted to the Administrator
  1. If the invoice is over R5000 it must be accompanied by three comparative quotes and the approval of the Finance Team unless, in exceptional circumstances, a Working Group or Focus Group motivates in writing for a service provider that is uniquely placed to meet the needs of the campaign - and this motivation is accepted by the Finance Team.
2. The Administer must then prepare a National Office EFT/cheque Requisition Form with supporting documents to authorize the payment
3. The National Office EFT/cheque Requisition Form must be approved by the National Coordinator confirming requested funds are available based on cash flow and donor commitments
4. Two signatories mandated by the NWG must satisfy themselves that the National Office EFT/cheque Requisition Form and supporting documentation are in order and sign approval of the payment
5. The Administer must then prepare a cheque or load the payment to the internet banking
  1. Cheques may not be made out to 'cash'
6. Two signatories mandated by the NWG must either sign the cheque or release the intern banking payment.
  1. In the case of a cheque the recipient must sign the National Office EFT/cheque Requisition Form acknowledging receipt of the cheque.

## 9.5 Disbursing cash & reconciling advances

1. When funds are advanced to a R2K staff member they are responsible for managing and reconciling these funds.
2. In the case of R2K provincial debit cards only the mandated staff member should have the card PIN number.
3. When cash is issued to suppliers R2K should be issues with a slip or invoice
4. When cash is issued to a person or supplier that cannot provide a slip/invoice they should sign acknowledging receipt of the cash on FORM 2: Cash Claim Form ([www.r2k.org.za/office](http://www.r2k.org.za/office))

5. The Cash Claim Form must include:
  1. The name and contact number of the person receiving the cash;
  2. In the case of transport, the details of travel
  3. The signature of the person acknowledging receipt
  4. The signature of the R2K Staff member disbursing the funds
6. The R2K Staff member responsible for the advance should ensure the proof of expenditure is submitted to the Administrator as soon as possible with a completed FORM 3: Advance Reconciliation Form ([www.r2k.org.za/office](http://www.r2k.org.za/office))
  1. The Advance Reconciliation Form should be submitted together with supporting slips and Cash Claim Forms.
7. The Administrator should study the supporting documentation and confirm that the Advance Reconciliation Form accurately reflects expenditure.
8. The National Coordinator should study the supporting documentation and confirm that the Advance Reconciliation Form accurately reflects expenditure that is in line with donor commitments and sign his/her approval
9. The Administrator should maintain a record of advances and reconciliations, and record the reconciled expenditure against the advance.
10. No new advance should be issued until the previous advances have been accounted for in its entirety.
  1. This can include the balance of funds still in a bank and/or a written confirmation of the cash still on hand
  2. This confirmation must be made by the relevant staff member and the Administrator
  3. If the Administrator is not physically present to confirm the cash on hand this can be done in writing by a third party
11. If the relevant staff member cannot account for the full advance s/he will be liable for the missing funds
12. Missing funds will be deducted from the Staff member's salary on terms agreed with the Staff member, but not longer than 3 months.

## **9.6 Disbursing & Reconciling Secondary Advances**

### **1. Introduction:**

1. Primary Advances are made from the National Account to staff members (either individual staff or staff responsible for provincial accounts).
2. Making Secondary Advances to activists (or other staff) will entail exposure to greater risk of fraud and financial mismanagement and will require additional work from administrative staff (national & provincial) and activists (Provincial Coordinators & activists receiving secondary advances).

3. R2K's organisational principles and culture include a foundational commitment to transparency, accountability, and the fight against corruption.
4. The opportunities presented by enabling activists to undertake R2K work that includes disbursing funds without the presence of a staff member outweigh the increased risk.
5. Therefore we will adopt the following policy and procedures to enable Secondary Advances and ensure maximum transparency and accountability and minimise risk.

## 2. Administering Secondary Advances:

1. All Secondary Advances will be administered by the staff member who received the Primary Advance and is responsible for the Primary Advance.
2. This staff member will follow the policy and processes below and include all supporting documents related to Secondary advances in their reconciliation of the Primary Advance. These documents will include the record of the approved Secondary Advance and the record of the reconciled secondary advance (including all the proof of payments for transactions).
3. In the case of R2K Provinces, Provincial Administrators will be responsible for all advances made into the R2K Provincial Debit Card accounts.
4. No one can approve a Secondary Advance to themselves.
5. Anyone making Secondary Advances must maintain a file of all completed [R2K Secondary Advance Approval & Reconciliation Form](#) and an updated [R2K Summary Record of Secondary Advances Form](#).
6. Transactions from Secondary Advances will be captured in R2K Pastel accounts when they are submitted as part of the reconciliation of the Primary Advance. (Other details of the Secondary Advance do not need to be captured in R2K Pastel accounts).

## 3. Disbursing Secondary Advances:

1. All details of a Secondary Advances will be recorded on a [R2K Secondary Advance Approval & Reconciliation Form](#) (See APPENDIX 1)
2. Sections 1, 2 & 3 will be completed before Secondary Advance is dispensed. These sections include:
  - a. The date, overall purpose, and any budgeting specifics of the advance (Section 1)
  - b. Details of person receiving the advance (Section 2)
  - c. A signature of the line manager / coordinator approving the advance (Section 3.1);
  - d. A signature of the staff member responsible for the Primary Advance acknowledging the Secondary Advance (Section 3.2);
  - e. A signature of the a person acknowledging receipt of the advance (Section 3.3);
3. Once Sections 1, 2 & 3 are completed:
  - a. The staff member responsible for the Primary Advance should record details of the advance in SECTION 1 of their copy of the [R2K Summary Record of Secondary Advances Form](#). (See APPENDIX 2)
  - b. The recipient of the Secondary Advance is responsible for dispersing the funds as per the recorded purpose of the advance and inline with all relevant R2K

policies - including financial policies and collecting supporting documentation to prove payments.

#### 4. Reconciling Secondary Advances

1. Once funds have been spent the recipient of the advance should submit a standard FORM 3: Advance Reconciliation Form summarizing the transactions made and accompanied by supporting documentation. – example of this?
2. The Line Manager / Coordinator and the Staff members responsible for the primary advance should both check the accuracy of the Advance Reconciliation Form and legitimacy supporting documents.
3. Once all parties are satisfied with the Advance Reconciliation they should complete sections 4 & 5 of the original [R2K Secondary Advance Approval & Reconciliation Form](#). This includes include:
  - a. The Date and signatures of person who received the Secondary Advanced, person responsible for Primary Advanced, and Line Manager/Coordinator confirming details of reconciliation (Section 4)
  - b. Confirmation that All funds advanced have been reconciled with records of payments (or return of funds) or, if this is not the case, where memorandums were generated or (if there are still unaccounted for funds) what steps have been taken to address unaccounted for funds (Section 5).
4. Once Section's 4 & 5 are completed:
  - a. The staff member responsible for the Primary Advance should record details of the reconciliation in SECTION 2 of their copy of the [R2K Summary Record of Secondary Advances Form](#) corresponding to the record of the advance - including, whether Memorandums were used and what steps will be taken if funds remain unaccounted for.
  - b. When reconciling the initial Primary Advance, the responsible staff member must include the Advance Reconciliation Form and supporting documentation of the Secondary Advance as well as a copy of the completed [R2K Secondary Advance Approval & Reconciliation Form](#).

#### 5. Unaccounted for funds

1. If any funds cannot be accounted for with either supporting documentation or returned cash a [R2K Memorandum Regarding Unaccounted for Funds](#) must be completed (See APPENDIX 3).
  - a. Section 1 must be completed by the person who received the Secondary Advance and should include details of the circumstances relating to the unaccounted for funds;
  - b. Section 2 must be completed by a Line Manager/Coordinator who should either accept or reject the explanation after considering the circumstances including any secondary evidence and the 'material' nature of amount, as well as the individual's history of financial management.
2. Once completed, the Memorandum should be included in the advance reconciliation as supporting documentation for the expenditure.

3. If the explanation detailed in the Memorandum is not accepted then the completed Memorandum should indicate the steps to be taken to address this unaccounted for amount. These steps can include:
  - a. Adopting a process to recoup the missing funds (in the case of R2K employees this will be a deduction from salary as outlined Primary Advance Policy) that is resolved within 2 weeks.
  - b. Writing off the loss with approval of the Fin Team;
  - c. Issuing a verbal warning;
  - d. Initiating disciplinary action;
  - e. Initiating criminal action with the approval of the NWG;

## 9.7 Petty Cash

A float should be issued to all administrators (National & Provincial) based on the need to meet incidental costs where a cheque is not appropriate (for items such as postage, etc).

1. Every payment out of the petty cash must be recorded on a FORM 2: Cash Claim Form describing the **nature and purpose of the expense** and the **amount** issued.
2. This Form should be signed by the person receiving the money and the Administrator responsible for making the payments.
3. Wherever possible, **external** supporting vouchers should be attached to Form, such as till slips, invoices, receipts, etc.
4. No additional amounts should be issued until the original float amount has been fully accounted for. At all times the cash on hand plus the total that which has been spent should equal the float amount.
5. Petty cash should be kept in a separate **locked cash box**. This should not be mixed with any other cash. Any shortfall must be recovered from the custodian.
6. Only **one person** should have control over the petty cash and the box so that one person is held fully responsible for the petty cash float. It should not be passed from one person to another but, if this cannot be avoided, the **cash and vouchers must be checked by both parties** and signed for to ensure responsibility is passed officially.
7. If the relevant staff member cannot account for the full advance s/he will be liable for the missing funds
8. Missing funds will be deducted from the Staff member's salary on terms agreed with the Staff member, but not longer than 3 months.

## 9.8 Remuneration

1. R2K pays for full time, part time and ad-hoc labour to address specific capacity gaps;



2. Unless the NWG agrees otherwise, all part time and ad-hoc will be selected in line with either R2K's Recruitment Policy or procurement policy.
3. Unless R2K can determine satisfactorily that they are an independent contractor (consultant) we will appoint them as a part-time employee and assume all the associated legal responsibilities of an employer
4. If the selected person wishes to be contracted as an independent contractor (consultant) they should complete the [R2K Form Establishing the Legal Nature of Work to be Undertaken](#). If they answer "yes" to any of the determining questions they will be contract as an employee. If they answer "no" to all of the determining questions they will be contract as a consultant.
5. The continued payment of salaries and granting of benefits are subject to the availability of the necessary funds/financial resources.
  1. The agreed salary will be paid in arrears on the 25th day of each calendar month or the last working day before that date and will be deposited into the employee's account at a financial institution of their choice.
  2. R2K will deduct all deductions (including tax and UIF), which R2K is lawfully obliged to deduct before making payments.
  3. R2K will not pay staff instead of granting leave, except on termination of employment
  4. Staff salaries will be agreed with prospective employees prior to their appointment within the band of the R2K salary scale agreed by the NWG. (See Annexure C: Salary Scales)
  5. The NWG may – at their discretion – consider an annual inflation related increase to all salaries to protect the purchasing value of salaries.
  6. The NWG may – at their discretion – consider additional individual salary increase within the relevant band of the R2K salary scale. (See Annexure C: Salary Scales)

## 9.9 Out of pocket expenses & travel

1. All necessary out of pocket expenses properly and reasonably incurred by the employee in the performance of their duties and pre-approved by their immediate supervisor will be repaid to them by R2K on the production of vouchers or such other satisfactory evidence as R2K may require.
2. A travel budget must be agreed with the Line Manager before such travel
3. The travel budget can include a provision for incidentals
4. If the travel includes accommodation with a R2K activists then the budget can include a provision to pay for a meal with the host

## 9.10 Managing Cash flow

The organisation must manage its cash flow to ensure that it does not go into overdraft, and that it maximises interest earned on available funds.

1. Where available, make use of electronic banking facilities to have daily access to bank statements, which will facilitate cash flow management.
2. The National Coordinator with another signatory is authorised to transfer funds between bank accounts of the organisation.
3. The National Coordinator should anticipate expenditure, and transfer sufficient funds into the current account to cover expenditure.
4. Cash flow forecasts should be done regularly and presented to the Finance Team and NWG monthly.
5. A summary of the cash position and the cash flow requirements for the month ahead should be prepared for Finance Team and NWG monthly.

## 9.11 Budgeting & Financial Reporting

- An annual budget for the Campaign must be adopted by the NWG
- Additional “Special Project” budgets must be adopted by the NWG and recorded as a Special Project in the Char of Accounts
- When adopting a Special Project, the NWG will consider
  - (1) Extent to which this part of mandate and budget agreed at National Summit
  - (2) Extent to which we have administrative capacity to accommodate work
- Monthly cash flow reports must be presented to the Finance Team and NWG
- A monthly Trial Balance be presented to the Finance Team and NWG
- The annual Budget and most recently audited financial statements must be presented to the National Summit

## 9.12 Property belonging to R2K

- R2K provides staff with the necessary technical equipment and facilities to complete their work professionally and to the highest standards of quality.
- All assets ( items that will be useful to the organisation for more than a year and that cost or are worth more than R 1000 per item.) must be recorded in an asset register
- The **asset register** should be maintained listing the following details:

The allocated label number

description of the item,

identifying marks, i.e. registration number, make or brand, etc,

date of purchase

cost of item,

the location (where asset is located), and  
date and proceeds (if any) of disposal.

- The fixed assets should be **physically checked** against the register at least once per year, to ensure the register is up to date and that all assets are still operating effectively.
- All new items received during the year should be added to the register.
- All assets must be ensured
- The NWG must approve all **disposals of fixed assets**:
  - Disposals made to a staff member should be authorised in writing by two designated members of the NWG.
  - All items disposed of should be noted in the fixed asset register, reflecting the proceeds received on disposal.
- Staff will take every measure to ensure that such equipment and facilities are used correctly according to the specifications and with reasonable care.
- Similarly, staff are required to ensure the fullest possible security of equipment to protect it from harm and/or theft.
- If property is lost or damaged due to the neglect of the employee the employee will pay either for the repair, replacement of insurance excess of repair/replacement
- Upon termination of the employee's employment with R2K the employee is obliged to immediately return all property, photographs, videotapes, and/or other tangible information concerning or related to R2K and/or any tangible document that contains or relates to any Confidential Information, without retaining copies of any such information.
- In addition, the employee must return to R2K all other material containing information relating to the affairs of R2K, regardless of whether or not such material was originally supplied by R2K to the employee, including but not limited to: records, discs, accounts, letters, notes or memoranda, client lists (whether these have been recorded on paper, magnetic tape, computer disc or otherwise).

## 10 ANTI-CORRUPTION POLICY

### 1. POLICY STATEMENT

1.1 It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting, fairly and with integrity in all our relationships wherever we operate and to implementing and enforcing effective systems to counter bribery.

1.2 We will uphold all laws relevant to countering bribery and corruption. We remain bound by the laws of our country, regarding corruption and bribery, in respect of our conduct both at home and abroad.

1.3 The purpose of this policy is to:

- (a) set out our responsibilities, and of staff working for us and activists working with us, in observing and upholding our position on bribery and corruption; and
- (b) provide information and guidance to staff working for us and activists working with us on how to recognise and deal with bribery and corruption issues.

1.4 Bribery and corruption are punishable for individuals by imprisonment and if we are found to have taken part in corruption we could face a fine and face damage to our reputation. We therefore take our legal responsibilities very seriously.

1.5 We have identified that certain of our activities create particular risks for our organisation, in particular:

- (a) Collaborations with individuals or other organizations (whether formal or informal);
- (b) Recruitment of staff;
- (c) Receipt of gifts and donations;
- (d) Grant funding; and
- (e) Procurements.

1.6 To address these risks we have taken the following steps:

- Agreed that in the case of any perceived or actual conflict of interest must be declared and recorded and group tasked with making the decision may ask the effected party to recuse themselves from the decision making process.
- To elect or appoint a Compliance Officer at their first meeting of each new NWG to ensure compliance with the anti corruption and Bribery issues and policy;
- Retain standard clauses relating to our Anti Corruption and Bribery Policies issues for inclusion in key contractual documentation.

1.7 In this policy, **third party** means any individual or organisation you come into contact with during the course of your work for us, and includes actual and potential project partners, affiliates, suppliers, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

## 2. WHO IS COVERED BY THE POLICY?

This policy applies to all individuals working with the R2K, including staff, activists consultants, volunteers, interns, sponsors, or any other person associated with us (collectively referred to as **staff/activists** in this policy).

### **3. WHAT IS BRIBERY?**

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

### **4. HOSPITALITY AND GIFTS**

4.1 This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties and the giving or receipt of gifts, provided that this is done in accordance with Policy of the R2K.

4.2 Normal and appropriate hospitality and gifts would include where the hospitality or gift:

- (a) is not made with the intention of influencing a third party to obtain or retain or to reward any commercial, contractual, regulatory or personal advantage ;
- (b) complies with local law;
- (c) is given in our name, not in your name;
- (d) does not include cash or a cash equivalent (such as gift certificates or vouchers);
- (e) is appropriate in the circumstances.
- (f) taking into account the reason for the gift, is of an appropriate type and value and given at an appropriate time;
- (g) is given openly, not secretly; and
- (h) is not offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the Compliance Officer.

### **5. WHAT IS NOT ACCEPTABLE?**

It is not acceptable for you (or someone on your behalf) to:

- (a) give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a any commercial, contractual, regulatory or personal advantage will be received, or to reward a business advantage already given;
- (b) give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;

- (c) accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a any commercial, contractual, regulatory or personal advantage for them;
- (d) accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that any commercial, contractual, regulatory or personal advantage will be provided by us in return;
- (e) threaten or retaliate against another staff/activist who has refused to commit a bribery offence or who has raised concerns under this policy; or
- (f) engage in any activity that might lead to a breach of this policy.

## 6. FACILITATION PAYMENTS AND KICKBACKS

6.1 We do not make, and will not accept, facilitation payments or "kickbacks" of any kind.

6.2 If you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Compliance Officer.

6.3 Kickbacks are typically payments made in return for a business favour or advantage. All **staff/activists** must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

## 7. DONATIONS TO POLITICAL PARTIES

We do not make contributions to political parties.

## 8. YOUR RESPONSIBILITIES

8.1 You must ensure that you read, understand and comply with this policy.

8.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control. All **staff/activists** are required to avoid any activity that might lead to, or suggest, a breach of this policy.

8.3 You must notify your line manager, Coordinator/PWG and/or the Compliance Officer as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.

8.4 Any employee or activist who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct.

## 9. RECORD-KEEPING

9.1 We must keep financial records and have appropriate internal controls in place.

9.2 You must declare and keep a written record of all hospitality or gifts accepted or offered.

9.3 You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policies and specifically record the reason for the expenditure.

9.4 All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

## 10. HOW TO RAISE A CONCERN

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries, these should be raised with your line manager, Coordinator and/or the Compliance Office. It is important that you tell the Compliance Officer as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

## 12. PROTECTION

12.1 **staff/activists** who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

12.2 We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform

the Compliance Officer immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure.

### **13. WHO IS RESPONSIBLE FOR THE POLICY?**

13.1 The Compliance Officer have overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

13.2 The Compliance Officer has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

13.3 If there is an alleged or suspected breach of this policy the Compliance Officer will immediately bring this to the attention of the National Working Group.

### **15. MONITORING AND REVIEW**

15.1 The Compliance Officer will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible.

15.2 All **staff/activists** are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

15.3 **staff/activists** are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Compliance Officer.

## **11 . Recruitment Policy**

The Right2Know commits itself to upholding the principles of social and labour justice, fairness, equity and human dignity enshrined in the Constitution and the relevant labour legislation. As an activist-led organisation, the R2K will strive to appoint staff who are best placed to support the activism and activists of the Campaign **and** who offset any disparities in employment trends. While the R2K Campaign is not a designated employer under the Employment Equity Act, it is mindful of the obligation to promote equality and prevent unfair discrimination in all employment policies and procedures.



## **11.1 Filling an existing post**

Where an existing post falls vacant, the NWG must review the continued need for the post and may decide to disestablish (shut down) the post, or redefine the post and its functions or to continue the post by filling it with someone new.

In considering whether to fill an existing (vacant) post, the NWG will have regard to a proposal from the National Coordinator which outlines the following:

1. The nature of the post (national/provincial, technical/administrative/managerial)
2. The need to continue filling the post.
3. The term of the contract (whether it is fixed-term or indefinite)
4. The Job Description (a description of the job tasks and levels of responsibility)
5. The Person Specification (qualities and qualifications to perform the job)
6. The cost of the position
7. The budgetary allocation to cover the cost of the post
8. The gender, race and disability breakdown of staff across R2K pay scales and at the level and category of the post
9. The proposed starting date; and
10. A proposed recruitment strategy

In authorizing the filling of an existing vacant post, the NWG may propose any additional technical requirements, personal qualities or qualifications or employment equity considerations to be used in the recruitment and selection process.

The NWG may also decline to authorize the filling of the post on the basis of any of the considerations listed above.

## **11.2 Filling a newly created post**

In considering whether to create and fill a new post, the NWG will have regard to a proposal from the National Coordinator which outlines the following:

1. The nature of the post (national/provincial, technical/administrative/managerial)
2. The rationale for the post.
3. The relationship to existing posts and the impact on those posts.
4. The term of the (initial) contract (whether it is fixed-term or indefinite) and any probationary period recommended.

5. The Job Description (a description of the job tasks and levels of responsibility)
6. The Person Specification (qualities and qualifications to perform the job)
7. The cost of the position to the Campaign on an annual basis
8. The budgetary allocation to cover the cost of the post
9. The gender, race and disability breakdown of staff across all R2K pay scales and at the level and category of the post
10. The proposed starting date; and
11. A proposed recruitment strategy

In authorizing the filling of an existing vacant post, the NWG may propose any additional technical requirements, personal qualities or qualifications or employment equity considerations to be used in the recruitment and selection process.

The NWG may also decline to authorize the creation and filling of the post on the basis of any of the considerations listed above.

### **11.3 Advertising the post**

Mindful of its activist nature, the wide network of its members, its reliance on donor funding and its commitment to labour equity, the R2K will first consider advertising vacant posts internally through the R2K network before considering other appropriate recruitment channels. These could include external advertisement through other networks and word-of-mouth, appropriate online and other publications, and/or external advertisement in local and/or national newspapers where appropriate. In certain cases headhunting specific candidates for consideration will also be considered.

### **11.4 Recruitment Panel**

R2K will establish a recruitment panel of at least 3 people, **ideally** one of whom ought to be the person to whom the potential staff member would report.

The Recruitment Panel will be responsible for:

1. Sorting through the applications and shortlisting the most appropriate candidates
2. Ensuring that all shortlisted candidates meet the minimum criteria of the post
3. Interviewing and testing the shortlisted candidates against an objective set of predetermined criteria. Criteria may include:
  - a. Technical proficiency
  - b. Relevant similar experience

- c. Academic qualification
  - d. Language proficiency
4. Recommending to the NWG the best candidate for the post, taking all the criteria and the relative competencies of the candidates into account.
5. As far as is possible, the Recruitment Panel will reach its recommendation by consensus.
6. The Recruitment Panel will record its recommendation and the reasons for the recommendation, in writing.

## **12 . Sexual Harassment Policy**

### **12.1 Preamble**

Violence against women is endemic in most societies around the world. Sexual harassment is an expression of violence against women and is rife in most institutions such as the home, religious institutions, the workplace and organisations in civil society. It is indicative of the unequal power relations between men and women in a patriarchal system.

Sexual harassment within workplaces and in organisations is a substantial problem for both men and women although most victims are women. Studies have shown that 77% of working women have been victim to sexual harassment at some point in their lifetimes, that women who challenge men for social, economic, or organizational power are at a higher risk of sexual harassment. These statistics are astoundingly high, and warrant diligent action to prevent their further occurrence.

Many of these occurrences, as many as 3 out of 5, go unreported. There are several reasons for this. Firstly, many people see sexist behaviour including sexual harassment as normal. Secondly, most people are unaware of their rights when it comes to sexual harassment. Thirdly, even if there is an awareness, people are afraid of the negative consequences resulting from reporting sexual harassment, for example not being considered for opportunities or loss of their jobs.

Sexual harassment victims confront intense consequences. Victims have shown symptoms of debilitating stress, weight loss or gain, anxiety, lowered self-esteem, sleep disorders, and depression, leaving them powerless and to take on their perpetrators. At the same time, if not dealt with, perpetrators remain in positions of power and authority, unscathed.

Sexual harassment serves to silence its victims. It has a severe impact on the right to freedom of expression and also hampers those affected in their socio-economic and political life.

R2K is committed to creating an activist environment which is safe for all activists, respectful of the inherent physical dignity and psychological integrity of everyone, and that recognises

universal, fundamental human equality. We commit to creating an enabling environment for women and men free from sexual harassment. The problem of sexual harassment is widespread, and though R2K is an organization of justice activists we cannot assume that practices of sexual harassment will not occur in our midst.

Through this policy, we explicate the rights of every R2K supporter, and encourage that they are drawn upon in the event sexual harassment occurs. To sexually harass any other supporter of R2K is not anyone's right; it is a violation of a person's right to dignity and equality. It is unacceptable, and inexcusable. Through this policy, we work to eradicate any sexual harassment within this organization.

## 12.2. What is harassment

1.1 Harassment of anyone on the basis of **gender, sex, or sexual orientation** is a form of discrimination and is unlawful on the basis of our Constitution and legislation. It is also inconsistent with our R2K Activist Code of Conduct.

1.2 Harassment is often an expression of the very heteronormative patriarchal power relations in society that the R2K opposes and works to eradicate.

1.3 Harassment can be experienced by anyone as verbal, physical and psychological abuse. It is always unwelcome and unwanted, may be persistent and it demeans or humiliates or creates a hostile or intimidating environment.

- **Sexual harassment** may include unwelcome physical, verbal or non-verbal conduct.

- **Physical** conduct of a sexual nature includes all unwanted physical contact, ranging from touching to sexual assault and rape.

- **Verbal** forms of sexual harassment include unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them, unwelcome and inappropriate enquiries about a person's sex life, and unwelcome whistling directed at a person or group of persons.

- **Non-verbal** forms of sexual harassment include unwelcome gestures, unwelcome sexually explicit electronic messages, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.

- **Quid pro quo** harassment occurs where a person with more power, undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefit of a person with less power, in exchange for sexual favours.

- **Sexual favouritism** exists where a person who is in a position of authority rewards only those who respond to his/her sexual advances, whilst other deserving parties who do not submit themselves to any sexual advances are denied opportunities.

All forms of sexual harassment should be viewed as serious violations of the victims rights to human dignity, equality and freedom.

- **Consent** is affirmative and repeated agreement between two parties.
  - Consent in sexual relationships is important in determining whether conduct constitutes sexual harassment or not. Consent means that persons in a sexual encounter agree to it. More importantly, any party in such an encounter can withdraw consent at any time and stop the sexual activity.
  - It is the responsibility of the initiator to obtain consent from the other person involved. Consent for any further intimate actions must be obtained in order for the act to be considered consensual.
  - Consent to one type of sexual activity does not mean consent to any other type.
  - Previous sexual interaction or relationship does not imply consent in the future.
  - Silence does not imply consent.
  - Consent is not implied in a person's dress or appearance.
  - Accepting a social invitation is not consent, and does not imply consent.
  - Consent cannot be obtained if the other person's capacity is diminished in any way by unconsciousness, alcohol, drugs or medicines.
  - Consent is also required even though two people might be in an already negotiated intimate relationship.

## **12.3 Who Can Be Victims or Perpetrators of Sexual Harassment**

3.1 Women, men, and members of the LGBTIQ community, can be the targets of or perpetrators of sexual harassment, which can take the form of a hostile environment or even of specific benefits in exchange for sexual favours. These can also be perpetrators.

## **12.4 Guidelines for Complainants of Sexual Assault**

### **12.4.1 The Complaints Mechanism**

- Each year the NWG will elect or appoint a R2K Sexual Harassment Officer at their first meeting. The name and contact details of the Sexual Harassment Officer will be communicated on all Provincial email lists.
- If requested the Sexual Harassment Task Team officer should undergo gender sensitivity training.
- The complainant can report her /his complaint, either verbally or in writing to the Sexual Harassment Officer any member of the NWG, Provincial Coordinator or Staff member who the victim trusts - even if s/he is not sure whether it constitutes sexual harassment.

- If the complainant reports to a member of the NWG, Provincial Coordinator, or Staff member this member must report the complaint to the Sexual Harassment Officer
- The victim's identity can remain anonymous if requested.

#### **12.4.2 Who can lay a complaint of sexual harassment:**

- Any R2K supporter can lay a complaint regarding sexual harassment.
- If the complainant is not the alleged primary victim of the harassment the alleged primary victim should be offered all the provisions due to the complainant in this policy.
- If the complainant's and the alleged primary victim's preferred remedies are in contradiction the alleged primary victim's preferred remedies should take precedence.

#### **12.4.3 Establishing a Ad-hoc Sexual Harassment Task Team**

- The Sexual Harassment Officer may either address the matter him/herself or establish an Ad-hoc Sexual Harassment Task Team.
- The Sexual Harassment Officer can establish an Ad-hoc Sexual Harassment Task Team proposing names of any R2K activist or calling for volunteers on the NWG list.
- The NWG can approve the names of the Task Team, but cannot prevent the establishment of the Team.

## **12.5 Guidelines for Sexual Harassment Officer or Ad-hoc Sexual Harassment Task Team**

### **12.5.1 General Guidelines**

- The Sexual Harassment Officer/Team should adhere to the principles of confidentiality, sensitivity, professionalism, impartiality, people's right to equality, dignity, respect and inclusivity.
- The Sexual Harassment Officer/Team should address the complaint considering:
  - the remedy desired by the victim;
  - R2K's Activist or Staff disciplinary procedure;
  - the relationship between the parties;
  - the impact on the complainant and the Campaign.
- The Sexual Harassment Officer or Task Team can consider recommending disciplinary action be taken against in the alleged perpetrator and/or referral to an organisation with an experience on such issues, identified for this purpose.
  - Throughout the process care must be take to avoid the secondary victimisation of the complainant - this can include ensuring the complainant remains anonymous.
  - The complainant of sexual harassment is not required to try and solve the problem with the alleged perpetrator as that may serve to reinforce the power relations in the interaction.

- The remedies outline in this policy in no way supercedes the complainant's rights to take legal action.

### **12.5.2 Investigating the complaint**

- When a complaint is made or an incident reported, the Officer/Team must gather sufficient information to either find a remedy or recommend disciplinary action.
- The Officer/Team may consider speaking to both the complainant, the alleged perpetrator, and/or possible witnesses separately in order to gather information (this can be done verbally or in writing).
- If appropriate the alleged perpetrator may be compelled to respond to the complaint and the Officer/Team must then share the response of alleged perpetrator with the complainant. If on that basis s/he wants mediation, then the task team can serve as mediator.

### **12.5.3 Taking disciplinary or other action**

On the basis of the information gathered and the preference of the complainant the Officer/Team may consider one or more of the following remedies:

- Referral the complainant to an organisation with an experience on such issues, identified for this purpose;
- Offering to serve as a mediator between the parties,
- Communicating verbally or in writing with the alleged perpetrator that their behavior is unwelcome, unwanted, and is interfering with work or activism.
- Recommend the NWG institutes disciplinary hearngi as per the Activist or Staff Disciplinary Procedures.
  - In these proceedings the Sexual Harassment Officer will lead evidence against the accused.
  - The disciplinary process should process should be undertaken swiftly.
  - Sexual Harassment is a major offence and the form of discipline can include a written warning, suspension from certain activities or expulsion from the campaign.

## **12.6 Maintaining records of Sexual Harassment**

- All reported incidents of sexual harassment should be documented by the NWG and filed safely in the R2K National Office in order to monitor the prevalence of harassment within R2K

## **12.7 Ongoing activist training**

R2K should consider undertaking ongoing assertiveness training for women and vulnerable groups

## 13. APPROACH TO ANNUAL SUMMITS

1. In order to prepare for deliberations, all Summit delegates must receive access to written reports for consideration in advance of Summits.
  - a. In the case of Provincial Summits reports should include (1) a consolidated National Report (including the Financial Report) and (2) a consolidated Provincial Report.
  - b. In the case of the National Summit reports should include (1) the consolidated National Report, (2) a Provincial Summit Report including proposed resolutions adopted at Provincial Summits and (3) any proposed resolutions from Focus Groups.
2. Logistical details of Provincial Summits (date/time/venue) must be publicised well in advance to maximise participation of R2K supporters.
3. Focus Groups must meet before the finalisation of the National Report to contribute their proposals for the coming year. Focus Group activists must be encouraged to participate in their Provincial Summits.
4. Provincial Summits should be extended to two days to ensure adequate time to work through issues.
5. National Summit should remain 2.5 days but should systematically take the proposed resolutions adopted at Provincial Summits and any proposed resolutions from Focus Groups as a point of departure.
6. The process should be sequenced as follow:
  - a. **Before 5 December:** Focus Groups meet to review previous year and identify priorities for coming year;
  - b. **On 5 December:** Provincial Reports published (including invite to Provincial Summit with date/time/venue)
  - c. **On 14 December:** National Report published
  - d. **15 Jan - 15 Feb:** Provincial summits take place
  - e. **28 February:** Outcomes of Provincial Summits published and distributed to all National Summit Delegates.
  - f. **3rd weekend in March:** National Summit takes place.

## 14. NWG ELECTIONS

### General Provisions

1. R2K is a unitary organization and National Summit delegates must consider issues impacting all Provinces and focus areas and nominate/elect a leadership drawing on



potential leaders across Provinces and focuses that can collectively address all the relevant leadership needs of the R2K.

2. National Summit delegates (Elected Provincial delegations and outgoing NWG) constitute “members” of R2K for the year. Each member can nominate and be nominated for the NWG and each has an equal vote and can vote for any nominee of her/his choice.
3. Members agree the number between 7 and 15 of NWG they will elected (Traditionally this has been 11, with a 12 person elected if there is a tie for 11h place).
4. While delegates are free to vote for candidates of their choice, delegates should strive to ensure that the NWG is representative of Campaign Supporters in terms of campaign focus, geographical location, class, race and gender.
5. Both Provincial and National Summits should include open sessions where issues pertaining to election of the NWG can be collectively discussed.
6. Voting at the National Summit should be done by secret ballot to allow the privacy for all delegates to vote according to their own wisdom in the face of the complex interests and considerations outlined in 4 above.
7. We will encourage a culture where leadership is seen as an act of service and sacrifice, not an opportunity for individual benefit/aggrandizement or undemocratic authority.

### **Nominations**

1. Nominations should be made in advance of the Summit and a provisional list of nominations maintained on the R2K website so supporters across the Campaign can discuss candidates and additional nominations.
2. All Nominations should include the name, photograph and brief written motivation of the candidate as well as the name of the R2K structure or delegate nominating.
3. The nomination period should open the start of the first Provincial Summit and should close on 28 February. This will allow 2 weeks for all R2K supports to discuss nominations.
4. Any campaign supporter can make a nomination and be nominated before the last Provincial Summit, but only delegates to the National Summit will be included in the final nomination list.

### **Elections**

1. The NWG should appoint a IEC to oversee the election comprised of people of integrity that are not active in the R2K. The IEC should be responsible for
  - a. the presentation and confirmation of nominations at the Summit
  - b. confirmation of the Voters Roll and distribution and collection of ballot papers
  - c. counting the votes and publishing the results.
2. The election of the NWG should take place on the first evening of the Summit programme and include the following plenary items:
  - a. Presentation of the IEC and electoral procedure;
  - b. Review of outgoing NWG and discussion on requirements of leadership;
  - c. Presentation and confirmation of nominees, reading of motivations,
  - d. Any objections to nominations on the basis of NWG Agreements.
3. At the close of the session voting delegates should register on the voters roll, receive a ballot paper and insert the ballot in the ballot box no later than 20 minutes after the session closes.

4. The ballots should be counted immediately after voting has taken place. All Summit Participants should be invited to observe the counting process.
5. The nominees with the most votes (traditionally top 11) are elected onto the NWG. Results should be published on the door of the Summit venue as soon as they are available and formally announced at the opening of the next session of the Summit.

## **15. MISCELLANEOUS POLICIES**

### **15.1 Provision of Alcohol**

1. Alcohol will only be purchased for socials at the National Summit, and Mid Term Review. Any other other purchases of alcohol for meetings must be approved by the Fin Team.
2. A maximum amount of R30.00 may be budgeted per person.
3. Such money can be used to purchase soft drinks and/or wine, coolers, ciders and/or beer. R2K funds may not be used to purchase hard liquor or spirits.

### **15.2 Missed Flights**

1. R2K activists and staff should anticipate possible delays and arrive at airports a minimum of 2 hours before departure for an international flight and a minimum of 1 hour before departure for a domestic flight.
2. R2K should purchase tickets that allow for at least one change on local flights if flights are booked more than 1 month in advance.
3. If R2K activists misses a flight the cost of their upgrade or rebooking will be paid by their Province (or NWG in the case of National Staff) if they can provide an explanation for their lateness that is accepted by the relevant structure. If they cannot provide an acceptable explanation they will pay the cost of upgrade or rebooking.

### **15.3 Theft of Personal Property**

1. Whilst recognising that R2K activists and staff use their personal property in undertaking R2K activities and tasks, the R2K is not in a position to insure the personal property of the activists and staff. R2K does and will continue to insure R2K assets against loss or theft or damage.
2. Where the personal property of activists/staff is stolen while undertaking mandated R2K tasks, the respective R2K structure (NWG in respect of staff and the PWG in the case of provincial activists) shall call for a report, consider the circumstances of the theft and then collectively decide what, if any compensation can be provided on a case-by-case basis. Where the theft is as a result of the staff or activist's contributory negligence (i.e. the staff member or activist did not take reasonable steps to ensure the safety of their belongings), no compensation will be provided.
3. Any compensation agreed will be paid from the relevant structures budget.

## **15.4 Lobbying, Caucusing & Informal Discussions**

1. R2K activists are encouraged to take initiative and be free to discuss issues impacting on the Campaign within and outside the formal structures of the R2K
2. All informal discussions should uphold and advance R2K Principles and uphold the R2K Activist Code of Conduct
3. All informal discussion or caucus or lobby should take place with the best interests of the Campaign at heart, should strive to develop workable solutions to challenges, and should not advance divisive or narrow individual/sectarian interests;
4. Any outcome of a caucus, lobby and/or informal discussion has no decision making status. Any proposals or recommendations must be brought to R2K structures as soon as possible for engagement.
5. No consensus reached in a caucus, lobby and/or informal discussion will be regarded by R2K as binding on any participant. All participants are entitled to change their position on any issue and as issues are addressed in formal R2K structures.

# **Annexure "A": STAFF GRIEVANCE PROCEDURE**

Staff members have the right to raise any grievance without prejudice to their standing with the organisation or to their job security.

A grievance is defined as any feeling of injustice or dissatisfaction on the part of any employee in connection with her/his workplace or conditions of employment that is brought to the attention of the organisation and its management representatives. This feeling of injustice or dissatisfaction could also be in relation to another member of staff.

## **PROCEDURE**

### **Stage 1:**

Should any member wish to raise a grievance s/he shall do so with the R2K Line manager with assistance of her/his representative, if the member so wishes. Grievances in relation to the R2K Line manager for the purposes of this procedure will be submitted to the National Coordinator or Finance Team.

### **Stage 2:**

The R2K Line manager/National Coordinator/Finance Team shall, to the best of her/his/their ability, endeavour to resolve the grievance to the satisfaction of the staff member concerned. Should she/he/they fail to do so within two (2) days, the member and her/his representative may complete a grievance form (Annexure B) and submit this to the NWG.

### **Stage 3:**

On receipt of a Grievance Form, a representative of the NWG shall within two (2) days convene a meeting with the member concerned and her/his representative in order to resolve the problem.

### **Stage 4:**

Should the matter remain unresolved after stage 3 above, the matter shall be referred to the NWG for discussion and decision.

### **Stage 5:**

Should the matter remain unresolved after stage 4 above, either party may declare a dispute.

# Annexure "B": GRIEVANCE FORM

Date: \_\_\_\_\_

Name of staff member : \_\_\_\_\_

Name of representative: \_\_\_\_\_

Name of line manager: \_\_\_\_\_

Nature of grievance:

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Settlement desired:

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Decision of Line Manager/Finance Team/NWG:

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Signed: \_\_\_\_\_ (Manager/Finance Team/NWG)  
\_\_\_\_\_(Date)

*Copies to be distributed to staff member representative and Line Manager.*

**Stage 6: NWG Representative:**

**Decision of NWG:**

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Signed \_\_\_\_\_ (by NWG Representative)  
\_\_\_\_\_(Date)

# Annexure "C": SALARY SCALES

The following salary scales are based on 2016 values:

	<b><u>SALARY BAND</u></b>	<b><u>MIN</u></b>	<b><u>MID</u></b>	<b><u>MAX</u></b>
1	Managerial Staff (e.g. National Coordinator, Advocacy Coordinator)	24960	32000	39040
2	Programmatic Organisers (e.g. Focus Organiser, Outreach Organiser)	16380	21000	25620
3	Provincial Organiser	12480	16000	19520
4	Senior Support Staff (e.g. Communicator, National Administrator)	14,196	18,200	22,204
5	Junior Support Staff (e.g. Provincial Administrator)	9,126	11,700	14,274

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[1] Find the 1<sup>st</sup> National summit Report here:

[http://www.r2k.org.za/wp-content/uploads/2012/12/R2K\\_2011NationalSummitReportSmall.pdf](http://www.r2k.org.za/wp-content/uploads/2012/12/R2K_2011NationalSummitReportSmall.pdf)

[2] Find our constitution adopted in 2013 here:

[http://www.r2k.org.za/wp-content/uploads/RIGHT2KNOW\\_Constitutionfinal2013.pdf](http://www.r2k.org.za/wp-content/uploads/RIGHT2KNOW_Constitutionfinal2013.pdf)

[3] Section 10 of the Constitution on National Summit