1. **SCOPE**
This policy applies to all staff members (permanent, temporary, full time, part time) and all students. In the wording further on, “staff members” therefore also includes students, where applicable.

2. **AIM**
The aim of this policy is to:
2.1 prevent preferential treatment; and

2.2 prevent situations that can give rise to a conflict of interest.

3. **FRAMEWORK WITHIN WHICH THIS DOCUMENT FITS**
The Council of Stellenbosch University accepted an Employment Equity Plan on 13 December 2000. According to this plan, an effort shall be made, among others, to eliminate unfair labour practices, including unfair discrimination. Nepotism is viewed as a form of unfair discrimination.

4. **DEFINITION OF TERMS**
For the purposes of this policy, the following definitions are accepted:
4.1 **Nepotism** is the preferential treatment of close family members, members of a household and close friends, as defined in 4.4.

4.2 **Close family** includes: the person him or herself and people related to the person by blood and marriage to the second degree (for example spouse (also life partner), child, parent, brother, sister, grandparents, grandchildren, family in law, etc.).
4.3 **Members** of a household include: all individuals who share the home of a staff member on a regular basis.

4.4 For the purposes of this policy, close friends refer to personal relationships that make it difficult to have an objective and accountable professional relationship.

4.5 **Buyer** refers to any staff member who procures goods and/or services on behalf of the University.

5. **ONUS**
The onus to declare the abovementioned relationships rests on employees of the University. If there is any uncertainty, the Chief Director: Strategic Initiatives and Human Resources should be consulted to ensure consistent action with regard to the content and spirit of the policy.

6. **EMPLOYMENT RELATIONSHIP**
6.1 Staff members may not be involved, either directly or indirectly, or participate in the initiation of **decisions on direct conditions of service** (e.g. initial appointment, promotion, salary, allotment of work, allocation of research funds, leave, etc.) with regard to members of their close family or household, or close friends.

6.2 In cases where staff members are being considered for employment or promotion to positions in which a member of their close family or household or close friends take **decisions in the normal course of duty**, or play a significant role in decision-making with regard to their direct conditions of service, the decision-making power or role shall be allocated to someone else, within reason and in consultation with the Chief Director: Strategic Initiatives and Human Resources. A written recommendation in this regard shall be submitted by the head of environment. The Chief Director: Strategic Initiatives and Human Resources shall take the final decision on this recommendation before any appointment can be made.

6.3 In the case that staff members are being considered for employment or promotion to positions in which they are exposed to the **close supervisory authority** of a
member of their close family or household or close friends, the supervisory authority shall be allocated to someone else in the environment, within reason and in consultation with the Chief Director: Strategic Initiatives and Human Resources. A written recommendation in this regard shall be submitted by the head of environment. The Chief Director: Strategic Initiatives and Human Resources shall take the final decision on this recommendation before any appointment can be made.

7. SUPERVISORS AND PROMOTERS

In cases where it is unavoidable that a staff member has to act as supervisor, co-supervisor, promoter or co-promoter for a member of his/her close family or household, or for a close friend, an unattached supervisor, co-supervisor, promoter or co-promoter shall also be appointed for that student in addition. A written recommendation in this regard shall be submitted by the head of environment. The relevant academic body is responsible for the final decision.

8. PURCHASE OF GOODS AND/OR SERVICES

8.1 Before a purchase transaction with regard to goods and/or services in which members of close family or of the household are involved as suppliers can take place, the relevant personal relationship shall first be declared by a buyer, or decision maker on the transaction, to the Director: Purchasing and Provision Services. Failure to inform the Director: Purchasing and Provision Services shall be dealt with in terms of the University’s disciplinary code. With regard to each requisition, the person who approves the requisition shall check that no nepotism has taken place or could take place.

8.2 Once the buyer/decision maker has declared the relevant personal association with the supplier(s) to the Director: Purchasing and Provision Services, the purchase transaction should be handled by an unattached staff member.

8.3 If the procedure as prescribed in par. 8.2 cannot be carried out, the Director: Purchasing and Provision Services may give permission that the buyer/decision maker concerned may handle the transaction further, after he/she has determined:
8.3.1 that the goods/services cannot be provided on more beneficial terms by another supplier;

8.3.2 that the same product specification was submitted to the other potential suppliers;

8.3.3 that the same delivery conditions and after-sales service are required from the supplier concerned as from any other independent supplier; and

8.3.4 that insider information did not play a role in the specific transaction.

8.4 In a **closed tender transaction**, the procedure prescribed in pars. 8.1 to 8.3 shall be replaced by the following:

8.4.1 The buyer/decision maker declares his/her personal association with one or more of the potential suppliers to the panel of adjudicators.

8.4.2 The buyer/decision maker withdraws from further participation in the tender process/committee.

8.4.3 Notwithstanding par. 8.4.2, the chairperson of the tender committee may decide that the buyer/decision maker who has declared his/her personal association may still take part in the process. The chairperson shall take a decision on the nature of the participation.

9. **SALE OF GOODS**

Before a sales transaction with regard to goods in which members of close family or of the household are involved can take place, the relevant personal relationship shall be declared by the seller, or decision maker on the transaction, to his/her Dean/head of environment.

The sales transaction shall then be handled by an unattached staff member, unless the Dean/head of environment concerned grants permission for the seller/decision maker concerned to handle the transaction further (extract from the Policy with regard to the sale of asset items).
10. OTHER SITUATIONS
Obviously, not all specific situations in which nepotism could play a role can be listed in this policy. Where such situations arise, the principles that appear from the preceding paragraphs to comprise the foundation of the policy should be applied equally.