



CONSTITUTION
of the
SCHOOL GOVERNING BODY
of
ZWAANSWYK HIGH SCHOOL

1. NAME:

The name of the governing body is the School Governing Body of Zwaanswyk High School (hereinafter referred to as the "SGB").

2. STATE:

The SGB governs Zwaanswyk High (hereinafter referred to as "the school"), a juristic person, in accordance with the provisions of the South African Schools Act, 1996 (Act No. 84 of 1996) and the Western Cape Education Department Policy on the Constitution of School Governing Bodies and appropriate regulations and provisions, national and provincial provisions of this Constitution.

In every instance where the SGB is required to take any step or action, it will be represented by its chairperson, or in his/her absence by its vice-chairperson, or any other member, after having been authorized thereto by a resolution of the SGB.

3. OBJECTIVES:

The objectives of the SGB are: -

- 3.1 the able, responsible and cost-effective governance of the school;
- 3.2 the promotion of the best interests of the school;
- 3.3 the development and maintenance of the vision, mission and policies of the school;
- 3.4 the promotion of the highest possible quality of education to the learners of the school;
- 3.5 the exercising of all the rights, powers and responsibilities of the SGB as imposed by the South African Schools Act, 1996, the Western Cape Education Act, appropriate regulations and provisions, appropriate national and provincial legislation and the provisions of this Constitution;
- 3.6 the maintenance of the rights of all learners, parents, educators and other staff members attached to the school;
- 3.7 the development and promotion of the responsibility of parents, educators, other staff members and learners for the organization, control and financing of the school in partnership with the State;
- 3.8 the raising of funds for purposes of effective governance of the school;
- 3.9 the control and management of all funds and assets of the school; and
- 3.10 the maintenance of order and discipline at the school.

4. MEMBERSHIP:

- 4.1 The members of the SGB are as prescribed in the South Africa Schools Act, 1996 and the Western Cape Education Act;
- 4.2 The election of members of the SGB will take place in accordance with the provisions of the South Africa Schools Act, 1996 and the Western Cape Education Act, and the applicable, regulations promulgated in terms thereof;
- 4.3 The SGB is entitled to co-opt additional members;
- 4.4 The term of members of the SGB is as prescribed in the South African Schools Act, 1996 and the Western Cape Education Act, and the applicable regulations promulgated in terms thereof;
- 4.5 To acquire and / or retain his / her membership of the SGB at ZWHS a parent is required to be in good standing at ZWHS and within the ZWHS community;

5. RIGHT, POWER AND RESPONSIBILITIES:

- 5.1 The SGB is entitled to and performs all the rights, powers and responsibilities granted to it in terms of the applicable legislation and which is reasonably necessary in order to give effect and to perform all such rights, powers and responsibilities;
- 5.2 Where necessary specific rights, duties or responsibilities will be exercised on behalf of the SGB by the Chairperson or such other member or members authorized by the SGB to do so.

6. OFFICE BEARERS:

- 6.1 At the first meeting of the SGB, the members present must elect the following office bearers:
 - 6.1.1 chairperson,
 - 6.1.2 vice-chairperson,
 - 6.1.3 treasurer,
 - 6.1.4 secretary,
 - 6.1.5 any other office bearers who may be required at the discretion of the SGB;
- 6.2 The office bearers of the SGB exercise all the rights, duties and responsibilities which may be required of them in terms of the Constitution;
- 6.3 The chairperson of the SGB will act as chairperson of all meetings of the SGB as well as all meetings of the SGB with learners, parents or staff members of the school;
- 6.4 In the absence of the chairperson or in the event of the chairperson not being able to carry out his/her duties as chairperson, the vice-chairperson must act as chairperson and if he/she is likewise unable to act as such, the SGB must appoint another member as chairperson during the period of absence of the chosen chairperson or vice-chairperson;
- 6.5 The term of office of the office bearers of the governing body is as prescribed in South Africa Schools Act, 1996 and the Western Cape Education Act.

7. MEETINGS:

- 7.1 The SGB meets as regularly as circumstances require but not less than once every month;
- 7.2 The chairperson has discretion to convene meetings of the SGB and to determine the date, time and venue thereof but he/she is obliged, if requested to do so in writing by at least four members of the SGB, to convene a meeting of the SGB;
- 7.3 The secretary or someone else instructed by the chairperson must give at least fourteen days' (or such shorter period as the SGB may unanimously approve) notice of any meeting of the SGB and such notice must be given to all members of the SGB;

- 7.4 In case of a matter which the chairperson considers to be urgent, only 24 hours' prior notice of a meeting needs to be given to members of the SGB;
- 7.5 Unless unanimously agreed otherwise by the SGB, notices of all meetings of the SGB must be in writing and accompanied by the following:
 - 7.5.1 an agenda,
 - 7.5.2 the minutes of the previous meeting, if applicable,
 - 7.5.3 all other information that is reasonably required to enable members of the SGB to prepare properly for the meeting;
- 7.6 The secretary or such other person appointed for this purpose by the SGB, records the proceedings at all SGB meetings. If requested to do so, the secretary will provide a copy of the minutes to the Head of the Provincial Education Department;
- 7.7 The minutes of the proceedings of a SGB meeting must be approved by the SGB at the next meeting and will at all times be available for inspection by members of the SGB and the Head of Education in the Western Cape;
- 7.8 Anyone who is not a member of the SGB may, by invitation of the SGB, attend a SGB meeting and may take part in discussions and may address the SGB should the duties of the SGB require it. Such person will, however, not have a vote during the meeting and has to leave the meeting when the SGB so decides;
- 7.9 The SGB may demand that any staff member of the school attends the meeting of the SGB in connection with any matter that has to do with the functions of the SGB;
- 7.10 The majority of the number of members of the SGB forms a quorum for any meeting of the SGB. A majority being half of the total number of SGB members + 1;
- 7.11 A member of the SGB must excuse himself from a meeting of the SGB for the duration of any discussion and decision-taking on any matter in which such member has a personal interest;
- 7.12 On the dissolution of the SGB or the expiration of its term of office, all minutes and other documents of the SGB or any of its committees must be handed to the Principal of the school;
- 7.13 At the permanent closing of the school the Principal must hand all minutes and other documents of the SGB or any of its committees to the relevant District Office of the Western Cape Education Department for safekeeping.

8. PROCEEDINGS AND VOTING:

- 8.1 Meetings of the SGB are conducted according to the accepted and well-known rules and principles of meeting procedures in South Africa;
- 8.2 Should a dispute arise as to the procedure at meetings, the chairperson shall have the right to determine the procedure;
- 8.3 All decisions of the SGB shall, as far as possible, be taken by consensus;
- 8.4 If, in the opinion of the chairperson, it appears that consensus in regard to a particular discussion point cannot be reached, the members with voting rights shall vote on such motion by way of the raising of hands or such other method as the meeting may decide;
- 8.5 In the event of a tie in the voting the chairperson shall, apart from his/her normal vote, have a casting vote;
- 8.6 Apart from a decision to amend this Constitution, all decisions of the SGB may be taken by an ordinary majority vote.

9. COMMITTEES:

- 9.1 The SGB is entitled to establish committees to assist it in the performance of its functions and duties;
- 9.2 The chairperson of a committee of the SGB must be a member of the SGB;
- 9.3 Committees of the SGB are responsible to the SGB and exercise only those functions allocated to it by the SGB;
- 9.4 Committees of the SGB must report to the SGB as often as may be required by the SGB and must submit all their decisions to the SGB for approval;
- 9.5 Minutes of the meetings of committees of the SGB must at all times be available for inspection by the SGB.

10. FINANCE COMMITTEE AND FINANCE PROCEDURE:

- 10.1 The SGB must appoint Finance Committee (FinCo) consisting of the treasurer, one representative from the parent component, the principal, one representative from the educator component and the financial officer of the SGB;
- 10.2 The treasurer of the SGB acts as chairperson of the finance committee;
- 10.3 The Principal acts as accounting officer of the school;
- 10.4 The FinCo of the SGB:
 - 10.4.1 Advises the SGB on financial policy and determines guidelines for the financial administration;
 - 10.4.2 Is responsible for the performance of all duties of the school in connection with the keeping of financial records, the appointment of a bookkeeper or auditor, the auditing of the financial records, the provision of information on the school's finance matters, the preparation of a budget, the determination of the school fees, the exemption or partial exemption from the payment of school fees and all other matters of a financial nature in accordance with generally accepted accounting practice;
- 10.5 All decisions, with regard to Capital Expenditure, are subject to approval by the SGB.

11. REPORTS TO AND MEETINGS WITH STAKEHOLDERS:

- 11.1 The SGB meets at least once every school year with parents, learners, educators and other staff members of the school;
- 11.2 The SGB decides whether such meetings will be held with parents, learners, educators and other staff members separately or in combination.
- 11.3 During the meeting contemplated in clause 11.1 above, the SGB reports on its activities and discusses such matters that may serve to promote the objectives of the SGB.

12. AMENDMENT OF THE CONSTITUTION:

- 12.1 Any provision of this Constitution may be amended at a meeting of the SGB, provided that:
 - 12.1.1 the members of the SGB have been given notice of such proposed amendment at least one calendar month before the meeting at which the amendment is to be considered;
 - 12.1.2 reasonable particulars of the proposed amendment were given simultaneously with the aforesaid notice of the meeting;

- 12.1.3 any amendment of the Constitution be approved by at least two thirds of all the members of the SGB with voting rights.
- 12.2 Should there not be sufficient members present at a meeting contemplated in clause 12.1.3, a further meeting will be called at least two weeks after the first meeting, with the exclusive purpose of considering the proposed amendment. Should there still not be two-thirds of the members present at the second meeting, the proposed amendment may be approved by two-thirds of the members present at the second meeting.

13. RULES AND POLICY:

- 13.1 Subject to any legal provision and this Constitution, the SGB may in its discretion make rules or determine policy in connection with any matter concerning its functioning or the functioning of any of its committee or in the manner in which any office bearer or authorized representative of the SGB should perform his or her functions.
- 13.2 Such rules and policy do not form part of this Constitution and any amendment thereof need not comply with the provisions relating to the amendment of the Constitution.

This Constitution was accepted at a meeting of the SGB of Zwaanswyk High School in Tokai, Cape Town in May 2026.

Ms C. Rhoda
SGB CHAIRPERSON

Mr R. Wyngaard
SGB Secretary

Original document duly signed and available for perusal at ZWHS.