

MEMORANDUM OF UNDERSTANDING

WILDERNESS SEARCH AND RESCUE

(herein after referred to as WSAR)

Revised as at March 2008

Constituted in terms of the

**HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974) and the REGULATIONS DEFINING THE SCOPE of
the PROFESSION OF EMERGENCY CARE (No. R48 of 25 January 2002)**

Entered into by and between

**THE PROVINCIAL GOVERNMENT
OF THE WESTERN CAPE**

**here in represented by the Directorate: Emergency Medical Services
or his designated representative**

and

The Member Organisations of WSAR as appended

WHEREFORE

**WSAR and its members aspire to provide, or to the best of their ability facilitate, the
provision of the highest possible level of medical care deemed appropriate to a patient's
needs;**

**adhere to the highest standards of medical ethics with respect to patient care, patient
confidentiality and patient advocacy, as required by the medical profession and statutory
law (HEALTH PROFESSIONS ACT, 1974); and**

to actively foster a spirit of Goodwill between all the members of WSAR.

NOW THEREFORE THE MEMBER ORGANISATIONS OF WSAR AGREE AS FOLLOWS:

1. DEFINITIONS

- 1.1 “Accreditation”** is the process of evaluation of the skills and experience applicable to individual persons and individual members of member organisations of WSAR as determined from time to time by the MAC.
- 1.2 “Certification”** is the process of equipment evaluation applicable to all equipment, both personal and organizational, that may be used on WSAR search and rescue operations, as determined from time to time by the MAC.
- 1.3 “The Directorate Emergency Medical Services”** (hereinafter referred to as EMS) is the Branch of the Western Cape Department of Health that provides Emergency Medical and Medical Rescue services on behalf of Provincial Government of the Western Cape.
- 1.4 “Member Organisations of WSAR”** refers to the parties set out in this memorandum, and includes any signatory organisation or party to this memorandum.
- 1.5 “METRO Ambulance”** is the component of METRO WESTERN CAPE with a primary function of Pre-hospital Emergency Medical Management and transport of the sick and injured under the authority of EMS.
- 1.6 “METRO CONTROL”** is the joint operational control, communications and co-ordination component for Provincial Emergency Medical Services and Provincial Traffic Services in the Western Cape Province and functions under the authority of the Directorate Emergency Medical Services and the Directorate of Traffic Management of the Western Cape.

- 1.7** “**METRO RESCUE**” is the component of “**METRO WESTERN CAPE**” with a primary function of executing Medical Rescue Services and first line Disaster Medical Services under the authority of the Directorate EMS.
- 1.8** “**METRO WESTERN CAPE**” (in the context of Emergency Medical Services) is the “Medical Emergency Transport and Rescue Organisation” and comprises the entire Ambulance and Rescue Service operated by the Province of the Western Cape, under the authority of the Directorate EMS.
- 1.9** “**Performance Standards**” is the operations of individual WSAR cells, MAC-appointed Work Groups, Rescue Managers and other MAC-appointed office bearers may be reviewed jointly by the MAC and EMS, from time to time, according to agreed Performance Standards where these exist, or by peer-review and consensus amongst the MAC (in consultation with EMS) where they do not exist.
- 1.10** “**Standard Operating Procedure**”(hereinafter referred to as a SOP) is a procedure agreed to by the Member Organisations of WSAR that determines the standard method for different search and rescue activities.
- 1.11** “**Wilderness Environment**” includes the following natural environments;
- 1.11.1** Mountains
 - 1.11.2** Caves
 - 1.11.3** Deserts
 - 1.11.4** Forests
 - 1.11.5** Shorelines
 - 1.11.6** Rivers
 - 1.11.7** Kloofs
 - 1.11.8** Wilderness, non-mountainous areas.
- 1.12** “**Wilderness Search and Rescue: Western Cape**” (hereinafter referred to as WSAR) is the body established by EMS that co-ordinate, manage and execute the search for, the rescue (or the recovery of mortal remains), and the medical

treatment (as required), of persons and/or patients whose health and/or safety is threatened or compromised in a Wilderness Environment.

1.13 “WSAR Management Advisory Committee” (hereinafter referred to as MAC) is the body established in terms of clause 3.2 of this MoU.

2. MEMBERSHIP

2.1 Membership of WSAR is organisational, and is open to all organisations wishing to participate, and capable of participating, in search and rescue operations in a Wilderness Environment in the Western Cape.

2.2 Membership is subject to acceptance by the MAC, or on appeal, by EMS.

3. MANAGEMENT STRUCTURES

3.1 Overall Authority

WSAR falls under the overall authority of EMS, in consultation with the MAC, which has in place such management structures, as it may deem necessary to manage, and co-ordinate WSAR in terms of this authority. This provision shall not impinge upon the autonomy of any party that is a signatory to this MoU.

3.2 Fund raising and management of funds

The MAC will forthwith cause a Trust known as the Wilderness Search & Rescue Trust (here in after referred to as the "Trust") to be established, which will have effective control over, and will be responsible for the funds raised by or on behalf of WSAR

3.3 Management Advisory Committee

3.3.1 EMS constituted the MAC consisting of all parties who accept and agree to this MoU.

3.3.2 The Committee will be chaired by a senior official of EMS. or a member of EMS Executive Management

3.3.3 The Committee may constitute such sub-committees or workgroups as may be deemed necessary from time to time.

- 3.3.4** The function of the Committee will be to advise EMS or the Trust with respect to: -
- 3.3.4.1** New Applications for Organisational Membership
 - 3.3.4.2** Selection and acquisition of Equipment
 - 3.3.4.3** Acceptance of Standard Operating Procedures
 - 3.3.4.4** Creation of Work Groups
 - 3.3.4.5** Other matters relating to WSAR management and operations;
 - 3.3.4.6** Advise the Trust (referred to in clause 3.2) on the application of funds.
- 3.3.5** In matters pertaining to a subject where a work group exists, the MAC shall take cognizance of input made by the Member Organisations of WSAR to this memorandum that have expertise in that specialized field of operation.
- 3.3.6** EMS will carry responsibility for MAC decisions, whilst reserving the right to not accept the advice of the MAC.
- 3.3.7** The MAC will advise the Trust on the selection and approval of appropriate candidates to act as Trustees to the Trust.

3.4 WSAR Cells.

Organisational efficiency and response time needs dictate that WSAR establish local branches, consisting of all organisations that have capability in a geographical area. These branches will be known as **Cells**. Their boundaries and existence will be for acceptance by the MAC. The equipment provided to each cell by WSAR or the Trust will remain under the control of the MAC.

3.5 Search and Rescue Managers

- 3.5.1** Individual Search and Rescue (WSAR) operations will be managed by Search and Rescue (WSAR) managers, who may be from any Member Organisation.
- 3.5.2** WSAR Managers are to be proposed by WSAR cells for acceptance by the MAC.
- 3.5.3** In principle the WSAR Manager of a particular search and rescue operation shall be competent to run the operation and be expected to make appropriate use of available expertise and experience to manage a particular situation.

- 3.5.4** The WSAR Manager for a particular operation will for the duration of the operation carry the delegated authority of EMS.
- 3.5.5** WSAR managers are expected to meet the agreed performance standards as determined by the MAC or its appointed Workgroups; and
- 3.5.6** will be expected to play an active role in the development and adoption of the performance standards and SOP's.
- 3.5.7** WSAR managers are also expected to partake in the general management of their respective cells, and
- 3.6.8** in the training and development of up-coming future managers.

3.6 Accreditation of Personnel

- 3.6.1** Individual members of Member Organisations will be subject to accreditation in terms of an evaluation of the skills and experience specific to the search or rescue discipline and level or grade of search or rescue for which the skill and experience is required.
- 3.6.2** Accreditation will be to a standard and according to a process agreed by the Member Organisations who have expertise in the specialised field of operation for which the accreditation will apply, with final endorsement thereof confirmed by the MAC. Pending completion of the process, the same Member Organisations shall agree on interim accreditation standards as well as a review process to be applied in achieving accreditation in terms of final agreed standards from time to time.
- 3.6.3** Such skills will include management and supportive skills.
- 3.6.4** Non-accredited members may only be used in supportive roles at the discretion of the WSAR Manager conducting a particular rescue operation after full consideration of the safety of all involved in the rescue.
- 3.6.5** The MAC shall appoint Work Groups to set standards, and individuals to perform the accreditation process according to these set standards.

3.7 Joint Training

EMS and the MAC will ensure acceptable levels of competency, either as per the SOP's, or on the advice of the MAC and by facilitating joint training exercises between the Member Organisations.

3.8 Certification of Equipment

All equipment used in WSAR must be certified as safe for the purpose for which it is intended to a standard determined by the MAC. In this regard the MAC shall take into account all statutory requirements regarding Health and Safety and internationally accepted standards and norms.

4. COMMERCIAL ENTITIES

4.1 Insofar as commercial entities have a rescue capability deemed to be able to contribute to “Wilderness Search and Rescue Western Cape” as defined in this MoU, and subject to the conditions set out below, such entities may be party to, and thereby signatories to, this MoU.

4.2 Conditions of Participation.

4.2.1 Participation is voluntary, free and gratis and also subject to paragraph 5.5;

4.2.2 Is not conditional on any rights of exclusivity;

4.2.3 May not be in conflict with any tender regulations of the Provincial Government or of any Government body;

4.2.4 Is not conditional in any way with respect to Member Organisations or individual members of the Member Organisations; and

4.2.5 Must not indicate by fact or implication that its participation in “Wilderness Search and Rescue” adds any value to any products or service provided as part of its commercial enterprise.

5. ORGANISATIONAL RELATIONSHIPS

5.1 Operational Involvement

5.1.1 A Wilderness Search and Rescue Operation would, where applicable involve: -

5.1.1.1 Emergency Medical Services;

5.1.1.2 South African Police Services;

5.1.1.3 Any other relevant governmental organizations;

5.1.1.4 Any of the member organisations of this MoU;

5.1.1.5 Other organisations and individuals, as co-opted.

5.1.2 Depending on the nature of the WSAR operation in hand, any or all of the Member Organisations may be involved.

5.1.3 Non-member organisations are to be included where value to the patient is apparent.

5.2 Wilderness Environment

5.2.1 We recognise that sea and surf rescue is not the primary responsibility of WSAR,

5.2.2 We accept that this is the province of the Port Captain, NSRI, Surf Lifesaving Association, and other organisations;

we see it as our duty to assist these organisations where called upon to do so, and to assist (to the best of our ability, and where we have the capability) in sea and surf rescue where these primary sea rescue organisations are either not present, or otherwise unable to mount a timeout rescue response

5.3 WSAR Manager Role

The WSAR Manager will coordinate the organisations involved in terms of their skills and resources and the particular search and rescue requirement to optimally achieve the objects of the rescue.

5.4 Authority of WSAR Manager

The organisations involved in a search and rescue operation will fall under the overall authority of EMS and identify with a particular WSAR co-ordinated effort for that operation. EMS, and thereby WSAR, will, where applicable, operate subject to and under the authority of the South African Police Services, or other relevant governmental organisation e.g. SASAR.

5.5 MOU Signatory Roles

The organisations that are party to this MoU undertake to provide resources and members, at their discretion, as requested by the WSAR Manager or the appointed assistant, for the WSAR co-ordinated effort in the search and rescue operation.

5.6 Commercial Gain

No Member Organisation, or member of any Member Organisation, shall exploit their membership and involvement in WSAR for commercial gain.

5.7 Individuals who are not members of any organisation

Individuals who wish to be involved in Search and Rescue, but are not members of any Member Organisation may, after accreditation, take part in WSAR as volunteer members of EMS.

5.8 Limit of Authority of WSAR Manager

No organization or individual shall be forced to participate in a WSAR search and rescue operation against its, his or her will or be forced to perform any particular activity.

5.9 Spirit of Co-operation

WSAR operations should capture the spirit of teamwork, and develop teams, that perform specialist or specific functions and which will accommodate members from different organizations.

6. TERM

6.1 The memorandum shall be binding on each party that is a signatory to it from the date of their signature until three (3) years thereafter.

6.2 In terms of this memorandum, any party can terminate its involvement in WSAR by giving EMS one month's notice of its intention to do so. The MAC may, should circumstances in its absolute discretion necessitate, terminate any signatory's involvement on one month's notice (It is a requirement that a representative of each voluntary organisation who are signatories to the MoU, regularly attend the MAC meetings).

6.3 After the expiry of the three year period all signatories must re-apply to continue their involvement. This provision does not apply to EMS.

- 6.4** The decision of the MAC in respect of any applicant shall be subject to appeal to EMS.

7. REPRESENTIVITY

It is hereby agreed that the composition of WSAR should represent the demographics of the Western Cape Province.

8. WSAR OPERATIONS

- 8.1** WSAR search and rescue operations shall be conducted according to SOPs which are standard within the different rescue disciplines.
- 8.2** The SOPs will be compiled by the Member Organisations who have expertise in the specialized field of operation for which a SOP will apply, with final endorsement thereof confirmed by the MAC. The MAC may task specific work groups to compile the SOP's.
- 8.3** The same procedure shall be applied for the review and revision of SOP's as and when required.
- 8.4** SOP's shall ensure standards of safety for Rescuers that are at least equal to those for patients.
- 8.5** It is hereby agreed that requests for State assets and resources for WSAR will be requested and co-ordinated through EMS acting on behalf of the Western Cape Provincial Government.
- 8.6** Each party to this MoU will, in so far as it is reasonable, be responsible for supplying and maintaining personal safety equipment for their own needs. All such equipment must be certified to the safety standards as determined by the MAC.

9. IDENTITY

- 9.1** It is hereby agreed that participating organisations to this MoU retain their individual identity and accompanying insignia and that, in addition, a collective identity be designed and created.
- 9.2** The use of this identity will be limited to representing the MAC or specific instances such as badges or stickers made available to the membership by the MAC.

10. MEDIA LIAISON

- 10.1** Any spokesperson on behalf of WSAR in respect of any operation shall be referred to as a representative of WSAR: (Western Cape).
- 10.2** All comment on any particular operation shall be limited to the WSAR Manager, a nominated deputy or a member of EMS Executive Management.

11. FINANCE AND FUNDING

- 11.1** The Member Organisations may continue to raise funds for their own purposes. This includes donations and sponsorships.
- 11.2** In addition to the above the Member Organisations commit themselves to collective fund raising efforts for specific objectives identified by WSAR from time to time. In particular all funds donated in recognition of a particular operation are collective.
- 11.3** Such objectives, referred to in clause 11.2 above, may include the buying of equipment or providing training for the benefit of less advantaged cells.
- 11.4** Such funds will be held in the WSAR Trust.

11.5 No volunteer or organisation shall receive solicited remuneration from the public, in currency or kind, for services rendered for collective WSAR operations.

12. COMMUNICATION / NOTIFICATION OF OPERATIONS

Any party that is requested by the public or another organisation to assist in a search or rescue operation in a Wilderness Environment shall immediately inform EMS, (via the appropriate regional EMS Communications Centre), who shall implement and co-ordinate the response to the request in accordance with the relevant SOP's.

13. EXCLUSION

This Memorandum between the Member Organisations is not exclusive and other organisations offering services and skills, which are relevant to WSAR, shall be accommodated by the MAC whose recommendation must be approved by EMS.

14. PERFORMANCE STANDARDS

The operations of the cells will be reviewed, according to agreed Performance Standards, jointly by EMS and the MAC.

15. DISCIPLINE AND CODE OF CONDUCT

15.1 All signatory organisations and their members (whether medically-qualified or not) are in effect acting as agents or representatives of EMS and are therefore bound by the same code of ethical conduct. All WSAR members will therefore aspire to provide, or will facilitate to the best of their ability, the provision of the highest possible level of medical care deemed appropriate to the patient's needs.

15.2 Additionally, all signatory organisations and members will adhere to the highest standards of medical ethics with respect to patient care, patient confidentiality and patient advocacy, as required by the medical profession and statutory law (**HEALTH PROFESSIONS ACT, 1974, as amended**), and as guided by the highest medically-qualified member present.

- 15.3** Individual WSAR members found to disregard the above will be subject to the disciplinary decisions of EMS and/or the MAC, whichever is deemed most appropriate.
- 15.4** The Member Organisations remain responsible for the discipline of their individual members, through their own internal procedures. Member Organisations may be requested by the MAC or EMS to contain aberrant or disruptive individuals, practices or other behaviours contrary to the spirit of this MoU.
- 15.5** All signatories and Member Organisations agree that they, collectively and as individual members, shall respect the dignity, knowledge and skills of other signatories and/or individual members of signatories. It is further incumbent upon all signatory organisations and their members to actively foster a spirit of Goodwill between all the Member Organisations and their individual members.
- 15.4** It is furthermore agreed that the basis of this MoU is organisational and not personal and any interpersonal conflicts, that may arise, will be dealt with on an organisational basis. The MAC may mediate as and when deemed necessary.
- 15.5** At no time, within the context of WSAR, will it be permitted for Member Organisations (or their members), in any way to bring WSAR or any of the Member Organisations or individual members of those Member Organisations into disrepute, whether by act of commission or omission.

Acceptance Form ---- MoU Version February 2008

AGREED AND SIGNED THIS ----- .day of MAY 2008.

_____ who warrants his authority to sign and enter in to this MoU by

(organization)