

GAUTENG DEPARTMENT OF EDUCATION



IMPALA CRESCENT
PRIMARY SCHOOL



GAUTENG PROVINCE
EDUCATION
REPUBLIC OF SOUTH AFRICA

**IMPALA CRESCENT PRIMARY
SCHOOL
SGB CONSTITUTION
2026**

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SGB CONSTITUTION OF IMPALA CRESCENT PRIMARY SCHOOL (UPDATED 2026)

1. TITLE OF THE POLICY

SGB Constitution - Impala Crescent Primary School

2. EFFECTIVE DATE

3. DATE OF NEXT REVIEW

Every three years, or earlier if legislation changes.

4. REVISION HISTORY

Version	Date	Amendments Summary
1.0	2022	Original constitution
2.0	2026	Updated to align with BELA Act & 2025 Admission Regulations

5. PREAMBLE

This constitution is adopted in terms of the **South African Schools Act 84 of 1996**, as amended by the **Basic Education Laws Amendment (BELA) Act**, and the **Admission of Learners to Public Schools Regulations, 2025**.

The SGB acts in trust to promote quality education, equity, and good governance.

VISION

Impala Crescent Primary School aims to be a leading institution in the delivery of quality education, where every learner feels valued and inspired.

MISSION

To deliver a curriculum that is based on humanistic values, is future orientated, of a high standard and comprehensive to:

- *Support the schooling process by improving our management, administration, teaching, learning, assessments and overall standards.*
- *Establish both the culture and capacity for lifelong learning amongst our learners and staff. Encompassing values of integrity, passion for accountability and truth.*

6. PURPOSE & OBJECTIVES

- Define SGB membership, election, and removal procedures
 - Outline functions (including allocated Section 21 functions)
 - Ensure financial transparency and accountability
 - Govern admissions in line with BELA & 2025 Regulations
 - Regulate conduct of SGB members
 - Provide for handover, meetings, and amendment procedures
-

7. DEFINITIONS & ACRONYMS

(as per SASA, BELA, and 2025 Admission Regulations)

Term	Definition
Act	South African Schools Act 84 of 1996
BELA Act	Basic Education Laws Amendment Act
HOD	Head of Department (Provincial Education Dept)
Parent	Includes biological parent, guardian, or person legally responsible for a learner
Learner with special needs	As defined in the 2025 Admission Regulations, Clause 18
Undocumented learner	Learner without a birth certificate or valid immigration status (Reg 17)
Admission period	Period determined annually by the HOD for entry grades (Grade R, 1, 8)

8. APPLICATION & SCOPE

Applies to all SGB activities, admissions, financial management, and school governance.

9. LEGISLATIVE FRAMEWORK

- South African Schools Act 84 of 1996 (as amended by BELA)
 - National Education Policy Act 27 of 1996
 - Gauteng Schools Education Act 6 of 1995
 - Admission of Learners to Public Schools Regulations, 2025 (Gov Gazette No. 53119)
 - Employment of Educators Act 76 of 1998
 - Public Service Act, 1994
 - Promotion of Access to Information Act (PAIA)
 - Children's Act 38 of 2005 (for care placements)
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10. SGB COMPOSITION & ELECTIONS

10.1 Composition

- Principal (ex officio, no voting rights)
- 6 parent members (must be majority +1 over other voting members)
- 3 educator members
- 1 non-educator member

10.2 Co-opted members

- May be co-opted for expertise (no voting rights unless parents fall below majority - then temporary voting rights until by-election)

10.3 Term of office

- Parent, educator, non-educator members: 3 years
- Learner members (if applicable - Gr 8+ only): 1 year
- Office-bearers: 1 year

10.4 Removal from office

- By HOD after fair hearing (Reg 11.2.8 of SASA)
 - Appeal to MEC within 30 days
-

11. FUNCTIONS OF THE SGB

11.1 Core functions (Sec 20 of SASA)

- Adopt constitution
- Develop mission statement
- Adopt code of conduct for learners
- Support principal & staff

- Administer school property
- Recommend staff appointments
- Encourage voluntary services

11.2 Allocated Section 21 functions (approved by MEC)

- Maintain & improve school property
- Determine extra-mural curriculum & subject choices
- Purchase textbooks & educational materials
- Pay for services to the school

11.3 New functions under BELA Act & 2025 Regulations

- Ensure **admission policy** aligns with national regulations
- Maintain **register of admissions** (Reg 11)
- Report undocumented learners to HOD within 7 days (Reg 17)
- Ensure **immunisation proof** or exemption before admission (Reg 14)
- Support **learners with special needs** (Reg 18)
- Publish **admission period** and assist parents with applications (Reg 4)
- Inform parents of their rights & obligations (Reg 22)
- Manage **appeals** against admission refusal (Reg 23)

12. FINANCIAL ARRANGEMENTS

12.1 Bank account

- SGB must maintain a school bank account
- All funds deposited within 24 hours

12.2 Finance committee

- Elected annually
- Develops finance policy (approved by SGB)

12.3 School fees

- Determined at AGM
- Must include exemption criteria (total, partial, conditional)

12.4 Audited statements

- Submitted to HOD by 30 June annually

12.5 Procurement

- Must be economical, efficient, effective
 - Avoid malicious procurement (as per BELA financial assessments)
-

13. MEETING PROCEDURES

13.1 SGB meetings

- At least once per term
- Quorum: 50% + 1 of voting members (parents must be majority)

13.2 Notice

- At least 7 days' notice to members and District Director

13.3 Minutes

- Kept by Secretary
- Approved at next meeting
- Available to HOD on request

13.4 Recusal

- Any member with a personal interest must withdraw

13.5 AGM (parents)

- Held between July–November
- Report, audited statements, budget, fee discussions

13.6 Special General Meeting

- Within 30 days of petition by 20% of parents
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14. ADMISSION OF LEARNERS (BELA & 2025 REGULATIONS)

14.1 Admission policy

- Must be fair, transparent, and consistent with national regulations
- Must consider feeder zones (if determined by HOD)
- May not discriminate unfairly (Reg 9)

14.2 Required documents

- Birth certificate (or sworn affidavit if unavailable – Reg 13(1))
- Immunisation proof or exemption (Reg 14)
- Proof of residence or work address (Reg 13(6-7))
- Transfer card or last report card (Reg 13(10-11))

14.3 Undocumented learners

- Must be admitted if otherwise eligible (Reg 17)
- Principal reports to HOD within 7 days

14.4 Non-South African citizens

- Study visa, asylum seeker visa, or refugee permit required (Reg 16)

14.5 Learners with special needs

- Must be admitted if reasonably practicable (Reg 18)
- If not, HOD arranges suitable placement

14.6 Refusal of admission

- Must be in writing with reasons (Reg 15)
- Parent has right of appeal to MEC (Reg 23)

15. CODE OF CONDUCT FOR SGB MEMBERS

Members must:

- Act with honesty, integrity, and in best interest of the school
- Not interfere with professional management
- Avoid conflicts of interest (declare in writing)
- Not accept bribes
- Maintain confidentiality
- Promote non-discrimination and equity

16. HANDOVER OF DOCUMENTS

Within 14 days of new SGB election:

- Policies, SDP, budget, financial records, minutes, contracts, bank statements
- Outgoing members assist only in handover meeting

17. AMENDMENTS TO CONSTITUTION

- Two-thirds majority of total membership required
- Notice of amendments: 2 months in advance
- Must be submitted to HOD for validation

18. LIABILITY OF MEMBERS

- SGB is a juristic person
 - Members not personally liable unless acting with malice or without authorisation
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19. SHORT TITLE

This constitution is called the **SGB Constitution of Impala Crescent Primary School (2026 Update)**.

20. DATE OF APPROVAL

Role	Name	Signature	Date
Principal (recommend)			
SGB Chair (approve)			
District Director (verify)			

DRAFT