

TERMS OF REFERENCE OF THE COUNCIL FOR PASTORAL AND SPIRITUAL COUNSELLORS (CPSC)

1. Name of Council

- 1.1 The Council for Pastoral and Spiritual Counsellors, hereinafter referred to as **the Council**, is a division of the Association of Christian Religious Practitioners (ACRP).
- 1.2 The name may be abbreviated as CPSC.

2. Objectives

The objectives of the Council are to attain the main and secondary objectives listed below.

2.1 Main Objectives

- 2.1.1 Guiding the Pastoral and Spiritual Counselling Profession and protecting the public (clients).
- 2.1.2 Ensuring the establishment and maintenance of qualities and standards for Pastoral and Spiritual Counselling.
- 2.1.3 Maintaining and enhancing the dignity of the profession and the integrity of the persons practising the profession.
- 2.1.4 Developing strategic policy frameworks for effective co-ordination and guidance of the Pastoral and Spiritual Counselling Profession.

2.2 Secondary Objectives

- 2.2.1 Aligning Pastoral and Spiritual Counselling with the dynamic and ever-changing landscape of the South African socio-political needs, as well as constant changes in the field of spiritual health and wellbeing.
- 2.2.2 Applying the philosophy and purpose of the Scope of Practice to make Pastoral and Spiritual Counselling more accessible, less elitist and readily available to all South Africans.
- 2.2.3 Moving Pastoral and Spiritual Counselling into contexts, where it can serve society optimally, such as churches, schools, non-governmental organisations (NGOs), the South African Police Service (SAPS), the South African National Defence Force (SANDF), Correctional Services, Emergency Management Services (EMS), hospitals and communities by not only implementing a curative approach, but also by preventative and developmental approaches.
- 2.2.4 Promoting inter-professional liaison between relevant registered professions in the interest of the public.
- 2.2.5 Determining strategic policy regarding matters such as finance, education, registration, ethics, professional conduct, disciplinary procedure, scope of practice, inter-professional matters and maintenance of professional competence.

- 2.2.6 Consulting and liaising with relevant authorities through ACRP as the professional body, on matters affecting the Council in general.
- 2.2.7 Assisting the promotion of the spiritual health and wellness of the population.
- 2.2.8 Liaising with accredited training institutions in respect of matters affecting training in Pastoral and Spiritual Counselling.
- 2.2.9 Communicating with and advising religious bodies and other authorities on any matter falling within the scope of Pastoral and Spiritual Counselling, to support the universal norms and values of Pastoral and Spiritual Counselling, with greater emphasis on professional practice, democracy, transparency, equity, accessibility and community involvement.
- 2.2.10 Encouraging study, research and publications on Pastoral and Spiritual Counselling.
- 2.2.11 Monitoring Continuing Professional Development (CPD) in Pastoral and Spiritual Counselling by, inter alia, separate and relevant inter-disciplinary conferences, short courses, workshops, other training opportunities, or any activities as specified in the CPD policy of the Council.
- 2.2.12 Managing the statutory recognition of the profession through SAQA.

3. Legal Status

The Council

- 3.1 is a Specialist Ministry Council of the Association of Christian Religious Practitioners (ACRP), operating according to its Terms of Reference;
- 3.2 may recruit affiliates;
- 3.3 may charge and utilize affiliate fees;
- 3.4 is governed by the Laws of South Africa;
- 3.5 is not for gain, with the power to acquire and control funds, to make payments in the form of salaries, honoraria, awards and donations and to perform all such acts as are consistent with its principles and principle objects and are derived from the promotions thereof;
- 3.6 shall manage its finances and submit a final report annually to the Association of Christian Religious Practitioners (ACRP) for incorporation and approval at their Annual General Meeting.

4. Funds

- 4.1 The Council may not directly or indirectly distribute any of its funds or assets to any person other than in the course of furthering its objectives, unless expressly otherwise provided for in this Terms of Reference.
- 4.2 The Council is required to utilise substantially the whole of its funds for the sole or principal object for which it has been established and not for the specific benefit of an individual affiliate or minority group.
- 4.3 No affiliate may directly or indirectly have any personal or private interest in the Council.

- 4.4 The Council may not have a share or other interest in any business, profession or occupation which is carried on by its affiliates.
- 4.5 No activity shall directly or indirectly promote the economic self-interest of any fiduciary or employee of the Council, otherwise than by way of reasonable remuneration.
- 4.6 No remuneration, as defined in the Fourth Schedule of the Income Tax Act, will be paid to any employee, office bearer, affiliate or other person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
- 4.7 The Council's funding will be mainly obtained from affiliates' subscriptions. Donations and sponsorships will be accepted.
- 4.8 The Council may only initiate fund-raising campaigns within South Africa.
- 4.9 The funds of the Council will be utilised solely for investment or the objects for which it was established.
- 4.10 Funds available for investment may only be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984.
- 4.11 The Council will not participate in any business, profession or occupation carried on by any of its affiliates, or provide any financial assistance, premises, continuous services, or facilities to its affiliates for the purpose of carrying on any business, profession or occupation by them.
- 4.12 The Council does not have the power to carry on any business, including *inter alia*, ordinary trading operations in the commercial sense, speculative transactions, dividend stripping activities, as well as the letting of property on a systematic or regular basis.
- 4.13 The Council will conduct its financial transactions by means of banking accounts held with appropriate financial institutions.
- 4.14 The Council's financial year will be aligned with ACRP financial year.

5. Registration

Applicants will be registered as either associated affiliates or designated affiliates as determined by the Terms of Reference. In the case of any uncertainty, the Council shall make a final determination. Recognition of Prior Learning (RPL) can be applied for and will be considered individually.

- 5.1 **A designation** shall be granted to persons according to the mandate from SAQA and a sub-designation within CPSC, complying with the set criteria and Recognition of Prior Learning:
 - 5.1.1 Religious Practitioner in Christian Pastoral Caregiving
 - 5.1.2 Advanced Religious Practitioner in Christian Pastoral Caregiving (NQF 4)
 - 5.1.3 Basic Religious Professional in Christian Pastoral Counselling (NQF 5, NQF 6)
 - 5.1.4 Intermediate Religious Professional in Christian Pastoral Counselling (NQF 7)
 - 5.1.5 Advanced Religious Professional in Christian Pastoral Counselling (NQF 8)

- 5.1.6 Religious Specialist in Christian Pastoral Counselling (NQF 9)
- 5.1.7 Advanced Religious Specialist in Christian Pastoral Counselling (NQF 10)

5.2 **Associated Affiliate status** may be granted to any person, not necessarily qualified for, but interested in Pastoral and Spiritual Counselling, who subscribes to the objectives of the Council. They should abide by its Terms of Reference; Ethical Values and Standards; and Rules of Conduct. Associated Affiliates may not practise Pastoral and Spiritual Counselling under auspices of the Council unless they have active registration with another Professional council e.g. psychologists and social workers. Qualified pastoral counsellors, no longer actively involved as counsellors (e.g. pensioners) can also alter their designated affiliation to associated affiliation if they wish to do so.

6. Application for Registration

- 6.1 Until an online centralised application process has been implemented, application for registration with the Council shall be made to the Administrative Officer on the prescribed application form accompanied by a non-refundable application fee. The application will be submitted to the Council's evaluation and approval system and a designation awarded, if applicable. Appeals against the designation awarded, may be lodged to the Council. The Administrative Officer will present the appeal to the Council for final decision.
- 6.2 The annual registration fees shall be determined by the Council in collaboration with ACRP.
- 6.3 On receipt of the enrolment fees from a successful applicant, a certificate of registration with a registration number will be issued electronically to the new affiliate. The certificate of registration will remain the property of the Professional Body and must be returned to the Council in the case of resignation or deregistration. The certificate will be valid for the current calendar year and replaced electronically by a renewal certificate annually on payment of annual fees on 31 December. The renewal certificate will be valid for calendar year, provided that regulations regarding CPD and update of personal details are complied with. The original registration number will be retained until resignation or deregistration.
- 6.4 The Council may grant or refuse any application for registration at its sole discretion, without giving any reason for its decision.
- 6.5 Affiliates may at any time apply for upgrading of their designation by submitting the prescribed application form. Additional fees will be applicable. These applications will be subject to evaluation and approval by the Council.
- 6.6 Recognition of Prior Learning (RPL) will be considered during the assessment and designation process.

7. Termination of Registration

- 7.1 To terminate registration, an affiliate may resign from the Council by submitting a written notice of resignation, together with any outstanding monies. On termination of registration, the registration certificate becomes invalid with immediate effect.
- 7.2 The Council may suspend or expel any affiliate for any contravention of this Terms of Reference or for any misconduct, providing at least two thirds of the Executive present at a properly constituted meeting, supports such suspension or expulsion. The affected affiliate must be given the opportunity of attending or being represented at the meeting at which his suspension or expulsion is being considered and must be given the opportunity to state his case and to answer any allegations made against him. A suspended or expelled affiliate shall have the right to appeal to the ACRP Disciplinary Committee, which meeting's decision shall be final. Any affiliate expelled or suspended from the Council in terms of the above, shall be debarred from re-applying for registration with the Council for three years from date of suspension or expulsion.
- 7.3 Any affiliate who is in arrears for more than three (3) months shall have his registration terminated. Restoration of registration will be considered by the Council on submission of an application form and payment of all outstanding fees, plus the fees for a new registration. Alternatively, a new application can be submitted for proper assessment and approval.
- 7.4 Notices and letters sent electronically to the address in the Council's records shall be deemed to be adequate.
- 7.5 Upon resignation or termination of registration, paid up fees shall not be refundable.

8. Voting Rights and Procedures

- 8.1 Affiliates in good standing shall have voting rights. A simple majority is decisive.
- 8.2 Voting at a general meeting shall take place by colour coded secret ballot.
- 8.3 The following weights are allocated to the votes of the different designations:
- | | |
|---|---|
| 8.3.1 Associated Affiliates | 1 |
| 8.3.2 Religious Practitioner in Christian Pastoral Caregiving | 1 |
| 8.3.3 Advanced Religious Practitioner in Christian Pastoral Caregiving | 2 |
| 8.3.4 Basic Religious Professional in Christian Pastoral Counselling | 3 |
| 8.3.5 Intermediate Religious Professional in Christian Pastoral Counselling | 4 |
| 8.3.6 Advanced Religious Professional in Christian Pastoral Counselling | 5 |
| 8.3.7 Religious Specialist in Christian Pastoral Counselling | 6 |
| 8.3.8 Advanced Religious Specialist in Christian Pastoral Counselling | 7 |

9. Annual General Meeting

An Annual General Meeting shall be convened by the professional body ACRP Executive and held once in each calendar year to consider matters of common concern in keeping with the different aims and strategies of the different councils within ACRP.

10. CPSC Council Management

- 10.1 During the Annual General Meeting the different specialist boards will convene to be able to:
 - 10.1.1 elect a competent and qualified Executive Committee (Executive Committee and chairpersons of the standing committees) comprising of a Chairperson, Vice-Chairperson and Secretary as it is required to do so by the Terms of Reference. The Council shall be managed by the Executive, consisting of the Executive Committee and chairpersons of the standing committees. Appropriate staff shall be appointed by and be accountable to the Executive. The Executive shall abide by any general or specific guidelines, policies and best management practices.
 - 10.1.2 instruct the Council to devise and implement policies that will further the Council's Terms of Reference; consider resolutions recommended to it by the Council or standing committees, or proposed by individual affiliates, on matters affecting the Council;
 - 10.1.3 consider, and if it deems fit, adopt the annual reports on the affairs of the Council by the office bearers, staff and the standing committees, as may be required by the rules or instructions of the Chairperson to report to the Annual General Meeting of ACRP;
- 10.2 Persons shall not be eligible for election to any office of the Council, unless they are affiliates in good standing, have been nominated and seconded in writing on the prescribed form in Annexure 1 and have by their signature on this form confirmed their eligibility for office and commitment to serve the Council in the office in question. Affiliates to be elected must demonstrate high levels of competency and commitment by means of presentation.
- 10.3 The Executive shall meet at such time and place as it may from time to time determine. An extraordinary meeting may be called at any time by the Secretary or Administrative Officer on the instructions of the Chairperson or Vice-chairperson or at the written request of any three members of the Executive.
- 10.4 Any office bearer, including staff or a person contracted to perform certain functions, duties or services for the Council, shall not be held personally liable for his actions unless such action is dishonest, *mala fide* or grossly negligent and is designed to bring the Council into disrepute.
- 10.5 Fourteen (14) days' notice of a meeting of the Executive, except in case of emergency, shall be sent by the Secretary to each member of the Executive.

The accidental omission to give notice of any meeting or the non-receipt of any such notice by any affiliate shall not invalidate the proceedings at any such meeting or any resolution passed thereat. The notice calling a meeting shall specify the time and place of the meeting and the general nature of the business to be transacted thereat.

11 Executive

11.1 Composition

- 11.1.1 The Executive shall consist of the Chairperson, the Vice-chairperson, the Treasurer, the Secretary and the Chairpersons of the Standing Committees.
- 11.1.2 The Executive has the right to co-opt any number of ad hoc members to assist them.
- 11.1.3 Co-option
 - 11.1.3.1 The Executive may fill vacancies that occur on the Executive between elections, by co-option, such persons having voting rights.
 - 11.1.3.2 The Executive may co-opt additional members, who shall not have voting rights, to serve the Council as specialists.
- 11.1.4 Vacation of office
 - 11.1.4.1 The office of a member of the Executive shall be vacated if, by notice in writing to the Executive, he resigns his office;
 - 11.1.4.2 on termination of membership, expulsion or suspension in terms of this Terms of Reference;
 - 11.1.4.3 if the member absents himself from three (3) consecutive Executive meetings and Executive resolves that his office be vacated;
 - 11.1.4.4 if he becomes involved in any actions, which in the opinion of the Executive is of a disgraceful or dishonourable nature.

11.2 Meetings

- 11.2.1 The Executive shall meet at least once a year during its term of office.
- 11.2.2 The members of the Executive present in person at the commencement of a meeting shall constitute a quorum.
 - 11.2.2.1 The Chairperson of the Executive or, in his absence, the Vice-chairperson, shall take the chair at every meeting of the Executive.
- 11.3.2.3 Resolutions passed at any Executive meeting, shall generally be arrived at by consensus. In the event of this being impossible, the decision shall be by a simple majority of votes. In the case of an equality of votes, the Chairperson shall have a casting vote.

11.3 Term of Office Bearers

- 11.3.1 Executive members' term of office shall commence directly upon their election.

- 11.3.2 Office bearers of the Executive shall not hold office in the same position for more than two consecutive terms, a term being two years in duration.
- 11.3.3 No member may represent a standing committee at more than two consecutive Executive meetings, if the standing committee does not function as specified by this Terms of Reference.

11.4 Functions

- 11.4.1 The Executive shall have the power to grant leave of absence to any of its members.
- 11.4.2 The affairs and business of the Council shall be managed by the Executive, which may exercise all such powers of the Council, which are provided for in this Terms of Reference or any statutory prescriptions affecting the Council. The Executive shall have the power to:
 - 11.4.2.1 bring before a general meeting of the Council any matter, which it considers material to the Council or its objectives, or which appears to it to affect the interests of the profession and make any recommendation in relation thereto;
 - 11.4.2.2 decide upon questions relating to ethics and the professional conduct of affiliates and prescribe rules in this respect, which will be binding on affiliates;
 - 11.4.2.3 adjudicate in cases of differences and disputes between affiliates registered with the Council insofar as they concern their professional relationships and in respect of conduct alleged to have been dishonourable or derogatory to the standing of a affiliate registered with the Council;
 - 11.4.2.4 conduct any legal financial transactions required to further the objectives of the Council;
 - 11.4.2.5 establish such standing committees as it considers desirable to assist it in the performance of its functions. The Chairperson shall be an ex-officio member of any such committee appointed by the Executive and the Executive shall not relinquish any of its powers and responsibilities in establishing any committee or subcommittee;
 - 11.4.2.6 appoint and remove such employees as it may consider necessary for the conduct of the affairs of the Council and determine wages, salaries or other remuneration of any other such employees;
 - 11.4.2.7 frame by-laws for the conduct of the business of the Council and the management of these affairs.
 - 11.4.2.8 provide guidance regarding a structure of consultation fees.
- 11.5 All acts done by any meeting of the Executive, or by any committee of the Executive or by a affiliate or officer under authority of the Executive shall, notwithstanding that it shall be afterwards discovered that there was some defect in the appointment of such committee or affiliate or officer, or that they or any of them were not qualified at the time of their appointment or had become disqualified, be as valid as if such committee or affiliate or officer had been duly appointed or was qualified to act.

12. Executive Committee

- 12.1 The Executive Committee (Chairperson, Vice-Chairperson and Secretary) shall be the management committee of the Executive and shall manage the day-to-day affairs of CPSC, take such decisions as are necessary, conduct the liaison and communication activities necessary to attain the Council's objectives and issue statements on behalf of the Council.
- 12.2 Staff appointed, alongside the Executive Committee will manage the affairs of the Council. Such Administrative Officer and staff will attend meetings but shall have no vote.

13. Standing Committees

13.1 Composition

- 13.1.1 Standing committees must be established by the Executive and will consist of a minimum of three members each including the Chairperson elected at the AGM.
- 13.1.2 Standing committees must meet twice a year or more often as the need may arise. Minutes of each meeting must be submitted to the Executive who will make a recommendation to the ACRP Board.
- 13.1.3 Standing committees may co-opt members with specialised knowledge, provided that no standing committee shall comprise more than five members.
- 13.1.4 All standing committees may fill vacancies by co-option.
- 13.1.4 **The following standing committees must be established:**

13.1.4.1 Ethics Committee

- 13.1.4.1.1 The Committee shall consist of affiliates in good standing, knowledgeable in Ethics and representative of the diversity of Pastoral and Spiritual Counselling.
- 13.1.4.1.2 The Committee will have an educational, advisory and consultative function. In relation to disciplinary issues, its role is mediatory, rather than disciplinary.
- 13.1.4.1.3 Written complaints of unethical conduct must be directed to the Administrative officer for referral to the Committee.
- 13.1.4.1.4 Investigation of complaints shall be managed according to the set procedures.
Refer to **Ethical Values and Standards, and Rules of Conduct.**
- 13.1.4.1.5 The Ethical Values and Standards shall be continuously revised by the Ethics Committee or a special working group of this Committee, following international models and with regard to local needs and shall remain the subject of wide consultation so that the values and standards reflect the full diversity of the profession of Pastoral and Spiritual Counselling in its human interest.

13.1.4.2 **Training and Development Committee**

The Committee shall consist of affiliates in good standing, knowledgeable in training and representative of the diversity of Pastoral and Spiritual Counselling. The Committee shall arrange optimal training opportunities and liaise with training institutions to support Continuing Professional Development (CPD) of Pastoral and Spiritual Counselling Practitioners.

Refer to **Training Needs, CPD and RPL Policy and Procedures**.

13.1.4.3 **Publications Committee**

13.1.4.3.1 The Committee shall consist of affiliates in good standing, knowledgeable in publications and representative of the diversity of Pastoral and Spiritual Counselling. The Committee shall at least include the editors of Pastoral and Spiritual Counselling publications.

13.1.4.3.2 The Committee shall encourage publications and advise the Executive on developing a range of journals and other publications deemed to further the Council's objectives.

13.1.4.3.3 The Committee shall be responsible for the newsletter of the Council.

13.1.4.3.4 The Committee shall support mechanisms for improving channels of the Council's communication.

13.1.4.4 **Practice Issues Committee**

13.1.4.4.1 The Committee shall consist of affiliates in good standing, who are in private practice, knowledgeable in practice issues and representative of the diversity of Pastoral and Spiritual Counselling.

13.1.4.4.2 The Committee shall monitor and address the needs of Pastoral and Spiritual Counselling Practitioners in private practice.

13.1.4.4.3 The Committee shall promote the professional credibility of Pastoral and Spiritual Counselling Practitioners in private practice and shall represent them on matters affecting them, such as Scope of Practice and tariffs.

Refer to **Scope of Practice and Rules of Conduct**.

13.1.4.5 **Disciplinary Committee**

The Committee shall consist of affiliates in good standing, knowledgeable in the Ethical Values and Standards, Rules of Conduct and Disciplinary Procedures, and representative of the diversity of Pastoral and Spiritual Counselling. The Committee shall deal with complaints referred by the Administrative Officer.

Refer to Chapter **Ethical Values and Standards, Rules of Conduct and Disciplinary Powers**.

13.1.4.6 **Registration Committee**

The Committee shall consist of affiliates in good standing, knowledgeable in the criteria for registration and representative of the diversity of Pastoral and

Spiritual Counselling. The Committee shall deal with applications, according to the Registration Procedures, Assessment Framework, RPL Policy and the Scope of Practice.

Refer to **Registration Procedures, Scope of Practice, Assessment Framework, RPL Policy.**

14. Terms of Reference

The Terms of Reference setting out the operational and managerial procedures, by which the affairs of the Council shall be conducted, shall be enacted, amended or repealed by the majority vote of the Executive.

14.1 Amendments

14.1.1 Written notice of proposals to amend the Terms of Reference, proposed and seconded by affiliates in good standing, shall be submitted to the Executive to be considered.

14.1.2 Amendments require two-thirds majority of the Executive.

15. General

15.1 The members of the Executive, officers or any of its committees, shall be indemnified against losses and expenses incurred by them in or about the fulfilment of their respective duties, such as may arise from their own default.

15.2 The registered office of the Council shall be located in Pretoria.

15.3 New affiliates will receive copies of the Council Governing Documents and all affiliates must undertake to uphold these to the best of their ability by signing the declaration on the application form.

16. Dissolution

The Council shall dissolve if such a resolution is passed in accordance with the procedure laid down by the ACRP Board.

THIS TERMS OF REFERENCE WAS APPROVED AND SIGNED AT THE ACRP BOARD MEETING HELD

at Pretoria on 23 February 2017.

1. Chairperson

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Name & Surname

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Signature

2. Vice-chairperson

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Name & Surname

.....
Signature

3. Secretary

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Name & Surname

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Signature