



# **CAOSA CODE OF CONDUCT**

As adopted by the CAOSA National Council September 2019

## Table of Contents

<b>1. Introduction</b>	<b>3</b>
<b>2. Principles of the Code</b>	<b>3</b>
<b>3. Membership</b>	<b>3</b>
<b>4. Members' obligations</b>	<b>4</b>
<b>5. Personal Behaviour</b>	<b>4</b>
<b>6. Bribery</b>	<b>5</b>
<b>7. Conflict of Interest</b>	<b>5</b>
<b>8. Property of the Organisation</b>	<b>6</b>
<b>9. CAOSA Funds and Other Assets</b>	<b>6</b>
<b>10. Prompt Communications</b>	<b>7</b>
11. Compliance with the Code	7

## **1. Introduction**

Community advice offices provide services that advance social cohesion in disadvantaged communities. This Code sets out the standards of professional practice and professional conduct governing the Members of CAOSA. The purpose of this Code is to enable the self-regulation of Members of CAOSA in the public interest. The establishment of uniform ethical standards is important to a tradition of a strong, sustainable and independent sector. This Code is binding on all Members and compliance with this Code is a condition of membership.

## **2. Principles of the Code**

Two fundamental principles underpin this Code and are implicit throughout its provisions. First, a CAO is expected to establish and maintain a reputation of integrity, the most important attribute of a member of the CAO sector. Second, the conduct of community-based paralegals within the CAO should be above reproach. While the National Council of CAOSA can declare any conduct deserving of sanction, whether or not it is related to the practice of an advice office, personal behaviour is unlikely to be disciplined unless it is dishonourable or otherwise indicates an unsuitability to practise law. However, regardless of the possibility of formal sanction, a CAO and its personnel (whether volunteers or paid staff), should observe the highest standards of conduct at a professional level so as to retain the trust, respect and confidence of communities they serve, members of the public as well as stakeholders they engage.

CAOSA embodies a strict approach to sexual harassment, all complaints related to Sexual Harassment will be dealt with in terms of the Sexual Harassment Policy.

## **3. Membership**

A CAOSA member is the CAO that formally agrees to the conditions of membership as required under CAOSA MOI. As a group working together, conflict situations may arise and in the interests of CAOSA and the individual members, it is necessary to

define, in clearer terms, the expected conduct and grievance procedures hence the formulation of the Members' Code of Conduct. It follows then that the code of conduct is to be adhered to by the all CAOs who are members that are a signatory of the code of conduct.

#### **4. Members' obligations**

4.1. Members are required to respect the statutes and bylaws of CAOSA and to abide by decisions that have legitimately been made by the appropriate bodies of CAOSA. This includes adherence to the procedures and decision-making rules that are in force.

4.2. Members shall familiarize themselves and their staff with the provisions of this Code of Conduct.

4.3. Members should observe not only the letter but also the spirit of the Code of Conduct and its ethics and ideals thus giving true significance to the aims and objectives of CAOSA.

4.4. Members should refrain from activities that damage the reputation of CAOSA.

#### **5. Personal Behaviour**

5.1. Members are expected to behave according to generally accepted professional standards and to refrain from fraudulent and otherwise unethical practices.

5.2. Members are expected to treat colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interests, rights, safety and welfare.

5.3 Members are expected to ensure that their personal appearance and dress code is in line with the accepted professional standard in the offices and during meetings and conferences. Political party regalia is strictly forbidden.

## **6. Bribery**

A Member of CAOSA who solicits or accepts an advantage in connection with his or her work, without the permissions of CAOSA executive may commit an offence. The term “advantage” includes almost anything of value, except entertainment, such as money, gift, commission, loan, fee, reward, office, employment, contract, service of favour.

## **7. Conflict of Interest**

- 7.1. Conflict of interest is any situation in which an individual, who is in a position of trust within CAOSA, has a competing professional or personal interest. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest can create an appearance of impropriety that can undermine confidence in the individual, the activities of CAOSA, and the profession. A conflict of interest could impair an individual's ability to perform his or her duties and responsibilities objectively. The existence of a conflict of interest may not, however, in and of itself, be evidence of wrongdoing, unethical or improper acts.
- 7.2. Members who are undertaking activities on behalf of CAOSA must avoid any potential conflicts between their personal, professional or business interests and the interests of CAOSA.
- 7.3. Members must also act in the best interest of CAOSA regardless of any competing interests.
- 7.4. In the event such a conflict exists or may exist, the member has the duty to inform the National Council of CAOSA thereof and depending on the nature of the conflict of interest to:
- (a) Abstain from certain actions;
  - (b) Return the given task or

(c) Give up his or her office.

The National Council of CAOSA may request a member to undertake any of the above or other actions deemed necessary. If the member does not undertake the necessary steps to mitigate a conflict of interest, the National Council of CAOSA can suspend or remove the member.

7.5. Members involved in the procurement process should declare conflict of interest if they are closely related to or have beneficial interest in any company which is being considered for selection as CAOSA's supplier of goods and services.

## **8. Property of the Organisation**

Members given access to any property of CAOSA should ensure that is properly used for the purpose of conducting CAOSA's business. Misappropriation of CAOSA's property for personal use or resale is prohibited.

## **9. CAOSA Funds and Other Assets**

9.1. Members who have access to CAOSA funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in CAOSA's policies and procedures or other explanatory materials, or both. CAOSA imposes strict standards to prevent fraud and dishonesty.

If Members become aware of any evidence of fraud and dishonesty, they should immediately advise CAOSA so that it can promptly investigate the matter.

9.2. When a member's position requires spending CAOSA funds or incurring any reimbursable personal expenses, that individual must use good judgment on the CAOSA's behalf to ensure that good value is received for every expenditure.

9.3. CAOSA funds and assets are intended only for official CAOSA use and not for personal benefit. This includes the personal use of organisational assets, such as computers.

## **10. Prompt Communications**

In all matters related to CAOSA, all members must make every effort to achieve complete, accurate and timely communications – responding promptly and courteously to all proper requests for information.

## **11. Compliance with the Code**

11.1. It is the personal responsibility of every Member to understand and comply with the Code of Conduct.

11.2. Any member who violates any provision of the Code will be subject to subject to investigation by CAOSA's Council.

11.3. The member against whom an allegation has been made shall provide, at the request of the Council, such further information or documentation as may be required within such period as may be specified.

11.4. The Council shall, before reaching any final conclusions, give the Member concerned the opportunity of making representations either personally or in writing in cases where disciplinary action, if imposed, can result in a reprimand and, or, fine or expulsion.

11.5. The Council's decision in regard to a reprimand, fine or expulsion shall be taken in terms of the Founding document and shall be binding on the Member concerned.