

INTRODUCTION

All applicants who register with the Institute for the examinations, are registered as students. It is incumbent upon students to comply with the Code of Ethics governing professional conduct and the Code of Conduct in terms of the examinations.

PART A – THE CODE OF ETHICS

This Code demonstrates the standard of professional conduct expected of all ICSA students studying towards their Chartered Secretaryship.

1. GENERAL FUNDAMENTAL PRINCIPLES

- 1.1 The professional ethics described in this Code are issued by the Board for the guidance of students and to assist students to conduct themselves in a manner which the Board considers appropriate to the profession in general and to Chartered Secretaries in particular. However, as misconduct cannot be specifically defined for all instances, but will need to be determined in the light of the circumstances of each individual case, it follows that the Board cannot publish lists of every possible instance of misconduct.
- 1.2 This Code is issued by the Board to facilitate the enforcement of ethical standards through its disciplinary procedures. Failure to observe the provisions of the Code does not (as is indicated above) ipso facto constitute misconduct, but does mean that students may be required to justify their actions in answer to a complaint.
- 1.3 The Articles of Association of the Institute require the observance of rules of conduct as a condition of student registration and render a student liable to disciplinary action if found guilty of misconduct, which includes, but is not confined to, any act or default likely to bring discredit to the student, the Institute, or the profession. Nevertheless, the Board considers it desirable to be more explicit in particular areas.
- 1.4 Students are required to uphold the Institute's Charter and comply with its Byelaws.
- 1.5 Students are required to exercise integrity, honesty, diligence and due care in carrying out their duties and responsibilities. They shall conduct themselves with courtesy and consideration towards all with whom they come into contact in the course of their studies, professional work, as well as in terms of their personal conduct in general.
- 1.6 Students shall at all times be cognisant of their responsibilities as professional persons towards the wider community. They shall follow the guidance of this Code and, in circumstances not provided for, should conduct themselves in a manner consistent with the good reputation of the profession and the Institute.
- 1.7 If employed, students shall at all times safeguard the interests of their employers, colleagues and clients provided that they shall not knowingly be party to any illegal or unethical activity.

- 1.8 If employed, students shall not enter into any agreement or undertake any activity which may be in conflict with the legitimate interests of their employer or client or which would prejudice the performance of their professional duties.
- 1.9 Students shall refrain from conduct or action, whether in their personal or professional capacity, which detracts from the reputation of the Institute.

PART B: THE CODE OF CONDUCT FOR EXAMINATIONS

1. The invigilator has authority to assign seats to candidates
2. The examination paper is in English. The answers must be written in English.
3. Candidates **must** be seated in the examination venue at least 30 minutes before the start of the session.
4. **No** books, workbooks or course material will be allowed in the examination venue other than the material stipulated in the “Open-Book Assessment” notice
5. **No** materials shall be brought into the examination venue or used in the examination except those authorised by the invigilator and specified in the “Open-Book Examinations” notice.
6. Bags, beverages, food, jackets, books and any other items identified by the Invigilator, **MUST** be placed in areas designated by the invigilator.
7. **No electronic or communication devices will be allowed** in the examination venue, including cell phones, laptops, pagers, etc. Programmable calculators are permitted for use in certain module examinations and it is the **candidate's responsibility** to ascertain whether the use of calculators is permitted.
8. Smoking and/or smoke breaks during the examination **is/are not allowed**. Except for bottled water, no food or drink is allowed in the examination venue. Candidates with health problems that warrant relaxation of this regulation should provide medical documentation to the invigilator prior to the commencement of the examination. Such candidates should restrict themselves to those items and packaging that will least distract other candidates
9. Candidates **must not** begin or attempt to read the examination questions until instructed to do so.
10. **No** loose papers will be handed to candidates. Candidates **must** indicate rough work on examination papers/answer sheets
11. **Important:** It is the student's responsibility to ensure that any loose answer sheets or additional answer books are clearly marked and **bound** together.
12. Answer numbers must be entered on the front page of the answer books in the sequence answered.
13. Candidates **may not** borrow anything or receive assistance from other candidates during the course of the examination.
14. Candidates **are not** allowed to communicate with one another in any manner whatsoever during the examination.
15. Unless in distress, candidates are not allowed to visit the cloakroom during an examination session. In such cases, an invigilator will accompany the candidate. The examination book must be handed to the invigilator before leaving the room. Only one candidate will be permitted to leave the room at any one time
16. Candidates **must** remain seated during the examination period. A Candidate needing to speak to the invigilator (e.g. to ask for additional paper or to request permission to leave the examination room for any reason) should indicate this by raising his or her hand.

17. Questions concerning possible errors, ambiguities or omissions in the examination paper **must** be directed to the invigilator who will investigate them through the proper channels. The invigilator **is not** permitted to answer questions other than those concerning the examination paper, as mentioned above.
18. To ensure minimal disruption at the beginning and end of the examination, Candidates **must** remain seated at their desks for the first 30 minutes and the final 15 minutes of the examination.
19. It is the responsibility of the candidate to make sure s/he hands in their examination script to the invigilator before leaving the venue
20. Candidates who leave before the examination is over, must hand in all work and notes made during the examination.
21. **No** additional time to complete the examination will be granted to candidates
22. Candidates are expected to complete their examinations in an honest and straightforward manner.
23. Any incident of violation of the examination protocol, will be investigated thoroughly and the Candidate will face serious consequences and if found guilty of such a transgression, barred from all further ICOSA examinations.
24. As these examinations are **primarily** intended for obtaining membership of the Institute and thereby applying to become, Chartered Secretaries, **any** proven dishonesty will result in the candidate being prevented from being granted Membership on the basis of impaired personal integrity.

STUDENT DISCIPLINARY PROCEDURE

The disciplinary procedure of the Institute relates to conduct with respect to examinations.

Note: In all disciplinary matters, the student shall have the right of appeal and the right to representation.

1. Introduction

A case for disciplinary action shall exist if a student is alleged to have:

- interfered or attempted to interfere with an employee of the Institute in the performance of his/her duties;
- wilfully damaged or defaced Institute property or treated, as their own, the property of the Institute or of an employee and/or student of the Institute;
- broken the Code of Conduct in such a way as to bring disrepute upon the Institute;
- broken a published rule of the Institute.

2. Summary Procedure

Allegations of misconduct as described above should be made to the Chief Examiner who will then convene a review panel. If the review panel believes that there is a case for the student to answer then the review panel will interview the student and will be accompanied by the Examinations Officer or another senior officer of the Institute. At this interview the student may be accompanied by a friend or representative. If the review panel considers it appropriate to do so, and if the student agrees, the matter may be dealt with summarily, without recourse to a disciplinary committee.

In dealing with a matter summarily, the review panel will consider written and/or oral evidence. The review panel will find the student guilty of misconduct only if, on the evidence provided he/she is satisfied beyond reasonable doubt of the student's guilt. If a finding of guilt is made, the review panel may impose any of the penalties set out in Section 4 of these procedures, other than disbarment from the Institute.

At the termination of the proceedings, the review panel will arrange for a short report to be written. In the event of a finding of guilt, the report will set out the misconduct alleged, a brief summary of evidence received, the grounds for the finding of guilt, the penalty imposed, and the factors taken into account when deciding the penalty. A copy of the report will be sent to the student and will be circulated, at the review panel's discretion to appropriate members of the Institute staff.

3. Referral to a Disciplinary Committee

If the review panel does not consider it appropriate to deal with the matter summarily, or if the student does not agree to its being dealt with in this way, then it shall be referred to a Disciplinary Committee.

The membership of the Committee shall be:

- Chair (a member of the Board of the Institute)
- Secretary (a member of the review panel)
- Two staff members from the Institute
- Two staff members from the College at which the student is enrolled (if applicable)
- The Quality Assurance Manager (present in an advisory, non-voting capacity)

4. Penalties

A student found guilty of misconduct may be:

- Absolutely discharged, which means that although the student may be technically guilty of the misconduct alleged, no blame should be attached to his or her actions;
- Admonished;
- Cautioned and put on report which means that no penalty is imposed, but if the student is found guilty of misconduct on a subsequent occasion in the following twelve months, or some other specified period, there will be consideration of both offences;
- Conditionally discharged, which means that no penalty is imposed, subject to the student fulfilling certain stipulated conditions including future good behaviour over the following twelve months or some other specified period. If the conditions are not met, a penalty may be imposed following a further hearing;
- Excluded from the Institute for a fixed period of time, up to a maximum of twelve months. A student who is excluded from the Institute has restricted rights to enter Institute premises, and to participate in Institute activities. The terms of the exclusion will be notified to the student in writing. An order of exclusion may include a requirement that the student shall have no contact with a named person or persons;

CHARTERED SECRETARIES SOUTHERN AFRICA
STUDENT CODE OF ETHICS AND CODE OF CONDUCT
PAGE 5 of 5

- Suspended from the Institute for a fixed period of time, up to a maximum of twelve months. A student who is suspended is prohibited from entering Institute premises, and from participating in Institute activities. The terms of the suspension will be notified to the student in writing. An order of suspension may include a requirement that the student shall have no contact with a named person or persons;
- Disbarred from the Institute which means that the student may not complete the qualification.

Version: November 2008