



S A B R
every drop counts

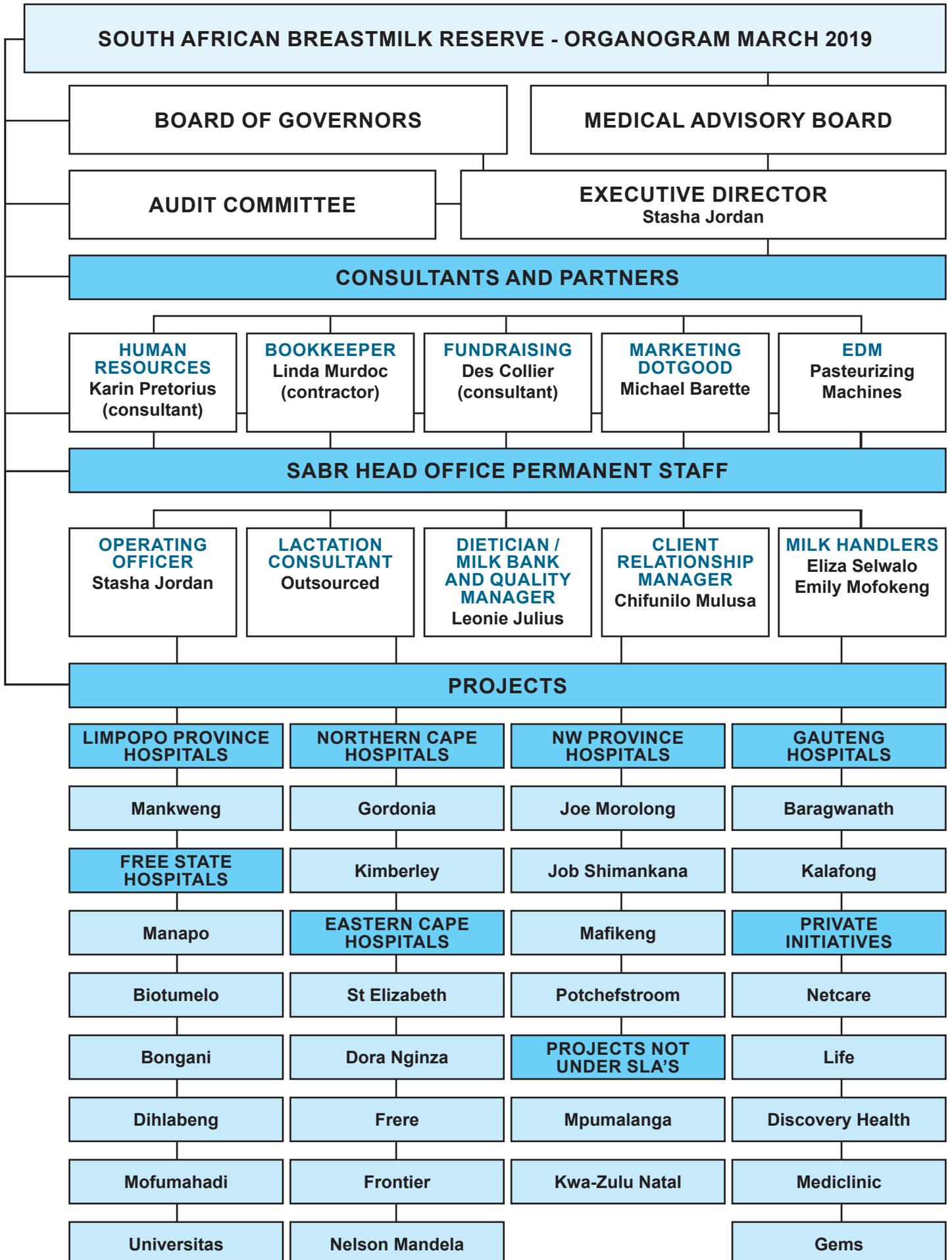
South African Breastmilk Reserve

Bringing milk to babies, safely

**Addendum to Annual Report
June 2018**

SABR Organogram, Policies and Procedures

Addendum 1: SABR Organogram



Addendum 2: SABR Disciplinary Policy and Procedure

1. Purpose

- 1.1 The Disciplinary Code provides guidance and information on the actions that should be taken in instances where an employee is alleged to have been involved in misconduct. Its aim is to regulate the standards of conduct, ensure that all staff members are aware of the conduct and performance requirements at SABR. Staff members are obliged to seek clarity on any aspects of this policy of which they are uncertain.
- 1.2 The code has been developed on the basis of the principles outlined in the Labour Relations Act (1995) and CCMA guidelines. Disciplinary action aims to correct inadequate or inappropriate work behaviour. Where the required improvement is not achieved through open communication and feedback and/or the necessary training and development, a warning letter may be issued.
- 1.3 Any decision or action taken during the disciplinary procedure will be based on the severity of the issue at hand and the consequences of the misconduct. It is recognised that dismissal is an extreme sanction and this option will only be exercised once all other options have been considered.
- 1.4 Where the code states that an offense will lead to dismissal as stated under the relevant category, then this sanction will apply only after a fair and thorough disciplinary process has been followed.
- 1.5 It shall be the responsibility of the chairperson of the hearing to deliver the outcome and findings of disciplinary hearings.

2. Scope

This policy is relevant and applicable to all SABR employees and volunteers.

3. Policy

3.1 The Disciplinary Process - Management Responsibilities:

- 3.1.1. Management should ensure that all disciplinary processes are procedurally fair.
- 3.1.2. Management should ensure that employees are informed of their rights in terms of this policy.

3.2 The Disciplinary Process - Employee Rights:

- 3.2.1 The employee has the right to be assisted by a fellow member of staff of their choice.
- 3.2.2 The employee should be informed in advance of any allegations and be given sufficient time to prepare a response.

- 3.2.3 The employee may question any witnesses that may be called during a formal hearing.
- 3.2.4 The employee has the right to appeal against any decision taken.

3.3 Disciplinary Hearing:

- 3.3.1 A hearing will only be held once there is sufficient evidence to warrant the necessity for a hearing.
- 3.3.2 An employee will receive notification of the hearing at least 48 hours in advance.
- 3.3.3 The Executive Director or person nominated by the Executive Director will chair the hearing.
- 3.3.4 If an employee resigns after receiving notification of a hearing, the Executive Director must decide whether or not the hearing should still proceed.
- 3.3.5 Should an employee not be able to attend a hearing, the chairperson must be informed (at least 24 hours in advance) and another date and time should be set.
- 3.3.6 Should an employee not attend a hearing, the hearing will proceed in his/her absence.
- 3.3.7 The employee may have another SABR staff member present to assist him/her.
- 3.3.8 The employee should be given the opportunity to respond to the charge and state his/her case.
- 3.3.9 Witnesses may be called into the hearing by either management or the employee and both parties may question the witnesses.
- 3.3.10 Minutes must be taken during the hearing.
- 3.3.11 After listening to all the facts, the chairperson may adjourn the hearing to consider the evidence and to decide on an appropriate outcome.
- 3.3.12 The employee will receive a written copy of this outcome, indicating the reasons for the particular decision.
- 3.3.13 Should the employee receive a written warning, he/she will be requested to sign the letter and a copy will be placed on the employee's file.

3.4 Appeal Process:

- 3.4.1 Employees who wish to appeal against an outcome may appeal to the Executive Director in writing within five (5) working days of the outcome of the hearing.
- 3.4.2 Should the Executive Director be involved, the appeal would be chaired by any board member or external Human Resources consultant as delegated by the Chair of the Board.

4. References

- 4.1 The SABR disciplinary code.
- 4.2 The Labour Relations Act (LRA) (No. 66 of 1995) and Amendment Act of 2014.
- 4.3 The Code of Good Practice: Dismissal, Schedule 8 and LRA.
- 4.4 CCMA Information Sheet on Disciplinary Procedures.

5. Procedure

As outlined in the SABR disciplinary policy and procedure

SABR Board Approved: _____ Date Adopted: _____

Chair of the Board

Addendum3: SABR Disciplinary Code

1. Purpose

- 1.1 The purpose of a Disciplinary Code is to bring to the attention of all employees the standards of behaviour expected of them in the workplace, and what action may be taken against employees who are proven, by means of a fair procedure, to have broken any part of this Code.
- 1.2 The Code is a guide only, and is not intended to remove the authority and duty of the Chairperson of a Disciplinary Enquiry to consider any matter and the appropriate circumstances properly in order to arrive at suitable disciplinary action to be taken.
- 1.3 The Chairperson of a Disciplinary Enquiry is expected to apply his or her mind to the matter of the disciplinary action to be taken, and the final decision of the Chairperson, therefore, might not necessarily be the action indicated in this Code. In other words, the Chairperson of the Disciplinary Enquiry is not bound by this Code, or anything contained in it, to apply the disciplinary action indicated for any particular offence, but should consider the seriousness of the offence and the circumstances under which it was committed, amongst other things, to decide on the suitable action to be taken.
- 1.4 It is impossible for any Disciplinary Code to contain a complete list of every possible offence. Therefore, this Code lists only the more important, more serious or more common types of offences, but this does not mean that the employer may not carry out disciplinary action against any employee for any offence that is not listed in this Code. Also, the offences in this Code are not listed in order of importance or seriousness.

2. Scope

This policy is relevant and applicable to all SABR employees and volunteers.

3. Definitions

Term	Definition
Verbal warning (VW)	Offences listed in this column are examples of those that might require a recorded spoken warning. Offences that are repeated might then require a written warning, followed by a final written warning and, eventually, dismissal.
Written warning (WW)	Offences listed in this column are examples of those that might require a written warning before dismissal.
Final written warning (FWW)	Offences listed in this column are examples of those that might require a final written warning before dismissal.

Dismissal (DIS)	Offences listed in this column are some of those that might warrant summary dismissal (without notice) if so decided, following a proper hearing.
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4. Description of offences and disciplinary actions

Description of offence	Disciplinary action			
Taking extended or unapproved breaks during working hours	VW	WW	FWW	DIS
Arriving for work late	VW	WW	FWW	DIS
Failure to finish tasks or being idle at work	VW	WW	FWW	DIS
Failure to adhere to the organisation's dress code regulations	VW	WW	FWW	DIS
Failure to carry out acceptable levels of performance	VW	WW	FWW	DIS
Financial loss to the company caused by any act or neglect by an employee		WW	FWW	DIS
Not carrying out lawful instructions		WW	FWW	DIS
Performing tasks without due care and attention; purposeful sloppiness		WW	FWW	DIS
Being absent from work without prior permission		WW	FWW	DIS
Sleeping on duty		WW	FWW	DIS
Abusive words or behaviour towards any person or supervisor		WW	FWW	DIS
Failure to disclose any financial or other interest in any commercial undertaking outside of the SABR		WW	FWW	DIS
Rowdiness and/or fighting at work			FWW	DIS

Description of offence	Disciplinary action			
Offensive or disorderly behaviour; insulting, aggressive, or abusive language or behaviour; discriminatory language or behaviour on arbitrary grounds; victimisation, swearing or use of vulgar or abusive language of any sort			FWW	DIS
Failure to safeguard personal, confidential or sensitive information				DIS
Divulging any information of a confidential nature to unauthorised personnel				DIS
Wilfully or negligently disregarding Organisation Policy and Procedures, regulations or safety rules				DIS
Using or being in possession of Organisational property without permission or the required documentation; unauthorised removal of Organisational property from the workplace				DIS
Wilful loss, damage, or negligent misuse of Organisational property or assets				DIS
Treating stakeholders with disrespect				DIS
Racism or racist language or insults				DIS
Not attending meetings with major stakeholders such as the Department of Health				DIS
Being engaged in, or promoting, a conflict of interest in transactions on behalf of, or related to, the Organisation				DIS

Description of offence	Disciplinary action			
Theft of any kind or misuse of any funds; bribery in any form, corruption, making false statements, or other seriously dishonest practices, including fraudulent or dishonest time-keeping				DIS
Fraud or forgery (altering or falsifying any Organisation document) with fraudulent intent, or in an attempt to do so				DIS
Gross insubordination towards supervisors				DIS
Assault, or any attempt to assault, or threaten any employee, stakeholder or member of the public				DIS
Sexual harassment or indecent assault				DIS
Being in possession of or under the influence of alcohol or alcoholic beverages or substances, or any substance having a narcotic (mind or behaviour changing) effect, or having the smell of alcohol on the breath during working hours, or while on the premises of the SABR, or in a vehicle belonging to the SABR, or having consumed alcoholic beverages or any substance having a narcotic effect during working hours or before reporting for duty				DIS
Accepting or receiving any significant benefits, rewards, incentives from suppliers, potential suppliers, or other stakeholders, without divulging this to Management				DIS
Failing to conduct Organisational business with honesty and integrity				DIS

Description of offence	Disciplinary action			
Unauthorised use of Organisational material, resources, information, etc. in conducting external business interests				DIS
Unauthorised or unexplained absence from work for more than five days (desertion)				DIS

NB: THE DISCIPLINARY ACTION TAKEN BY MANAGEMENT FOR ANY OFFENCE STATED IN THE DISCIPLINARY CODE, OR ANY OTHER OFFENCE COMMITTED THAT IS NOT STATED IN THE CODE, WILL NOT NECESSARILY BE THE SAME FOR EVERY INDIVIDUAL COMMITTING THE SAME OFFENCE.

DISCIPLINARY ACTION IS TAKEN FOR EACH OFFENCE, STATED OR UNSTATED, DEPENDING ON PARTICULAR CIRCUMSTANCES, LENGTH OF SERVICE, POSITION, AND AGGRAVATING OR MITIGATING CIRCUMSTANCES THAT EXIST IN EACH INDIVIDUAL CASE.

ALL WARNINGS SHOULD BE ISSUES USING FORMAL SOUTH AFRICAN BREASTMILK RESERVE DOCUMENTATION, WITH ONE SIGNED COPY GIVEN TO THE INDIVIDUAL CONCERNED AND ANOTHER COPY TO BE KEPT IN THE PERSONNEL FILE.

5. References

- 5.1 The SABR disciplinary policy.
- 5.2 The Labour Relations Act (LRA) (No. 66 of 1995) and Amendment Act of 2014.
- 5.3 The Code of Good Practice: Dismissal, Schedule 8 and LRA.
- 5.4 CCMA Information Sheet on Disciplinary Procedures.

6. Procedure

As outlined in the SABR disciplinary policy and procedure.

SABR Board Approved: _____ **Date Adopted:** _____

Chair of the Board

Addendum 4: Grievance Policy and Procedure

1. Purpose

The purpose of this policy is to outline the principles and procedures to be followed by staff members in respect of grievances and inter-personal conflict.

2. Definition

A grievance is any feeling of discontent, unfairness or injustice which an employee might have in respect of his/her work conditions, against his/her manager or supervisor, including a fellow worker, and which is brought to the attention of Management.

3. Scope

3.1 The SABR provides employees with the opportunity to communicate their views. However, it needs to be understood that not every complaint or suggestion might be resolved to everyone's satisfaction.

3.2 An Employee or a Volunteer who has a grievance is entitled to make use of the Grievance Procedure

3.3 The grievance procedure, however, shall not be used by employees:

- 3.3.1 to process a disciplinary matter or related appeal;
- 3.3.2 for purposes of collective bargaining; or
- 3.3.3 to negotiate or amend any agreement entered into between the employer and any other party, or to amend the employer's disciplinary procedures.

4. Policy

4.1 No employee shall be victimised as a result of having advised or represented any employee lodging a grievance.

4.2 The SABR encourages staff to build sound professional working relationships and encourages staff members to deal with any concerns as soon as possible.

4.3 The aggrieved staff member should firstly raise their concern directly with the person responsible for this concern.

4.4 By the aggrieved staff member raising the matter directly with the person as soon as possible.

4.5 If the aggrieved staff member does not obtain satisfaction, they may raise it with the Human Resources Consultant: Karin Pretorius.

4.6 Should the matter remain unresolved, the staff member may approach the CCMA for conciliation

5. References

The Labour Relations Act (LRA) (No. 66 of 1995) and Amendment Act of 2014.

6. Procedure

4.7 As outlined in the SABR disciplinary policy and procedure, all grievance resolution meetings will be minuted and the aggrieved party will receive a written outcome of such a meeting.

4.8 Outcomes need to be communicated to the staff member within five (5) days of the meeting.

4.9 Should either party wish to appeal against the outcome, they may lodge an appeal within five (5) days with the Human Resources consultant, who will inform both parties of this.

4.10 The appeal will then be heard by the next level of management.

SABR Board Approved: _____ Date Adopted: _____

Chair of the Board

Addendum 5: Childcare Policy and Procedure

1. Purpose

- 1.1 The South Africa Breastmilk Reserve is committed to creating a working environment that, amongst other things, is supportive of full-time staff members who are parents.
- 1.2 This policy is adopted in the interests of optimising the participation of such members through the provision of financial and/or logistical assistance in certain circumstances.
- 1.3 Any such assistance should be regarded as a staff privilege and will apply only when there are funds available.
- 1.4 No benefits are due to any staff member through this policy. Any financial assistance provided through this policy is intended only to supplement actual costs incurred. This policy only applies to full-time staff members.

2. Scope

- 1.1 This policy only applies to full-time staff members.
- 1.2 For the purposes of this policy, a child is the natural or legally adopted child of a staff member of the SABR who is under the age of 18, and living at home in the full-time care of the staff member

3. Policy

- 3.1 It is acknowledged that, in terms of the nature of the work of the SABR, staff members may be required to work additional hours or outside normal office hours, or to spend nights away from home in the course of their work.
 - 3.1.1 in order to carry out their obligations; and
 - 3.1.2 For SABR organisational events organised after regular working hours.
- 3.2 Childcare assistance will be provided in the form of paying for the services of a child minder at a maximum rate of R45 per hour. Staff members are encouraged to claim only when their circumstances dictate that it is necessary to do so;
- 3.3 The SABR childcare policy aims to provide relief in the following cases:
 - 3.3.1 Where staff members are required to be away from home overnight;
 - 3.3.2 Where the demands on staff to work outside their normal working hours are greater than what would reasonably be expected in the normal course of their duties, and where staff members have had to arrange for the provision of childcare in order to carry out their obligations; and

3.3.3 For SABR organisational events organised after regular working hours.

3.4 Childcare assistance will be provided in the form of paying for the services of a child minder at a maximum rate of R45 per hour.

3.5 Staff members are encouraged to claim only when their circumstances dictate that it is necessary to do so;

3.6 The child minder must present an invoice within 30 days of having completed the duties. The SABR will pay the child minder directly.

4. Procedure

4.1 The staff member should obtain authorisation from the Executive Director prior to making the arrangements.

4.2 The applicant must provide adequate proof of the required travel and work hours.

4.3 The Executive Director must approve the payment disbursed.

SABR Board Approved: _____ Date Adopted: _____

Chair of the Board

Addendum 6: Leave Policy and Procedure

1. Purpose

- 1.1 The objective of this policy is to outline the correct procedure to follow in respect of leave within the specifications of The Basic Conditions of Employment Act (BCEA) of 1997 and obligations to the South African Breastmilk Reserve (SABR).
- 1.2 As annual leave is intended to provide for rest and recreation, it should be taken over a meaningful period of approximately 10 (ten) consecutive days.
- 1.3 Leave should be scheduled within the year when leave is due and taken at the discretion of management, based both on project requirements and on what is convenient to the staff member. Project needs and personal needs should be balanced carefully.

2. Scope

- 1.1 The leave specified below is applicable to full-time staff.
- 1.2 For part-time staff, pro-rata amounts will be calculated. Leave forms should be completed to record all leave taken and, where possible, this should be submitted to the Executive Director for authorisation two weeks prior to departure on leave.
- 1.3 Should a staff member require additional leave for studies, or any other purpose, and they have exhausted the leave provided, they will have to apply for annual or unpaid leave.

3. Policy

3.1 Annual Leave

- 3.1.1 "Annual leave cycle" means the period of 12 months' employment with SABR immediately following:
 - 3.1.1.1 A staff member's commencement of employment; or
 - 3.1.1.2 The completion of that staff member's prior leave cycle.
- 3.1.2 SABR grants a staff member 15 consecutive days' annual leave on full remuneration in respect of each annual leave cycle; or
- 3.1.3 By agreement, one day of annual leave on full remuneration for every 17 days on which the staff member worked or was entitled to be paid; or
- 3.1.4 By agreement, one hour of annual leave on full remuneration for every 17 hours during which the staff member worked or was entitled to be paid.
- 3.1.5 SABR grants a further 1 (one) day's leave after every completed year of service up to a maximum of 21 (twenty-one) days' leave.

- 3.1.6 SABR must grant annual leave not later than six months after the end of the annual leave cycle.
- 3.1.7 Annual leave may not be applied to any other period of leave to which the staff member is entitled e.g. sick leave, family responsibility leave or maternity leave; or
- 3.1.8 Annual leave may not be taken during any period of notice of termination of employment.
- 3.1.9 Staff members must submit a leave form to the Executive Director for authorisation before going on leave.
- 3.1.10 The organisation shuts down over the Christmas period and these days are considered part of the annual leave allocation.
- 3.1.11 SABR may not pay a staff member instead of granting paid leave except on termination of employment.
- 3.1.12 Paid leave may be accrued to a maximum of 5 days and retained as a leave credit if not taken during the period due. Such leave accumulated over the previous leave cycle may be forfeited if not taken within 3 (three) months of receiving a reminder.

3.2 Sick Leave

- 3.2.1 A staff member qualifies for one working day of paid sick leave per month during the first six months of service.
- 3.2.2 Thereafter, a staff member qualifies for 30 working days of paid sick leave in a 36-month (three-year) cycle.
- 3.2.3 Should staff members be absent for more than two consecutive working days, they are required to provide a medical certificate in respect of this absence. Failure to do so may result in the period of absence being unpaid or offset against an annual leave credit.
- 3.2.4 Should a staff member be absent on more than two occasions during a ten-week period, management will require that a medical certificate be produced in respect of such absences. If no such certificate is produced, the period of absence may be unpaid.
- 3.2.5 A staff member who is absent from work owing to illness must immediately make every effort to inform the Executive Director of the reason for the absence.
- 3.2.6 Staff members may not claim sick leave for a doctor's appointment (unless the doctor issues a certificate stating that the staff member was ill).
- 3.2.7 In exceptional circumstances, and at the discretion of management, an additional period of sick leave may be granted. The Board in consultation with the Human Resources Consultant would have the discretion to give permission to the Executive Director to grant such additional period.

3.3 Family Responsibility Leave

- 3.3.1 Family responsibility leave does not apply to staff falling into the following three categories:
 - 3.3.1.1 Staff with less than 4 (four) months' service;

- 3.3.1.2 Staff working less than 4 (four) days per week;
- 3.3.1.3 Staff working less than 24 (twenty-four) hours a month.
- 3.3.2 A staff member is entitled to 3 (three) working days of paid leave during each year of service, to be taken for the following reasons:
 - 3.3.2.1 A staff member's child is born;
 - 3.3.2.2 A staff member's child is sick;
 - 3.3.2.3 A staff member's spouse or life partner dies;
 - 3.3.2.4 A staff member's parent, adoptive parent, grandparent, adopted child, grandchild or sibling dies.
- 3.3.3 Family Responsibility Leave is not cumulative, and the allocation lapses at the end of each year.
- 3.3.4 Should the staff member be absent for more than two consecutive working days for reasons of family responsibility leave, they are required to provide a medical certificate or other relevant documentary proof in respect of this absence. Failure to do so may result in the period of absence being unpaid or offset against an annual leave credit.

3.4 Maternity leave

- 3.4.1 SABR grants permanent female staff members 4 (four) consecutive months of unpaid maternity leave and the right to return to work after such a period of leave.
- 3.4.2 A staff member wishing to take maternity leave should give four calendar months' notice in writing of both her intention to do so and her intention to return to work after the four months have lapsed.
- 3.4.3 Benefits such as annual leave, sick leave and annual bonus will not accumulate during the maternity leave period.
- 3.4.4 A staff member who is a member of the medical aid and who takes maternity leave should be given the opportunity to continue contributing the employee's portion of the medical aid contributions. Should she elect to do so, SABR will continue to contribute its portion of the contributions to the medical aid. Members who opt not to pay the medical contributions will cease to qualify for benefits from this scheme for the period of maternity leave.
- 3.4.5 The same provisions hold with regard to the pension fund. However, if the staff member elects not to continue contributing to the fund, she will still be considered as a member and be entitled to all the benefits of the fund during the period of maternity leave, but the period will not constitute pensionable service.
- 3.4.6 Should the Board grant a bonus payment during the year in which the staff member is on maternity leave, she will receive a pro rata bonus calculated on the number of months worked during the course of the year. This will be paid to her when all the other staff members receive their payment.
- 3.4.7 SABR will guarantee re-employment after the expiry of the maternity leave period at the same rate of pay and job grade that was applicable immediately prior to commencement of maternity leave.

- 3.4.8 Any temporary staff member engaged to fill the position of a staff member on maternity leave will be advised of the employment period and will be given one week's notice of termination of such employment. (NB: Any temporary staff member must be employed on a "fixed-term contract").
- 3.4.9 Any staff member promoted to fill the position of a staff member on maternity leave will be advised of the employment period and, thereafter, will have to return to their previous position. Such staff member will be paid the minimum rate for the job to which he or she is temporarily promoted.
- 3.4.10 Should a staff member not return to work after the agreed maternity leave period, her services will be terminated as if the staff member had resigned. She will be paid all the money owing to her as at the last day of her maternity leave period.

3.5 Study leave

- 3.5.1 The SABR recruits staff with qualifications as required by the Regulatory Framework and other relevant pieces of legislation. As such, it is a condition of employment that staff members maintain their qualifications by completing the prescribed CPD points in their personal capacity and are encouraged to make use of the many opportunities provided outside of working hours i.e. evening classes, distance learning, online correspondence courses etc., in order to minimise the effect on work output.
- 3.5.2 Where it is not possible for training to take place outside of working hours, then a request for unpaid leave during working hours may be considered on individual merits. Granting such leave also depends on operational requirements.
- 3.5.3 Up to three days' paid leave per year (over and above annual leave) may be given to enable a member of staff to sit for examination(s). This leave should be agreed upon in advance. No additional leave will be granted for the re-taking of failed examinations.
- 3.5.4 The SABR may request any employee to attend a short course, training session etc. for the purpose of improving skills. Fees and cost of materials necessary for the course attendance may be met by the SABR and time off could be granted without loss of earnings.
- 3.5.5 Following completion of specifically sponsored training of two or more days or to the value of R5,000, any employee choosing to leave SABR employment, will be required to repay the fees on the following sliding scale:
 - 3.5.5.1 A staff member who hands in his or her notice within six months, following the completion of sponsored training, is required to repay the full SABR contribution towards course fees in full.
 - 3.5.5.2 A staff member who hands in his or her notice within one year of completion of sponsored training, is required to repay 50% of the SABR contribution towards course fees.
- 3.5.6 Full repayment is due should a staff member not complete an SABR course successfully.
- 3.5.7 The repayment will not apply to attending workshops and conferences.

3.6 Overtime Leave

- 3.6.1 Overtime leave applies when the “total cost to company” remuneration falls within the threshold qualifying for overtime payment. A timesheet specifying the additional hours must be presented to the Executive Director for authorisation.
- 3.6.2 Time worked in excess of the ordinary hours of work of 45 (forty-five) hours per week will be regarded as overtime. Staff will not be entitled to work overtime without the prior consent of the Executive Director.
- 3.6.3 Staff will not be paid in respect of overtime worked, but will be granted time off in lieu of overtime according to the BCEA.
- 3.6.4 Staff will be entitled to take such time off at any time after the overtime has been worked.
- 3.6.5 Overtime may only be taken after the necessary consultation with Executive Director and if the required timesheets have been submitted.

4. References

- 4.1 The SABR employment contract.
- 4.2 The Basic Conditions of Employment Act (BCEA) (No. 75 of 1997).

5. Procedure

As stated in the policy

6. Templates

- 6.1 Leave Application Form
- 6.2 Attendance Register

SABR Board Approved: _____ Date Adopted: _____

Chair of the Board

Addendum 7: SABR Commission Structure

Commission payments will only be paid under the following conditions:

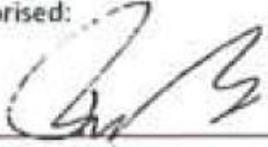
1. Any commission payments will always be dependent on affordability. In cases where affordability is in question, the Executive Director, in conjunction with the Chairperson of the Board, has the responsibility and authority to discontinue commission payments.
2. The commission for fundraising will apply only to new funders sourced, who are currently and have not previously contributed to funding the SABR. This commission will be due for any funding renewals made during the time of association with the funder.
3. All payments will be inline with funder requirements. Where commission is paid from funders' money, this will be declared to them and only paid with their permission. Where commission is paid from non-allocated funds and cost-recovery revenue, this will only be granted when it is affordable.
4. Commission payments will only be due once the funds reflect in the SABR bank statement. Where funding is received in tranches, commission would also be paid in line with how these funds reflect in the SABR bank statement.
5. Commission for funds paid in a currency other than the Rand will be calculated at the Rand value actually received in the bank.
6. Commission payments of R30,000 and less will be paid in one tranche. Commission payments of more than R30,000 will be paid in tranches of R30,000 and not exceed R30,000 at any one time. The exact pay points would be dependent on the life-cycle of the project and agreed with the respective party once the funds have been received.
7. All commission payments will stop in the event that the party concerned is no longer under a valid employment contract or SLA with the SABR. Any and all outstanding commission is forfeited as of the date of termination of the services with the SABR.
8. Where more than one person has been involved in sourcing and securing the funds (e.g. the staff member provides the lead and the fundraising consultant compiles the proposal), the commission would be split on a 50/50 basis. For collaborative projects to secure new business, each employee involved is responsible to notify the Executive Director. The Executive Director has the sole discretion to rule on and approve the split allocation.

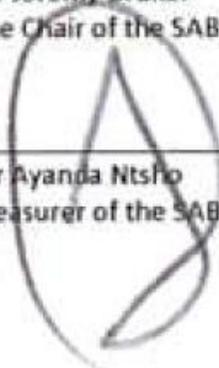
Commission Table	
1. Commission on all Breastmilk sales below the monthly target (currently R50,000pm)	0%
2. Commission on all Breastmilk sales above the monthly target (currently R50,000pm)	8%
3. Commission on all Breastmilk sales above R250,000.00 per month	10%
4. Per month per provincial hospital per invoice payment - Eastern Cape - monthly audit and QA administration fee R5,250	8% (R420)of monthly audit and QA administration fee
5. Per month per provincial hospital per invoice payment - Eastern Cape - monthly audit and QA administration fee R6,250	8% (R500)of monthly audit and QA administration fee

Commission Table	
6. Sale of pasteurisers (R159,500)	5% (7,975)
7. Funds raised below R3 million (three million Rand)	5%
8. Funds raised of R3 million (three million Rand) up to R5 million (five million Rand)	3%
9. Funds raised above R5 million (five million Rand)	2%

SABR positions with responsibilities relating directly to earning commission	
Name	Commission Item Number
Staša Jordan (Executive Director)	7,8 and 9
Twanette Lombard (Jnr Chief Operating Officer)	4,5,6,7,8 and 9
Andrew Mwewa (Relationship Manager)	1,2,3,6,7,8 and 9
SABR Positions with responsibilities not relating directly to earning commission	
Name	Possible Commission Item Number
Deidre Smith	6,7,8 and 9

Authorised:


 Mr Jeremy Druker
 The Chair of the SABR Board


 Mr Ayanda Ntsho
 Treasurer of the SABR Board

20 April 2018

Date

Date

20/4/18

Addendum 8: Protection of Personal Information Policy and Procedure

1. Abbreviations, acronyms and definitions

Term	Description
Data subject	The person whose personal information is processed by the Organisation.
HR	Human Resources
Information officer	The person appointed in terms of the POPI Act. The owner, chief executive officer (CEO), the equivalent officer of the juristic person, any person duly authorised by that officer or the person who is acting as such, or any person duly authorised by such acting person.
IS	Information System(s)
IT	Information Technology
PC	Personal Computer
Personal information (PI)	Means a person's name (including a juristic person e.g. an Organisation), contact details, race, gender, age, marital status, language spoken, religion, sexual orientation, personal and political views, private correspondence, health records, employment records, financial records, views held by others on the person, biometrics (DNA, fingerprints, etc.).
POPI	Protection of Personal Information
POPIA	Protection of Personal Information Act (No. 4 of 2013)
Processing	Any action or operation – whether automated or not – concerning personal information that is collected, collated, recorded, filed, organised, stored, retrieved, updated, disseminated by physical or electronic means, merged, linked, restricted, erased or destroyed.
Social media	Any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, internet websites, internet forums, intranet and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, Instagram, YouTube, Periscope, LinkedIn, Pinterest, Snapchat, Google+, Tumblr and Flickr.

Term	Description
Regulator	The office, as set out in the POPI Act.
Special personal information	Personal information over which additional safeguards are imposed by the POPI Act. Race, religion, biometrics, trade union membership, political affiliation, sexual orientation, health records and unproven criminal behaviour are defined as “Special personal information”.

2. Purpose

- 2.1 SABR seeks to balance the constitutional right to privacy with commercial requirements to use and process personal information (PI).
- 2.2 As an employer, SABR has a legal obligation to inform employees about the manner in which their personal information is used, disclosed and destroyed.
- 2.3 SABR is committed to protecting its employees’ privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.
- 2.4 This policy seeks to regulate and formalise how SABR collects, stores, protects, assesses and distributes information and to protect the on-going integrity and sensitivity of personal data and private information.

3. Scope

- 2.5 This Policy is relevant and applicable to all SABR employees; in addition, the good practice principles advocated in the Policy should also be extended to SABR staff interactions with volunteers, Board Directors, funders, clients, suppliers and others external to SABR.
- 2.6 The Policy sets out the key approaches to the management of the good protection of personal information and uses the language of the Protection of Personal Information Act(POPIA) of 2013 (e.g. the Data Subject would be the person whose information has been collected which, in most cases, would be an employee).
- 2.7 The policy covers all means and mechanisms for storing information including paper and electronic records, laptops and PCs, mobile phones and USB memory sticks.
- 2.8 It includes, but is not limited to. Human Resources and payroll records, applications for employment, contracts, and CCTV records.

4. Policy

4.1 Organisation of employees' and stakeholders' personal information

- 4.1.1 SABR will collect PI for specific, explicitly defined and lawful purposes related to the function or activity of the responsible party. The Data Subject will be made aware of the purpose of collecting their PI and new employees will be alerted to this in the employment contract prior to joining the Organisation.
- 4.1.2 Personal information will not be collected indiscriminately, and will be limited to what is necessary to fulfil the specific purpose for which the PI is being collected.
- 4.1.3 When collecting PI, the responsible party shall obtain expressed consent from the Data Subject, to use, collect, retain or disclose said PI. The SABR undertakes to obtain written consent wherever possible; alternatively, a recording must be kept of the verbal consent. The consent must be clear and verifiable.
- 4.1.4 When collecting PI, the responsible party shall ensure that the Data Subject understands what information is collected, why it will be used, how it will be processed and to whom the information will be given.
- 4.1.5 Data Subjects may request to be given a copy of their PI and, unless there are statutory restrictions, the information is to be given to the Data Subject.
- 4.1.6 The Data Subject is to be informed that they may request that their PI be corrected, updated or deleted. SABR will comply with such a request if it is merited and to notify the Data Subject what changes have been made.
- 4.1.7 The Data Subject may at any time object or withdraw their consent, subject to legal and contractual restrictions by giving reasonable notice. The responsible party may then no longer process the PI.
- 4.1.8 Data subjects are to be advised promptly of any breaches of security regarding their personal information. They are to be informed of the data affected, the impact of the breach on the Data Subject, steps taken to prevent any further breaches, recommended steps that the Data Subject could take to protect themselves and who has such information(if this is known).
- 4.1.9 In instances where SABR intends to undertake additional processing of PI, it will firstly seek the voluntary consent from the relevant Data Subjects for such further processing.
- 4.1.10 SABR will only process information if:
 - 4.1.10.1 The data subject has consented;
 - 4.1.10.2 Processing is necessary for the conclusion or performance of a contract to which the data subject is a party;
 - 4.1.10.3 There is a legal obligation to do the processing;
 - 4.1.10.4 Processing protects the legitimate interests of the Data Subject;
 - 4.1.10.5 Processing is necessary for the proper performance of a public law duty by a public body;

- 4.1.10.6 Processing is necessary for the pursuit of legitimate interests of the responsible party;
- 4.1.10.7 Personal information will be collected directly from the Data Subject except if:
 - 4.1.10.7.1 The information is contained in a public record or has deliberately been made public by the Data Subject
 - 4.1.10.7.2 The Data Subject has consented to the collection from another source.
 - 4.1.10.7.3 Collection from another source would not prejudice a legitimate interest of the Data Subject.
 - 4.1.10.7.4 Collection from another source is necessary:
 - 4.1.10.7.4.1 To maintain law and order.
 - 4.1.10.7.4.2 To enforce legislation concerning the collection of revenue;
 - 4.1.10.7.4.3 For the conduct of court or tribunal proceedings; and
 - 4.1.10.7.4.4 As outlined in POPIA.
- 4.1.11 The responsible party must take reasonably practical steps to ensure that PI is complete, accurate, not misleading and updated where necessary. Whenever employees' PI changes they are required to inform the responsible person so that their records remain accurate.
- 4.1.12 Special Personal Information (SPI) would not be processed unless a general authorisation or, alternatively, a specific authorisation relating to the different types of SPI applies or it is allowed by the law.
- 4.1.13 Processing of PI of children will only be conducted within the guidelines of Section 35 of the POPIA and is only allowed under the following circumstances:
 - 4.1.13.1 Carried out with the prior consent of a competent person;
 - 4.1.13.2 Necessary for the establishment, exercise or defence of a right or obligation in law;
 - 4.1.13.3 Necessary to comply with an obligation of international public law;
 - 4.1.13.4 For historical, statistical and research purposes to the extent that:
 - 4.1.13.4.1 The purpose serves a public interest and the processing is necessary for the purpose concerned; or
 - 4.1.13.4.2 It appears to be impossible or would involve a disproportionate effort to ask for consent, and sufficient guarantees are provided to ensure that the individual privacy of the child is not disproportionately affected; or
 - 4.1.13.4.3 The PI of the child has been deliberately made public by the child with the consent of a competent person.

- 4.1.14 Processing of trans-boarder PI will comply with Chapter Nine, Section 72 of POPIA and adhere to the requirements below:
 - 4.1.14.1 The receiving country has similar laws in place;
 - 4.1.14.2 The organisations have binding corporate rules (corporate group information processing policies);
 - 4.1.14.3 A contract has been concluded between the controller/processor sending data and the controller / processor receiving data;
 - 4.1.14.4 The Data Subject consents;
 - 4.1.14.5 Transfer is necessary for performance of a contract to which the Data Subject is a party;
 - 4.1.14.6 The transfer is necessary for a contract in the interest of a Data Subject;
 - 4.1.14.7 Transfer is for the benefit of the Data Subject and obtaining consent is impractical

4.2 Information Officer

- 4.2.1 SABR will appoint an Information Officer with employees as agreed with the Board. The Information Officer reports to the Board and the Regulator. All persons collecting, processing or using PI are accountable to the Information Officer.
- 4.2.2 All responsible parties will sign a confidentiality agreement, and
- 4.2.3 The main responsibilities of the Information Officer are:
 - 4.2.3.1 To review procedures for processing personal information and ensure all such procedures are lawful and only the minimum amount of information is processed; and that due controls are in place for “special personal information”;
 - 4.2.3.2 To ensure that, before any personal information can be processed, the purpose of such processing is clearly defined;
 - 4.2.3.3 To audit and maintain the accuracy and integrity of processes used to collect, collate, record, file, organise, store, retrieve and update personal information;
 - 4.2.3.4 That the Organisation can distinguish between employees’ and external stakeholders’ personal information;
 - 4.2.3.5 To ensure SABR have systems to detect and report on any breach of security of personal information;
 - 4.2.3.6 To ensure procedures to obtain the consent of Data Subjects are implemented;
 - 4.2.3.7 To be able to respond to data subjects if they request access to their personal information;
 - 4.2.3.8 That all employment and other third party contracts are amended to comply with POPI;

- 4.2.3.9 To ensure that any complaints are investigated and that the complainant has been informed of the findings and the corrective action taken;
- 4.2.3.10 To ensure all SABR employees who might collect, use or retain PI have been adequately trained;
- 4.2.3.11 To ensure That all statutory requirements are met in terms of reporting to the Regulator.

4.3 Safeguarding PI:

- 4.3.1 SABR will take all reasonable steps practicable to secure and safeguard the integrity and confidentiality of the PI in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss, damage or unauthorised destruction, unlawful access to, or processing of the PI.
- 4.3.2 Records will not be retained any longer than is necessary for achieving the purpose for which it was collected unless:
 - 4.3.2.1 further retention is required by law;
 - 4.3.2.2 the responsible party reasonably requires to keep it;
 - 4.3.2.3 retention is required by a contract between the parties, or
 - 4.3.2.4 the Data Subject consents to the further retention.
- 4.3.3 The responsible person is responsible to ensure that PI is destroyed, deleted or de-identified as soon as is reasonably practical. Destruction or deletion must be done in a manner that prevents its reconstruction in an intelligible form.
- 4.3.4 Any breach of any of the terms of this policy will be subject to disciplinary action in line with the SABR disciplinary code.

4.4 Incident Response

- 4.4.1 Will be dealt with in line with the applicable Code of Conduct.
- 4.4.2 All complaints must be submitted in writing to the Information Officer who will attend to them as outlined in the SABR Grievance Procedure

5. References

- 5.1 The SABR Employment Contract.
- 5.2 Constitution of the Republic of South Africa Act, 108 of 1996.
- 5.3 Protection of Personal Information Act (POPIA) 4 of 2013

6. Procedure

- 6.1 All employees are required to sign the SABR POPIA policy acknowledgement form when they commence employment and annually, thereafter.

6.2 Annual compliance audits will be conducted on security measures to safeguard PI and all the findings will be presented to the Information Officer.

7. Templates

4.1 POPI Consent Addendum to the Employment Contract.

4.2 POPI Acknowledgement Form .

SABR Board Approved: _____ Date Adopted: _____

Chair of the Board

Addendum 9: POPI Addendum to SABR Contract of Employment

Addendum to Contract of Employment

Protection of Personal Information Act Declaration

I, **[insert employee's full name and surname]**, understand that the SABR will:

1. During the course of my employment, need to collect, organise, process and store my personal information for the business interests of the Organisation, as well as for the benefits of both parties. This includes any information that I have provided in support of my application.
2. Use this information for screening, appointments, training and development, performance monitoring, career and talent management, administration, employment relationship issues, termination of employment and any other employment-related purposes.
3. Share my personal information with a third party (such as fund and insurance administrators, government departments and funders), including across borders when necessary.
4. Distribute relevant personal information when it is legally required to do so.

By signing this addendum, I confirm that I understand my right to privacy and the right to have my personal information processed in accordance with the conditions for the lawful processing of personal information, and hereby give my consent to the SABR to all of the above activities. I also understand and accept that it is my responsibility to keep this information up to date by notifying the nominated person **responsible** at the SABR whenever my personal information changes.

I hereby authorise the SABR, its Junior Chief Operating Officer and Human Resources Consultant and any authorised member of the Management team:

Signed at _____ on this _____ day of _____ 20____

Employee name

Employee signature

For and on behalf of

Employer name

Employer signature

Witness name

Witness signature

Witness name

Witness signature

Witness Name

Witness Signature

Date

- Instruction: Please return the signed Policy Acknowledgment form by **[insert date]** to **[insert name]**