

SECTION A

School Rules



Camps Bay High School
Code of Conduct

Forward

The Camps Bay Code of Conduct has been expanded and embellished to create a comprehensive set of policies and procedures which are compliant with the South African Constitution and The South African Schools Act.

This is to make our school a safer place and to protect our pupils and teachers in a wonderful place of learning.

However, at Camps Bay High School we consider every child as an individual with unique skills, talents and abilities. These unique skills, attributes and talents are indeed encouraged and supported by the school, as it creates the diverse and vibrant school which is Camps Bay High School.

This Code of Conduct will be used as guiding principles when dealing with each individual child, in each incident and taking into consideration the circumstances.

This approach has been agreed to by the School Governing Body, Principal and the School Management team.



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Introduction

Camps Bay High School is committed to providing an environment for the delivery of quality teaching and learning by:

- Promoting the rights and safety of all learners, teachers and parents
- Ensuring learners' responsibility for their own actions and behaviour
- Promoting fairness and tolerance of diversity
- Modelling correct behaviour and correcting disruptive and rude behaviour

The code of conduct spells out the rules regarding learner behaviour at the school and describes the disciplinary system to be implemented by the school. It is compiled in the interests of fairness and consistency.

The code of conduct applies to all learners while they are on the school premises or when they are away from the school, acting as a representative of Cams Bay High School at a school function, or in any way associated with or connected to the school.

The SA Schools Act states that all learners are bound by the code of conduct of their school. All learners attending the school are expected to sign a statement of commitment to the code of conduct (Section E, Annexure I). The administration of the code of conduct is the responsibility of all teachers, prefects and the Governing Body.



General Principles

Behaviour:

Learners are expected, at all times, to behave in a courteous and considerate manner towards each other, all members of staff, prefects, the Learner Representative Council (RCL), and visitors to the school.

School rules:

Learners are expected to abide by the school's rules when representing the school both during school hours and after school hours, at school and away from school. Learners are, at all times, to be 'proudly Camps Bay' and not say or do anything that will discredit themselves or the school.

Teaching and learning:

No learner has the right, at any time, to behave in a manner that will disrupt the learning activity of other learners, or to cause another learner physical or emotional harm.

Intervention and consequences:

The school will contact parents/guardians when a learner's behaviour becomes a cause for concern and will endeavour, in a spirit of constructive partnership, to resolve the problem. Inappropriate behaviour will have consequences as outlined in this code of conduct.

School and class attendance

Parents and guardians, learners, teachers and School Governing Body members are jointly responsible for ensuring that all learners attend school.

1. If a learner does not attend school regularly, the relevant register teacher will report the absence of the learner to the parent and the Principal in writing. The register teacher must keep an accurate register of the learners' attendance and must keep copies of all communication to parents when absence from the school classroom is reported.
2. All learners are to arrive in time for the official starting time. Learners who are late for school will be marked absent, as registers are completed at the beginning of each day.
3. Absence from a class, without the permission of the relevant register or subject teacher, is prohibited.
4. Any absence from school must be covered by a note from a parent/guardian.
5. Should a learner be absent from school for a period of three (3) days or longer, this leave of absence must be supported by a letter from a medical doctor/traditional doctor/registered herbalist.
6. Any absence from a formal examination, test or task must be supported by a letter from a medical doctor/traditional doctor/registered herbalist.



School uniform and appearance

Learners are expected to wear the official uniform and appear neat and tidy at all times.

1. No additions to the uniform, that are not in accordance with the regulations, will be allowed.
2. No unauthorised earrings, jewellery, accessories or visible tattoos are allowed.
3. No colouring of hair or wearing of exotic hairstyles or styles that attract undue attention are allowed.
4. Fingernails must be kept trimmed short and clean at all times.
5. During events that allow the wearing of casual wear, learners should wear neat, presentable clothes. Beachwear, tight-fitting clothes and clothes that are too revealing are not allowed. Hair, shoes and accessories should be neat at all times.
6. Only learners who have applied and submitted relevant supporting documents and received the necessary permission from the School Governing Body may deviate from the official school uniform for religious and cultural reasons.

Valuables and personal belongings

The school will not be held responsible for theft of, or damage to, personal belongings on school premises (e.g. cell phones, bags, books and clothing).

1. Learners should avoid bringing cell phones, large sums of money and valuables to school.
2. If a parent requests a learner to pay school fees on his/her behalf, such school fees should be paid before the start of the school day or placed in the drop safe.

Behaviour in the school grounds

1. Loitering and/or playing in and around the corridors, stairwells and toilets is forbidden.
2. All litter must be placed in refuse bins or wastepaper baskets.
3. Wilful damage, vandalism or neglect of school property and the property of others is prohibited.
4. Theft of school and private property is prohibited.



Class and exam rules

1. Any cheating in class work, homework, informal and formal tests or internal or external examinations is prohibited. Furthermore, copying of another's work or borrowing another learner's work is forbidden.
2. Borrowing calculators or stationery during tests and exams is not allowed.
3. Disruptive, unruly, rude and/or offensive behaviour is not allowed.
4. It is the responsibility of each learner to hand in work on time.
5. If a learner misses a test through absenteeism, the first day that they return to school they will be expected to write the test. In the same way, if they miss a project-hand-in date due to absenteeism, they must hand in the work on the day that they return to school.
6. Learners who fail to produce a medical certificate after absenteeism from a formal examination / test / assessment task can obtain a mark of "0" (nought) for the particular examination / test / assessment task.

Respecting diversity

1. Each learner will respect the beliefs, culture, dignity and rights of other learners, as well as their right to privacy and confidentiality.
2. Language which is deemed to be derogatory, discriminatory or racist is prohibited. Swearing is not allowed.
3. Any act that belittles, demeans or humiliates another learner's culture, race or religion is prohibited.

Respecting each other

1. All learners have the right to an education free of interference, intimidation and/or physical abuse. Every learner must respect the safety of other learners. Fighting or threatening other learners is forbidden.
2. Learners should respect other learners in positions of authority. A learner who is in a position of authority will conduct himself/herself in a befitting manner. She/he will respect the rights of other learners and will not abuse such authority bestowed upon him/her through his/her position.
3. The carrying, copying and/or reading of offensive material is prohibited.
4. Bullying in any form is not allowed. This includes physical and psychological bullying, both verbally and in cyberspace.



Rules governing public spaces

The school is subject to laws pertaining to public spaces.

1. No dangerous objects or illegal drugs as designed in the SA Schools Act may be brought onto school property, unless authorised by the Principal for educational purposes. Dangerous objects include knives, firearms or any item that could harm a person.
2. The carrying and/or smoking of cigarettes is prohibited.
3. Alcohol is not permitted on school premises or during any school activity.
4. The carrying of and/or consumption of illegal chemical substances and drugs is prohibited.

Out of bounds areas

Learners must keep clear of areas that are indicated as out of bounds. These include:

- The school motor vehicles garage.
- The hockey fields, tennis courts and swimming pool area except while attending official sports practice and matches or during a lesson whilst under the supervision of the subject teacher.
- Electrical mains distribution boxes, fire extinguishers and hoses.

Transport

1. Learners wishing to park motor cycle/motor vehicles on the school grounds must first obtain permission from the school to do so, and make use of the areas specifically demarcated for this purpose.
2. All learners park their vehicles and bikes (pedal or motorised) on the school premises at their own risk.
3. Specific areas are provided for the safekeeping of bikes and must be used by learners.
4. A learner may ride or drive a vehicle on the school grounds provided that he/she has a license to do so, and provided extreme caution is exercised. Reckless behaviour is forbidden.
5. The code of conduct is applicable when making use of public transport to and from school.
6. Learners may not hitchhike while in school uniform, whether in formal uniform, or sports kit.



School extra-mural programme

Involvement in the school extra-mural programme forms a valuable and integral part of the holistic education of every learner. All learners are therefore expected to become actively involved in at least one sport or cultural and/or service activity.

1. The learner is expected to adopt the correct etiquette pertaining to the specific activity at all times.
2. Once a learner has committed him/herself to an activity, she/he will be bound by the rules and obligations related to that activity.
3. Involvement in a particular activity will span the entire season/duration of that activity.
4. Attendance of all practices is compulsory. Missing a practice without a valid excuse from the learner's parents may result in the learner being suspended from participation in one (1) inter-school league fixture.
5. Appropriate kit/uniform must be worn to practices.
6. The correct match kit/uniform must be worn to inter-school league fixtures.
7. Learners travelling to away fixtures will travel in full school uniform, unless other arrangements have been made.
8. Learners playing in home league fixtures must arrive at the venue in their appropriate sports kit/uniform with their school blazer, unless other arrangements have been made.



Accommodation of religious and cultural rights

Religious practices, conduct or obligations that relate to the core values and beliefs of a recognised religion and that are in conflict with any rule contained in this code of conduct will be accommodated by a deviation from this code of conduct by the School Governing Body under the following conditions:

1. The learner, assisted by the parent/guardian, must apply for a deviation from the standard school rules if such rules are in conflict with, or infringe on, any religious rights of the learner.
2. This application must be in writing and must identify the specific rule/s that is/are offensive to the learner's religious right/s as contained in the Constitution of South Africa.
3. This application must include a reasonable interpretation of the religious rights that the learner feels are offensive, and a suggestion of how the rules may be supplemented by the Governing Body, to accommodate such religious rights.
4. The learner must provide proof that she/he belongs to that specific religion and that the religious practices, rules and obligations that are in conflict with the school's code of conduct are his/her true beliefs and commitments.
5. The religious conduct or practice must be lawful.
6. The Governing Body must consider the application and if it is satisfied that the application is justified in terms of Constitutional principles, the application will be granted in writing.
7. When the Governing Body allows for deviations from the standard rules, such deviations must be based on core religious beliefs inherent to the religion, and it must be compulsory for the learner to comply with such beliefs.
8. The deviation must specify the extent of the exception from the normal rules and must clearly identify the conduct that will be allowed (e.g. the wearing of a head scarf, including colours and details of design; the growing of a beard; or the wearing of a specific hairstyle or jewellery) and the conditions under which such deviation will be applicable to the learner.
9. Cultural rights will be considered, in the event that they do not relate to a religion, if such cultural rights manifest in conduct of a permanent nature that are compulsory for the cultural group. This refers to cases where the removal of the cultural jewellery or mark will cause considerable pain to the learner. Normally, cultural rights are exercised through marks and expressions of a temporary nature that are justified for a specific cultural gathering. The learner must convince the Governing Body that his/her cultural rights can be exercised only through a permanent intervention.
10. Any request for a deviation from the code of conduct, based on cultural rights, must be in writing and must be based on a process similar to that contained in subparagraphs 1 to 8 above.



SECTION B

Disciplinary System



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Section B: Discipline

Every teacher is responsible for discipline and has the full authority and responsibility to correct behaviour of learners whenever such correction is necessary. Any corrective measure or disciplinary action will correspond with and be appropriate to the offence.

All learners will abide by the disciplinary system that has been developed to assist and guide learner behaviour in the school.

Offences and grading by level of seriousness

Offences are graded according to the nature and degree of seriousness of the offences, of which grade 1 is the least serious and grade 4 is the most serious (see Annexure 2: List of offences grades 1-4; and list of disciplinary sanctions grades 1-4)

The grade of an offence will determine the procedure to be followed.

1. Grade 1 offence — a demerit followed by a detention, then an internal disciplinary hearing.
2. Grade 2 offence — a detention or a Saturday detention, an internal disciplinary hearing or possibly a Governing Body hearing (depending on the severity of the particular offence).
3. Grade 3 offence — an internal disciplinary hearing, most usually followed by a Governing Body hearing.
4. Grade 4 offence — offence can be reported to the South African Police Services (SAPS) and a Governing Body hearing will be held.

Grade 1 Offences

After a grade 1 offence has been issued by a staff member or prefect, the matter is referred to the Grade Head along with the record of the offence and the Grade Head will issue a detention.

Should the particular grade 1 offence recur after disciplinary intervention has occurred and a detention has been issued, the staff member will, in consultation with the discipline head/s, arrange an interview with the learner. A final written warning will be issued. A signed copy of acknowledgment will be kept on record by the Discipline Head and communicated to the parent/guardian.

The Discipline Head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

Grade 2 offences

All grade 2 offences will be referred directly to the Grade Head. The Grade Head will, in consultation with the Discipline Head, arrange an interview with the learner. A detention or



Saturday detention will be issued. A signed copy of acknowledgement will be kept on record by the Discipline Head and communicated to the parent/guardian if a Saturday detention is issued.

When a second grade 2 offence occurs after a Saturday detention has been issued for the first offence, the Discipline Head will refer the matter to the internal disciplinary committee for an internal disciplinary hearing.

Should the particular offence recur after the issuing of a Saturday detention and an internal disciplinary hearing has occurred, the disciplinary committee will refer the matter to a Governing Body hearing. The parent/guardian will be advised in writing within a minimum period of five (5) days before the designated date that a Governing Body hearing has been convened.

The discipline head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

Grade 3 offences

All Grade 3 offences will be referred directly to the Discipline Head. The Discipline Head will refer the matter to the internal disciplinary committee who will, depending on the severity of the offence, determine whether to convene an internal disciplinary hearing or a Governing Body hearing.

The parent/guardian will be advised in writing within a minimum period of five (5) days before the designated date that a Governing Body hearing has been convened.

The Discipline Head records all relevant documentation and the disciplinary interventions imposed and this will be kept in the learner's file.

Grade 4 offences

All Grade 4 offences will immediately be reported to the Discipline Head. The Discipline Head will refer the matter to the School Principal who may file a report with the SAPS and will convene a Governing Body hearing. The parent/guardian will be informed immediately (within 24 hours) of the offence and be advised in writing within a minimum period of five (5) days before the designated date a hearing has been convened.

The Discipline Head records all relevant documentation and the disciplinary measures imposed and this will be kept in the learner's file

Disciplinary interventions

The following interventions may be used, and are aimed at correcting behaviour before suspension or expulsion:

- Demerit or detention
- Removal from classes to the isolation room



- Written punishment
- Community service to improve the physical environment within and around the school property
- Homework detention (ASP)
- Supervised schoolwork
- Saturday detention
- Referral for counselling
- Attendance of a relevant life skills programme
- Fines to compensate for damages, to cover the cost of repair or replacement of the lost or damaged item, and/or accumulated fine
- Temporary suspension of library card and/or other school-related privileges
- Exclusion from school activities and functions, e.g. academic award ceremony
- Temporary suspension from class or school, pending disciplinary hearing
- Internal disciplinary hearing
- Governing Body hearing

Failure to comply with interventions and corrective measures may lead to the offence being categorised at a higher grade.

Suspension and expulsion

Conduct that may lead to suspension or exclusion includes, but is not limited to, the following:

- Conduct that violates the rights or safety of others
- Criminal behaviour of any kind
- Defacing or destroying school property
- Disrespectful or objectionable conduct and verbal abuse directed at teachers, other school employees or fellow learners
- Outright defiance of lawful requests or instructions issued by persons in authority
- Indulging in harmful graffiti, racism or hate speech
- Sexual harassment or sexual assault
- Immoral behaviour
- Swearing or profanity
- Possessing, using or displaying evidence of use of any narcotics or unauthorised drugs
- The use of alcohol or any other intoxicant



- Repeated infringement of the school rules or the code of conduct
- Possession of dangerous weapons
- Damage to private property on school grounds or during school activities
- Stealing
- Lying
- General assault
- Selling or distributing illegal substances

The Governing Body authorises the Principal or Deputy Principal to institute suspension as a precautionary measure with regard to a learner who is charged with serious misconduct.

- When a learner is suspended, the learner and his/her parents must be informed why the suspension is being applied.
- Disciplinary proceedings must commence within one (1) week after the suspension. If the proceedings do not commence within one (1) week, approval for the continuation of the suspension must be obtained from the provincial Department of Education.
- This suspension will be applicable until a finding of not guilty is made or, if guilty, until the appropriate sanction is announced.

Should a learner be found guilty after a fair hearing before the Governing Body, the school has the right to recommend expulsion to the provincial Department of Education.

Where approval for expulsion is not granted, learners will attend counselling or a relevant life skills programme before they may return to class. Such learners will be accommodated in the isolation room in the interim to continue with schoolwork until they have completed the series of counselling sessions or the stipulated life skills programme.

Internal disciplinary hearings and Governing Body hearings

1. The following official forms will be used for disciplinary hearings:
 - Final written warning (Annexure 3)
 - Notice of disciplinary hearing (Annexure 4)
 - Record of disciplinary hearing (Annexure 5)
2. Written notice of a Governing Body hearing will be given at least five (5) school days before the hearing, which could include temporary suspension from classes, including formal scheduled tests and examinations which count towards the year mark.
3. When the notice is issued the learner must acknowledge receipt of the notice by signing it. This is not an admission of guilt.
4. If a learner does not appear at a hearing, the hearing will be conducted in his/her absence.



5. The written finding of the hearing will be issued to the learner concerned. The learner must acknowledge the contents by signing the document.
6. A learner has the right to request a review of the disciplinary action taken against him/her if sufficient grounds exist. Failure to comply with the recommended disciplinary intervention will lead to temporary suspension, pending a hearing.
7. An internal disciplinary hearing committee will consist of the following members:
 - A Governing Body representative
 - The school Principal or their designate
 - The Discipline Head
 - Grade Head
 - Any other teacher who has information regarding the offence
8. Disciplinary measures that an internal disciplinary hearing committee may impose include:
 - Detention
 - Suspension from school for a minimum of two days up to a maximum of five (5) days, ratified by the Governing Body, with immediate effect. This will be put in writing and a copy kept on record
 - Recommendation with respect to counselling/attendance of a life skills programme
 - Progress monitoring process initiated for a minimum, of two (2) weeks followed up with a progress report
 - If a written conduct and behaviour warning is issued, a signed copy of acknowledgment will be kept on record
 - Payment to cover the cost, repair or replacement of the damaged, lost or stolen item
9. A Governing Body hearing committee will consist of the following members:
 - The Governing Body chairperson or their designate
 - Two (2) parent representatives from the Governing Body
 - The school Principal or their delegate
 - The Discipline Head
10. The Principal or their designate will keep on record copies of all documentation relating to the offence, the conducting and findings of the hearing, and the disciplinary measures imposed.
11. The Principal or their designate will furnish the Discipline Head and register teacher with all the information necessary for their records.
12. Disciplinary measures that the Governing Body hearing may impose include:
 - All measures mentioned in Point 8; or



- Recommendation for suspension of the learner (subject to a decision by the provincial Department of Education); or
- Recommendation for expulsion of the learner (subject to a decision by the provincial Department of Education)

Procedures and rights during hearings

1. The chairperson of the committee must lead the proceedings and:
 - Introduce those present and state their functions
 - Ensure that witnesses are present only while giving evidence
2. The chairperson must inform the learner of his/her rights:
 - The right to a formal hearing
 - The right to be present at the hearing
 - The right to be given time to prepare for the hearing
 - The right to be given advance notice of the charges
 - The right to be represented at the hearing by one (1) internal representative
 - The right to be accompanied at the hearing by parents/guardians if the learner is a minor
 - The right to ask questions on any evidence, or on statements of witnesses
 - The right to call witnesses to testify on his/her behalf
 - The right to an interpreter, to be requested 24 hours prior to the hearing
 - The right to appeal within five (5) days against any penalty imposed by the disciplinary committee
 - If the learner does not attend, the hearing will be conducted in his/her absence
3. The chairperson is to explain the nature of the alleged breach or misconduct to those present at the hearing
4. The procedure of enquiry is that the complainant and his/her witnesses will be heard first. The learner and panel may ask them questions. The learner and his/her witnesses may then give evidence and the complainant and committee may ask them questions
5. When all the evidence has been heard, the chairperson must close the enquiry, dismiss the complainant, the learner, their representatives, the parents/guardians and all the witnesses
6. The disciplinary committee must discuss and weigh the evidence and come to a decision.
7. The chairperson may reconvene all interested parties
8. The chairperson or their designate is to communicate the decision to all the interested parties



9. The chairperson or their designate may explain the decision of the committee and the reasons for the penalty (if any) that has been imposed.
10. The learner must be advised of his/her right to appeal (Annexure 6).
11. The complainant and learner must sign the disciplinary letter and a copy must be handed to the learner. (If the learner refuses, a witness must sign in the presence of the learner)
12. The signing of the document by the learner is not an acknowledgement of guilt.
13. The parent must be informed of the outcome of the hearing in writing.



SECTION C

The Roles and Responsibilities of:

- School Principals
 - Educators
 - Learners
 - Parents
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Section C: School safety

Responsibilities of the Principal and Governing Body

The school safety policy issued by the Department of Basic Education states that the Principal and the School Governing Body are responsible for:

1. Creating a safe and secure teaching and learning environment for the learners and teachers; and must therefore implement measures to ensure that learners, teachers and all support staff on campus are safe and secure at all times.
2. Developing and implementing school safety policies and school safety plans;
3. Leading the way in the creation of a safe, caring and learner-friendly school;
4. Developing, implementing, supporting and evaluating a consistent school-based safety policy with relevant procedures and/or guidelines to ensure the safety of learners and teachers;
5. The school safety policy must be clear on issues around bullying, the carrying of dangerous weapons, and the use/abuse of illegal substances by learners, practices and involvement of learners in gangsterism, sexual abuse or harassment;
6. The policy must clearly specify how the school will communicate with the parents and school community on safety issues, and what is expected from learners and parents in this regard;
7. Developing and implementing a crisis management plan in partnership with relevant stakeholders and agencies;
8. Developing and implementing a functional code of conduct for learners in collaboration with learners, teachers and parents;
9. Ensuring that all staff members who are allocated the responsibility for school safety matters understand their responsibilities;
10. Reporting all criminal acts as provided by the law to local SAPS, district/regional and provincial offices of the Department of Education;
11. Keeping detailed records of behaviour infractions, disciplinary hearings, suspensions and recommended expulsions;
12. Principals are responsible for ensuring that electronically generated reports on the incidents of crime and violence are properly recorded, maintained and backed up, and that hard copies are made in accordance with this policy;
13. Ensuring that teachers are trained on prevention, early prevention and support strategies to prevent and manage crime and violence in schools;
14. Monitoring and evaluating the execution and implementation of the school safety plan as well as projects and or programmes/initiatives to curb crime and violence;



Responsibilities of educators and support staff

All staff (teachers and support staff) have a responsibility to assist in maintaining safety, and in creating caring and learner-friendly schools. To this end, all personnel regardless of their specific job assignments will:

1. Assist in the development and implementation of the school safety policy and plan according to roles and responsibilities delegated by the Principal;
2. Carry out all job-related responsibilities that impact on learners' safety
3. Serve as positive role models for learners
4. Demonstrate integrity and respect through attitudes, personal conduct and dress
5. Provide supervision for all learners under their care (during school hours and on excursions)
6. Set clear parameters for appropriate behaviour in class and on the school grounds, which are in line with the code of conduct for learners
7. Report all misdemeanours
8. Engage learners in a positive way
9. Maintain a classroom environment that is conducive to learning and teaching and that is safe, secure and orderly
10. Empower learners with the necessary skills to meet expected standards of behaviour
11. Monitor and evaluate the safety procedures as outlined in the school safety policy
12. Provide and enforce appropriate disciplinary consequences for disruptive learner behaviour; and
13. Co-operate with the social services agencies to promote a safe, caring and learner-friendly school that will meet the needs of all learners.



Responsibilities of learners

Learners have the responsibility to attend school punctually, regularly and be prepared at all times, and to abide by the rules as set out in the code of conduct.

1. Behave appropriately at all times as prescribed by the code of conduct for learners
2. Respect teachers and fellow learners
3. Be supportive towards teachers and fellow learners
4. Be constantly aware of responsibilities with regard to their own welfare and those of others
5. Do not carry dangerous objects/weapons to school
6. Do not be in possession or deal in drugs or illegal substances
7. Do not use alcohol or any illegal substances
8. Report incidents of bullying, sexual abuse or harassment; and
9. Report incidents of crime and violence or threats thereof



Responsibilities of parents

Parents play a vital role in the education of their children. In partnership with the school they are expected to:

1. Ensure that learners attend school daily, on time and for the whole school day unless there is a valid reason
2. Ensure that learners are well prepared and that their homework is adequately done
3. Ensure learners are not in possession of any dangerous weapons that will threaten or put the safety of others at risk
4. Ensure that learners are not under the influence of any legal or illegal substance
5. Ensure learners are not taken out of school without a valid reason
6. Inform the Principal or class teacher if a learner is absent or expected to be absent or to be late for school with a valid reason
7. Encourage and assist learners to make up for time lost for absence from school
8. Ensure learners abide by the code of conduct
9. Report any risks or threats to the safety of learners to the Principal
10. Co-operate with the school in resolving inappropriate behaviour of learners
11. Take co-responsibility for protecting learners during and after school hours
12. Be involved in the extra-curricular activities of learners
13. Be involved in voluntary assistance to ensure the safety of learners and teachers and protect the school buildings and property during weekends and school holidays
14. Ensure that the learners are correctly dressed in the prescribed school uniform; and
15. Comply with the school rules relating to a vehicle driving on school property.



SECTION D

School Governing Bodies



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What is the Legal Function of a School Governing Body?

The function of the School Governing Body are divided into **ordinary functions**, which all School governing bodies must perform, and allocated functions, which are performed by Schools that have been granted permission by the head of department (HOD) to perform them.

Ordinary function of a School Governing Body

1. Decide admissions policy for their school

Admission policy may not discriminate on the basis of sex, race, religion, language or social class (wealth, income, profession)

2. Language policy of the school

Such a language policy must promote multilingualism in the school

3. Establish a religious policy

Must be in line with the constitution; all religions are to be treated equally.
The SGB or school may not force or pressure any member of the school to participate in any religious observances

4. Adopt a school Code of Conduct

See section D

5. Adopt a constitution

The actions of the SGB are governed and guided by this constitution; The South African Schools Act states that the constitution of the SGB should provide for the following:

- A meeting at least once a term
- A meeting of the SGB with parents, learners, educators at least once a year
- Minutes of each SGB meeting to be recorded
- Minutes to be available to the Department of Education as and when requested

6. Promote the interest of the school

Members of the SGB must actively work to improve the school and avoid any actions that will undermine the school.

7. Develop a mission statement

This mission statement should be representative of the views of the school Community

8. Make sure that the school functions correctly

The SGB must support the Principal, the educators and other staff of the school in performing their duties



9. Decide school times

Such times should not be in opposition to the Labour Laws and any other relevant law in the country

10. SGB

Must administer and control the school's property, buildings and grounds occupied by the school. The SGB may not make physical alterations and additions to the existing school property.

11. Encourage Voluntary service

The SGB must encourage parents, learners, educators and other staff members of the school to render voluntary service to the school e.g. fund raising events.

12. Recommendation on the employment of new staff members

The SGB must recommend to the Department of Education, the appointment of educators at the school.

- This applies only to posts that are funded by the government
- For additional posts that are funded by the School Governing Body, the decision to employ or not is taken by the SGB. The same process applies for non-educator staff. This decision can be delegated to the Principal and the school management team

13. Carry out duties as determined by the Government Gazette

These duties should be consistent with the South African Schools Act

14. Making school facilities available to the community

Set guidelines about conditions of hire etc.

The School Governing Body and School Funds

The South African Schools Act states that the SGB may have to find additional financial resources to supplement school fees.

The SGB must:

- Establish a school fund
- Maintain a bank account
- Ensure that Financial statements are audited and submitted annually to the Department of Education
- Ensure that an annual budget is produced

Allocated Functions of the a School Governing Body

- I. Maintain and improve the school's property and grounds



2. Determine extra-mural curriculum of the school and choice of subject options according to the Provincial Curriculum Policy
3. Buy textbooks, educational materials or equipment for the school
4. Pay for services to the school e.g. water, electricity etc.



SECTION E

Protocol and Procedure Seizure and Drug Testing (Including dangerous weapons)



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Introduction

Search and seizure is based on the principles of confines of an in loco parentis relationship between the educator and the learner.

Random Searches and Seizures are Prohibited

- In accordance within the following acts of general application, the criminal procedure Act 51 of 1997, the drug and drug trafficking Act 140 of 1992 and the firearm control Act of 2000, a police official may, without a warrant, search any school premises or persons on the school premises if he or she has responsible suspicion that illegal drugs or a dangerous object may be present on the school premises or person.
- In accordance with the South African Schools Act 84 of 1996 : regulations for safety measures at public schools, paragraph 4 (3) a police official, or in his absence, the Principal or delegate may, without warrant -
 - a. Search any public school premises if he or she has a reasonable suspicion that a dangerous object or illegal drugs may be present in the public school premises in contravention of the regulations.
 - b. Search any person present on the public school premises; and
 - c. Seize any dangerous object or illegal drugs on public school premises or on the person in the contravention of the premises.

General Guidelines

1. The Principal may authorise the presence on the school premises of dangerous objects, such as scissors, needles, knives, for legitimate educational purposes, and of medicines prescribed by a doctor. However all these objects must be kept under lock and key.
2. The Principal or delegate may at random search a group of learners only after a fair and reasonable suspicion has been established.

The following may be an indication of the presence of illegal drugs and dangerous objects at a school:

- Whistleblowers informing the Principal about their presence
- Scent of dagga on school premises
- Reports from parents
- Traces of drugs on the school premises
- Threats of the use of dangerous objects against other learners
- Injury as a result of the use of such objects
- Any other reasonable indication



How do we conduct a Search?

1. The search must be conducted by the Principal or delegate, if he or she is of the same gender as the learner
2. The search must be conducted in a private area
3. The search must NOT be conducted in the presence of other learners
4. The search must be conducted in the presence of an adult witness and the same gender as the learner
5. The object or drug found on the learner or in his or her property should be photographed whenever it is reasonably practical to do so
6. The search MUST NOT be extended to a search of any body cavity of the learner and the learner's genitalia may not be touched

Seizing and Disposing of a Dangerous Object or Illegal Drug

1. Any dangerous object or illegal drug that has been seized must be clearly and correctly labelled with full particulars, including:
 - The name of the learner in whose possession it was found
 - The time and date of search and seizure
 - The name of the person who searches the learner
 - The name of the witness; and
 - Any other details that may be necessary to identify the item and the incident
2. All details of the seizure must be recorded in the school's record book
3. After the dangerous object has been seized, the Principal/or his or her delegate may hand the object to either the police or the parent
4. If the object is illegal, the Principal or his or her delegate is obliged to hand it to the police
5. The Principal or his or her delegate must take the object concerned to the nearest police station if the police cannot collect it
6. The police officer who receives the object must issue a receipt to the effect

Drug testing at South African Schools

Introduction

Section 8A (11) of the South African Schools Act, 1996 (Act No 84 of 1996) provides that - the Minister must:-

- Identify 10 drug testing devices that may be used in South African schools
- List of Devices to be Used for Drug Testing in South African Schools



1. Drug detective - wipe detection system for surfaces
2. One stop home cocaine test strip
3. Multi drug test
4. Quicktox drug screen dip card test
5. Monitect drug screen cassette test
6. Toxcup drug screen cup test
7. Multipanel drug testing device
8. Smart check drug screen test
9. Drug smart cup
10. Avitar oral screen 4 or drugometer
11. The test should be conducted by the Principal/Deputy or Discipline Heads.

Please refer to manufacturer inserts as each product and test is specific:
Look at:

- Expiry date
- Description of product
- What drugs can be tested for
- Procedure when testing

Procedures to be Followed when Drug Testing:

- a. The drug test devised must be kept at the school under lock and key
- b. The testing kit must be opened in the presence of both the learner who is about to be tested and a witness
- c. A learner who is about to be tested must first be asked whether he or she has taken any medication
- d. The test must be conducted:
 - By a person of the same gender as the learner
 - In the presence of an adult witness of the same gender as the learner; and
 - Out of sight of any other person
- e. The person conducting the test must wear latex gloves
- f. The Principal or his or her delegate must, in the presence of both the learner and the witness, read the information contained in the package insert before the test is conducted
- g. The test must be conducted as prescribed in the package insert.



- h. The package insert of each device indicates how the result of that test is to be interpreted.



SECTION F

Use of Steroids by Learners at South African Schools

(Useful information)



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Use of Steroids by Learners at South African Schools

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Background

Our lecturers at Rape Wise are often approached by parents and educators about the use of steroids at South African schools.

It was recently reported that tests conducted at 18 of South African top schools revealed that about one in six pupils tested positive for a variety of illegal steroids.

This study was conducted with the consent of the learners' parents and urine samples were sent to a Forensic laboratory in the United States.

According to the South African Institute for drug-free sport, Dr Shuaib Manjra, legal constraints and the lack of budget are hampering the implementation of routine testing for steroids and other performance enhancing drugs.

Schools may not test for steroids without parental consent unless a child takes part in a national sporting event such as the Craven Week.

One of the other stumbling blocks is that all samples are sent to the United States for testing at R1500.00 per test and schools can often not afford this.

Parents often support the use of steroids by funding the purchase of schedule five drugs. School boys convince their parents because they perceive the drugs as improving their body image rather than enhancing their sporting performance.

What are Steroids?

Drugs commonly referred to as '**Steroids**' are classified as anabolic or anabolic-androgenic and **Corticosteroids**.

- **Corticosteroids** - such as cortisone, are drugs that medical doctors typically prescribe to help control inflammation in the body.
- **Anabolic steroids** - are synthetic hormones that can boost the body's ability to produce muscle and prevent muscle breakdown.
- **Androstenedione or 'Andro'** - is a kind of anabolic steroid taken by athletes who want to build muscle. Research suggests that "ANDRO" taken in large doses everyday can significantly increase levels of testosterone, which can lead to a number of health problems.



How do anabolic steroids work?

Anabolic steroids are drugs that resemble the chemical structure of the body's natural sex hormone **TESTOSTERONE** which directs the body to produce or enhance male characteristics such as increased muscle mass, facial hair growth and deepening of voice.

When anabolic steroids increase the levels of testosterone in the blood, they stimulate muscle tissue in the body to grow larger and stronger. However, the effects of too much testosterone circulating in the body can be harmful over time.

Dangers of Anabolic Steroids

Although they might help build muscle, steroids can produce very serious side effects. Using steroids for a long time can negatively affect the reproductive system. In males, steroids can lead to impotence, a reduction in the amount of sperm produced in the testicles, and even a reduction of size.

Females who use steroids may disrupt their menstrual cycles because steroids can disrupt the maturation and release of eggs from the ovaries. This may cause fertility problems.

Steroids taken for an extended period of time can cause:

- Stunted growth of teens
- Liver tumours
- Enlargement of the heart muscles
- Violent, aggressive behaviour and mood swings
- Heart disease
- Acne
- Increased breast growth in males
- Irreversible stretch marks
- Hair loss and male-pattern baldness
- Muscle aches

Teen girls and women risk these additional side effects:

- Male type facial and body hair
- Deepening of the voice
- Enlargement of the clitoris



Talking to your child about steroids

Many pressures may drive young athletes to experiment with steroids. Although most athletes exercise hard, eat properly and take care of their bodies to maintain optimal fitness and performance levels, athletic competition and the desire to look physically fit for competition drives some to take steroids.

You can help your child handle these pressures by:

- Discussing healthy competition with them
- Talking about coaches' and team members' attitudes toward steroids
- Knowing what kind of sporting environment they compete in
- Encouraging them to prepare mentally and physically for competition by eating well and getting enough rest

Watch out for the following signs:

- Exaggerated mood swings
- Unusually greasy skin with stretch marks
- A sudden increase in muscle size

If you notice any of these signs, talk to your doctor. Steroids may give teens the sense that they are growing stronger and more athletic, but the consequences are too dangerous to risk.

When there are media reports about athletes using steroids (such as in the London Olympics 2014) use this as a launching point to discuss the issue, making sure that your child understands the health risks, the possibility of legal prosecution and the concept that using steroids is cheating.



SECTION G

Protocol & Procedure to be followed when dealing with an Abused or Neglected Child (Useful Information)



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Protocol & Procedure to be followed when dealing with an Abused or Neglected Child

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Introduction

The children's ACT 38 of 2005 (As amendment Act 41 of 2007) has increased the range of professionals who are legally obliged to report abuse of children. Abuse categories include:

- Sexual abuse
- Physical abuse causing injury; and
- Deliberate neglect

Section 110 reads:

Any school Principal, teacher, nurse, occupational therapist, speech therapist who, on reasonable grounds, concludes that a child has been abused in a manner causing physical injury, sexually abused in a manner causing physical injury, sexually abused or deliberately neglected, must report that conclusion in the prescribed form (form 22) to a designated child protection organisation, the Provincial Department of Social Development or a police officer.

If any of the abovementioned person's come across a child that shows signs of having been abused or neglected then the matter must be reported after taking certain factors into account. A conclusion that a child has been abused or neglected must be substantiated and, if the report was made in good faith, the person reporting will not be liable to civil action based on the report.

Regulation 35 sets out the guidelines and indicators to consider when coming to a conclusion whether or not a child has been abused or neglected.

Here are the indicators set out in the regulations:

Indicators of physical abuse:

- Bruising on any part of the body
- Grasp marks on the arms, chest or face
- Variations in bruising colour
- Black eyes
- Belt marks
- Burn marks
- Cuts
- Welts
- Fractures
- Head injuries



Indicators of deliberate neglect:

- An underweight child
- Sores around the mouth
- Extended abdomen
- Thin and dry skin
- Dark pigmentation of skin
- Abnormally thin muscles
- Developmental delay
- Lack of fatty tissue
- Sores on body

The conclusion must be based on an assessment of the 'total context of a child's situation'. This means that focus must not only be given to factor or indicator but different things must be taken into account to formulate a conclusion of abuse or neglect.

The child's total situation needs to be assessed and understood.

The report should be made on Form 22 and sent to one of 3 agencies:

- A designated child protection agency
- Department of Social Development
- The South African Police Force

Services and assistance offered by Camps Bay High School

Camps Bay High School employs qualified councellors who are available during school hours and holds a school medical clinic with a qualified Nursing sister on site once per month to assist pupils who need assistance

PLEASE NOTE:

**FAILURE TO REPORT IS AN OFFENCE WITH A PENALTY
OF A FINE OR IMPRISONMENT FOR 10 YEARS OR BOTH!**





SECTION H

The Criminal Law (Sexual offences & related Matters) Amendment Act (Useful information)



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The Criminal Law
(Sexual offences & related Matters)
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Objectives

- To expand the definition of rape and make it applicable to all forms of sexual penetration without consent, irrespective of gender
- Repeal the law of indecent assault and replace it with a new statutory offence of sexual assault, applicable to all forms of sexual violation without consent
- Incorporate compelled rape to include certain acts of penetration or violation
- Creating new laws for adults by criminalizing the compelling / causing the witnessing of certain sexual conduct and certain parts of the human anatomy (penis, vagina, anus and breasts), the exposure or display of child pornography and the engaging of sexual services of an adult
- Create new legislation dealing with the sexual violation of a corpse or animal and defining incest (inclusion of an adopted child)
- Protect children and mentally handicapped persons from sexual exploitation and grooming, exposure to or display of pornography and the creation of child pornography
- Change the act of consensual intercourse to 16 for males and females
- Criminalize any attempt, conspiracy or incitement to commit a sexual offence
- Create a duty to report sexual offences committed with or against children or persons who are mentally disabled
- Provide SAPS with new investigative tools when investigating sexual offences or other offences involving the HIV status of the perpetrator
- Provide the courts with extra-territorial jurisdiction when hearing matters relating to sexual offences
- to provide certain services to victims of sexual offences as to minimise or as far as possible, eliminate secondary trauma
- Establish and regulate a national register for sexual offenders
- Make provision for the adoption of a national policy framework, regulating all matters pertaining to the sexual offences act. This policy should include: law enforcement agencies, the national prosecuting authority and health care practitioners
- Make provision for matters relating to trafficking in persons for sexual purposes



What Every Educator Needs to Know About the New Sexual Offences Amendments Act

- The definition of rape includes all forms of sexual penetration without consent. This includes vaginal, oral or anal sex. If a suspect penetrated a victim with a stick for example, this would be deemed rape
- Men and boys can now be victims of rape and women can be charged with rape
- The legal age for sexual consent is 16 for both boys and girls and applies to both heterosexual and homosexual sex
- A child under the age of 12 and somebody that is mentally disabled is legally not able to consent to intercourse
- Consensual sex under the age of 16 and older than 12 is a criminal offence for both heterosexuals and homosexuals
- Children under the age of 16 caught kissing, practising digital masturbation or having intercourse may be charged and prosecuted, only with permission of the national director of public prosecutions. Both children involved must be prosecuted
- The public display of breasts and genitals are illegal
- Making use of the sexual services of an adult over the age of 18 is illegal, and both prostitute and client will be charged
- Any person who forces a second party to commit a sexual offence will be charged with compelled rape
- The trafficking of adults and children for sexual purposes is a crime
- Consensual sex between a parent and an adopted child is regarded as incest, regardless of the child's age
- Having sex with an animal (Bestiality) or a corpse is a criminal offence
- It is every adult's duty to report sexual offences committed against children and mentally disabled persons to the South African Police Service. Failure to report these crimes could lead to prosecution and a prison sentence of 5 years
- A person who is HIV positive and aware of their status, that does not inform their sexual partner, will be charged with rape. If the partner contracts HIV, the suspect will be charged with attempted murder
- All victims of rape are entitled to an HIV test and medication (Post Exposure Prophylaxis) to prevent the spread of HIV. (Needs to be taken within 72 hours of the rape)
- A victim of rape may make an application for the compulsory HIV testing of an alleged offender
- The Investigating Officer will bring an application before a Magistrate. Once granted, the Magistrate will issue an HIV test order. The results of the suspect's HIV test will be made available to the victim and medical doctor
- A rape victim may sue his/her convicted rapist for civil damages
- Every convicted sexual offender's details are to be recorded in a central sexual offender's database



The Obligation of Reporting a Sexual Offence

The obligation to report a sexual offence against children or persons who are mentally disabled is dealt with in chapter 7 section 54(1) a of the sexual offences act

Obligation to Report Commission of Sexual Offences Against Children or Persons Who Are Mentally Disabled

- a. A person who has knowledge that a sexual offence has been committed must report such knowledge immediately to a police officer
- b. A person who fails to report such knowledge as contemplated in paragraph (a) is guilty of an offence and is liable on conviction to a fine or imprisonment for a period not exceeding five years or both a fine and such imprisonment
- c. A person who in good faith reports such reasonable belief or suspicion shall not be liable to any civil or criminal proceedings by reason of making such report. (The above is applicable to a mentally disabled person as well).

NOTE TO EDUCATORS

***It is not sufficient to report the above matter to your HOD,
Principal or District Office.
You have got to report the matter to the Police directly.***



SECTION I

Sexual Violence at Schools What does the Law Say ?



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What Does the Law Say About Sexual Violence at Schools?

The South African Constitution, Act 208 of 1996

- Everyone has the right to dignity, privacy and equality
- Every child has a right to a basic education. This means that no learner's right to education shall be obstructed
- All children are protected from maltreatment, neglect or abuse
- Everyone has the right to be free from all forms of violence whether from public or private services

The Employment of Educators ACT, Act 76 of 1998

- An Educator **MUST** be dismissed if he/she is found guilty of having a sexual relationship with a learner or of committing an act of sexual assault on a learner, student or other employee

The South African School ACT, Act 84 of 1996

- Every learner has the right to privacy, respect and dignity
- Learners are entitled to an environment that is supportive of education. This includes an environment where there is no violence, no harassment and where freedom of expression and security is respected
- Where a learner has committed an act of sexual violence such a learner may be suspended as a corrective measure

The South African Council of Educators (SACE) ACT, Act 31 of 2000

- SACE is a professional Council, which aims to improve the status of the teaching profession and to promise the development of educators and their professional conduct
- Ensures the implementation of the Code of Professional Ethics for Teaching Professionals
- Investigates complaints against educators and takes disciplinary action

The Employment Equity Act 55 of 1998

- Every employer must take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice
- No person may unfairly discriminate, directly or indirectly, against an employee in any employment policy or practice on one or more grounds, including 'race', gender, sex, pregnancy and disability
- Harassment is a form of unfair discrimination on one or more of the above grounds



The Child Care ACT, Act 74 of 1983

- There is a duty on every dentist, medical practitioner, nurse, social worker, educator and person employed by or managing a children's home/place of care/shelter to notify the authorities if there are reasonable grounds for suspecting that a child is being abused or is "in need of care".

A Child in need of care is defined as:

- A child that has been physically, emotionally or sexually abused or ill-treated by his/her parents or guardian or the person in whose custody he/she is; or
- A child that lives in or is exposed to circumstances, which may seriously harm the physical, mental or social wellbeing of the child.

Procedures to be followed when a learner reports sexual assault to an educator:

- If the learner is under the age of 18 the South African Police are to be called to the school
- If the suspect is a THIRD party (not a family member) the parents or legal guardians of the child should be notified immediately
- If the suspect is a family member, under NO CIRCUMSTANCES should the family be contacted, the Police will make contact
- The Head of the school must insist the police officer taking the statement from the learner is of the same sex as the victim
- It is advisable that the school counsellor or an educator remains with the child during the entire investigative process

The following Protocols and Procedures for a Rape Victim will help the school understand the medical protocol that will be followed.



SECTION J

Protocol and Guidelines for the Management of Rape Survivors at a Trauma Facility (Useful Information)

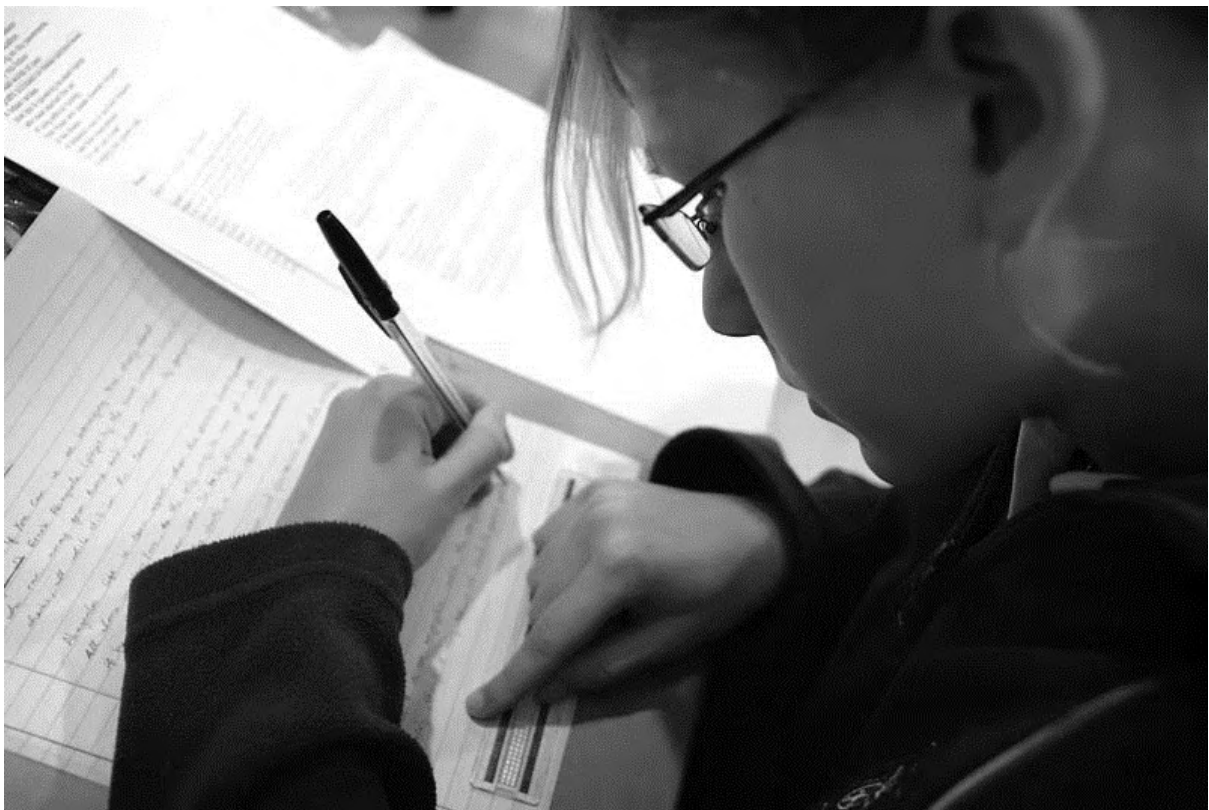


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Introduction

It is important to remember that a rape survivor is a patient like any other, though with special needs. Therefore, the basics of clinical medicine apply: good history taking, clinical examination, special investigations and appropriate management.

1. Every patient must be seen and managed in a comfortable environment
2. Should the patient be a priority 1 (code red - immediate life-threatening injury) or a priority 2 (code yellow - limb/potential life threatening injury) the patient is managed in the resuscitation room according to advanced trauma life support protocols
3. If the patient is a priority 3 (code green - non-limb or life-threatening injury) then the patient must be treated in a private dedicated room
4. A registered nurse and a medical doctor should start taking a medical history, as well as details of the rape
5. All staff must undergo basic counselling training and must have medico-legal procedures experience
6. Once a history has been taken, the detailed procedures must be explained to the patient
7. If the patient has decided to lay a charge, the appropriate medico-legal examination must take place
8. Crime kits should be available on site, as members of the SAPS, often do not have access to these specific kits
9. A co-operative positive relationship should be established with the police
10. All injuries should be attended to within the unit. The patient should not be transferred unless procedures not routinely provided for in the unit are necessary
11. Special treatment may be required, e.g. a child with vaginal tears should be sutured under general anaesthetic administered by a Specialist Anaesthetist
12. If the patient requires x-rays, admission to hospital or other specific medical treatment this must be done. This alleviates any further secondary trauma for the patient
13. Antibiotic Prophylaxis must be prescribed when necessary
14. Following the medico-legal examination, the patient should have access to a private facility where they are able to take a bath/shower
15. The patient should be followed up on at a 6-weekly, 3-monthly and 6-monthly interval



16. The patient should have access to the unit for any further medical queries or additional counselling

Post-Exposure Prophylaxis (Pep)

1. Part of the initial history taking involves pre-HIV test counselling
2. Information regarding PEP guidelines should be given to the patient
3. Informed consent for the baseline HIV ELISA test should be obtained
4. Information is given and consent must be obtained with regard to further management
5. If the patient is under age then consent must be obtained from the appropriate parent/legal guardian. If they are not available, then attending police officers will assist
6. A quick turnaround time is required for the HIV ELISA results, they should be returned within 3 hours
7. Only patients who attend the unit within 72 hours of the rape will be offered PEP should the base line ELISA test be negative
8. If the baseline HIV ELISA test is positive, counselling should be given and referrals made to appropriate HIV-AIDS care centres
9. Other baseline tests should include: a full blood count (FBC), liver function (LF) and urea and creatinine estimation
10. A pregnancy test should be performed if necessary
11. The patient should be followed up for other medical problems as well as for ongoing counselling
12. If the patient attends the unit within 72 hours after the incident, counselling should be carried out and the blood tests mentioned above carried out
13. No PEP should be offered to the patients attending after 72 hours
14. All patients attending before 72 hours after the incident and are HIV negative should be offered a 28-day course AZT 200mg bd and 3TC 150mg tds.

Other Medications

1. Where appropriate, the patient is also to be given Antibiotic Prophylaxis:
 - Penicillin 2 million units imi OR 2g ciprofloxacin stat



- Metronidazole 500mg ivi (should the patient be vomiting or nauseous)
 - Tetracyclines 500 mg qid for 10 days
2. Children/Adults allergic to Penicillin are given Erythromycin
 3. A “morning after pill”, e.g. Levenorgestrel 0.25mg and Ethinylestradiol 0.05mg
 4. Vaginal douches are supplied for patients to take home
 5. Anti-emetics are prescribed if necessary
 6. Analgesia/anti-inflammatory agents are also provided
-



SECTION K

Protocols and Procedures Teenage Pregnancy



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Introduction

The Bill of Rights, as contained in the constitution of the RSA, ACT 108/1996, affirms the democratic values of human dignity, equality and freedom, including the rights of children (Section 28) and the right to education (Section 29).

It is therefore imperative that School Management, Governing Bodies, School Boards ensure that the rights and development of female learners are not curtailed and that special measures are taken in respect of pregnant school girls.

Regulation History

This policy replaces the section on Teenage Pregnancy contained in Circular 0077/98:

General Manual for the suspensions and expulsion of learners from public schools (excluding public schools for learners sent or transferred thereto in terms of the Child Care ACT, 1983 (Act 74/1983) and/or the Criminal Procedure ACT, 1977, (Act 51/1977).

Learner Pregnancy Protocol and Procedure

It is recommended that the school policy and the Code of Conduct for learners make provision for managing learner pregnancy within the framework of this document.

The following procedures are to be followed:

1. When it is evident that a learner is pregnant, the matter must be treated with great sensitivity and confidentiality
2. The learner must be considered to be a learner with special needs and have access to counselling. The Principal must manage and co-ordinate the process
3. In order to maintain confidentiality the Principal must report to the SGB, Board of Directors, District office that a learner is pregnant, without divulging the learner's name
4. Should the learner have become pregnant under the age of 16, or as a result of sexual assault or incest, the matter needs to be reported to the S.A.P.F. (See Sexual Assault Protocol)
5. If the learner agrees, the Principal must convene a meeting with the learner and her parents or guardian(s) to:
 - Plan the road ahead for the pregnancy
 - Supply the parents with a comprehensive list of all the health and guidance services available in the community



- Discuss options available to continue her education during the pregnancy

These alternatives may include the following:

- Remaining at school as long as medically advisable and then obtaining learning material and support from school
 - Withdrawing from school for the duration of the pregnancy and taking own responsibility for continued education
 - A Grade 12 candidate must be fully informed about examination options and procedures, although she herself is responsible for registering as a private candidate for subsequent examinations
 - Request the parents to obtain a medical certificate giving a possible date of confinement, the date from which it would be medically advisable for the learner to be absent from school before the confinement, and the date from which it would be medically advisable for her to return to school
 - Discuss with parents of the learner, the period during which she must be absent from school, based on the above information
 - **Enter into a written agreement with the parent(s) or guardian(s) and the learner in which it is stated clearly that:**
 - During the time she attends school it is at her own risk
 - The school is indemnified from accountability for any pregnancy related injuries or incidents
 - No alternative or logistical arrangements can be demanded from the school
 - No exceptions can be made regarding adherence to the school's Code of Conduct
 - Make it clear that when the learner returns to school after the birth, she will not be able to bring the baby with her
 - **Take any further decisions for example:**
 - Whether the matter must be handled confidentially or not
 - Appropriate behaviour and actions on the part of the learner
 - Participation in the school's extra-curricular activities
6. Should it be known or established that a male learner at the school is co-responsible for a pregnancy, it is essential that confidentiality be maintained
- Attention should be given to the learners' co-responsibility
 - The male learner should be given counselling and be provided with information on matters of sexuality, responsibility for actions and the legal implications of obligations and rights



- A written agreement must be entered into with the learners' parents or guardians, the male learner and the school about appropriate behaviour, which conforms to the school's Code of Conduct
- Should it be known or established that a learner at another educational institution is co-responsible for the pregnancy, the Principal concerned must be notified and he or she must manage the process as per the above.



Conclusion

The educational consequences of learner pregnancy and parenting are twofold:

Young mothers and fathers run the risk that they will not obtain the educational skills needed to become self supporting, economically product citizens, something which often results in their children entering the educational system with economic and developmental disadvantages.

A school is expected to act appropriately in cases of learner pregnancy and should provide as much academic support as possible, however, it is important that the school should approach the situation from an educational and values-driven perspective, with an ultimate goal to enable the learners whose futures could otherwise be jeopardised by unfortunate circumstances, to achieve success in the classroom and in their personal lives.

In terms of the Constitution, Principals, SGB's, the Board of Directors are accountable for all learners' rights to education.

An Effective Puberty programme should be offered to all learners from Grade 6 as to educate them about the dangers of teen pregnancy



SECTION L

Protocol and Procedures Peer Victimisation



Camps Bay High School
Code of Conduct

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Definition of Bullying

Bullying is a deliberate act of aggression or manipulation by one or more people against another person or people. It is an abuse of power by those carrying out the bullying. While educators can also bully it is usually referring to bullying between learners.

Types of Bullying:

Psychological

Name calling “dissing”, abusive language, threats of violence and spreading spiteful or malicious rumours

Physical

Pushing, slapping, punching or even assault with the intention of causing grievous bodily harm

Sexual Bullying

Sexually abusive language, picking on a child with a different sexual orientation, touching of genitalia or breasts, threatening a person with sexual assault

Racial bullying

Calling of racial names, intolerance of other race groups/religions

Financial Bullying

Taking someone’s lunch, theft, requesting protection money etc.

Cyber Bullying

Abuse of social network sites or cell phones to spread malicious rumours, threatening violence or creating false profiles of a person on Facebook etc

Isolation

To purposefully exclude or isolate a peer



Punitive measures when dealing with peer victimisation

Please note that each of the above offences are listed in “List of Offences” per grade of offence - (Annexures)

The disciplinary sanction to be applied for each offence is also listed

Example: Physical bullying:

Offence: “sticking a sharp object” e.g. pin, pen, nib etc. into a fellow learner

Recommended corrective sanction: Warning letter and detention

Example of a Bullying Policy for Staff

Rationale: Educators seek to provide a learning environment that is safe from abuse or intimidation

Purpose: To outline strategies for staff to help learners to prevent social, emotional and physical intimidation

Guidelines for Members of Staff

- Staff should treat any report of bullying seriously
- Staff should first listen to the learner or learners and make such enquiries as may be necessary to clarify what has been happening
- The learner should be assured that they have acted correctly in reporting the bullying
- The staff member should make a written summary of the information and pass it onto the Grade Head, Deputy Principal or Principal as appropriate
- The staff member should attempt to give advice on how to deal with any repeat incidents that may occur before the intimidation can be formally dealt with
- A follow up should be discussed with the learner. It is important that the staff member checks a week or so later with both the student and the person to whom the information was sent
- In cases of serious intimidation, parents/guardian of both (all) students are to be contacted
- An Anti-Bullying programme should be run with each class



PLEASE NOTE

*Peer Victimisation can lead to school violence, suicide and even murder.
No incident is too small and all incidents should receive a reaction from the
school!*



SECTION M

Protocol and Procedures Cellular Phones and Pornography



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Introduction

The use of electronic communication in South Africa has doubled over the last two years. Social networking has become an intricate part of children's lives in South Africa. Educators should be using BBM, Facebook, Twitter and the internet as an effective educational tool.

There are many benefits of social media; the dangers often outweigh these benefits.

The use of Cell Phones at Schools

Many schools have an outright ban on cellular phones. We believe this to be unconstitutional.

Learners should be allowed to take cell phones to school for safety reasons but your school's Code of Conduct should govern the use of cell phones during the school day. This policy must be added to your school's Code of Conduct. Clear punitive measures must accompany this policy.

Punitive guidelines

A cell phone rings during class or a learner uses the phone without the permission of a teacher the phone is confiscated:

- 1st time for the period of 8 hours and an hour detention
- 2nd time for a week and an hour detention
- 3rd time for a calendar month and an hour detention
- 4th time for a term and an hour detention

Teachers may give a learner permission to use a cell phone in class.

Using a cell phone to cheat in a class test

- Nought for the test
- Warning letter
- Temporary confiscation of phone

Guidelines when confiscating a phone

- This punitive measure should form part of your Code of Conduct and should be signed by parents, or the child's legal guardian and the learner
- A learner should be asked if they realise that they have broken the school's rules
- A child should be asked to switch the phone off in the presence of the Educator and then hand it to the Educator
- The phone should be placed in a sealed envelope - the learner needs to sign over the seal. The phone should be kept in the school's strong room /safe



- A register of confiscated goods should be kept by the school Principal or his/her deputy or their delegate.
- Please note that should a phone go missing after confiscation, the school could be held liable.

Dealing with pornographic downloads

Introduction

Both the Cinema and Publication Act and the Sexual Offences Act make it an offence for a person under the age of 18 to:

- View pornography
- Be in possession of pornography
- Download pornography off the internet
- Trade in pornography
- Enter a licensed premises where pornography is legally sold
- Expose another person under the age of 18 to pornography

There are two major types of pornography:

Commercial pornography

This is pornography that displays genitalia, an erect penis or any form of penetration. Adults over the age of 18 may download, be in possession, purchase or act in this type of pornography

Please Note
***It Is a Criminal Offence to Expose a
Minor under the Age of 18 to Pornography***

Child Pornography



Child pornography is deemed to be any naked image - showing genitalia of a minor under the age of 18, this definition includes any form of penetration.

Pornography at School

Distribution of pornography at school

Grade 3 offence

Punitive Action

- Confiscation of offensive material
- Warning letter
- Community Service
- Detention

Please Note

***If the Material Shows Minors Under The Age of 18 -
The Police Have To Be Notified***

Case Study

A 13 year old girl and a 15 year old boy have intercourse in a toilet on the school premises. They film themselves on a cell phone and then distribute the clip to their friends.



Protocols and Procedures to follow

- Cell phone may be checked in the presence of the learner and another witness
- The following criminal offences have been committed:
- Statutory rape (both under the age of 16)
- Manufacture of child pornography
- Distribution of child pornography

Please Note

***That there is an Obligation to Report.
Failing to Report this Matter to the Police is an
Offence Under the Sexual Offences Act***

Offences under the school Code of Conduct

1. Distribution of pornography
2. Having intercourse on the school premises (Grade 4 offence)

Punitive measures

- Criminal charges
- Suspension from school
- Disciplinary hearing
- Expulsion



SECTION N

School Safety Policy South African Schools Act 84 of 1996 Amendment Regulations for Safety Regulations at Schools



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School Safety Policy South African Schools Act 84 of 1996

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Schedule

Definitions:

1. In these “the Regulations” means the regulations published by Government Notice. R.1040 of 12 October 2001.

Amendment of Regulation 1 of the Regulations

2. Regulation 1 is hereby amended by the addition, after the definition of “public school premises”, of the following definitions:

“School Activity” means any educational, cultural, sporting or social activity of the school within or outside the premises

“Supervision” means the management and control of learners at school and during school activities.

Amendment of Regulation 4

3. Regulation 4 is hereby amended by the addition of the following sub regulation:

- (4) No educator, parent or learner and no other person, may possess or use -

- Alcohol
 - Illegal drugs
 - Any illegal substance; or
 - Dangerous objects,
- during any school activity.



Insertion of Regulations

4. The Regulations are hereby amended by the insertion, after regulation 8, of the following regulations:

School Activities

8A (1) A public school must ensure that:

- a) It completes the application form contained in Schedule I to the Regulations in duplicate if the school activity involves transporting of learners;
 - b) The application is approved by an official representing the provincial education department before such school activity is undertaken; and
 - c) A copy of the approved application form is handed to the school and the original is kept by the official representing the provincial education department.
2. A public school must take measures to ensure the safety of learners during any school activity, including:
- a) Insuring against accidents, injuries, general medical expenses, hospitalisation and theft that may occur, depending on the availability of funds;
 - b) Ensuring, where reasonably practicable, that learners are under the supervision of an accompanying educator at all times;
 - c) Requesting parents or other adults to assist in the supervision of learners;
 - d) Ensuring that the educator - learner ratio is at least -
 - i. One educator, parent or other adult for every 20 learners in primary schools;
or
 - ii. One educator, parent or other adult for every 30 learners in secondary schools; and
 - e) Ensuring that, in respect of the adult-ratio, gender is taken into account.



3. An Insurer of a school contemplated in Regulation 8(A)(2)(a) may not rely on Section 60 of the South African Schools Act 84 of 1996 to avoid liability in terms of the Insurance Policy.
4. If an Insurer is liable in the event of injury suffered by a learner, the school must assist the parent in claiming from the Insurer on behalf of the learner.
5. If the Road Accident Fund is liable in the event of injury suffered by a learner, the school must assist the parent in claiming from the Fund on behalf of the learner.
6. A public school must assist a parent in any claim made in terms of Section 60 of the South African Schools Act 84 of 1996.
7. A public school must take measures to ensure that:
 - a. If a learner is on medication and will require medication during the course of school activities, the parent has seen to it that the learner has sufficient quantities of the medication for the duration of the school activities;
 - b. If it is necessary for a learner to carry a doctor's prescription for medication, the parent has provided the learner and the supervising educator with certified copies of such prescription;
 - c. A parent is advised to report to the school, in writing, the medical condition of a learner;
 - d. Before a school activity, the Principal provides a supervising educator with a report on the medical condition of a learner; and
 - e. A parent is informed about any travelling to or through a high risk disease area during the course of the school activity.
8. A public school must take measures to ensure that, if a learner is injured or falls ill during the course of a school activity and requires medical treatment, the supervising educator:
 - a. Takes measures to contact the parent of the learner concerned in order to obtain consent for such medical treatment; and
 - b. Determines whether or not to consent to such medical treatment if he/she is unable to contact the parent of the learner



Organisation of a School Activity

8B(1) A public school must, in writing, supply the following information to the parent of the learner who will undertake the school activity:

- a. The purpose of the school activity;
 - b. The nature of the activities to be undertaken during the school activity
 - c. The full itinerary of the school activity, with contact details of the hosts and of the supervising educators;
 - d. The nature of transport, accommodation and catering arrangements;
 - e. Where applicable, the fact that the learner will need to acquire travelling documents, an inoculation certificate and where they can be obtained;
 - f. The fact that the travelling documents must be obtained at least seven days prior to the date of departure; and
 - g. Any other relevant details
2. Immediately after returning from a school activity, the supervising educator must submit a report to the Principal if any of the following has occurred:
 - a. Accident
 - b. Injury to a learner, educator or driver or to any other person; or
 - c. Any act of misconduct on the part of a learner, educator or driver or of any other person.
3. The report must include the following information:
 - a. The nature of the incident;
 - b. The nature of the injury, if applicable
 - c. The time, date and place of the incident
 - d. Procedures that were followed in dealing with the incident; and
 - e. The name of the supervising educator.
4. The Principal must submit the report to the official who approved the school activity and to the chairperson of the School Governing Body.



Consent

8C (I) A public school must obtain written consent from the parent of the learner who will be undertaking the school activity.

2. A public school may not request a parent to sign an indemnity form that indemnifies the school against any legal action that may arise as a result of the school activity.

Transport

8D (I) A public school must ensure that:

- a) If it owns vehicles for transporting learners, such vehicles have insurance and roadworthy certificates;
 - b) The drivers of such vehicles are in possession of valid driving licences and professional driving permits;
 - c) The transport company or the owner of the vehicles provide the school with the following:
 - Insurance and roadworthy certificates for each vehicle
 - Passenger liability insurance; and
 - Valid driving licence and professional driving permit of the driver;
 - d) The transport company or the owner of the vehicle provides a substitute driver and a transport support system en route; and
 - e) The vehicle transporting learners has a fire extinguisher
2. The Principal, supervising educator or member of the School Governing Body must intervene if there is any doubt about roadworthiness of the vehicle or the competence of the driver of the vehicle.
 3. The Principal, supervising educator or member of the School Governing Body must liaise with the driver or the owner of the vehicle in connection with reporting any accident to the police, and must report the accident him or herself, within 48 hours, if the driver or the owner of the vehicle fails to do so.



Physical activities

8E (I) No learner may be allowed to participate in physical activities, including sports, games or gymnastics, if:

- a) The Principal has reason to believe that such activity will be detrimental to the learner's health; or
 - b) The parent has provided a medical certificate that prevents the learner from participating in such activity.
2. The Principal must ensure that learners are informed about the dangers of, and safety measures regarding, water.
 3. The safety measures regarding water contemplated in sub regulation (2) apply to any swimming or water sports activities at:
 - a) A swimming pool
 - b) A river
 - c) A dam; or
 - d) The ocean
 4. The Principal must ensure that learners are supervised during all swimming activities, during visits to the sea, rivers and dams and when they are taking part in water sports.
 5. If a public school has a swimming pool, the Principal must ensure that notices regarding safety measures are displayed around the swimming pool.



Emergency and fire procedures

8F (I) A public school must ensure that:

- a) It establishes emergency evacuation procedures;
 - b) The emergency evacuation procedures are displayed in all offices, classrooms and amenities; and
 - c) Where reasonably practicable, the local fire chief assessed and reviews all fire evacuation procedures every year.
2. A public school must take measures to install:
- a) Fire extinguishers which the Principal must ensure are checked regularly; and
 - b) Fire alarms that are audible in all parts of the school premises, depending on the availability of funds.
3. The Principal must ensure that staff members and, where applicable learners, who are in grades 8 or higher are trained to use the fire extinguishers;
4. If a bomb threat is received or a suspicious object is discovered:
- a) The Principal must immediately report it to the police;
 - b) The object, or anything related to the bomb threat, must be left untouched; and
 - c) The public school must apply emergency evacuation procedures.



Early release from school

8G (I) A public school must have an early release procedure that allows parents or designated persons to collect learners from school early.

2. A public school must keep a written record to be used in cases of early release that indicates:
 - a) The name of the learner
 - b) The grade of the learner
 - c) The name of the person collecting the learner; and
 - d) The time, date and purpose of the early release.
3. If the learner is to be collected by a person designated by a parent:
 - a) That person must produce proof of such designation;
 - b) The public school must ensure that the designated person is known to the learner; and
 - c) The public school must take measures to contact the parent of a learner if there is any doubt of the identity of the person to the learner.
4. A public school must inform the parents in advance if the learners are going to be released from school early.

Short Title and Commencement

These regulations may be cited as the Amendment Regulations for Safety measures at Public Schools and come into operation on the date of publication in the Government Gazette.



SECTION O

School Safety Policy Checklist



Camps Bay High School
Code of Conduct

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Check safety check list

Does your school have copies of the Regulations for safety measures at Public schools, the Amended Regulations, the Regulations Prohibiting Initiation Practices and the Education Laws Amendment Act?

- Where are these kept or stored?
- Who has access to these copies of the legislation?
- What has your school done to advocate the school's status as a drug and violence free zone?
- Does your school have a school safety policy?
- Where is it kept?
- How did you go about drawing up this policy? (Source documents, procedure for policy writing, parent/staff involvement, promulgation (etc.)
- Who has access to this policy?
- **How and by whom is this policy implemented at your school in terms of:**
 - The procedure for gaining access to the school by -
 - Parents?
 - Other Visitors?
 - Departmental, public or political officials?
 - Dangerous objects?
 - Illegal drugs?
 - Alcohol?
 - The procedure for conducting searches for - and the seizure of, dangerous objects or illegal drugs?
 - What happens to the objects or drugs after they have been seized?
 - Signage in and around the school premises?
 - The treatment of learners who require special medical attention?
 - The administering of medication by school and by staff at the school?
 - Reporting accidents and incidents of violence?
 - The procedure for the early release of learners?



- Requesting permission from parents before learners participate in school activities such as trips and tours?
- The educator-learner ratio on trips and tours?
- Checking and using public or private transport for trips and tours?
- The safety of learners during water-based activities?
- Fire and Evacuation drills?
- The identification and handling of suspicious objects (for example possible explosive devices)?
- Which factors, physical and otherwise, present at your school do you believe ENHANCES the safety of learners and staff?
- Which factors, physical and otherwise, present at your school do you believe DETRACTS from the safety of learners and staff?
- What is your school's policy with regard to:
 - Playground duty?
 - Fire and evacuation drills and practices?
 - The administering of medication and/or first aid at a school?
 - The regulation of traffic in and around the school premises?
- Have there been any accidents or incidents of violence at your school over the past 2 years?
- What was the school, and staff's response to this incident? What was done to deal with it?
- Was anything done AFTER the incident or accident to prevent such an incident from happening again?
- What sort of training or preparation with regard to school safety have you and your staff received, and who provided this training?
- How many of your staff members have a first aid qualification?
- What kind of relationship does your school enjoy with the local SAPS, and how has the school developed that relationship?
- What do you feel is the greatest NEED your school has with regard to the creation of a safe school environment?
- What support do you receive from the Provincial Department of education with regard to learner safety?
- How do you understand the concept of liability?
- What does the South African School's Act say about Liability?
- Who is responsible for the payment of damages in the event of an injury at school or during a school activity?



- Does your school carry insurance for liability in the event of damages or injuries that occur at school or during a school activity?
 - If so, who pays this insurance?
-



SECTION P

Who to Call in Crises



The Proactive Education Group:.....083 943 0173 / 082 821 7874 / 031 572 6690
..... legal@rapewise.co.za / admin@rapewise.co.za

SAPS emergency number 10111

SAPS Crime Stop 08600 10111

Child Protection UnitContact your local police station

Report child abuse/images childprotect@saps.org.za

Childline 0800 055555

FAMSA 011 788 4784

Life Line.....086 132 2322 / 011 781 2337

Missing Children:

Do not wait 24 hours if you suspect your/a child has gone missing, as the first hours are vital to find clues

When you report your child missing at the police station:

1. Take along a photograph of your child as well as information on what he/she was wearing and important marks of identification. Also report who the child was with last and where they were last seen.
2. Phone Missing Children SA - Judy is on 072 647 7464 or 021 801 0010 and Elsa on 084 582 1516
3. Stay in contact with the SAPS and MCSA
4. Seek assistance from the media

Alcohol and Drugs:

Alcoholics Anonymous..... 0861 435722 (HELPA)

Gauteng.....011 683 9101



Western Cape021 510 2288
 Al-Anon (for families of alcoholics) Helpline..... 0861 252 666 (ALANON)
 Gauteng.....011 683 8002
 KZN031 304 1826
 SANCA Horizon Clinic (In-and-Out Patient programme for Teens)..... 011 917 5015/6
 Narcotics Anonymous.....083 900 6962
 Hospital and School Pretoria - Pregnant Learners.....012 329 1560/73
Cell: 072 326 1280

Rape/Abuse/Pornography

Far East Rand Hospital Crises Centre (highly recommended).....071 150 4242
 Ask to speak to Sr. Alexander or Sr. Kate - or Jacobie Botha (011) 812 8330 / 082 974 7257
 Ikhaya Lethemba (Braamfontein)..... (011) 242 3000
 Alison:..... 082 900 7752
 POWA:(011) 642 4345
 Open Door Crises Centre:.....KZN: (031) 709 2679 / (031) 709 2468
 Lovelife:..... 0800 121 900
 Life Health Care Hospitals..... www.lifehealthcare.co.za
 Rape Crisis Western Cape:(021) 447 9762
 RAPCAN: Tel: +27 (0) 21 712 2330 (protecting children's rights)
 Teddy Bear Clinic:(011) 289 8500
 S.T.O.P. (Standing Together to Oppose Pornography)Tel:(021) 715 3216
Email: stop@stop.org.za
Website: www.stop.org.za

The South African Depression and Anxiety Group (SADAG)

SADAG:(011) 262 6396



Suicide Crises Centre:.....0800 567 567
Pharm dynamics Trauma Line:..... 0800 200 50 26
Substance Abuse Line: 0800 12 13 14
Support Group Help Line:..... 0800 20 51 21
Website:..... www.sadag.org
Social Development general enquiries:..... (012) 312 7500

