

ANNEXURE 4 - SUSPENSION POLICY

1. GENERAL

- 1.1. A decision to suspend, should be taken with care and in the light of the circumstances involved.
- 1.2. Amongst others, the essential aspects to consider when suspending a member will be:
 - 1.2.1 Reasonable suspicion of misconduct;
 - 1.2.2 The seriousness of the alleged misconduct or transgression;
 - 1.2.3 The possibility of potential witnesses being intimidated should the person/s not be suspended;
 - 1.2.4 The possibility that evidence may be lost or tampered with, should the person/s not be suspended; and
 - 1.2.5 The possibility that the good name and standing of Sector 3, and or any of its members, be jeopardised.
- 1.3. Ideally, suspension should be reasonable and justifiable and for a period not longer than 30 days, unless the circumstances of each case, determined on its own merits, suggests otherwise.
- 1.4. In the event where a person is under suspension for a period longer than 30 days, for whatever reason, such suspension will automatically be reconsidered by the Management Committee at each subsequent monthly Management Committee meeting following the expiry of the initial 30 days, from date of suspension. The reasons for the continuation of the suspension will be captured in the minutes of the Management Committee meeting and communicated to the suspended member, by the Secretary, each time the suspension is suspended.
- 1.5. Any member of the Sector 3 or a member of any Sub-Forum charged with a misconduct as defined in the Code of Conduct may voluntary step down from his / her position as a member of Sector 3 or Sub-Forum and all other activities and structures of the Community Police Forum s/he serve in or represent until the disciplinary process had been completed.
- 1.6. Any member of the Management Committee or a member of Sector 3 charged with a misconduct, as defined in the Code of Conduct, may voluntary step down from his / her position as a member of Sector 3 and all other activities and structures of Sector 3 he / she serves in or represents until the disciplinary process has been completed.
- 1.7. A Management Committee member of Sector 3, who voluntarily elect to step down, must do so in writing and this notice must be handed to the Chairperson of the Management Committee of Sector 3, or in the event of the Chairperson, to the Secretary of the Forum's Exco.
- 1.8. In the event where a person refuses to step down voluntarily, he / she may be suspended by a Suspension Panel, but only after the due process as set out below, has been followed.
- 1.9. Once a written complaint for alleged misconduct had been received by the Secretary, the Secretary will, within three days, forward such complaint to the Chairperson of the Management Committee of Sector 3.

2. AUTOMATIC APPEARANCE BEFORE SUSPENSION PANEL

Where a criminal charge has been laid against any member of the Management Committee or a member of Sector 3, and such criminal charge comes to the attention of the Management Committee, then such person will be required to appear before the relevant Suspension Panel as set out in paragraph 3 below, provided that the Suspension Panel, as set out in paragraph 3 below, must be convened within 72 hours after such criminal charge came to the attention of Sector 3.

3. SUSPENSION PANEL

3.1. In the event of a complaint against a management member of Sector 3, the Suspension Panel will consist of members of the Forum's Exco.

3.2. In the event of a complaint against any other member of Sector 3, this suspension policy will apply, or if the complaint is against any of Sector 3's affiliated neighbourhood watches and if the affiliated neighbourhood watch does not have a suspension policy, this Suspension Policy will apply and in such instance, the Suspension Panel will consist of:

3.2.1. Any two members of the Management of the affiliated neighbourhood watch; and

3.2.2. Any member of the management of Sector 3.

3.3. In the event of a Suspension Panel as per paragraph 3.2, the Chairperson of the Suspension panel will be the member of Sector 3 appointed by Sector 3 Management Team.

4. NOTICE OF THE MEETING BY THE SUSPENSION PANEL

4.1. The member whose suspension is under consideration, should be informed, in writing, of the following:

4.1.1. The date, time and venue of the meeting, provided that the member whose suspension is under consideration, as well as the members of the Suspension Panel as set out above, will be given at least 48 hours' notice of such meeting;

4.1.2. The allegations that gave rise to the proposed action; and

4.1.3. That the member whose suspension is under consideration, will be afforded the opportunity to make representations in respect as to his / her suspension, provided that such person may only make such representations in person and will not be allowed any other person to assist him / her in making such representations.

4.2. Should the member whose suspension is under consideration, fail to avail himself / herself of the opportunity to make representation at the hearing, the hearing can also take place in the absence of the member if the Suspension Panel is satisfied that the member was properly informed and no valid excuse for the absence was tendered.

5. MEETING OF THE SUSPENSION PANEL

- 5.1. During the meeting, the person whose suspension is under consideration, will have the right to make a presentation as set out above, as to why he / she should not be suspended.
- 5.2. The Suspension Panel should carefully consider the evidence against the person whose suspension is under consideration to ensure there is sufficient evidence or legitimate reasons for the suspension, or otherwise.
- 5.3. Once a final decision has been made, the decision should be conveyed to the person, in writing, and the notice should contain the following:
 - 5.3.1. The decision of the Suspension Panel, including the reason/s why the Suspension Panel saw it fit to suspend the member; and
 - 5.3.2. That the suspension will only be uplifted once the Independent Investigator, as referred to in the Disciplinary Procedure or the Disciplinary Panel has handed its findings to the Suspension Panel and the Panel has exonerated the member or finds the person not guilty.

6. TERMINATION OR SUSPENSION

Should the investigation into the alleged misconduct find no reason for a charge of misconduct or if the member whose suspension is under consideration, has been found not guilty at subsequent disciplinary processes, including an appeal, a written notice of termination or suspension, effective from a specific date, must be given to the accused member by the Chairperson of the Suspension Panel.

7. NO APPEAL AGAINST A SUSPENSION

A suspended member may not appeal against his / her suspension.