

Effective as from 1 October 2021

CONSULTANCY POLICY

It may be necessary for the Legal Assistance Centre to employ a consultant from time to time as required in order to provide specific services or capacity.

The consultancy may be required in terms of a donor agreement or at the volition of the LAC.

In addition to any specific requirements of the donor if applicable, the following general conditions will apply subject to point 5 and 6 not being applicable to the excepted categories set out below:

1. There is no obligation to contract a consultant based on the cheapest quote. Considerations of quality and experience can be used to substantiate the acceptance of any quotation.
2. It will be required of the consultant to disclose any conflict of interest that may arise and any relationship to a staff member of the LAC. The latter may not necessarily affect the awarding of the consultancy depending on the circumstances.
3. A consultancy does not create an employer/employee relationship and the consultant will be considered an independent contractor. This provision must be included in all consultancy agreements.
4. Every new consultancy agreement will be limited for 12 months, which may be renewed for a further period of 12 months.
5. Consultancy agreements will not cater for income tax, social security, pension or medical aid; this will be the responsibility of consultants.
6. Each consultancy will be advertised based on Terms of Reference provided by LAC.
7. A minimum of 3 quotations should be obtained if possible.

Specific provisions

Long-term consultants

The Centre acknowledges that there are long-term consultants of the LAC who provide services on a fulltime basis.



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It may be used for reference purposes only.

The Director has the discretion to enter into agreements for longer than 12 months with certain conditions and benefits. Such conditions and benefits may include leave days, sick leave days and bonus payments based on available funds and services rendered.

Candidate legal attorneys

Will be provided with a consultancy agreement of 1 year with terms specific to the requirements of the Justice Training Centre with the option of renewal.

Employees of the LAC who have reached retirement age (60)

Terms of consultancy to be approved by the Board of Trustees.

The general individual consultancy agreements entered into will set out:

1. The period of consultancy
2. The services to be rendered
3. The remuneration for such services
4. Conditions and benefits which may include leave days, sick leave days and bonus payments based on available funds and services rendered.
5. The resources to be used to carry out the terms of the consultancy
6. Confidentiality and copy right clauses
7. Understudy and skills transfer clauses



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