

West Rand District Municipality



Conflict of Interest Policy

1. Purpose

The purpose of this policy is to protect the interests of the West Rand District Municipality (WRDM). In the regular course of business, Councillors, stakeholders, employees and service providers (contractors) of the WRDM may have the opportunity to advance their own personal interests with or against the interests of the WRDM acting in such a manner is unacceptable and any party who acts outside of the WRDM's best interest may be subject to disciplinary action.

2. Definitions

- a. Employee – any person who is employed by the WRDM in a part or full-time capacity and in accordance with the labour laws of the Republic.
- b. Agent – Councillor, stakeholder, contractor or other third-party that is in the position to act on behalf of the WRDM.
- c. Financial Interest – The interest that any individual may have in the monetary transactions of WRDM in particular, any interest that could have a direct bearing on the financial gain/loss of said individual.

3. Procedure

a. Duty to disclose

Every employee/stakeholder of the WRDM is obligated to disclose any known or potential conflicts of interest as soon as they arise. Failure to do so could result in termination of employment.

b. Investigating potential conflicts

When a possible conflict of interest arises, the Council will collect pertinent information and may question any concerned parties. If the Council determines that a conflict exists, steps will be taken to address the matter. If it happens that no conflict exists, the inquiry may be documented but no further action will be taken.

c. Addressing conflicts of interest

In an event that an actual conflict of interest is found, any transactions that may have been affected as a result thereof will be reviewed retroactively. Affected parties both within and outside of the municipality, including shareholders, councillors, employees, and contractors will be notified.

An investigation will also be conducted by Council’s oversight committee, Municipal Public Accounts Committee (MPAC) to determine the extent of the conflict and the intentions of the parties involved.

If the conflict in question involves a member or members of the Council or Senior Management, such a member will be excused from the processes that will unfold.

d. Disciplinary action

All conflicts of interest will be reviewed on a case-by-case basis, a review may result in disciplinary action.

The Council has full discretion to deem what disciplinary action is both fitting and necessary, including suspension and/or termination of employment.

e. Acknowledgement

The employee/councillor named below understands the procedure for conflicts of interest with the WRDM, including their duty to disclose any known or potential conflicts.

Furthermore, the employee/councillor agrees to abide by the procedures outlined in this policy for the duration of their professional relationship with the West Rand District Municipality.

Employee/Councillor Name

Date

Signature