

ESTABLISHMENT OF A PROFESSIONAL BOARD FOR COMMUNITY DEVELOPMENT PRACTICE

PHSDSBC
28 AUGUST 2024

Purpose

To provide an update on the development of Regulations on the establishment, composition, functions and functioning of a Professional Board for Community Development Practice (PBCDP)

- a) To empower members on the development process,
- b) To provide summary of key sections of the regulation,
- c) To outline activities for the 2024/24 financial year; and
- d) Implications for organized labour.

Overview of Regulatory Framework

Constitution, 1996 (sec 22)

(a)

Right to choose occupation, trade or profession

(b)

Occupation, trade or profession may be Regulated by **law**

Social Service Professions Act, 1978

Entity,

sec 2 (SASSP)

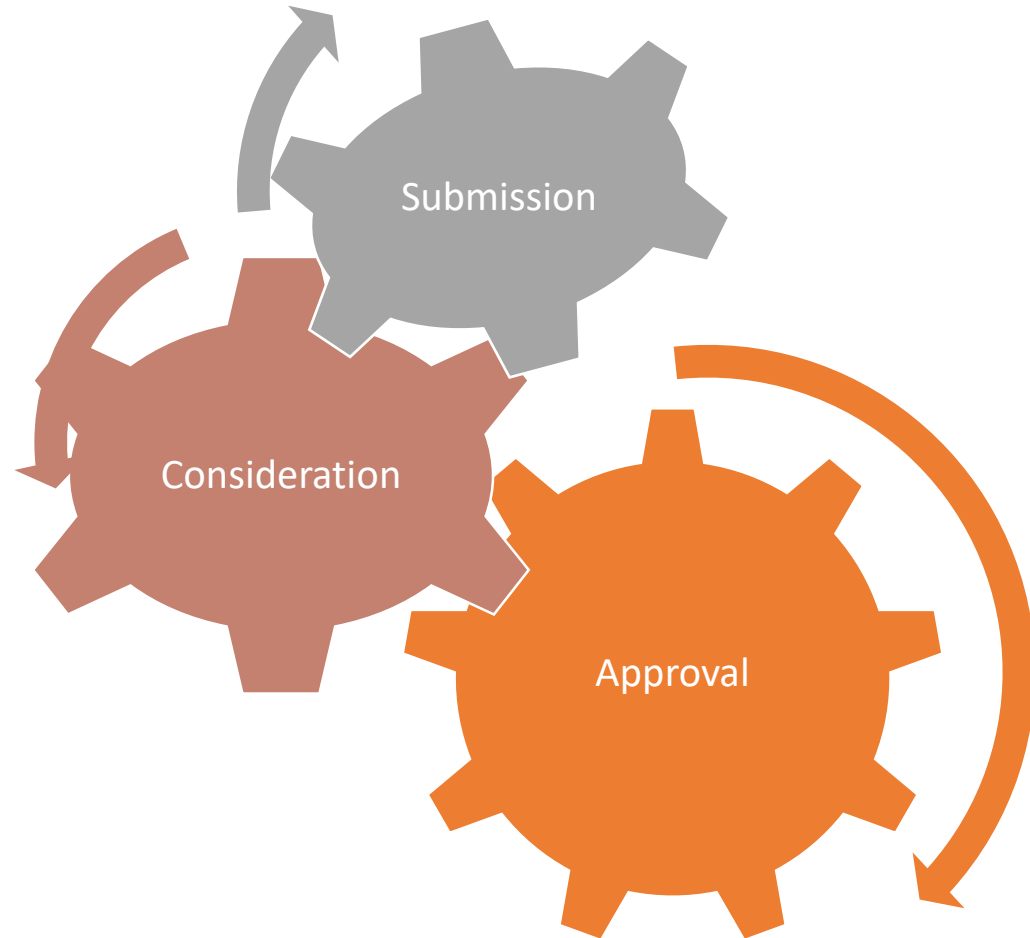
Administration,
sec 4, 11 & 27 (f)

Structures

Council, sec 5

Professional Boards, sec 14A

Regulations regarding a PBCDP – SACSSP input



Approval of a profession/ occupation as a social service profession

a) Responsibility of the Council to:-

- ✓ Provide guidance to interest parties/ profession,
- ✓ Consider applications against own guidelines,
- ✓ Approve any profession as a social service profession, then
- ✓ Submit a recommendation to the Minister to section 14A

Regulations regarding a PBCDP

Considerations from Section 28 (1) (gD)

(a) Composition	(b) Functions	(c) Functioning
<ul style="list-style-type: none"> a) Majority to be members of the profession, b) Persons representing the community c) Relevant educational institutions d) Welfare authorities (provincial DSD) e) One or more persons versed in law 	<ul style="list-style-type: none"> a) Section 14B and 14C 	<ul style="list-style-type: none"> a) Establishment by the professional board of such committees b) professional board of its powers c) Procedure for nomination and election of members d) Appointment of Chairperson and Vice Chairperson e) Powers and functions of Chairperson and Vice

Regulations regarding a PBCDP - Development process



Regulation #2: Establishment

The Professional Board for Community Development Practice is **hereby established** by the Minister in terms of section 14A(1) of the Act.

Regulation #3: Composition

Elected persons = 8

- i. **Five** CDPs nominated and elected by CDPs;
- ii. **One** CDP, elected by CDPs from nominations by the community development education and training institutions;
- iii. **One** Assistant CDP nominated and elected by Assistant Community Development Practitioners.
- iv. **One** member designated by the council in terms of section 5(4)(b) of the Act

Persons from public nominations = 4

- i. **One** CDP in the employ of a provincial DSD
- ii. **One** person versed in law
- iii. **Two** persons representing the community

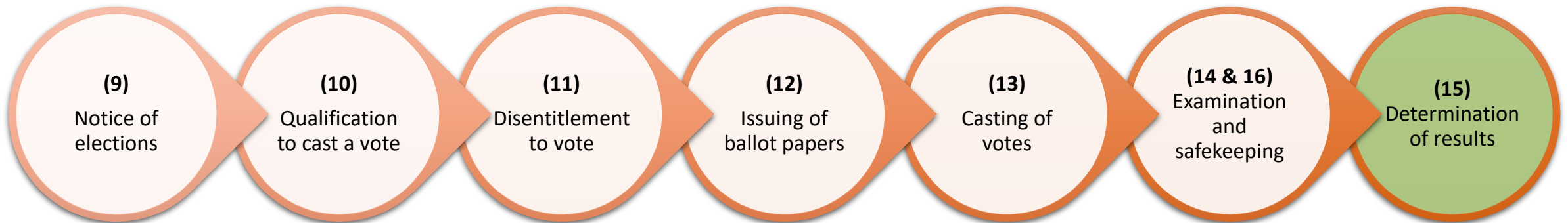
Regulation #4, Qualification for nominations

- (1) must be a South African citizen or a permanent resident.
- (2) No one disqualified in terms of the provisions of regulation 7.
- (3) Nominations of persons in (1) must meet at least two of the following criteria:
 - (a) Active involvement in the social development sector,
 - (b) Strategic thinking and leadership,
 - (c) Knowledge of ethics and disciplinary procedures, and
 - (d) Knowledge of social service professions and social service practices.
- (4) Only persons whose details appear in the list and database contemplated in regulation 10 (2) shall be eligible for nomination and election as members of the Board
- (5) Any person nominated as contemplated in regulation 3(b) and qualified in a profession for which professional registration is required by law shall attach proof or registration status to the nomination form

Regulation #6 – 8, Nominations

- (1) shall be nominated by completing Form 1A, Form 1B and Form 6A.
- (2) No person shall be accepted as a candidate for election unless-
 - (a) he or she is nominated in accordance with sub-regulation 1;
 - (b) he or she is nominated by a person whose name appears on a database and list contemplated in regulation 10 (2).
 - (c) he or she has accepted such nomination in writing before the closing date of nominations contemplated in sub-regulation 5; and
 - (d) he or she deposits with the returning officer an amount of R100.00 before the expiry of the nomination time
- (3) A nomination in terms of this regulation shall only be valid if-
 - (a) it contains all the particulars set out in a Form 1A, 1B, & 6A; and
 - (b) a nominee signs the nomination form of more candidates than the total number of members to be elected.

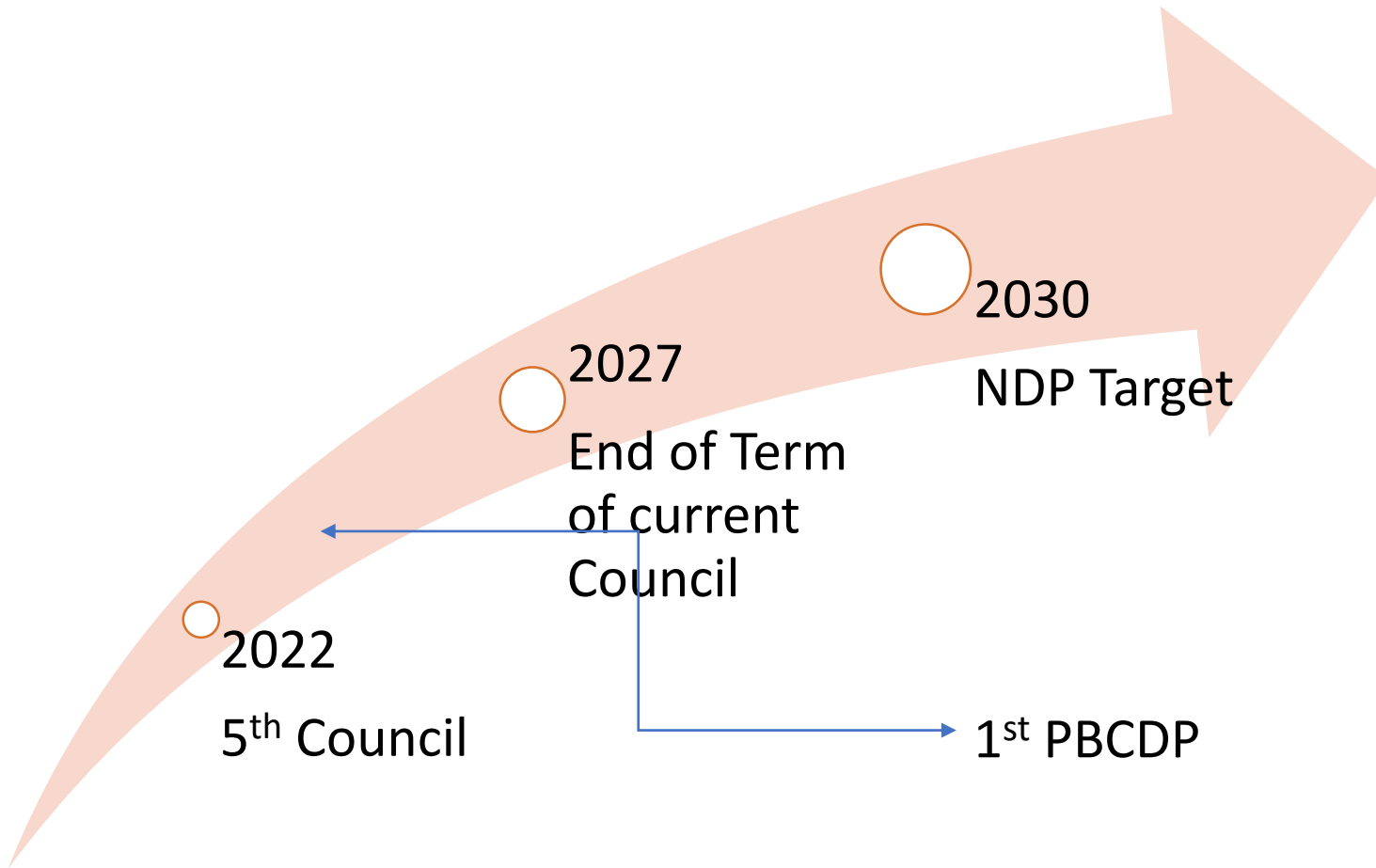
Regulation #9 – 15, Elections



Regulation # 19, Appointment of members

- (1) The **Registrar** must within 30 days of election of members, submit the list of elected members to the Minister.
- (2) The **Minister** shall within 30 days after the closing date of nominations and before the appointment of persons as contemplated in regulation 3 (b), (d) and (e) **establish a committee** to-
(a) sort and verify nominations received against the advert; (b) assess suitability of each nominee; (c) create a list of all suitable nominees per category; and (d) recommend suitable candidates for appointment.
- (3) The **Minister** may from the list of members contemplated in sub-regulation (2) appoint such members as members of the professional board.
- (4) The **Minister** shall as soon as possible after the appointment of members contemplate in sub-regulation (2) inform the Registrar in writing of the names of the persons who have been appointed as members of the professional board from the list of elected persons and persons from public nominations as contemplated in sub-regulations (1) and (3).
- (5) The **Registrar** must within 30 days of appointment and by notice in the gazette publish names of members of the professional board constituted as contemplated in regulation 3 and appointed as contemplated in sub-regulation (4).

Regulation #18, Term of office



- ✓ Five years,
- ✓ But for alignment with Council, up to 3 months before expiry of term of office of current Council

Regulations # 22-29: Functioning of Professional Boards

**Powers and
Functions
Reg. 22**

**Appointment
of Office
bearers
Reg. 23**

**Ordinary and
special
Meetings
Reg. 24**

**Meeting
Procedures
Regs. 25-27**

**Board
Committees
Regs 25-28**

**Allowances
payable to
members
Reg.29**

Implementation - Joint Roles SACSSP and DSD

The **returning officer (registrar)** shall, for the purposes of any nominations required for members of the professional board to be elected,

- a) through *written notice* and by notice in the Gazette or print media,
- b) invite such nominations from training institutions and all members of the profession concerned.

The **Minister shall**, for the purposes of any nominations of persons to be appointed by him or her *from the community*, through the media and by notice in the Gazette or print media, invite such nominations from the public

Implementation – 2024/25 Plans

- Engagements with sector partners - awareness
- Communication with SACSSP- Notice of approved regulations
- Public awareness and Capacity building programme

Communication

Nominations & Elections

- Work jointly with Registrar to synergies nomination and elections processes
- Independence of SACSSP is key

- Entirely dependent on-
- schedule of first meeting as organized and chaired by registrar (only for purpose of office bearer nominations)
- Appointment of chair and deputy chair by the Minister

Composition, Appointment, Inauguration and Induction

Implications for Organised Labour

Conditions of service	Management	Professional Conduct
<ul style="list-style-type: none"> a) Council and Boards must communicate to the Minister any matters affecting professions for which PB are established b) Be aware of essence of the SSP Act (only regulated professions), Public Service Act and Regulations (only for Public Servants, and expectations from CDPs practicing outside DSD and Public Service (NPOs) c) Guide Organised Labour and SACSSP (on respective legislated mandates) d) Engage HODs on Provincial DSD Council and Boards representatives to minimize conflict and role confusion e) Only persons registered as CDPs as regulated will be the ones to use the title CDP f) Check and debate for eg OSD provision for SSPs against CDPs (not a profession on introduction of OSD??) 	<ul style="list-style-type: none"> i. Job descriptions to be aligned with Regulations on the scope of practice of CDPs (once in place) ii. Supervision (of practitioners and students/ learners if any) iii. Management 	<ul style="list-style-type: none"> 1. Once regulated, CDPs will be subject to same disciplinary procedures of SACSSP as SW and CYCW 2. Be aware of relevant SSP Act Rules and Regulations for better / improved management of conduct within DSD

Conclusion

- a) **Excitement:** Minister and DSD is excited that this key milestone towards increasing the number of SSPs in the country was achieved in the previous MTSF (2019/2024).
- b) **Strengthening the functioning of Council and Boards:** DSD systems are in place to support the SACSSP in ensuring that the PBCDP performs its functions in compliance with the SSP Act, PFMA and related regulations
(Implementation of Induction Policy and Induction Manual for newly appointed members of the PBCDP)

Recommendations

Dir: Social Service Professional Compliance and Support recommends that the PHSDSBC

- a) **Notes** progress in the development and approval of Regulations on Constitution, Functions and Functioning of a Professional Board for Community Development Practice (PBCDP).
- b) **Considers** the critical role of organized labour in the functioning of the Council of the SACSSP and guide nomination of a suitable person (whenever advised).
- c) **Notes** that they can request regular updates from the organized labour representative member of Council to ensure balance of mandates
- d) **Approves** presentation of regular updates on developments on and management of Social Service Professions Act, 1978.

Update on the Social Service Practitioners Draft Bill (2021)

2023/24 Financial Year

- ❖ Redrafting in consideration of OCSLA opinion
- ❖ Resubmission
- ❖ Pre-Certification for Submission to Cabinet for Approval

2024/25 Financial Year

- ❖ Tabling at NEDLAC for consideration (April – May 2024)
- ❖ Supported for submission to Cabinet (June 2024)