



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

CALL FOR NOMINATIONS TO SERVE AS A MINISTERIAL APPOINTEE ON THE COUNCIL OF A PUBLIC HIGHER EDUCATION INSTITUTION

In terms of Section 27(4) of the Higher Education Act, Act No 101 of 1997, as amended, a council of a public higher education institution must consist of not more than 30 members, of which 60% must be persons who are not employed by, and are not students of the institution concerned. Among the external members are not more than five persons appointed by the Minister of Higher Education and Training.

Section 27(7) of the Act stipulates that a member of Council or a member of a committee of council must be a person with knowledge and experience relevant to the objects and governance of the University. In order to fulfil the requirements of Section 27(4)(a) of the Higher Education Act, which requires that the Minister appoints not more than five persons to serve on university councils, the Department of Higher Education and Training invites applications from and/or nominations of suitably qualified persons to be placed on the database for possible consideration for appointment to a council of a public higher education institution.

NOTE:

Applications or nominations should be submitted to the Department by email to Radebe.S@dhet.gov.za , and must contain the following:

- Completed Nomination/Application Form (can also be downloaded from the URL www.dhet.gov.za);
- A comprehensive Curriculum Vitae of the nominee or applicant, including the following information: work experience and responsibilities, qualifications and field, list of previous and current Board experience/directorships with reference to dates, organisations and/or institutions concerned, and names and contact details of at least two referees; and
- Certified copies of the Identity Document; qualification and training certificates.

NB: Correspondence will be limited to shortlisted candidates only.

IMPORTANT INFORMATION FOR CONSIDERATION BY NOMINEES

1. Introduction

- a) Section 26 (2) of the Higher Education Act, 1997 (Act 101 of 1997 as amended) provides for the establishment of a council in all public higher education institutions. The council governs the institution in accordance with the Higher Education Act and respective institutional statutes.
- b) The council's role and responsibilities include providing strategic direction to the institution, governing the institution and ensuring sound institutional management.
- c) Section 27(4) of the Higher Education Act, 1997 (Act 101 of 1997 as amended) requires the Minister **to appoint not more than five (5) persons** to the council of a public higher education institution.

2. Criteria for Nomination

- a) In accordance with Section 27(7) of the Act, members of councils must be persons **with knowledge and experience** relevant to the objectives and governance of the public higher education institution concerned.
- b) Ideally a council should have members who have a mix of generic attributes, skills and experience that include¹:
 - i) a sound understanding of the higher education environment;
 - ii) demonstrated ability to exercise fiduciary responsibilities without any self-interest;
 - iii) a solid grasp of strategic and other forms of institutional planning;
 - iv) an understanding of the funding environment of universities;
 - v) the ability to analyse and interpret budgets and financial statements;
 - vi) an ability to contribute to re-prioritisation of institutional goals and targets in light of changed circumstances;
 - vii) an understanding of the audit and risk context within which universities function;
 - viii) a grasp of the legislative and regulatory environment and general legal processes within which universities operate;

¹ A Code of Good Governance Practice and Governance Indicators for South African universities (2017).

- ix) a sound understanding of human resource systems and processes;
- x) ability to interpret changing social situations impacting on the institution;
- xi) displaying a clear understanding of the distinction between governance and management in large institutions;
- xii) a track record in advancing public accountability;
- xiii) a commitment to the development of young people;
- xiv) a commitment to serve the institution and its well-being;
- xv) a commitment to ethical governance,
- xvi) ability to contribute constructively and knowledgeably to council discussions and debates;
- xvii) ability to function constructively in a collective environment;
- xviii) appreciation of and commitment to democratic processes; and
- xix) strong reasoning skills and an ability to actively engage with others in making decisions.

c) These qualities should be demonstrated through some or all of the following:

- i) governance experience in significant organisations within either the private or public sector;
- ii) experience at senior management level in organisations within either the private or public sector; and
- iii) holding senior positions in relevant professional areas including, but not limited to, education, business, finance, law, marketing, information technology, human resource management and organized labour.

d) While it is not expected that every member of council should have all the relevant experience and skills, the nominees or applicants must demonstrate any attributes and/or above skills.

e) Nominees must commit to participate in the deliberations of the council or the committee of the council, or exercise any delegated function in the best interests of the public higher education institution concerned, and to abide by the code of conduct of the particular council.

f) In terms of Section 27(7) of the Act, nominees should disclose the nature and extent of any conflicts of interest that the person has at that time, or that to the best of their knowledge, may arise in the future, with the public higher education institution concerned.

3. Role of Ministerial appointees

- a) Although the Programme for the Transformation on Higher Education: Education White Paper 3 emphasizes the importance of representation of relevant stakeholders on councils as part of the transformation of higher education governance structures, all members of council, regardless of how they are elected or appointed to the council, must meet the same expectations to fulfill their fiduciary responsibilities, in order to maintain council's effectiveness as an objective, independent, deliberative body. All members should not see representing particular constituencies as a primary responsibility, but must come to the council with the aim of advancing the institution, bringing useful insights and perspectives to the council chamber, and voting according to their independent conscience and judgement².
- b) Section 27(7)(b) of the Act, stipulates that members must participate in the deliberations of the council in the best interests of the public higher education institution concerned. This requirement must be upheld by all council members including Ministerial appointees.

4. Remuneration

- a) Nominees must bear in mind that universities are public institutions and serving as a council member should be motivated by public good service rather than self-interest and personal gain. There should be no expectation of remuneration, as each institution determines in its institutional rules, whether honoraria to external council members will be paid or not.

² CHET, Governance Series, 2007: 46



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**NOMINATION AND APPLICATION FORM FOR SUITABLE CANDIDATES TO BE
PLACED ON THE DATABASE FOR POSSIBLE APPOINTMENT TO THE COUNCILS
OF PUBLIC HIGHER EDUCATION INSTITUTIONS**

This form is to ensure that prospective Ministerial appointees on council comply with the legislative requirements outlined in the Higher Education Act (No 101 of 1997, as amended) and institutional statutes. Information obtained through this form is to ensure compliance with institutional statutes and to advise the Minister on council appointments. The information will be kept strictly confidential.

This form comprises three sections.

Section 1: Nominee or Applicant's Information.

Section 2: Council Membership Qualifications.

Section 3: Consent and Declarations.

Please complete all sections (including signing and dating the consent and declarations in Section 5)

Section 1. Nominee / Applicant Information

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Prof <input type="checkbox"/> Dr <input type="checkbox"/> Adv.					
Surname						
Name (s)						
Address			Mobile Phone			
			Work Telephone			
Suburb			Home Telephone			
Town/city			Primary Email			
Code			Secondary Email			
Province						
Gender						
Date of Birth						
Race						
Profession						
Highest Academic Qualification						
Are you a south African citizen	<input type="checkbox"/> Yes			<input type="checkbox"/> No		
If not please state citizenship						
Are you a registered student of a university	<input type="checkbox"/> Yes			<input type="checkbox"/> No		
If yes, please state the institution						
Have you ever served as a council member in a university council before?						
If yes, please state the name of university and the period of appointment						

Section 2: Council Membership Qualifications

Institutional statutes contain grounds which disqualify persons from council membership. Please answer the following questions to determine whether you are eligible for appointment to a council of a public higher education institution.

Have you been disqualified to act as a director in terms of the legislation regulating the governance of companies or removed from an office of trust by a court of law or similar tribunal or forum?
Yes / No
Have you ever been convicted of an offence for which the sentence was imprisonment without the option of a fine?
Yes / No
Have you ever been declared insolvent by a court of law?
Yes / No
Have you ever been declared unfit to attend to personal affairs by a court of law?
Yes / No
Have you in the past been involved in activities that could call into question your reputation?
Yes / No
Are you a Member of Parliament or Legislature?
Yes / No
Are there any real, perceived or potential conflicts of interest between your circumstances and any matters relating to any public higher education institution? If yes, please specify the institution
Yes / No
Please also list any currently held board or council membership/directorship/trusteeship of any company, organization or trust. Include dates of commencement; if none held, please write .None
Have you, in terms of your current work and/or other commitments, the capacity to diligently discharge your duties to Council?

Yes / No
List any matters of which the Minister should be aware in considering your suitability for appointment.

Section 3: Consent and Declarations

I, **(please type your full name)**, hereby declare that:

- a) I give consent to the Department to recommend my name to the Minister of Higher Education and Training for consideration and appointment to a council of a public higher education institution.
- b) I disclosed all my interests in matters relating to any public higher education institution.
- c) The information provided in this form is accurate.
- d) I acknowledge that the information provided on this form will be used by the Department for the purposes of confirming my eligibility to serve as a council member.
- e) I note that all information I provide will be held securely and kept confidential, except as may be required to be disclosed by law.

Signed: **Date:**

<p>Disclaimers</p> <ul style="list-style-type: none"> • Acknowledgement of the nomination does not mean acceptance as a candidate or appointment; • The Minister reserves the right not to select any nominee as a candidate. • Correspondence will be limited to short-listed candidates only.
