



HRDC
HUMAN RESOURCE DEVELOPMENT COUNCIL

INSTITUTIONAL PLANNING
FRAMEWORK FOR
NON-UNIVERSITY LEVEL TERTIARY
EDUCATION INSTITUTIONS





ABOUT THE HUMAN RESOURCE DEVELOPMENT COUNCIL INSTITUTIONS

The Government of Botswana through the approval of the Human Resource Development Council Act No 17 of 2013 established the Human Resource Development Council (HRDC) that became operational on the 8th November 2013, effectively replacing the Tertiary Education Council (T.E.C). The objectives and functions of the Council are the following;

OBJECTIVES

- a. Provide for policy advice on all matters of national human resource development;
- b. Co-ordinate and promote the implementation of the national human resource development strategy;
- c. Prepare the national human resource development plans; and
- d. Plan and advise on tertiary education financing and workplace learning.

FUNCTIONS

- a. Advise the Minister on all policy issues relevant to the implementation of the National Human Resource Development Strategy as developed by the Government from time to time;
- b. Formulate the National Human Resource Development Plan;
- c. Provide advice on the management, planning and financing with specific reference to:
 - i. Internship
 - ii. Apprenticeship
 - iii. Workplace Learning
- iv. Reimbursing employers who have incurred training costs for apprentices and trainees;
- d. Manage Funds established under Part VII of the Act;
- e. Promote Workplace Learning;
- f. Establish and manage a National Labour Market Information System and National Education and Skills Development data base;
- g. Promote the establishment, co-ordination and approval of institutional plans for public and private tertiary education institutions and post implementation monitoring and evaluation with specific reference to:
 - i. Human resource development;
 - ii. Research and innovation, and
 - iii. Institutional capacity building;
- h. Co-ordinate, promote and support tertiary education-industry link research and innovation activities;
- i. Formulate human resource development plans for key sectors of the economy through linkages with employers in the public and private sectors;
- j. Develop strategies for student attachments and academically prescribed internships and promote methods of skills development; and
- k. Act a supervisory agency and Co-ordinate the implementation of the National Human resource Development Strategy and ensure a link between the different levels of education, training and skills development

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FOREWORD

...The strategic goal of the NHRDS focuses on harnessing the full human resource capacity of the nation by providing opportunities for Batswana to realize their full potential across all stages of the human resource development life cycle so as to build a stable, prosperous and globally competitive nation...

In the recent past, through the Ministry of Education and Skills Development and the Human Resource Development Council including the former Tertiary Education Council (T.E.C), the Government of Botswana has issued several reports that address the challenges facing the tertiary education sector. One particular policy document is the National Human Resource Development Strategy (NHRDS) Realizing Our Potentials (2009), which provides direction for the transformation and restructuring of the tertiary education sector and its contribution to the realization of the national development goals. The strategic goal of the NHRDS focuses on harnessing the full human resource capacity of the nation by providing opportunities for Batswana to realize their full potential across all stages of the human resource development life cycle so as to build a stable, prosperous and globally competitive nation.

To ensure that the high level strategic goal of the NHRDS is well implemented, the tertiary education system has to be strengthened, enhanced and be strategically positioned. A well-structured system has to be put in place with a new institutional landscape that responds to growth, provide better value for money, increased differentiation and at the same time, have an improved strategic leadership capacity at the governance and management levels of the tertiary education institutions.

As a result, the Institutional Planning Framework for Non-University Level Tertiary Education Institutions was developed as a tool towards institutional planning for tertiary education institutions in Botswana. This report therefore focuses on the aspects of and purposes of developing institutional planning frameworks in the areas of Governance, Academic, Enrolment and Infrastructure planning. The report, likewise, offers advice towards the development of the necessary institutional planning templates that shall be used by the tertiary education institutions.

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Dr Patrick Molutsi



Acting Chief Executive Officer

ACRONYMS

ASM	Assignable square metres
CESM	Classification of Educational Subject Matter
EF	Economic Forum
FTE	Full time equivalent
GER	Gross Enrolment Ratio
HRDC	Human Resources Development Council
IP	Institutional Planning
MIS	Management Information System
NER	Net Enrolment Ratio
NQF	National Qualifications Framework
PQM	Programme Qualification Mix
T.E.C.	Tertiary Education Council (Botswana)
SET	Science Engineering and Technology



INSTITUTIONAL PLANNING FRAMEWORK FOR NON-UNIVERSITY LEVEL TERTIARY EDUCATION INSTITUTIONS

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IMPROVING THE EFFECTIVENESS AND EFFICIENCY OF NON-UNIVERSITY TERTIARY EDUCATION THROUGH SYSTEMS OF INSTITUTIONAL PLANNING

1.1 Background

1.2 Increased levels of institutional accountability, efficiency and effectiveness.

1.3 Main differences between universities and non-university tertiary education institutions

1.4 Structure of the report

1.5 Application of measures covered in the report

1. INTRODUCTION

1.1 BACKGROUND

During the past few years the Government of Botswana, mainly through the Ministry of Education and Skills Development and the Human Resources Development Council (HRDC) including the former Tertiary Education Council (TEC), has published a number of reports on various challenges facing its tertiary education system as part of its drive in moving Botswana towards a knowledge driven economy, which in turn forms a part of its national economic development strategy for the next 5-10 years. These challenges focus mainly on the role of tertiary education in providing highly skilled person power to meet the human capacity demands of such an economy, the efficient and effective functioning of tertiary education institutions, and the role of the tertiary education system in research, scholarship and innovation.

Based on the above studies and ensuing reports, the TEC towards the end of 2010 initiated a process towards finding a way forward to developing the required strategies and frameworks to counter the challenges faced in tertiary education in Botswana. Part of this process entailed the development of a comprehensive institutional planning framework consisting of individual planning frameworks for the following specific areas of tertiary education: Governance planning, academic planning, enrolment planning, budgeting, planning for the new funding model, financial controls, financial reporting and infrastructural planning. Although this institutional planning framework was mainly developed with public tertiary education institutions, and particularly universities in mind, some minor amendments would serve to accommodate the specific nature and characteristics of private tertiary education institutions as well.

The compilation of the above reports was accompanied by a number of capacity building workshops held in 2013 and 2014 aimed at equipping senior management at tertiary education institutions, in particular universities, with the skills and knowledge to implement these measures in their institutions.

In this report the focus is firstly on non-university tertiary education institutions and secondly, on a variety of institutional planning measures which were developed individually for the HRDC during the course of 2014. In that sense this report forms an aggregation of all these individual reports.

1.2 INCREASED LEVELS OF INSTITUTIONAL ACCOUNTABILITY, EFFICIENCY AND EFFECTIVENESS.

Competing social demands during the past decade or two, particularly in developing countries, together with a drastic increase in the demand for access to higher education studies, have resulted in funding cutbacks for tertiary education as other social challenges such as improved general health care, secure food provision, extended communication and transport networks, universal basic education, reduction of unemployment etc started making increasing demands on public funds. These funding strictures, coupled with public perceptions that tertiary education in many ways was not responding decisively to changing social needs, and was displaying unacceptable levels of insularity in a continuation of past colonial tertiary education practices, meant that governments came under increasing pressure from the general public and industry in particular, to ensure greater levels of value for money were achieved from the funding of tertiary education. Governments generally responded to these pressures by introducing measures aimed at improving levels of accountability and levels of efficiency and effectiveness of tertiary education institutions.



Given the history of high levels of autonomy of public tertiary education institutions, particularly universities, improving levels of accountability through greater direct involvement by government in the running of tertiary education institutions was neither desirable nor expedient. Governments therefore mainly sought to increase levels of accountability from public tertiary education institutions through stronger and more effective governance arrangements, through the application of some targeted institutional planning instruments, requiring extended and regular institutional reporting on a wide variety of tertiary education institutional matters, and the application of improved financial oversight policies and procedures.

Increased institutional effectiveness and efficiency in tertiary education, as is the case with Botswana's Human Resource Development Act, Act 17 of 2013, is normally pursued through firstly establishing broad ranging umbrella legislation applicable to tertiary education and providing for more specific arrangements in separate but linked legislation and in regulations passed in terms of such legislation.

In Botswana's case the above Act applies mainly to the HRDC and its functioning and the intention is apparently to provide for more specific effectiveness and efficiency enhancing measures in separate tertiary education legislation. Many of these measures were originally included in the Human Resource Development Bill of 2012 and it should be a fairly routine task to work these into separate tertiary education legislation.

1.3 MAIN DIFFERENCES BETWEEN UNIVERSITIES AND NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

As this report focuses on non-university tertiary education it is necessary to detail the main differences between universities and non-university tertiary education institutions.

Typically non-university tertiary education institutions would enjoy far lower levels of institutional autonomy than universities would do. In this respect public non-university tertiary education institutions would normally be subject to a greater number of government instituted rules and regulations.

Furthermore, non-university tertiary education institutions often tend to be specialist institutions in the sense of covering one or two knowledge fields only such as teacher education colleges or nursing colleges whereas universities, especially general universities, would tend to cover a much larger spectrum of knowledge fields.

Universities would usually encompass teaching and learning, research, and community engagement as their core functions. This emphasis would demand their covering both undergraduate as well as postgraduate teaching and learning including research based masters and doctoral studies. Most non-university tertiary education institutions would concentrate on undergraduate studies only and be involved in community engagement partially only.

The specialist and undergraduate emphasis of non-university tertiary education institutions normally means that they have much lower student enrolments than universities would have. In this respect they would thus be much smaller institutions than universities and thus also responsible for fewer staff members, academic programmes, fixed assets and other facilities and services.

Universities would thus normally have access to much higher levels of in-house institutional capacity than would be the case for non-university tertiary education institutions. This means that universities are able to implement and maintain more complex governance and management systems than non-university tertiary education institutions are able to do. For them the corresponding systems usually have to be significantly simpler and less demanding in terms of implementing and maintaining them.

Finally, universities usually have to manage a very much larger 'estate' in terms of buildings, grounds and facilities than non-university tertiary education institutions do. This means that universities have to ensure a wide spread of expertise in the various aspects of facilities management which is not necessarily the case with non-university institutions.



When designing institutional planning measures care should be taken that the measures correlate well with an institution's overall levels of institutional autonomy, the extent of its operations – both academic and non-academic, and its human resources capacity available to implement and manage such measures on an on going basis. The smaller and simpler an education institution is in an operational sense, the simpler the corresponding planning measures have to be. This is necessary as education institutions are first and foremost educational institutions and planning should thus never replace education as the prime reason for their existence.

1.4 STRUCTURE OF THE REPORT

In this report the following issues are covered for non-university tertiary education as part and parcel of a comprehensive framework aimed at increasing overall effectiveness and efficiency of institutional accountability, governance, enrolment and academic planning and management, financial planning and management and infrastructure planning and management. These issues are covered as follows:

Chapter 2: Framework for institutional governance;

Chapter 3: Codes of conduct for governing boards;

Chapter 4: Assessing the performance of governing boards;

Chapter 5: Institutional rules;

Chapter 6: Decision making delegations framework;

Chapter 7: Student enrolment planning;

Chapter 8: Academic planning;

Chapter 9: Infrastructure planning.

Together the application of all these measures should lead to an appreciable improvement in the levels of effectiveness and efficiency of the non-university tertiary education system as a whole and of the institutions individually.

1.5 APPLICATION OF MEASURES COVERED IN THE REPORT

In theory all the measures and instruments developed in this report for improving the effectiveness and efficiency of non-university tertiary education institutions apply to both public and private institutions, in practice this may not always be possible or practical. This follows from the fact that private non-university tertiary education institutions in most cases are established under legislation covering the establishment of private companies. Such legislation usually carries with it specific prescriptions regarding governance, reporting and financial matters which would not be applicable to public non-university tertiary education institutions.

This means that the measures and instruments developed in this report are, in the first instance, applicable to public non-university tertiary education institutions but the principles and arrangements put forward in the report should be applicable, with some minor amendments, to private tertiary education institutions as well.

2.1 Introduction

2.2 Fundamentals of a governance framework

2.1 INTRODUCTION

Despite provisions in either primary or secondary legislation covering matters related to the governance of tertiary education institutions, many tertiary education systems still found that effective institutional governance eluded them and constituted one of their main challenges. This was due to a number of factors such as the fact that, particularly in developing countries, many members of governing boards lacked experience in corporate governance. This lack of experience showed itself in some board members not being able to distinguish properly between governing and managing an institution, in others not being able to separate their personal and business interests from those of the institution, and still others seeking to influence individual staff members of institutions in their decision making. Unfortunately in some tertiary education systems party political considerations also found their way into boards and their functioning normally with severely damaging effects.

Many tertiary education systems thus found it necessary to supplement the above provisions with specific instruments aimed at increasing the effective functioning of governing boards such as: Codes of conduct, board rules and regulations, board performance assessment instruments, structured planning sessions for boards, decision making delegation frameworks, etc. Experience has shown that if the development of such instruments is left to individual institutions unwanted variations in the levels of functioning of governance boards of tertiary education institutions tend to occur.

In addition many higher education systems provide for various layers of legislation such as primary legislation which usually takes the form of a tertiary education act or something similar, secondary legislation which usually takes the form of regulations passed in terms of such an act, and administrative legislation which normally makes provision for institutional statutes and/or for institutional rules.

In the case of Botswana, the Human Resource Development Bill of 2012 originally provided in Sections 62-65 for a Tertiary Education Institution's Governance Framework to be prescribed by the Minister on advice from the Human Resource Development Council. The original Section 62(2) stipulated that this Governance Framework would provide for:

- a) The governance structures of tertiary education institutions;
- b) The composition of the various governance structures and organs;
- c) The qualifications and disqualification for membership of the tertiary education institution governing bodies;
- d) The appointing authority, process and procedures for members of the various governance organs and structures;
- e) The requirements for academic leadership and appropriate academic structures;
- f) The institutional quality assurance structures;
- g) The formation and powers of the student representative council;
- h) Reporting and accountability lines;
- i) Determination of terms and conditions of members of the various governance structures and organs; and
- j) Governance and institutional arrangements relating to co-operation between public and public and private institutes including but not limited to affiliation.
- k) It is expected that similar provisions will now be included in separate legislation being developed covering governance and other arrangements for universities and colleges.



2.2 FUNDAMENTALS OF A GOVERNANCE FRAMEWORK

As part of the earlier work referred to in Section 1.1 an outline of a broad governance framework characterized by 13 elements was developed with the aim of improving overall governance levels of tertiary education institutions. The elements of the governance planning framework are as follows:

- Element 1:** Provision for flexibility in view of differing degrees of institutional autonomy- this has been provided for in the Human Resource Development Act, Act 17 of 2013.
- Element 2:** Inclusion of substantive sections on institutional governance for all tertiary education institutions in relevant primary legislation - this has been provided for in the Human Resource Development Act, Act 17 of 2013.
- Element 3:** Safeguarding the political independence of councils and institutions by strengthening their scope of decision making.
- Element 4:** Improving the levels of efficiency of governance boards through, inter alia, a reduction in their size and in the number of governance board sub-committees.
- Element 5:** Developing codes of conduct for governance boards.
- Element 6:** Drafting of sets of rules for the functioning of governance boards.
- Element 7:** Regular assessment of the fiduciary performance of governance boards.
- Element 8:** Development of a standard set of institutional rules.
- Element 9:** Governance board approved document of delegation of decision making to the executive management of institutions
- Element 10:** Annual planning sessions of governance boards of institutions.
- Element 11:** Clear and unambiguous legal relationships between governance boards and senate/academic boards.
- Element 12:** Inclusion of a framework for senate, academic board's composition, role and functions, and mandate in the institutional rules of tertiary education institutions.
- Element 13:** Drawing up of a framework for managing relationships between governance boards and the vice chancellor/principal and executive management.

In this particular report Elements 5, 6,7,8, and 9 are covered for non-university tertiary education institutions in Botswana.

3.3 CODES OF CONDUCT FOR GOVERNANCE BOARDS

- 3.1 Nature of codes of conduct for governing boards**
- 3.2 Components of a code a conduct**
- 3.3 Code of conduct for boards of non-university public tertiary education institutions**
- 3.4 Codes of conduct for boards of private non-university tertiary education institutions**
- 3.5 Summary**

3.1 NATURE OF CODES OF CONDUCT FOR GOVERNING BOARDS

A code of conduct for a governing board of a tertiary education institution normally spells out the principles that are to form the basis for the conduct and behaviour of board members and outlines aspects of behaviour and conduct that would be regarded as incompatible with the public accountability responsibilities of such a board and its individual members. Codes of conduct for members of governing boards of non-university tertiary education institutions thus serve to emphasise accountability to the institution and to the public as part of an overall commitment to upholding high standards of governance. In the case of private non-university tertiary education institutions an added accountability is usually that towards the shareholders of the company as well.

3.2 COMPONENTS OF A CODE A CONDUCT

An analysis of codes of conduct of tertiary education institutions shows that codes of conduct for governing boards of tertiary education institutions are remarkably comparable in terms of the principles, desired behaviours and processes involved when transgressions occur. Codes of conduct normally include the following sub sections:

- Purposes and aims of codes of conduct

In this part of a code of conduct the rationale in terms of the aims and purposes of a code of conduct are set out in order to establish a common understanding among board members of what the role and function of such a code of conduct is. Usually these aims and purposes will stress the importance of public accountability, morally defensible decision-making and behaviours, institutional integrity and reputation, and self regulation.

- Principles of a code of conduct

Codes of conduct are normally based on a number of fundamental principles or points of departure. Some of the principles that normally feature in such codes of conduct are democratic governance, accountability, transparency, objectivity, collective responsibility, confidentiality, fiduciary responsibility etc.

- Definitions of some crucial concepts

In order to avoid any misunderstandings or different interpretations of meanings of crucial concepts, a code of conduct will usually contain explicit definitions of some of the most crucial concepts such as conflict of interest, applicability of the code of conduct, etc.

- Specifying unacceptable behaviours and conduct

In this section of code of conduct some unacceptable behaviours are spelled out. Matters covered could include not divulging a conflict of interest, misleading or falsely influencing the board, exerting pressure on employees of the institution, disclosing confidential information, procuring rewards and accepting gifts and other favours, interfering in the management and administration of the institution, appropriating or misusing institutional property etc

- Processes involving alleged transgressions

Codes of conduct usually include fairly detailed processes for lodging complaints against members of the board in respect of transgressing the provisions of a code of conduct, for investigating such complaints, for making recommendations to boards in respect of the findings of such an investigation, for appeal against or review of the findings and recommendations by the board member allegedly having transgressed the code of conduct, and for final decision making by the board in such matters.

- Administrative and practical matters

Finally, a code of conduct will normally include some practical arrangements concerning registers for declaring interests, formal undertakings of compliance of such codes of conduct by board members etc. Usually the secretary of the board is responsible for these administrative arrangements.

3.3 CODE OF CONDUCT FOR BOARDS OF NON-UNIVERSITY PUBLIC TERTIARY EDUCATION INSTITUTIONS

Since public universities normally would enjoy far greater levels of autonomy compared to public non-university tertiary education institutions one would expect fewer cases of pecuniary conflicts of interest for public non-university tertiary education institutions as the procurement of services and equipment and the construction of buildings is likely to be quite strictly controlled in terms of relevant government policies and practices. Based on this assumption and the discussion of the main differences between a university and a non-university tertiary education institution in Section 1.4 the following code of conduct is proposed for the latter category of institutions.

3.4 CODE OF CONDUCT FOR MEMBERS OF GOVERNING BOARDS OF PUBLIC NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

1. PURPOSE OF CODE OF CONDUCT

The purpose of this code of conduct is to:

- 1.1 Establish a common understanding of standards of acceptable behaviour within the board and the institution;
- 1.2 Support members of the board in properly fulfilling their governance responsibilities;
- 1.3 Provide a framework for consistently high moral decision making within the board and institution;
- 1.4 Advance self-regulation and self-assessment amongst board members and the institution;
- 1.5 Establish processes for taking action with regard to inappropriate conduct in terms of this Code.

2. PRINCIPLES UNDERPINNING THE CODE OF CONDUCT

The following principles underpin this code of conduct and form part and parcel of this code of conduct:

- 1.1 Democratic governance which implies that all members of the board have equal participation and equal voting rights unless the chairperson, by means of a formal board resolution, is given a casting vote in the case of an equal number of votes having been cast on any matter being considered by the board;
- 1.2 Accountability which means that a member of the board is directly accountable to the board itself for his/her actions and indirectly accountable to the stakeholders of the institution;
- 1.3 Transparency which means that the actions of board members must at all times be in accord with the highest standards of integrity, honesty and openness;
- 1.4 Objectivity which means that decisions of board members must be taken without undue influence, prejudice or bias and must be void of all conflicts of interest;

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- 1.5 Collective responsibility which means that all members of the board are collectively responsible for any decisions reached by the board;
 - 1.6 Serving in one's individual capacity which means that members of the board, regardless of which structures or groupings in society or in the institution nominated them to serve on the board, serve in their individual capacity;
 - 1.7 Fiduciary responsibility which means a person appointed as a member of the board must act in the best interest of the institution and of the public at all times;
 - 1.8 Confidentiality, which means that a member of the board undertakes not to disclose without authority deliberations or decisions of the board in a manner that will be detrimental to the institution.

3. DEFINITIONS OF TERMS AND CONCEPTS

In this code of conduct the following terms and concepts have the meanings as set out below:

- 3.1 'Code of Conduct Committee' means a committee established in terms of this code of conduct to investigate a formal complaint made against a board member in respect of an alleged transgression(s) of this code of conduct.
- 3.2 'Conflict of interest' means for a member of the board, a real or potential conflict with his/her fiduciary responsibility, arising from a substantial, direct, beneficial and personal or financial interest on the part of such a member personally; or someone in his or her immediate family circle; or a professional practice, firm partnership, company, business or other organisation in which such member or his or her immediate family member has an interest; or from a fiduciary responsibility on the part of such a member towards any organisation by reason of being a director of it or being employed or engaged by it in some executive capacity where the interest relates to affairs of the institution to be dealt with by the member of the board or a committee of the board which includes the member concerned, or by such member himself or herself. In this definition 'immediate family circle' is normally taken to include a spouse, parents, children or spouses of children.
- 3.3 'External member of the board' means a member of the board who is not an employee of the institution or a student of the institution.

4. APPLICATION OF CODE OF CONDUCT

This code of conduct, formally approved by the board, applies to all members of the board. Every member of the board must formally sign a binding undertaking to uphold the provisions of the code of conduct on assumption of office. The secretary of the board must keep such signed undertakings on file. Refer to Annexure A to this code of conduct.

5. FUNCTIONS AND DUTIES OF BOARD MEMBERS

5.1 Meetings of board and its subcommittees

A member of the board:

- 5.1.1 Must attend all meetings of the board, its committees, task or work groups or any other body appointed by the board to accomplish a mandate given to it by the board, and of which he/she is a member;
- 5.1.2 Who for good reason, is unable to attend a meeting, must notify the chairperson or secretary of the board or of the subcommittee of the board prior to the meeting, in writing, of his/her inability to attend.

5.2 Conflicts of interest

- 5.2.1 A member of the board may not have a non-divulged conflict of interest with the institution;

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- 5.2.2 A member of the board who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting of the board or a committee of the board and which entails or may entail a conflict or possible conflict of interest must, before or during such meeting, declare the interest;
- 5.2.3 A member of the board having a conflict of interest on any matter serving before the board or its committees is obliged to recuse him/herself from the meeting during the discussion of the matter and any voting thereon;
- 5.2.4 Conflicts of interest situations reported to, taken into account or otherwise considered by the board or a committee of the board, must be recorded in the minutes of the board or of the committee concerned;
- 5.1.5 Not with standing the above, a member of the board must, in each year of his/her term of office, submit to the board via the secretary of the board, a list of all interests and relationships (of a pecuniary or a non-pecuniary nature), on the part of himself or herself or any member of his/her immediate family circle, which may potentially result in a conflict of interest on his/her part in the course of proceedings of the board or its committees. Such disclosed interests and relationships of members of the board are to be incorporated in the conflict of interest register of the board by the secretary of the board. Refer to Annexure B of this code of conduct.

5.3 Harassment, victimisation and discrimination

A member of the board must, in the course of his/her functions and duties, refrain from any form of harassment, victimisation or unfair discrimination based on race, gender, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

5.4 Misleading or influencing the board

A member of the board may not:

- 5.4.1 Mislead or attempt to mislead the board or a committee of the board in the consideration of, and decision regarding a matter serving before the board or one of its committees;
- 5.4.2 Influence or attempt to influence the board or a committee of the board in order to obtain some or other direct or indirect advantage, whether pecuniary or otherwise, for him/herself or any other person to whom he/she is related or any other person or body with whom he/she is associated;
- 5.4.3 Take, or directly or indirectly encourage, plead, instigate or participate in any unlawful decision by the board or one of its committees; or
- 5.4.4 Directly or indirectly encourage, plead, instigate or participate in a debate, conference, meeting or decision with any other person or body, of which the aim or effect is the breach of an agreement by the board, or breach of agreement by any other person or body with the board, or any other breach or loss of a right or the neglect of an obligation in such a manner that the institution incurs loss or is prejudiced in any other manner, or is improperly or unlawfully charged with an obligation.

5.5 Exerting pressure on employees of the institution

A member of the board may not, directly or indirectly:

- 5.5.1 Force or pressurise an employee of the institution to add or omit any fact, opinion or information to or from a document compiled by such an employee, or to formulate a recommendation in such a document in a specific manner; or
- 5.5.2 Order or instruct an employee not to implement a decision of the board or a decision of a committee of the board, or to implement any such decision in a manner that is in conflict with the aim and objective thereof.



5.6 Disclosure of information

A member of the board may not:

- 5.6.1 Disclose any information obtained through his or her office as a member of the board or of a committee of the board, to any other party if the disclosure of such information could be for his or her personal gain; or to the detriment of the institution; or
- 5.6.2 Engage with the media on any issue on which the board has deliberated unless specifically authorized and requested to do so by the chairperson of board on his/her behalf.

5.7 Procuring of a reward and the acceptance of gifts and favours

A member of the board may not, directly or indirectly:

- 5.7.1 Request or demand a direct or indirect reward or favour from a person or body; or
- 5.7.2 Accept a gift, reward or favour, whether in the form of money or otherwise, as a reward for voting or not voting in a specific manner on a matter before the board or one of its committees, or with the aim of persuading or convincing the board or committee with regard to the execution or performance of an authority or duty to be executed or performed by the board or committee, or to disclose any privileged or confidential information to a person or body or the representative of such a person or body.

5.8 Interference in the administration of the institution

A member of the board may not:

- 5.8.1 Directly, or by means of another person, interfere in the management or administration of a department, branch, section or division of the institution;
- 5.8.2 Directly, or by means of another person, give or attempt to give an executive instruction to an employee of the institution; or
- 5.8.3 Directly or indirectly encourage, plead, instigate or participate in a debate, decision or action which could result in maladministration or contribute thereto in the institution or in a department, branch, section or division of the institution.

5.9 Appropriation or misuse of institutional property

A member of the board may not:

- 5.9.1 Appropriate for his or her personal use or benefit or for the use or benefit of any other person to whom he or she is related or any other person or body with whom he or she is associated, any movable or immovable property or asset which is possessed, controlled or managed by the institution; or
- 5.9.2 Unlawfully, or improperly obtain a benefit from, a right or title to, or interest in, such property or asset; or
- 5.9.3 Appropriate for his or her personal use or the furtherance of his or her business interests outside his or her authorised activities as a member of the board, institutional office facilities or institutional equipment, including telephones, computer equipment or motor vehicles.

6. IMPROPER CONDUCT BY A BOARD MEMBER

6.1 Establishment of a code of conduct committee

The board must establish a code of conduct committee to attend to matters of non-compliance by a member of the board in respect of the code of conduct.

6.2 Composition of the code of conduct committee

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- 6.2.1 The code of conduct committee comprises three members, excluding the chair of the board, appointed on an annual basis by the board from its own ranks, at least two of whom must be external members. The board appoints one of the members as chairperson of the committee.
- 6.2.2 When a complaint in terms of this code of conduct is lodged against a member of the code of conduct committee, the board must, for the purpose of the investigation of such complaint, appoint an external member of the board to the code of conduct committee to replace the member of the board against whom the complaint has been laid.

6.3 Powers and functions of the code of conduct committee

The code of conduct committee has the following powers and may exercise the following functions in relation to a particular investigation:

- 6.3.1 To make written recommendations to the board proposing amendments to this code;
- 6.3.2 To require a member of the board, in respect of whom a complaint of misconduct has been lodged, to appear before the code of conduct committee, to answer such questions as may be put to him/her by the committee and to make representations to the committee;
- 6.3.3 To make a finding after the conclusion of an investigation and to submit such finding to the board, either with or without a recommendation as to what action, if any, should be taken in pursuance of such finding; and
- 6.3.4 If the committee is convinced that continued participation in activities of the board by the member of the board against whom a complaint has been lodged will compromise its investigation, the committee must recommend to the board that the member be suspended from the activities of board and its committees until the finalisation of its investigation and finding(s).

6.4 Application of provisions for improper conduct to members of the board

- 6.4.1 Where, in the opinion of the board, a member of the board acts in a manner contrary to the letter and spirit of this code of conduct, the board may, before referring the matter to the code of conduct committee endeavour to resolve the matter by way of informal discussions with the member and/or by means of written admissions;
- 6.4.2 Where a member of the board is an employee or student of the institution, such member is subject to the institution's disciplinary code for employees or students. If such member acts in a manner, which would constitute a breach of such disciplinary code, the chairperson of the board must, on recommendation of the code of conduct committee, refer the matter to the principal for appropriate action in terms of the applicable disciplinary code.

6.5 Procedure in the case of a complaint of misconduct

- 6.5.1 Any person who has reason to believe that a member of the board has breached this code of conduct may lodge a complaint in writing, setting out the particulars of the alleged breach, with the chairperson of the board, or if the complaint is made against the chairperson of the board, with the vice chairperson of the board;
- 6.5.2 On receipt of a complaint, the chairperson or vice chairperson of the board, as the case may be, must forward such complaint to the chairperson of the code of conduct committee for investigation within five (5) working days of receipt of such a complaint;
- 6.5.3 The member of the board in respect of whom the complaint has been lodged must be notified, in writing, by the chairperson of the code of conduct committee of the complaint; and the date, time and venue for the investigation of the complaint;
- 6.5.4 Representation may be allowed during any hearings of the code of conduct committee into the complaint. A full record of the proceedings, including recordings and documents, must be kept; and



6.5.5 If the alleged breach of the code of conduct occurs in a meeting of the board or any of its committees, any member present may raise the matter on a point of order and unless the member responsible for the alleged breach apologises unconditionally, the board or the committee concerned may, by resolution, refer the matter to the code of conduct committee.

6.6 Findings, recommendations and appeals

6.5.1 After conclusion of the investigation of the complaint concerned, the code of conduct committee must deliberate as to its finding. During such deliberations no person who is not a member of the code of conduct committee may be present, provided that the committee may invite a person with appropriate legal training and experience to provide it with advice and guidance before finalising its findings and recommendations;

6.5.2 Having arrived at a finding, the code of conduct committee must, in the event of a finding of guilty, make a recommendation on an appropriate penalty for the member of the board whose conduct was investigated. Such recommendation may include any or all of the following:

- i) An official reprimand coupled to an apology from the member concerned;
- ii) Suspension of the member's membership of the board for a set period;
- iii) Withholding of any board allowance or honorarium payable to the member;
- iv) Instructing the member to resign; or
- v) Requesting the body or person who nominated the member to the board to replace the member with another nominee.

1.1.1 The secretary of the board communicates in writing within five (5) working days after the final meeting of the code of conduct committee, the decision of the committee as contemplated in 6.6.1 and 6.6.2 to the member of the board concerned;

1.1.2 A member of the board who has been found guilty of a transgression of the code of conduct for members of the board may, within five (5) working days after receiving the written decision of the code of conduct committee, lodge a written request with the secretary of the board for review of the decision of the code of conduct committee, setting out the reasons on which such a request is based;

1.1.3 Once the period of five (5) working days contemplated in 6.6.4 has elapsed, the secretary of board submits the report of the code of conduct committee including the findings and recommendations, together with any request for a review of the committee's findings and recommendations from the member of the board whose conduct was investigated to the chairperson of the board or the vice chairperson of board;

1.1.4 On receipt of the above notification and documentation by the chairperson of the board or vice chairperson of the board, as the case may be, the chairperson or vice chairperson must direct the secretary of board to put the matter on the agenda of the board for consideration at its following ordinary meeting or an extraordinary meeting of the board. The secretary of the board must forward a copy of such notification to the member of the board in respect of whom the complaint of misconduct was investigated;

1.1.5 When this matter is discussed at the ensuing board meeting members of the code of conduct committee, the board member whose conduct was investigated and if applicable, the board member who lodged the original complaint against the board member whose conduct was investigated must recuse themselves from the meeting;

1.1.6 After proper consideration of the matter, including any appeal lodged, the board must, by a two-thirds majority of the members present at the meeting of the board, resolve whether the finding and recommendations of the code of conduct committee should be accepted, rejected or amended;



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- 1.1.7 If the board accepts the finding and recommendations of the code of conduct committee, it must take appropriate steps, as the board is legally empowered to do, against the member of the board in respect of whom the finding has been accepted. The chairperson of the board, or vice chairperson of the board, as the case may be, must inform such member of the board in writing of the acceptance of the finding of the code of conduct committee and of the steps, if any, that board has resolved be taken against the member of the board.



ACKNOWLEDGEMENT OF RECEIPT OF CODE OF CONDUCT AND UNDERTAKING OF COMPLIANCE

This form based on Section 4 of the code of conduct must be completed, signed and returned to the secretary of the board .

I, (full name) hereby acknowledge having received a copy of the code of conduct for members of the board, dated, and undertake, as a member of the board, to adhere to the provisions of this code of conduct at all times during the performance of my functions and duties as a member of the board .

Name:

(Please print)

Signature: Date:

ANNUAL DISCLOSURE FORM FOR MEMBERS OF THE BOARD



CHAPTER 3: ANNEXURE B

This form must be completed, signed and returned to the secretary of the board

Pursuant to the code of conduct for members of the board, which I acknowledge having received and read,

I, (full name) hereby declare the under-mentioned interests:

In each instance, the declaration concerns an interest, which, as defined in the said code, relates to a person or organisation (company, business, professional practice, firm, partnership, or the like), which is or may potentially, as far as I am aware of, become engaged in a business or professional relationship or transaction with the University.

1. My own substantial, direct, beneficial and personal or financial interests in persons or organisations as aforesaid:

(The holding of shares in a listed company need not be recorded here if this constitutes less than 5% of the issued shares of the company)

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2. My own fiduciary responsibilities towards a person or organisation as aforesaid:

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3. Substantial, direct, beneficial and personal or financial interests held on the part of members of my immediate circle of family or friends in a person or organisation as aforesaid:

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4. Any other interest or relationship which may potentially result in a conflict of interest as contemplated.

4.1 In my own case:

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4.2 In the case of members of my inner circle of family or friends:

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I hereby certify that the foregoing information is true and complete to the best of my knowledge.

Name:

Signature: Date:



3.4 CODES OF CONDUCT FOR BOARDS OF PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

In this section of the report a code of conduct for boards of private non-university tertiary education institutions is developed. This code of conduct is based on the fact that such private tertiary education institutions have satisfied all the requirements for registration as private tertiary education institutions set by the HRDC.

A number of factors, which do not arise in the public sector, must be borne in mind when developing a code of conduct for private non-university tertiary education institutions. Some of these are:

- The fact that private non-university tertiary education institutions, are normally established in terms of acts governing the establishment of companies or enterprises, means that significant differences are likely to occur between the structure, roles and functions of governance bodies in the public tertiary education sector compared to that of the private tertiary education sector;
- In practice the boards of directors of companies and businesses are normally much smaller than would be the case for boards of public tertiary education institutions. The much smaller size of governing boards for private non-university tertiary education institutions may mean that aspects of the code of conduct for boards of public non-university tertiary education institutions as set out earlier, would prove unnecessarily laborious, too costly to implement and to maintain and be impractical;
- In addition, it is not uncommon in the private sector for the offices of chairperson of the board and that of chief executive officer to be combined in one person. This could be somewhat problematic in the case of a private educational institution which apart from its responsibilities to shareholders also has a direct responsibility towards its students and an indirect responsibility to parents and families of the students, and other stakeholders such as industry, civil society etc. In the case of private tertiary non-university education institutions it would thus be better if the role of chairman of the board and CEO were separated. This requirement may have to be included in the criteria for the registration and accreditation of private tertiary non-university education institutions. In the remainder of the document the assumption is made that the roles of chairperson of the board and CEO of the institution are separate in the case of private non-university tertiary education institutions.
- Conflict of interest for a member of the governing board of a private tertiary non-university education institution is considerably more nuanced than would the case for a member of the board of a public tertiary education institution. For example, board members are likely to be shareholders of the private tertiary non-university education institution, and/or shareholders of its holding company in the case of the tertiary education institution being a subsidiary of the holding company, and/or shareholders of other subsidiaries in the stable of the holding company. These pecuniary interests would probably have to be excluded from a definition of conflict of interest;
- In the case of private sector tertiary non-university education institutions that are subsidiaries of a larger company, the governing board of the institution sometimes has limited decision-making authority with decisions in some areas being the responsibility of the board of the holding company. This can complicate the fiduciary responsibilities of members of such governing boards considerably.

With this background the following proposal is made for a code of conduct for private tertiary non-university education institutions, which distinguishes between institutions having less than 500 students, and institutions have 500 or more students.

CODE OF CONDUCT FOR GOVERNING BOARDS OF PRIVATE TERTIARY NON-UNIVERSITY EDUCATION INSTUTIONS

Every governing board of a private tertiary non-university education entity must, in addition to any prescriptions regarding the conduct of its governing board arising from any other legislation applicable to it, have a code of conduct for the members of its governing body.



Private tertiary education institutions with less than 500 students can either:

i) Develop their own code of conduct taking their own particular institutional context into account, subject to the following requirements:

The code of conduct must include the following Content:

- Purpose of the code of conduct;
- Principles on which the code of conduct is to be based
- Scope of application of the code of conduct;
- Definitions of words and terminology;
- Behaviours constituting possible misconduct;
- Processes for lodging complaints of misconduct against members of governing boards;
- Processes for investigating such complaints;
- Processes for appeals against findings;
- Final decision-making regarding sanctions, if needed.
- or

ii) Make use of the code of conduct given below which represents an adaptation of the code of conduct for public tertiary non-university education institutions.

Private tertiary education institutions with 500 or more students must make use of the code of conduct given below

1. PURPOSE OF CODE OF CONDUCT

The purpose of this code of conduct is to:

- 1.1 Establish a common understanding of, and agreement about, standards of morally acceptable behaviour within the governing board and the institution;
- 1.2 Support members of the governing board in fulfilling their governance responsibilities in ways which enhance confidence in the integrity of the institution;
- 1.3 Provide guidance and a framework for morally defensible decision making within the governing board and institution;
- 1.4 Advance self-regulation and self-assessment amongst governing board members and the institution in the prevention and detection of fraudulent, dishonest and/or unethical behaviour; and
- 1.5 Establish processes for taking action with regard to inappropriate conduct in terms of this code of any member of the governing board.

2. PRINCIPLES UNDERPINNING THIS CODE OF CONDUCT

The following principles underpin this code of conduct and form part and parcel of this code of conduct:

- 1.1 Accountability which means that a member of the governing board is directly accountable to the governing board itself for his/her actions;
- 1.2 Transparency which means that the actions of members of the governing board must at all times be in accord with the highest standards of integrity, honesty and openness;
- 1.3 Objectivity which means that decisions of members of the governing board must be taken without undue influence, prejudice or bias and must be void of conflicts of interest;

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- 1.4 Collective responsibility which means that all members of the governing board are collectively responsible for any decisions reached by it;
 - 1.5 Fiduciary responsibility which means a person appointed as a member of the governing board must act in the best interest of the institution and its stakeholders at all times;
 - 1.6 Confidentiality which means that a member of the governing board undertakes not to disclose inappropriately and without authority deliberations or decisions of the board in a manner that will be detrimental to the board and the institution.

3. DEFINITIONS OF TERMS AND CONCEPTS

In this code of conduct the following terms and concepts have the meanings as set out below:

- 1.1 'Code of Conduct Committee' means a committee established in terms of this code of conduct to investigate a formal complaint made against a governing board member in respect of an alleged transgression(s) of this code.
- 1.2 'Conflict of interest' means for a member of the governing board, a real or potential conflict with his/her fiduciary responsibility, arising from a substantial, direct, beneficial and personal or financial interest on the part of such a member personally; or someone in his or her immediate family circle; or a professional practice, firm partnership, company, business or other organization (with the exception of financial interest arising from being a shareholder in the private tertiary non-university education institution concerned itself, or if the tertiary non-university education entity is a subsidiary of a holding company, a financial interest in the holding company or any of its other subsidiaries), in which such member or his or her immediate family member has an interest as described above; or from a fiduciary responsibility on the part of such a member towards any other organisation (with the exception of the private tertiary non-university education institution itself, or if the tertiary non-university education entity is a subsidiary of a holding company, a fiduciary interest in the holding company or any of its other subsidiaries), by reason of being a director of it or being employed or engaged by it in some executive capacity where the interest as described above relates to affairs of the institution to be dealt with by the member of the governing board or a committee of the board which includes the member concerned, or by such member himself or herself.

In the above definition 'immediate family circle' is normally taken to include a spouse, parents, children or spouses of children.

- 3.3 'External member of governing board' means a member of the governing board who is not an employee of the institution or a student of the institution.
- 3.4 'Member of governing board' means a member of the governing board and includes, for the purpose of this code of conduct, a person, who is not a member of the governing board, but who has been formally appointed by the governing board to a properly constituted sub committee of the board;

4. APPLICATION OF CODE OF CONDUCT

This code of conduct, formally approved by the governing board, applies to all members of the board. Every member of the governing board must formally sign a binding undertaking to uphold the provisions of the code of conduct on assumption of office as a governing board member. The secretary of the governing board must keep such signed undertakings on file. Refer to Annexure C to this code of conduct.

5. FUNCTIONS AND DUTIES OF GOVERNING BOARD MEMBERS

5.1 Meetings of the governing board and its subcommittees

A member of the governing board:

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- 5.1.1 Must attend all meetings of the board, its committees, task or work groups or any other body appointed by the governing board to accomplish a mandate given to it by the governing board and of which he/she is a member;
- 5.1.2 Who for good reason, is unable to attend a meeting, must notify the chairperson or secretary of the governing board or of the subcommittee of the governing board prior to the meeting, of his/her inability to attend.

5.2 Conflicts of interest

- 5.2.1 A member of governing board may not have a non-divulged conflict of interest with the institution;
- 5.2.2 A member of the governing board who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting of the board or a committee of the board (except a financial interest in the private tertiary non-university education entity itself or if the tertiary non-university education entity is a subsidiary of a holding company, a financial interest in the holding company or any of its other subsidiaries) and which entails or may entail a conflict or possible conflict of interest must, before or during such meeting, declare the interest;
- 5.2.3 A member of the governing board having a conflict of interest on a matter serving before the board is obliged to recuse him/herself from the meeting during the discussion of the matter and any voting thereon;
- 5.2.4 Conflicts of interest situations reported to, taken into account or otherwise considered by the governing board or a committee of the governing board, must be recorded in the minutes of the governing board or of the committee concerned;
- 5.2.5 Where a committee of the governing board holds delegated power to act on behalf of the governing board and the committee is of the opinion that a transaction should be entered into notwithstanding a conflict of interest on the part of a member in respect of such transaction, no final decision may be made by the committee. Instead, the decision concerned must be submitted to the governing board by the committee in the form of a recommendation; and
- 5.2.6 Notwithstanding the above, a member of the governing board must, in each year of his/her term of office, submit to the governing board via the secretary of the board, a list of all interests and relationships (of a pecuniary or a non-pecuniary nature), on the part of himself or herself or any member of his/her immediate family circle, which may potentially result in a conflict of interest on his/her part in the course of proceedings of the governing board or its committees. Refer to Annexure D of this code of conduct.

5.3 Harassment, victimisation and discrimination

A member of the governing board must, in the course of his/her functions and duties, refrain from any form of harassment, victimisation or unfair discrimination based on race, gender, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

5.4 Misleading or influencing the governing board

A member of the governing board may not:

- 5.4.1 Mislead or attempt to mislead the governing board or a committee of the governing board in the consideration of, and decision regarding a matter serving before the governing board or committee;
- 5.4.2 Influence or attempt to influence the governing board or a committee of the board in order to obtain some or other direct or indirect advantage, whether pecuniary or otherwise, for him/herself or any other person to whom he/she is related or associated;
- 5.4.3 Take, or directly or indirectly encourage, plead, instigate or participate in any unlawful decision by the board or a committee of the board; or

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- 5.4.4 Directly or indirectly encourage, plead, instigate or participate in a debate, conference, meeting or decision with any other person or body, of which the aim or effect is the breach of an agreement by the board, or breach of agreement by any other person or body with the board, or any other breach or loss of a right or the neglect of an obligation in such a manner that the institution incurs loss or is prejudiced in any other manner, or is improperly or unlawfully charged with an obligation.

5.5 Exerting pressure on employees of the institution

A member of the governing board may not, directly or indirectly:

- 5.5.1 Force or pressurise an employee of the institution to add or omit any fact, opinion or information to or from a document compiled by such an employee, or to formulate a recommendation in such a document in a specific manner; or
- 5.5.2 Order or instruct an employee not to implement a decision of the governing board or a decision of a committee of the governing board, or to implement any such decision in a manner that is in conflict with the aim and objective thereof.

5.6 Disclosure of information

A member of the governing board may not:

- 5.6.1 Disclose any information obtained through his or her office as a member of the governing board or of a committee of the board, to any other party if the disclosure of such information could be for his or her personal gain; or to the detriment of the institution; or
- 5.6.2 Engage with the media on any issue on which the governing board has deliberated unless specifically authorized and requested to do so by the chairperson of the board on his/her behalf.

5.7 Procuring of a reward and the acceptance of gifts and favours

A member of the governing board may not, directly or indirectly:

- 5.7.1 Request or demand a direct or indirect reward or favour from a person or body; or
- 5.7.2 Accept a gift, reward or favour, whether in the form of money or otherwise, as a reward for voting or not voting in a specific manner on a matter before the governing board or a committee of the board, or with the aim of persuading or convincing the board or committee with regard to the execution or performance of an authority or duty to be executed or performed by the governing board or committee, or to disclose any privileged or confidential information to a person or body or the representative of such a person or body.

5.8 Interference in the administration of the institution

A member of the governing board may not:

- 5.8.1 Directly, or by means of another person, interfere in the management or administration of a department, branch, section or division of the institution;
- 5.8.2 Directly, or by means of another person, give or attempt to give an executive instruction to an employee of the institution; or
- 5.8.3 Directly or indirectly encourage, plead, instigate or participate in a debate, decision or action which could result in maladministration or contribute thereto in the institution or in a department, branch, section or division of the institution.

5.9 Appropriation or misuse of institutional property

A member of the governing board may not:

- 5.9.1 Appropriate for his or her personal use or benefit or for the use or benefit of any other person to whom he or she is related or associated, any movable or immovable property or asset which is possessed, controlled or managed by the institution; or



5.9.2 Unlawfully, or improperly obtain a benefit from, a right or title to, or interest in, such property or asset; or

5.9.3 Appropriate for his or her personal use or the furtherance of his or her business interests outside his or her authorised activities as a member of the board, institutional office facilities or institutional equipment, including telephones, computer equipment or motor vehicles.

6. Improper conduct by a member of the governing board

6.1 Establishment of a code of conduct committee

The governing board must establish a code of conduct committee to attend to matters of non-compliance by a member of the governing body in respect of the code of conduct.

6.2 Composition of the code of conduct committee

6.2.1 The code of conduct committee comprises at least two members, excluding the chair of the governing board, appointed on an annual basis by the governing board from its own ranks, at least one of whom must be an external member. The governing board appoints one of the members as chairperson of the committee. The governing board must also appoint one alternate from its external members;

6.2.2 When a complaint in terms of this code of conduct is lodged against a member of the code of conduct committee, the governing board must, for the purpose of the investigation of such complaint, appoint an external member of the governing body to the code of conduct committee to replace the member of the governing board against whom the complaint has been laid.

6.3 Powers and functions of the code of conduct committee

The code of conduct committee has the following powers and may exercise the following functions in relation to a particular investigation:

6.3.1 To make written recommendations to the governing board proposing amendments to this code;

6.3.2 To require a member of the governing board in respect of whom a complaint of misconduct has been lodged, to appear before the code of conduct committee, to answer such questions as may be put to him/her by the committee and to make representations to the committee. Any other person can be called to give evidence or provide information to the committee;

6.3.3 To make a finding after the conclusion of an investigation and to submit such finding to the governing board, either with or without a recommendation as to what action, if any, should be taken in pursuance of such finding; and

6.3.4 If the committee is convinced that continued participation by the member against whom a complaint has been lodged will compromise its investigation, the committee must recommend to the governing board that the member be suspended from the activities of the governing body and its committees until the finalisation of its investigation and finding.

6.4 Application of provisions for improper conduct to members of the governing board

6.4.1 Where, in the opinion of governing board, a member acts in a manner contrary to the letter and spirit of this code conduct, the governing board may, before referring the matter to the code of conduct committee endeavour to resolve the matter by way of informal discussions with the member;

6.4.2 Where a member of the governing board is an employee or student of the institution, such member is subject to the institution's disciplinary code for employees or students.

6.5 Procedure in the case of a complaint of misconduct

6.5.1 Any person who has reason to believe that a member of the governing board has breached this code of conduct may lodge a complaint in writing, setting out the particulars of the alleged breach, with the chairperson of the board, or if the complaint is made against the chairperson of the board, with the deputy chairperson of the governing board.

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- 6.5.2 On receipt of a complaint, the chairperson or deputy chairperson of the board, as the case may be, must forward such complaint to the chairperson of the code of conduct committee for investigation within five (5) working days of receiving such a complaint. Whilst the investigation is in progress, the member concerned should recuse him/herself from any discussions at the board related to the complaint;
- 6.5.3 The member of the governing board in respect of whom the complaint has been lodged must be notified, in writing, by the chairperson of the code of conduct committee of the complaint; and the date, time and venue for the investigation of the complaint. Such notification must include a copy of the written complaint;
- 6.5.4 Representation may be allowed during any hearings of the code of conduct committee into the complaint. A full record of the proceedings must be kept; and
- 6.5.5 If the alleged breach of the code of conduct occurs in a meeting of the governing board or any of its committees, any member present may raise the matter on a point of order and unless the member responsible for the alleged breach apologises unconditionally, the governing board or the committee concerned may, by resolution, refer the matter to the code of conduct committee.

6.6 Findings, recommendations and appeals

- 6.6.1 After conclusion of the investigation of the complaint concerned, the code of conduct committee must deliberate as to its finding. During such deliberations no person who is not a member of the code of conduct committee may be present, provided that the committee may invite a person with appropriate legal training and experience to provide it with advice and guidance before finalising its findings and recommendations;
- 6.6.2 Having arrived at a finding, the code of conduct committee must, in the event of a finding of guilty, make a recommendation on an appropriate penalty for the member of the board whose conduct was investigated. Such recommendation may include any or two or more of the following:
- i) An official reprimand coupled to an apology from the member concerned;
 - ii) Suspension of the member's membership of the governing board for a set period;
 - ii) Withholding of any allowances or honoraria payable to the member;
 - iii) Instructing the member to resign; or
 - iv) Requesting the body or person who nominated the member to the governing board to replace the member with another nominee.
- 6.6.3 The secretary of the governing board communicates in writing within five (5) working days after the final meeting of the code of conduct committee the decision of the committee as contemplated in 6.6.1 and 6.6.2 to the member of the governing board concerned;
- 6.6.4 A member of the governing board who has been found guilty of a transgression of the code of conduct for members of the governing board may, within five (5) working days after receiving the written decision of the code of conduct committee, lodge a written request with the secretary of the governing board for review of the decision of the code of conduct committee, setting out the reasons on which such a request is based;
- 6.6.5 Once the period of five (5) working days contemplated in 6.6.4 has elapsed, the secretary of the governing board submits the report of the code of conduct committee including the findings and recommendations, together with any request for a review of the committee's findings and recommendations from the member of the governing board whose conduct was investigated to the chairperson of the governing board or the deputy chairperson of the board;

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- 6.6.6 On receipt of the above notification and documentation by the chairperson of the governing board, or deputy chairperson, the chairperson or deputy chairperson must direct the secretary of the governing board to put the matter on the agenda of the board for consideration at its following ordinary meeting or an extraordinary meeting of the board. The secretary of the governing board must forward a copy of such notification to the member of the governing board in respect of whom the complaint of misconduct was investigated;
- 6.6.7 When this matter serves at the ensuing meeting of the governing board, members of the code of conduct committee, the board member whose conduct was investigated and if applicable, the board member who lodged the original complaint against the board member whose conduct was investigated, must recuse themselves from the meeting;
- 6.6.8 After proper consideration of the matter, including any appeal lodged, the governing board must, by a two-thirds majority of the members present at the meeting of the board, resolve whether the finding and recommendations of the code of conduct committee should be accepted, rejected or amended;
- 6.6.9 If the governing board accepts the finding and recommendations of the code of conduct committee, it must take appropriate steps, as it is legally empowered to do, against the member of the board in respect of whom the finding has been accepted. The chairperson of the governing board or deputy chairperson, as the case may be, must inform such member of the board in writing of the acceptance of the finding of the code of conduct committee and of the steps, if any, that the governing board has resolved be taken against the member of the board.



ACKNOWLEDGEMENT OF RECEIPT OF CODE OF CONDUCT AND UNDERTAKING OF COMPLIANCE

This form, based on Section 4 of the code of conduct, must be completed, signed and returned to the secretary of the governing board.

I, (full name) hereby acknowledge having received a copy of the code of conduct for members of the governing board, dated, and undertake, as a member of the governing board, to adhere to the provisions of this code of conduct at all times during the performance of my functions and duties as a member of the governing board.

Name:

(Please print)

Signature: Date:



ANNUAL DISCLOSURE FORM FOR MEMBERS OF THE GOVERNING BOARD

This form must be completed, signed and returned to the secretary of the governing board. Pursuant to the principles and the relevant rules as set out in the code of conduct for members of the governing board which I acknowledge having received and read,

I, (full name) hereby declare the under-mentioned interests:

1. My own substantial, direct, beneficial and personal or financial interests in persons or organisations as aforesaid: (The holding of shares in a listed company need not be recorded here if this constitutes less than 5% of the issued shares of the company. Financial interests in the private tertiary non-university education institution, its holding company (if applicable) and other subsidiaries of the private tertiary non-university education institution (if applicable) do not need to be listed

.....
.....
.....

2. My own fiduciary responsibilities towards a person or organisation as aforesaid (Fiduciary responsibilities in the holding company of the private tertiary non-university education institution (if applicable) and other subsidiaries of the private tertiary non-university education institution (if applicable) do not need to be listed)

.....
.....
.....

3. Substantial, direct, beneficial and personal or financial interests held on the part of members of my immediate circle of family or friends in a person or organisation as aforesaid (Financial interests in the private tertiary non-university education institution, its holding company (if applicable) and other subsidiaries of the private tertiary non-university education institution (if applicable) do not need to be listed)

.....
.....
.....

4. Any other interest or relationship which may potentially result in a conflict of interest as contemplated.

4.1 In my own case:

.....
.....
.....



4.2 In the case of members of my inner circle of family or friends:

.....
.....
.....

I hereby certify that the foregoing information is true and complete to the best of my knowledge.

Name:

Signature: Date:

3.5 SUMMARY

The place and role of codes of conduct is described accompanied by a code of conduct for public non-university tertiary education institutions. An example is also given of a code of conduct for private non-university tertiary education institutions. The acceptance of such codes of conduct should be made a mandatory requirement for registration as a tertiary non-university education institution.

In this part of the report performance assessment instruments are developed for governing boards for non-university tertiary education institutions.

4

ASSESSING THE PERFORMANCE LEVELS OF GOVERNANCE BOARDS

- 4.1 Role of performance assessment in tertiary education
- 4.2 Characteristics of performance assessment instruments for boards of tertiary education institutions
- 4.3 Processes and procedures involved in the performance assessment of boards of non-university tertiary education institutions
- 4.4 Performance assessment instrument for boards of public non-university tertiary education institutions
- 1.5 Application of measures covered in the report

4.1 ROLE OF PERFORMANCE ASSESSMENT IN TERTIARY EDUCATION

Performance management and performance assessment in a variety of ways has established itself quite prominently in many education systems across the world. This can be attributed to a number of factors:

- The difficulties which many governments worldwide experienced in maintaining adequate levels of funding for higher education due to having to cope with increased demand for higher education study and pressures on expanding the provision of other social services resulted in a far greater emphasis being placed on efficiency and effectiveness in higher education systems and institutions. On the institutional front this gave rise to the development of a number of institutional performance indicators that measured the extent to which institutions were succeeding in reaching their goals and objectives within their financial limits. Measuring institutional performance therefore has become part and parcel of the management of institutions;
- As part of a greater drive towards efficiency and effectiveness many universities moved from processes of electing senior university officials such as the vice chancellor, deputy vice chancellors etc. towards processes involving a greater measure of selecting and appointing such officials on a competitive basis. Part of this shift towards which is often termed as a move towards 'greater managerialism' in tertiary education involved appointing such senior officials on fixed and performance-based contracts. In some tertiary education institutions performance management has become an accepted part of the human resources management and development environment and has been extended to middle management levels and in exceptional cases to levels even lower than that;
- The establishment of quality assurance agencies in many tertiary education systems and the introduction of self assessment as part of institutional accreditation processes served to establish and widen the concept of institutional performance assessment in tertiary education;
- The growth of international and national higher education institutional ranking systems has further cemented the notion of measurement of performance in tertiary education. This has been strengthened by the heightened media attention which these rankings enjoy as well as the use of ranking results by universities in their competition for top level students; and
- The increased emphasis on improved levels of corporate governance in the private sector through initiatives together with some real lapses in higher education institutional governance at some institutions, as well as the fact that budgets at many larger tertiary education institutions assumed very significant proportions, turned the governance spotlight on tertiary education institutions as well. In countries such as South Africa, organizations such as the Centre for Higher Education Transformation, in the late 1990s developed training programmes for university councils that included performance assessment of the councils.



In this way performance assessment of higher education institutions, of individuals in higher education institutions such as members of senior management, and of structures such as governing boards of higher education institutions has become fairly accepted in many higher education systems.

4.2 CHARACTERISTICS OF PERFORMANCE ASSESSMENT INSTRUMENTS FOR BOARDS OF TERTIARY EDUCATION INSTITUTIONS

Performance assessment for governing boards of tertiary education institutions can vary from fairly informal end-of-year discussions at the final board meeting on how members felt the board had performed to more rigorous approaches involving formalized self assessment responses which are analysed statistically in order to determine trends in the annual assessment responses.

For performance assessment of boards of tertiary education institutions to be worthwhile it is preferable to adopt a more formalized approach. This has the following advantages:

- The board accepts ownership of the instruments developed for this purpose through their formal approval by the board;
- The annual application of such formalized instruments allows for data to be gathered over a number of years and allows for tracking of changes, improvements etc.;
- Formalized instruments lend themselves better to objective analyses which removes performance assessment from the domain of personalizing the outcomes of such assessments;
- Formalized assessment instruments make it possible to cover various facets of a governing board's activities such as strategic leadership, financial oversight, guiding management, etc.;
- Formalized assessment instruments and the analysis of the results also allow for greater transparency in the complex interactions between the board, executive management, academic board, student structures, external stakeholders etc.

A formalized performance assessment instrument usually consists of a questionnaire aimed at assisting board members in evaluating the performance of the board. This questionnaire should preferably be linked to the aims and goals which a board sets for itself for a particular year. Since such an assessment usually occurs at the end of the year this means such goals should have been set at the beginning of that particular year.

Areas normally covered in such a performance assessment questionnaire would be: the board's role and responsibilities, governance of the institution, ensuring good management, board meetings, composition of the board, leadership provided by the chairperson of the board, and the relationship between the board and executive management.

4.3 PROCESSES AND PROCEDURES INVOLVED IN THE PERFORMANCE ASSESSMENT OF BOARDS OF NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

The following processes are normally followed in the management of the performance assessment of a board of a non-university tertiary education institution.

- The board debates the instrument as well as issues of anonymity of responses or not (normally responses are anonymous unless a particular member of the board chooses to put his/her name to their response);
- Once any outstanding issues are finalized, the board approves the process to be followed in the administration of the self-assessment exercise. This normally involves the following:
 - i) *A suitable time/opportunity for board members to complete the questionnaires;*
 - ii) *The analysis of the results by someone in the institution capable of doing so (usually someone with a strong quantitative background);*
 - iii) *A suitable/time opportunity for the results to be presented to the board followed by deliberations by the board on these results.*

An issue that often draws strong views, concerns the scale of measurement of views on a particular question. Some boards prefer a qualitative but ordinal scale of say 1= strongly agree to 5=strongly disagree. Others keep it simple and simply provide for the following responses, which tend to force board members to make a choice on the most prevailing answer: Yes, no, don't know/unable to judge.

In the proposed performance assessment instruments below a 5 point scale of measurement is suggested although if needed it could easily be replaced by another one preferred by a specific board.

4.4 PERFORMANCE ASSESSMENT INSTRUMENT FOR BOARDS OF PUBLIC NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

Based on the earlier discussions and in particular the Section 1.3 covering the main differences between universities and non-university tertiary education institutions, a formal performance assessment instrument for boards of public non-university tertiary education institutions is presented next. Acceptance of the process outlined above in Section 4.3 is assumed. The assessment instrument below is significantly simpler and less detailed than would be the case for a similar instrument for a university's council.

A. PERFORMANCE ASSESSMENT INSTRUMENT FOR A GOVERNING BOARD OF A PUBLIC TERTIARY EDUCATION INSTITUTION

ASSESSMENT FORM: BOARD'S PERFORMANCE

- The purpose of this document is to provide for a formal assessment instrument for the annual assessment of the performance of the board in the execution of its duties
- All members of the board are expected to complete this questionnaire independently and objectively. Board members do not have to supply their name in completing this form but may do so if they wish to.
- In all the questions responses must be marked with an 'x' in the appropriate block

1. BOARD'S ROLE AND RESPONSIBILITIES

1.1 PROVIDING STRATEGIC DIRECTION

- (a) The board has approved, reviewed or affirmed the strategic plan of the institution during the past year

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (b) The board has monitored the proper implementation of the strategic plan

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (c) The board has ensured that the annual budget is adequately linked to the strategic plan

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

1.2 GOVERNING THE INSTITUTION

- (a) The board has defined its role, responsibilities and scope of authority clearly

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (b) The board has delegated its powers/functions, where appropriate, adequately to other internal structures

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(c) The board has achieved its own performance objectives for the past year

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(d) The board has consistently maintained high ethical standards in performing its role

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(e) The board has ensured consistently that the institution complies with all statutory requirements in respect of matters serving at the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(f) The board has ensured that the key risk areas relevant to the business of the institution are identified and monitored on a continuous basis

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(g) The board has ensured the effective and efficient utilisation of the financial resources and assets of the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
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1.3 **ENSURING GOOD MANAGEMENT**

(a) The board has monitored the implementation of institutional policies approved by it

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(b) The board has satisfied itself that the relevant management systems and policies are in place

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(c) The board has insisted on regular reports at board meetings on the state of the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(d) The board has ensured a clear division of responsibility between itself and executive management

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

2. **MEETINGS OF THE BOARD**

(a) The number of scheduled board meetings has been sufficient

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(b) Board members received agendas sufficiently in advance of meetings

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

C) The quality of documentation provided to the board enabled it to make informed decisions

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(d) There has not been a tendency to focus on “micro” issues instead of fundamental issues

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(e) There has not been a tendency that one or more members dominated the deliberations of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(f) Members have been committed to collective decisions, irrespective of their personal views on such decisions

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(g) The board accepted the equal decision making status of internal and external members

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(h) Members dealt with confidential matters in the manner determined by the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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3. BOARD COMPOSITION

(a) The board’s composition is sufficiently diverse to reflect the interests and perspectives of those communities served by the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(b) New members have been provided with adequate information about the institution and the role of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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(c) Members have been informed about amendments in respect of national policies/directives

Agree strongly	Agree	In between	Disagree	Disagree strongly
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4. CHAIRPERSON OF THE BOARD

(a) The chairperson of the board has ensured the effective functioning of the board by:

(i) Controlling and directing the meetings without dominating discussions

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (ii) Ensuring that serious disagreements amongst members were resolved in a positive manner

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (iii) Ensuring that members were as fully informed as possible on any issues which required decisions of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (iv) Ensuring that proposals and/or decisions were properly understood by members

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (b) The chairperson contributed to enhancing respect and trust amongst members of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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5. RELATIONSHIP BETWEEN THE BOARD AND PRINCIPAL OF THE INSTITUTION

- (a) A climate of mutual trust, respect and support exists between the board and the principal

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (b) The principal provided the board with the information and other forms of support it needs to meet its responsibilities

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (c) The board delegated to the principal the authority he/she needs to manage and lead the institution successfully

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (d) The board's executive committee (or another committee) has formally assessed the principal's performance

Agree strongly	Agree	In between	Disagree	Disagree strongly
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6. GENERAL ASSESSMENT

- (a) What do you regard as the most important shortcomings in the board's performance that need attention?

.....

- (b) What do you regard as the strengths of the board that should be built on?

.....

(c) How do you assess the board's overall performance during the past year?

Excellent	Very good	Acceptable	Mediocre	Very poor
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4.5 PERFORMANCE ASSESSMENT OF BOARDS OF PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

In this section of the report an assessment instrument for the performance of boards of private non-university tertiary education institutions is developed. This assessment instrument is based on the assumption that such private non-university tertiary education institutions have satisfied all the requirements for registration as private tertiary education institutions set by the HRDC.

A number of factors, which do not arise in the public sector, must be borne in mind when developing such an assessment instrument for private non-university tertiary education institutions. Some of these are:

- The fact that private non-university tertiary education institutions, are normally established in terms of acts governing the establishment of companies or enterprises, means that significant differences are likely to occur between the structure, roles and functions of governance bodies in the public tertiary education sector compared to that of the private tertiary education sector;
- In practice the boards of directors of companies and businesses are normally much smaller than would be the case for boards of public tertiary education institutions. The much smaller size of governing boards for private non-university tertiary education institutions may mean that aspects of institutional planning measures for boards of public non-university tertiary education institutions would prove unnecessarily laborious, too costly to implement and to maintain, and simply be impractical;
- In addition, it is not uncommon in the private sector for the offices of chairperson of the board and that of chief executive officer to be combined in one person. This could be somewhat problematic in the case of a private educational institution which apart from its responsibilities to shareholders also has a direct responsibility towards its students and an indirect responsibility to parents and families of the students, and other stakeholders such as industry, civil society etc. In the case of private tertiary non-university education institutions it would thus be better if the role of chairman of the board and principal were separated. This requirement may have to be included in the criteria for the registration and accreditation of private tertiary non-university education institutions. In the remainder of the document the assumption is made that the roles of chairperson of the board and principal of the institution are separate in the case of private non-university tertiary education institutions.
- In the case of private sector tertiary non-university education institutions that are subsidiaries of a larger company, the governing board of the institution sometimes has limited decision-making authority with decisions in some areas being the responsibility of the board of the holding company. This can render some of the assessment factors included in the recommended assessment instrument superfluous.

With this background the following proposal is made for an instrument aimed at assessing the performance levels of boards of private non-university tertiary education institutions, which distinguishes between institutions having less than 500 students, and institutions have 500 or more students.

B. PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS: BOARD'S PERFORMANCE ASSESSMENT

Private non-university tertiary education institutions with less than 500 students can either:

1) Develop their own performance assessment instrument for assessing the performance of their board taking their own particular institutional context into account, subject to the following requirements:



The performance assessment instrument must assess at least the following aspects of the board's performance:

- Role and responsibilities in terms of: Providing strategic direction; governing the institution; and ensuring good management
- Meetings of the board
- The board's composition
- Chairperson's role and function
- Relationship between the board and the CEO

In addition processes for analysing responses of the board members on the issues raised in the assessment instrument must be developed and the outcome of these analyses must be presented to the board for discussion.

ii) Make use of the performance assessment instrument given below which represents an adaptation of the performance assessment instrument for public non-university tertiary education institutions.

Private tertiary education institutions with 500 or more students must make use of the performance instrument including the accompanying processes as set out below.

PERFORMANCE ASSESSMENT INSTRUMENT FOR BOARDS OF PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

BOARD'S ROLE AND RESPONSIBILITIES

1.1 PROVIDING STRATEGIC DIRECTION

(a) The board has approved, reviewed or affirmed the strategic plan of the institution during the past year

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(b) The board has monitored the proper implementation of the strategic plan

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(c) The board has ensured that the annual budget is adequately linked to the strategic plan

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

1.2 GOVERNING THE INSTITUTION

(a) The board has defined its role, responsibilities and scope of authority clearly

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(b) The board has delegated its powers/functions, where appropriate, adequately to other internal structures

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(c) The board has achieved its own performance objectives for the past year

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(d) The board has consistently maintained high ethical standards in performing its role

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(e) The board has ensured consistently that the institution complies with all statutory requirements in respect of matters serving at the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(f) The board has ensured that the key risk areas relevant to the business of the institution are identified and monitored on a continuous basis

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(g) The board has ensured the effective and efficient utilisation of the financial resources and assets of the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

1.3 ENSURING GOOD MANAGEMENT

(a) The board has monitored the implementation of institutional policies approved by it

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(b) The board has satisfied itself that the relevant management systems and policies are in place

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(c) The board has insisted on regular reports at board meetings on the state of the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(d) The board has ensured a clear division of responsibility between itself and executive management

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

2. MEETINGS OF THE BOARD

(a) The number of scheduled board meetings has been sufficient

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(b) Board members received agendas sufficiently in advance of meetings

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

(c) The quality of documentation provided to the board enabled it to make informed decisions

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (d) There has not been a tendency that one or more members dominated the deliberations of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (e) Members have been committed to collective decisions, irrespective of their personal views on such decisions

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (f) Members dealt with confidential matters in the manner determined by the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

3. **BOARD COMPOSITION**

- (a) The board's composition is sufficiently diverse to reflect the interests and perspectives of those communities served by the institution

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (b) New members have been provided with adequate information about the institution and the role of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (c) Members have been informed about amendments in respect of national policies/directives

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

4. **CHAIRPERSON OF THE BOARD**

- (a) The chairperson of the board has ensured the effective functioning of the board by:

- (i) Controlling and directing the meetings without dominating discussions

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (ii) Ensuring that serious disagreements amongst members are resolved in a positive manner

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (iii) Ensuring that members were as fully informed as possible on any issues which required decisions of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (iv) Ensuring that proposals and/or decisions were properly understood by members

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (b) The chairperson contributed to enhancing respect and trust amongst members of the board

Agree strongly	Agree	In between	Disagree	Disagree strongly
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5. RELATIONSHIP BETWEEN THE BOARD AND PRINCIPAL OF THE INSTITUTION

- (a) A climate of mutual trust, respect and support exists between the board and the Principal

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (b) The principal provided the board with the information and other forms of support it needs to meet its responsibilities

Agree strongly	Agree	In between	Disagree	Disagree strongly
----------------	-------	------------	----------	-------------------

- (c) The board delegated to the principal the authority he/she needs to manage and lead the institution successfully

Agree strongly	Agree	In between	Disagree	Disagree strongly
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- (d) The board's executive committee (or another committee) has formally assessed the principal's performance

Agree strongly	Agree	In between	Disagree	Disagree strongly
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6. GENERAL ASSESSMENT

- (a) What do you regard as the most important shortcomings in the board's performance that need attention?

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.....

- (b) What do you regard as the strengths of the board that should be built on?

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.....
.....
.....

- (c) How do you assess the board's overall performance during the past year?

Excellent	Very good	Acceptable	Mediocre	Very poor
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4.6 SUMMARY

In this chapter the place and role of instruments for assessing the performance of boards of non-university tertiary education institutions is described accompanied by such an assessment instrument for public non-university tertiary education institutions. An example is also given of an assessment instrument for private non-university tertiary education institutions. The acceptance of such assessment instruments should be made a mandatory requirement for registration as a tertiary non-university education institution.

In this part of the report a set of institutional rules is first developed for public non-university tertiary education institutions. This set of rules then forms the basis for a set of rules applying to private non-university tertiary education institutions.

5

INSTITUTIONAL RULES

- 5.1 Nature of institutional rules**
- 5.2 The purpose of institutional rules**
- 5.3 Institutional rules for public non-university tertiary education institutions**
- 5.4 Structure of the report**
- 5.5 Application of measures covered in the report**

5.1 NATURE OF INSTITUTIONAL RULES

Boards of non-university tertiary education institutions normally have members from a variety of institutional stakeholders – in the case of public institutions, for example, these stakeholders would normally be the academic board, non-academic staff, student representative council, and sometimes the alumni association. These stakeholders normally nominate persons from their midst to serve on a governing board although once becoming members of the board such persons function in their personal capacities and not as mandated representatives.

The relationship between these stakeholders and the board in the overall running of the institution and particularly the way in which these nominations to the board are made are normally set out in a set of institutional rules.

In addition, institutional rules would sometimes cover a number of other matters relating to, for example, the academic board and its structures, the student representative council and its structures, the alumni association (if applicable), the executive management committee and its functioning, and the academic functions and ceremonies of the institution. Some institutional rules would also stipulate the main committees to be established in the institution and set out basic meeting procedures- the latter in order to enhance consistency in the conducting of institutional meetings.

5.2 THE PURPOSE OF INSTITUTIONAL RULES

Institutional rules are intended to explicate matters covered in institutional statutes and particularly to give effect to implementing and managing some of the processes and arrangements provided for in such institutional statutes. Non-university tertiary education institutions are, however, normally not granted the right to determine institutional statutes which actually makes the existence and adherence to a set of institutional rules even more important for such institutions.

Institutional rules thus form part and parcel of an array of measures such as codes of conduct for boards of tertiary education institutions, assessing the performance of such boards, formalised delegation of decision making etc which are all aimed at improving the overall levels of governance, accountability and management of an institution. In particular institutional rules are intended to clarify processes and procedures for the nomination of persons from recognised institutional constituencies to the governing boards of institutions.

By their nature institutional rules are geared towards accommodating the contexts and the characteristics of different kinds of tertiary education institutions. This means that they cover a considerably larger amount of detail and institution specific matters than would be the case with some other instruments for improving governance and accountability. This means that separate sets of institutional rules have to be developed for: public universities, for public non-university tertiary education institutions, and for private universities and for private non-university tertiary education institutions. As has been indicated the focus in this report is on non-university tertiary education institutions only.

Obviously it is impossible to develop a single set of institutional rules which would, without any further amendments, be able to be used by all non-university tertiary education institutions as institutions differ too much from one another in terms of structures and practices. The proposed institutional



rules are thus generic in nature and will have to be adapted by individual institutions to take account of their particular institutional characteristics.

In each case Annexure A to the proposed set of institutional rules presents a minimum set of procedures relating to conducting meetings of officially recognised institutional committees.

5.3 INSTITUTIONAL RULES FOR PUBLIC NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

Unlike public universities most public non-university tertiary education institutions do not have such a large number of governance structures and governance arrangements, as is the case with public universities. This is due to the fact that they normally enjoy lower levels of institutional autonomy compared to universities and are sometimes compelled to follow government rules and regulations in, for example, the appointment of staff, procurement of goods and services etc.

Although such institutions would normally have governing boards, academic boards, and student representative bodies or councils they do not normally have chancellors and alumni associations. In addition the chief executives of such institutions are not normally known as vice chancellors but usually as rector or principal. Usually such institutions also do not have degree granting powers as would be the case with public universities and normally they do not have the power to award honorary degrees.

In terms of other nomenclature usually associated with universities such as the title professor or dean of a faculty or even academic faculty, practices vary. Usually the title professor is linked to universities only and no provision is therefore made for such a title or position in the institutional rules that follow. Similarly the designation of faculty seldom occurs in non-university tertiary education institutions although the nomenclature of 'academic department' is quite common.

However, as is the case with public universities it is assumed that the following issues are covered in the institutional statutes of such public non-university tertiary education institutions.

- Institution's name, location and status;
- Governing board membership, terms of office of membership, meetings of the board and its functions and powers;
- Academic board's membership, terms of office of members, meetings of the academic board, and functions and powers;
- Student representative council membership, terms of office of members, meetings of the student representative council, functions and powers;
- Executive management membership, terms of office, meetings and powers and functions;
- Employees and conditions of employment;
- Students and admission to the institution and registration as students; and
- Academic functions of the institution including the conferment of qualifications.

Examples of generic sets of institutional rules for public and there after for private non-university tertiary education institutions are given next.

A. INSTITUTIONAL RULES FOR PUBLIC NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

PURPOSE AND AIM OF INSTITUTIONAL RULES

1. These institutional rules must be read in conjunction with the following: The Human Resource Development Act, Act 17 of 2013, any other relevant legislation passed by Botswana's legislative structures, and regulations passed by the Minister in terms of this Act.



The purpose and aim of these institutional rules is to provide for enhanced institutional governance and management, particularly in respect of the roles that formally recognized stakeholder bodies and structures play in the governance and administration of the institution.

DEFINITIONS AND DESCRIPTIONS OF TERMINOLOGY

2. In these rules any expression or word to which a meaning has been assigned by the Act, has the meaning so assigned to it, and unless the context otherwise indicates:

‘Academic board’ means the academic board contemplated in par 9 of the Institutional Rules;

‘Academic employee’ means any person appointed to teach or if applicable, to do research at the institution and any other employee designated as such by the governing board of the institution;

‘After consultation with’ means that consultation has taken place, however, the relevant body or person having to take the final decision is not bound by opinions or proposals arising from such consultation;

‘Head of academic department’ means the person assigned to manage an academic department;

‘delegation document’ means the delegation document of the institution providing for, amongst others, the final decision-making powers with regard to the core tasks of the institution;

‘Non-academic employee’ means any employee who is not an academic employee;

‘On recommendation of’ means that a body or person having to finalise a particular matter can deal with such matter only after the input from the relevant body or person, however, it is not bound by recommendations arising from such input;

‘Student representative council’ means the students’ governing body set up in the institution to represent the interests of students; and

‘With concurrence of’ means that the relevant bodies or persons involved in taking a final decision have to reach agreement on a matter.

INSTITUTION

Name, status and location

- (1) The name of the institution is the and its formally approved accompanying acronym is:
- (2) The juristic status of the institution is as set out in applicable primary or secondary legislation.
- (3) is the location of the institution and the activities of the institution are principally administered at this location.

GOVERNING BOARD

4. RULES OF THE GOVERNING BOARD

- (1) The provisions applicable to the governing board are as described in Annexure A with the necessary changes and as augmented, if deemed necessary, in the document entitled “Rules of the Board”, which document is deemed an integral part of the Institutional Rules.
- (2) Any amendment to the “Rules of the Board” is subject to the approval of the board.

5. COMPOSITION OF THE GOVERNING BOARD

- (1) The composition of the board is as set out in separate legislation applicable to public non-university tertiary education institutions or as prescribed by the Minister through regulations passed in terms of the Human Resource Development Act, Act 17 of 2013.
- (2) The members of the board should, with due cognizance to par (1) above) include at least the following:
 - a) One person representing a public university to which the institution is affiliated if such institution is affiliated to any public university and in the event the institution is not affiliated, one person representing public universities chosen by the Minister from any public university;

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- b) at least two but not more than three persons having, in the opinion of the Minister, made personal contributions to the development of the sector relevant to tertiary education provided by the public non-university tertiary education institution;
 - c) a representative of the district, town or city council in which the tertiary education institution is situated;
 - d) the principal and deputy principal (if applicable) of the institution;
 - e) a representative of the Ministry responsible for tertiary education;
 - f) a representative of the Ministry responsible for the field of study undertaken by the tertiary education institution;
 - g) two representatives of the academic staff of the institution;
 - h) a representative of the non-teaching staff of the tertiary institution; and
 - i) one representative of the students.
- (3) Members of the board in categories a), b), c), e), and f) may not be an employee or student of the institution or have a formal contractual relationship with the institution.
- (4) No member of the board, with the exclusion of the principal and deputy principal, may serve more than two consecutive terms of 4 years each.
- (5) The board may invite persons who are not members of the board to attend meetings of the board, on the understanding that such persons may take part in the deliberations but may not vote.
- (6) The official responsible for the administration of the institution acts as secretary to the board but is not a member of the board.

6. CHAIRPERSON AND VICE CHAIRPERSON OF THE BOARD

- (1) In terms of the applicable legislation/regulations the Minister appoints the chairperson of the board from three names submitted to him/her by the board who may not be employees or students of the institution.
- (2) The secretary of the board calls for nominations as chairperson in writing from members of the board. Each nomination must be signed by two board members and by the person so nominated indicating his/her acceptance of the nomination.
- (3) If only three valid nominations are received for the position of chairperson, these three names are forwarded to the Minister for his/her consideration.
- (4) If more than three valid nominations are received the secretary of the board arranges for a closed ballot. The principal appoints a scrutineer from the members of the board who were not nominated to the position of chairperson to assist the secretary of the board in counting the votes, and the names of the three persons obtaining the most votes are forwarded to the Minister for his/her consideration by the secretary of the board.
- (5) In the event of more than three valid nominations having been received and a tie resulting between candidates three and four in terms of votes received, the name of the third person to be forwarded to the Minister is determined by the casting of a lot by the secretary of the board in the presence of the scrutineer.
- (6) The functions and powers of the chairperson are as set out in Annexure A with the necessary changes if not specifically determined by the Minister in regulations passed in terms of an applicable act of Botswana's parliament.
- (7) Once the Minister has appointed a chairperson, a vice chairperson of the board is elected by the members of the board from the remaining names submitted by the board to the Minister for consideration as chairperson.

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- (8) In the event of an equal number of votes cast between the two remaining names referred to in par 6(7) of the Institutional Rules the vice-chairperson is determined by the casting of a lot by the secretary of the board in the presence of the scrutineer.

7. PROCESS FOR NOMINATION OF CANDIDATES FOR APPOINTMENT TO THE BOARD

- (1) The secretary of the board by written notice, requests the Minister to make appointments to the board at his/her discretion as contemplated in par 5(2)(a), (b), (c), (e) and (f) of the Institutional Rules.
- (2) The secretary of the board, by written notice, invites the permanent full- time employees and permanent part-time employees of the university to nominate in writing candidates to be elected as the representatives of the academic and non-academic employees to the board.
- (3) A nomination contemplated in par 7(2) of the Institutional Rules must be lodged with the secretary of the board, after prior notice of at least five working days, by a date determined by him/her.
- (4) Each nomination must be signed by at least two employees and countersigned by the nominee to denote his or her acceptance of the nomination.
- (5) If only two academic staff members are nominated as candidates and only one non-academic staff member is nominated as contemplated par 5(2)(g) and (h) of the Institutional Rules, the secretary submits these names to the Minister for appointment to the board.
- (6) If more than the stipulated number of candidates are nominated for either or both of the respective categories of employees contemplated in par 5(2)(g) and (h) of the Institutional Rules, the secretary of the board arranges for academic and non-academic staff respectively to vote between the nominated candidates in a manner determined by him/her with the approval of the principal which can include a show of hands at an appropriately arranged meeting or voting by way of closed ballots;

8. ELECTION OF STUDENT REPRESENTATIVES TO THE BOARD

- (1) The secretary of the board by written notice invites the student representative council to nominate one student as representative to the board.
- (2) The nominee contemplated in par 8(1) of the Institutional Rules is elected by closed ballot by a majority of members of the student representative council at a meeting convened by it.
- (3) The student representative council submits the name of the student so nominated to the secretary of the board by a date determined by him/her who in turn forwards the name of the student to the Minister for his/her consideration for appointment to the board.

ACADEMIC BOARD

9. COMPOSITION OF ACADEMIC BOARD

- (1) The composition of the academic board is as described in regulations passed by the Minister in terms of appropriate legislation passed by the parliament of Botswana, or if that is not applicable as set out in a formal board approved document provided that the academic board consists of at least:
 - (a) the principal and deputy principal;
 - (b) the registrar or chief academic/administrative officer;
 - (c) a representative of the board of the institution who may not be an employee or student;
 - (d) heads of all academic departments;
 - (e) at least two but not more than three academic staff members excluding the head of department from each academic department of the institution;

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- (f) one student from each academic department nominated by the students from that academic department in a manner determined by the registrar or chief academic/administrative officer;
 - (g) at least three but not more than five staff members who are directly involved with rendering academic support and student support services as determined from time to time by the board of the institution.
- (2) The academic board may invite persons who are not members of the academic board to attend its meetings, provided that such persons may take part in the discussions but may not vote.
- (3) The functions of the academic board are to advise the board on all aspects concerning teaching and learning, and if applicable on research and community service at the institution, with the exclusion of the appointment of all non-academic staff, financial matters and all non-academic support services and provided that all advice on academic staff appointments is based on a formal board approved decision making delegations framework.

10. ELECTION AND APPOINTMENT OF MEMBERS OF ACADEMIC BOARD

The manner of election of members of the academic board is as determined by each of the respective constituencies provided that in each case the registrar or chief academic/administrative officer or a person delegated by him/her is present at such elections or nomination processes in order to ensure fairness and proper accountability.

11. CHAIRPERSON AND VICE CHAIRPERSON OF THE ACADEMIC BOARD

- (1) The principal is the chairperson and the deputy principal the vice chairperson of the academic board;
- (2) The chairperson and vice-chairperson of the academic board hold office for the duration their appointment as principal and deputy principal respectively.
- (3) In the absence of the chairperson and the vice-chairperson from any meeting of the academic board, the secretary of the academic board initiates an election for an acting chairperson for such meeting from among the members present.

12. EXECUTIVE COMMITTEE OF THE ACADEMIC BOARD

- (1) The institution may establish an executive committee of the academic board which consists of the:
 - a) Principal who is the chairperson;
 - b) Deputy principal who is the deputy chairperson;
 - c) Registrar or chief academic/administrative officer who is the secretary of the committee;
 - d) Heads of academic departments;
 - e) A student from one of the students nominated to the academic board; and
 - f) Such other members as the executive committee of the academic board, with the approval of the academic board, may determine.
- (2) The executive committee of the academic board:
 - a) ensures overall co-ordination of academic matters within the various academic departments;
 - b) makes recommendations to the academic board on the matters delegated to it by the academic board;
 - c) ensures that policy decisions of the academic board are implemented;
 - d) ensures that academic standards, as prescribed by the academic board, are maintained;

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- e) considers matters referred to it by the academic board and performs such other functions, including advisory functions, as may be determined by the academic board.
 - (3) In the absence of the chairperson and the vice-chairperson from any meeting, the provisions of par 11(3) of the Institutional Rules apply with the necessary changes.

STUDENT REPRESENTATIVE COUNCIL

13. STUDENT REPRESENTATIVE COUNCIL

- (1) Provisions regarding, amongst others, the composition, meetings and meeting procedure of the student representative council are contained in its constitution as recommended by the student representative council to the board and as formally approved by the board.
- (2) The respective roles, functions and privileges of the student representative council as well as any other provisions, deemed necessary for promoting effective student governance, are determined by the board after consultation with the student representative council.

PRINCIPAL

14. APPOINTMENT

- (1) The appointment of the principal is subject to any provisions set in this regard by the Minister and supplemented by procedures approved from time to time by the board provided that these procedures do not contradict any provisions set by the Minister and:
 - a) Require the formal advertising of the position in appropriate media publications accompanied by a clear job description and specific job related requirements based on a recommendation by the academic board of the institution in this regard and approved by the board;
 - b) Provide for the establishment of a selection panel consisting of at least four but not more than five board members who are not employees or students, one head of an academic department who is a member of the of the academic board, one member representing academic staff who is not a head of an academic department but is a member of the academic board, one employee who is involved in the rendering of academic and student support to students who is a member of the academic board, and one student representative;
 - (c) Provide for the chairperson or deputy chairperson of the board to chair the meetings of the selection panel and who is additional to the membership outlined in par 14 (l)(b) of the Institutional Rules;
 - (d) Require the selection panel to make a formal recommendation to the board containing at least two names but not more than three, arranged in order of preference;
- (2) The board considers these recommendations and in turn submits them to the Minister recommending one person for appointment but including at least the other name(s) for the minister's consideration in order of preference.
- (3) The Minister appoints the principal of the institution after having duly considered the names submitted to him/her by the board.
- (4) The principal is appointed on conditions of employment recommended by the board to the Minister for approval.
- (5) The deputy principal is appointed in terms of a similar board approved process with the necessary changes with the exception that the board itself makes the final appointment in terms of conditions of employment approved by it but which may not be more advantageous than those applicable to the principal.
- (6) In the absence of the principal, the deputy principal acts as principal.

15. POWERS AND FUNCTIONS

- (1) The principal performs the functions and executes the powers as determined by the Minister in applicable legislation or accompanying regulations and/or as approved from time to time by the board of the institution.
- (2) The principal may, on such conditions as he/she may determine, delegate any of his or her powers and assign any of his or her duties to any other employee of the institution subject to him/her retaining:
 - (a) overall accountability for the management and day-to-day running of the institution;
 - (b) responsibility for submitting a strategic plan to the board from time to time and an annual budget in terms of such a strategic plan;
 - (c) direct oversight over the deputy principal and any other employees reporting directly to him/her;
 - (d) any duties specifically identified by the board as not to be delegated to other employees of the institution.

EXECUTIVE MANAGEMENT COMMITTEE

16. COMPOSITION

- (1) The executive management committee consists of the:
 - a) Principal, who is the chairperson;
 - b) Deputy principal who is the deputy chairperson;
 - c) Registrar or chief academic/administrative officer;
 - d) Chief financial officer;
 - e) Any other chief officers.
- (2) The executive management committee may, on an ad hoc basis, invite persons who are not members of the executive management committee to meetings of the committee.

17. POWERS AND FUNCTIONS

The executive management committee advises the principal who, as the chief executive officer of the institution, has overall responsibility for the management of the day to day activities of the institution and has final decision-making powers in respect of those matters described in the delegation document of the institution.

18. SECRETARY

The registrar or chief academic/administrative officer, or a person designated by the principal acts as secretary of the executive management committee.

ACADEMIC FUNCTIONS OF THE INSTITUTION

19. ACADEMIC FUNCTIONS

- (1) The provisions applicable to the academic functions of the institution, including the study programmes and curricula, instruction and examinations of students and research if applicable, are as determined by the board on recommendation of the academic board and are contained in the calendar(s) of the institution.
- (2) No certificate or diploma may be conferred upon a student who has not complied with the prescribed requirements of such certificate or diploma.

CONFERMENT OF CERTIFICATES AND DIPLOMAS

20. CONFERMENT OF CERTIFICATES AND DIPLOMAS

- (1) A meeting of the institution known as a congregation is held at least once annually for the purpose of conferring qualifications.

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- (2) Different congregations may be held at different times and places, if deemed necessary for operational reasons.
 - (3) The principal (or in his/her absence the deputy principal) confers the qualifications at such congregation or congregations.
 - (4) The principal after consultation with the executive management committee contemplated in par 16 of the Institutional Rules, determines the number of congregations; the times and places of such congregations; and at which congregation which student is admitted to a qualification.
 - (5) The registrar or chief academic/administrative officer, after consultation with the executive committee of the academic board and the relevant administrative departments, determines the policies and procedures applicable to a congregation.
 - (6) No student is admitted to a certificate or diploma unless the principal and registrar or chief administrative/academic officer certify that such student has complied with the prescribed requirements applicable to such certificates and diplomas.

EMPLOYEES

21. EMPLOYEES

- (1) The policies and procedures applicable to employees are as determined by the board and are contained in the staff policy and procedure document(s) of the institution.
- (2) The approval of the policies and procedures contemplated in par 21(l) of the Institutional Rules is subject to compliance with any relevant legislation or ministerial decisions.

STUDENTS

22. ADMISSION AND REGISTRATION

- (1) The provisions relating to the admission and re-admission of students to the institution are as determined by the board after consultation with the academic board and are contained in the relevant calendar(s) of the institution.
- (2) The rules relating to the registration of students are as determined by the board after consultation with the executive management committee and are contained in the relevant calendar(s) of the institution.

23. STUDENT DISCIPLINE

The disciplinary code applicable to students is as determined by the board after consultation with the academic board and student representative council and is set out in the relevant calendar(s) of the institution.

AMENDMENT OF RULES

24. AMENDMENT OF RULES

Subject to par 3(2) of the Institutional Rules, any amendment of the Institutional Rules is subject to the approval of the board after consultation with the relevant structures, where applicable.

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CHAPTER 5: ANNEXURE A

INSTITUTIONAL RULES ON FORMAL INSTITUTIONAL COMMITTEES: GENERAL RULES OF PROCEDURE FOR MEETINGS

1. Application of general rules of procedure for meetings

These rules apply to all meetings of the board and its subcommittees, the academic board and its executive committee, academic department meetings, and meetings of the executive management where applicable.

2. Notice of meeting and agenda

- 2.1 Notice of meetings must be in writing and state the date, time and venue of the meeting.
- 2.2 Notice of meetings must be accompanied by a meeting agenda that sets out the matters to be covered at the meeting together with supporting documentation.
- 2.3 Notice of meetings must be delivered to the members of the committee a reasonable number of days before the meeting—preferably at least five working days although each committee can establish its own norms in this regard
- 2.4 Notice of an agenda item for consideration at an ordinary meeting must be in writing and lodged with the secretary a reasonable time before the scheduled meeting –preferably at least seven (7) working days before the scheduled meeting although each committee can set its own norm in this regard. The secretary includes such agenda items in consultation with the chairperson of the committee.
- 2.5 A meeting of which proper notice was given may be postponed by the chairperson in consultation with the vice chairperson if substantial grounds exist to do so – the absence of the chairperson or of the vice-chairperson is not regarded as a substantial reason for postponing a meeting.
- 2.6 A proposal is placed on the agenda by the chairperson if it is raised at a meeting under the item ‘urgent and supplementary matters’, or if it arises directly from discussion of a particular agenda item, or if the reconsideration of a resolution passed at the meeting is requested by a member.
- 2.7 No business other than that for which a special meeting has been called may be discussed at a special meeting and proposals regarding the agenda items to be discussed at the special meeting are subject to the rules set out in par 2.4 and 2.6 where applicable

3. Chairperson’s duties

- 3.1 The chairperson is responsible for maintaining order at a committee meeting and for ensuring that the agenda items are all covered properly by naming and scheduling speakers, allowing for sufficient discussion before bringing closure to debate on an item, summarizing points of view in order to either obtain a decision by way of sufficient consensus or by way of a vote, and if necessary re-arrange the order of items on the agenda due to pressing needs to do so, provided the meeting agrees to this.
- 3.2 In the event of any matters concerning meeting procedure not being spelled out in these rules, the chairperson makes a decision backed by sound reasons and such a decision is binding.
- 3.3 The chairperson only has a casting vote in the event of an equal number of votes being cast on a resolution and only if the meeting agreed beforehand that this would be the case or if such a practice is specifically covered in the regulatory framework of the institution for that specific committee.



4. The meeting: quorum, minutes, attendance, etc.

- 4.1 Resolutions adopted at a meeting are only valid if a quorum is present where a quorum is made up of one half of the voting members of the committee plus one. Subject to formal approval by the board the quorum for an academic board meeting can be set at one third of the voting members plus one.
- 4.2 Before considering any other substantive items on the agenda, the meeting has to consider any minutes of a previous ordinary and/or special meeting for purposes of formal approval as an accurate record of such meetings. The approved minutes must be signed by the chairperson of the meeting.
- 4.3 Members who are unable to attend a meeting of a committee must submit their formal apologies to the chairperson or if he/she cannot be reached to the secretary of the committee at least one working day before the scheduled time of the meeting. In the case of repeated absences by a member without rendering their apologies for not being able to attend, the chairperson shall take appropriate action and report back to the committee in this regard.
- 4.4 Members are only allowed to address the chairperson in a meeting and not one another directly. A member may address the meeting only with the permission of the chairperson and only with regard to the item on the agenda which the chairperson has opened up for discussion. Except with the permission of the chairperson no member may speak to an agenda item more than once except if it concerns the formulation of a formal proposal or as a seconder of a formal proposal.
- 4.5 A proposal concerning an agenda item must be clearly and formally put forward by a member of the committee whereupon the chairperson must call for a seconder. Only one proposal can be considered at a time. A proposal can only be withdrawn by the proposer with the permission of the committee.
- 4.6 A proposal may be amended by any member of the meeting except the original proposer provided the amendment relates directly to the original proposal. Any such amendment must be formally proposed and seconded. An amended proposal replaces the original proposal and must first be dispensed of by the committee before returning to the original proposal if required.
- 4.7 The proposer of an original proposal or of an amendment to that proposal has the right of reply before a formal vote or decision is taken.
- 4.8 Points of order may be raised in respect of: Whether proper notice was given of the meeting, whether a quorum is present, whether a valid proposal is serving before the meeting, whether a valid amendment to a valid proposal is serving before the meeting, whether a member has been guilty of using insulting or otherwise unsuitable language or has displayed unacceptable conduct at the meeting, and whether accepted procedures in respect of a particular matter on the agenda have been followed.
- 4.9 A point of order is raised to the chairperson and may interrupt a member's speaking on a particular agenda item. The chairperson shall not allow any discussion on a point of order but make a decision on it which shall be binding.
- 4.10 Closure of debate on a particular matter occurs when the matter has been put to the vote, if discussion is adjourned to a later meeting pending additional information that is required, or if the matter is referred to a sub- committee for making a recommendation to the committee.
- 4.11 Subject to the regulatory framework governing the activities of the committee, matters are resolved when necessary by a majority vote of those members present provided the meeting is quorate. A member who cannot be present and has formally apologized for his/her absence may submit a view on a particular matter in writing to the chairperson who must put forward this view to the meeting. If the view of such a member clearly constitutes a vote either for or against a particular proposal or recommendation before the committee, the chairperson may rule that such a view be recorded as vote for or against whatever the case may be.
- 4.12 When a vote concerns a person or when any member requests this to be the case, voting takes place by closed ballot. The chairperson has an ordinary vote and subject to the regulatory framework governing the activities of the committee and/or a prior decision taken by the meeting, may have a casting vote as well in the case of a tie.



4.13 A meeting is adjourned before concluding its business if a properly substantiated and valid proposal to such an effect is supported by the majority of the members present.

5. MINUTES

5.1 must be kept by every committee. Minutes do not as a rule reflect the individual contributions of every member but must clearly record any resolutions, proposals or amended proposals and the outcomes thereof, unless the meeting by common consent decides that for a particular agenda item every individual contribution or some specific contributions, should be recorded.

5.2 Irrespective of the outcome of a particular proposal, recommendation or resolution serving before the committee any member has the right to request that his/her particular view on such a matter be formally recorded.

5.3 The minutes of a meeting of a committee must be confirmed at a subsequent meeting and only those present at the previous meeting are entitled to suggest changes to the minutes or propose their acceptance. Changes proposed to the minutes are only accepted by common consent of the members present at the meeting concerned.

5.4 Members of a committee have the right, through the chairperson, to request insight into previous minutes of meetings of the committee provided that such a request is within reason.

5.4 INSTITUTIONAL RULES FOR PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

A number of factors, which do not arise in the public sector, must be borne in mind when developing institutional rules for private non-university tertiary education institutions. Some of these are:

- The fact that private non-university tertiary education institutions, are normally established in terms of acts governing the establishment of companies or enterprises, means that significant differences are likely to occur between the structure, roles and functions of governance bodies in the public tertiary education sector compared to that of the private tertiary education sector;
- In practice the boards of directors of companies and businesses are normally much smaller than would be the case for boards of public tertiary education institutions. The much smaller size of governing boards for private non-university tertiary education institutions may mean that aspects of the institutional rules for boards of public non-university tertiary education institutions as set out earlier, would prove unnecessarily laborious, too costly to implement and to maintain, and be impractical;
- In addition, it is not uncommon in the private sector for the offices of chairperson of the board and that of chief executive officer to be combined in one person. This could be somewhat problematic in the case of a private educational institution which apart from its responsibilities to shareholders also has a direct responsibility towards its students and an indirect responsibility to parents and families of the students, and other stakeholders such as industry, civil society etc. In the case of private tertiary non-university education institutions it would thus be better if the role of chairman of the board and CEO were separated. This requirement may have to be included in the criteria for the registration and accreditation of private tertiary non-university education institutions. In the remainder of the document the assumption is made that the roles of chairperson of the board and CEO of the institution are separate in the case of private non-university tertiary education institutions.
- In the case of private sector tertiary non-university education institutions that are subsidiaries of a larger company, the governing board of the institution sometimes has limited decision-making authority with decisions in some areas being the responsibility of the board of the holding company. This can complicate the fiduciary responsibilities of members of such governing boards considerably.



With this background the following proposal is made for a set of institutional rules for private tertiary non-university education institutions, which distinguishes between institutions having less than 500 students, and institutions have 500 or more students.

Private non-university tertiary education institutions with less than 500 students can either:

- i) Develop their own set of institutional rules taking their own particular institutional context into account, subject to the following requirements:

The institutional rules must include rules relating to the following matters:

- Purpose and aim of institutional rules
- Definitions and descriptions of terminology
- Institution's status, name and seat
- Board – its composition and manner of nominating persons to the board, appointment of chairperson and vice chairperson
- Academic board – its composition and manner of nominating persons to the academic board, appointment of chairperson and vice chairperson
- Student representative councils
- Principal – appointment and powers and functions
- Acting Principal – appointment and powers and functions
- Executive management committee – its composition and powers and functions
- Academic functions of the institution and conferring of qualifications
- Employees
- Students- admission and registration of students and student discipline
- Amendment of rules

or

- ii) Make use of the institutional rules given below which represent an adaptation of the institutional rules for public non-university tertiary education institutions:

Private non-university tertiary education institutions with 500 or more students must make use of the institutional rules given below amended as may be required by their specific institutional context

PURPOSE AND AIM OF INSTITUTIONAL RULES

1. These institutional rules must be read in conjunction with the following: The Human Resource Development Act, Act 17 of 2013, any other relevant legislation passed by Botswana's legislative structures, and any applicable regulations passed by the Minister in terms of this Act.

The purpose and aim of these institutional rules is to provide for enhanced institutional governance and management, particularly in respect of the roles of formally recognized stakeholder bodies and structures in the governance and administration of the institution.

DEFINITIONS AND DESCRIPTIONS OF TERMINOLOGY

2. In these rules any expression or word to which a meaning has been assigned by the Act, has the meaning so assigned to it, and unless the context otherwise indicates:

‘Academic board’ means the academic board contemplated in par 9 of the Institutional Rules;

‘Academic employee’ means any person appointed to teach or to do research (if applicable) at the institution and any other employee designated as such by the board of the institution;

‘After consultation with’ means that consultation has taken place, however, the relevant body or person authorized to take a final decision is not bound by opinions or proposals arising from such consultation;

‘Head of academic department’ means the person assigned to manage an academic department;

‘delegation document’ means the delegation document of the institution providing for, amongst others, the final decision-making powers with regard to the core tasks of the institution;

‘Non-academic employee’ means any employee who is not an academic employee;

‘On recommendation of’ means that a body or person so authorized can deal with a specific matter only after the input from the relevant body or person has been obtained in the form of recommendation, however, it is not bound by recommendations arising from such input;

‘Seat’ means the physical location of the institution;

‘Student representative council’ means the students’ governing body contemplated in par 13 of the Institutional Rules; and

‘With concurrence of’ means that the relevant bodies or persons authorized to take a decision on a matter have to reach agreement on this matter

INSTITUTION

3. Name, status and seat

- (1) The name of the institution is the and its formally approved accompanying acronym is:
- (4) The juristic status of the institution is as set out in applicable primary of secondary legislation.
- (5)is the location of the institution and the activities of the institution are principally administered at this location.

GOVERNING BOARD

4. Rules of the board

- (1) The provisions applicable to the governing board are as described in Annexure A with the necessary changes and as augmented, if deemed necessary, in the document entitled “Rules of the Board “, which document is deemed an integral part of the Institutional Rules.
- (2) Any amendment to the “Rules of the Board “ is subject to the approval of the board.

5. Composition of the board

- (1) The composition of the board is as set out in separate legislation applicable to private non-university tertiary education institutions or as prescribed by the Minister through regulations passed in terms of the Human Resource Development Act, Act 17 of 2013.
- (2) The members of the board should, with due cognizance to par (1) above include at least the following:
 - a) at least four but not more than five persons having made personal contributions to the development of the sector relevant to tertiary education provided by the private



non-university tertiary education institution and who have an understanding of tertiary education matters;

- b) a person who with an understanding of financial management;
 - c) the principal and deputy principal (if applicable) of the institution;
 - d) two representatives of the academic staff of the institution;
 - e) a representative of the non-teaching staff of the tertiary institution; and
 - f) one representative of the students.
- (3) Members of the board in categories (a) and (b) may not be an employee or student of the institution.
- (4) No member of the board, with the exclusion of the principal and deputy principal, may serve more than two consecutive terms of 4 years each.
- (5) The board may invite persons who are not members of the board to attend meetings of the board, on the understanding that such persons may take part in the deliberations but may not vote.
- (6) The official responsible for the administration of the institution acts as secretary to the board but is not a member of the board.

6. Chairperson and vice chairperson of the board

- (1) Unless determined otherwise in other legislation the board appoints a chairperson and deputy chairperson from the members in categories (a) and (b).
- (2) The secretary of the board calls for nominations as chairperson in writing from members of the board. Each nomination must be signed by two board members and by the person so nominated indicating his/her acceptance of the nomination.
- (3) If only one valid nomination is received for the position of chairperson that person is appointed as chairperson by the board.
- (4) If more than one valid nomination is received the secretary of the board arranges for a closed ballot. The principal appoints a scrutineer from the members of the board who were not nominated to the position of chairperson to assist the secretary of the board in counting the votes, and the person obtaining the most votes is appointed as chairperson.
- (5) In the event of more than one valid nomination having been received and a tie resulting between candidates so that no single candidate obtained a majority vote, a choice is made between the candidates by either voting again or by the casting of a lot by the secretary of the board in the presence of the scrutineer.
- (6) The functions and powers of the chairperson are as set out in Annexure A with the necessary changes if not specifically determined in applicable legislation or by the Minister in regulations passed in terms of the Act.
- (7) The vice chairperson is elected in a similar manner as described for the chairperson.

7. Process for nomination and appointment

- (1) The secretary of the board, by written notice, invites the permanent full- time employees and permanent part-time employees of the university to nominate in writing candidates to be elected as the representatives of the academic and non-academic employees to the board.
- (2) A nomination contemplated in par 7(1) of the Institutional Rules must be lodged with the secretary of the board, after prior notice of at least five working days, by a date determined by him/her.
- (3) Each nomination must be signed by at least two employees and countersigned by the nominee to denote his or her acceptance of the nomination.



(4) If only two academic staff members are nominated as candidates and only one non-academic staff member is nominated as contemplated par 5(2)(d) and (e) of the Institutional Rules, the secretary informs them and the board of their appointment.

(5) If more than the stipulated number of candidates are nominated for either or both of the respective categories of employees contemplated in par 5(2)(d) and (e) of the Institutional Rules, the secretary of the board arranges for academic and non-academic staff respectively to vote between the nominated candidates in a manner determined by him/her with the approval of the principal which can include a show of hands at an appropriately arranged meeting or voting by way of closed ballots.

8. Election of representative of students to the board

(1) The secretary of the board by written notice invites the student representative council to nominate one student as representative to the board.

(2) The nominee contemplated in par 8(1) of the Institutional Rules is elected by closed ballot by a majority of members of the student representative council at a meeting convened by it.

(3) The student representative council submits the name of the student so nominated to the secretary of the board by a date determined by him/her who in turn informs the board as much.

ACADEMIC BOARD

9. Composition of academic board

(1) The composition of the academic board is as described in regulations passed by the Minister in terms of appropriate legislation passed by the parliament of Botswana, or if that is not applicable as set out in a formal board approved document provided that the academic board consists of at least:

(a) the principal and deputy principal;

(b) the registrar or chief academic/administrative officer;

(c) a representative of the board of the institution who may not be an employee or student;

(d) heads of all academic departments;

(e) at least two but not more than three academic staff members excluding the head of department from each academic department of the institution;

(f) one student from each academic department nominated by the students from that academic department in a manner determined by the registrar or chief academic/administrative officer;

(g) at least three but not more than five staff members who are directly involved with rendering academic support and student support services as determined from time to time by the board of the institution.

(2) The academic board may invite persons who are not members of the academic board to attend its meetings, provided that such persons may take part in the discussions but may not vote.

(3) The functions of the academic board are to advise the board on all aspects concerning teaching and learning, and if applicable on research and community service at the institution, with the exclusion of the appointment of all non-academic staff, financial matters and all non-academic support services and provided that all advice on academic staff appointments is based on a formal board approved decision making delegations framework.

10. Election and appointment of members to the academic board

The manner of election of members of the academic board is as determined by each of the respective constituencies provided that in each case the registrar or chief academic/administrative officer or a person delegated by him/her is present at such elections or nomination processes in order to ensure fairness and proper accountability.

11. Chairperson, vice- chairperson and acting chairperson

(1) The principal is the chairperson and the deputy principal the vice chairperson of the academic board;

(2) The chairperson and vice-chairperson of the academic board hold office for the duration their appointment as principal and deputy principal respectively.

(3) In the absence of the chairperson and the vice-chairperson from any meeting of the academic board, the secretary of the academic board initiates an election for an acting chairperson for such meeting from among the members present.

12. Executive Committee of the Academic Board

(1) The institution may establish an executive committee of the academic board which consists of the:

- a) Principal who is the chairperson;
- b) Deputy principal who is the deputy chairperson;
- c) Registrar or chief academic/administrative officer who is the secretary of the committee;
- d) Heads of academic departments;
- e) A student from one of the students nominated to the academic board; and
- f) Such other members as the executive committee of the academic board, with the approval of the academic board, may determine.

(2) The executive committee of the academic board:

- a) ensures overall co-ordination of academic matters within the various academic departments;
- b) makes recommendations to the academic board on the matters delegated to it by the academic board;
- c) ensures that policy decisions of the academic board are implemented;
- d) ensures that academic standards, as prescribed by the academic board, are maintained;
- e) considers matters referred to it by the academic board and performs such other functions, including advisory functions, as may be determined by the academic board.

(3) In the absence of the chairperson and the vice-chairperson from any meeting, the provisions of part 11(3) of the Institutional Rules apply with the necessary changes.

STUDENT REPRESENTATIVE COUNCIL

13. Student Representative Council

(1) Provisions regarding, amongst others, the composition, meetings and meeting procedure of the student representative council are contained in its constitution as recommended by the student representative council to the board and as formally approved by the board.

(2) The respective roles, functions and privileges of the student representative council as well as any other provisions, deemed necessary for promoting effective student governance, are determined by the board after consultation with the student representative council.

PRINCIPAL

14. Appointment

(1) The appointment of the principal is subject to any provisions that may have been set in this regard by the Minister and supplemented by procedures approved from time to time by the board provided that these procedures do not contradict any provisions set by the Minister and:



a) require the formal advertising of the position in appropriate media publications accompanied by a clear job description and specific job related requirements based on a recommendation by the academic board of the institution in this regard and approved by the board;

b) provide for the establishment of a selection panel consisting of at least three but not more than four board members who are not employees or students, one head of an academic department who is a member of the of the academic board, one member representing academic staff who is not a head of an academic department but is a member of the academic board, one employee who is involved in the rendering of academic and student support to students who is a member of the academic board, and one student representative;

(c) provide for the chairperson or deputy chairperson of the board to chair the meetings of the selection panel and who is additional to the membership outlined in par 14 (l)(b) of the Institutional Rules;

(d) require the selection panel to make a formal recommendation to the board containing at least two names but not more than three, arranged in order of preference;

(2) The board considers these recommendations and makes a final decision.

(3) The principal is appointed on conditions of employment approved by the board.

(4) The deputy principal is appointed in terms of a similar board approved process with the necessary changes.

(5) In the absence of the principal, the deputy principal acts as principal.

15. Powers and functions

(1) The principal performs the functions and executes the powers as determined by the board and as may be determined in applicable legislation or accompanying regulations.

(2) The principal may, on such conditions as he/she may determine, delegate any of his or her powers and assign any of his or her duties to any other employee of the institution subject to him/her retaining:

(a) overall accountability for the management and day-to-day running of the institution;

(b) responsibility for submitting a strategic plan to the board from time to time and an annual budget in terms of such a strategic plan;

(c) direct oversight over the deputy principal and any other employees reporting directly to him/her;

(d) any duties specifically identified by the board as not to be delegated to other employees of the institution.

EXECUTIVE MANAGEMENT COMMITTEE

16. Composition

(1) The executive management committee consists of the:

a) Principal, who is the chairperson;

b) Deputy principal who is the deputy chairperson;

c) Registrar or chief academic/administrative officer;

d) Chief financial officer;

e) Any other chief officers.

(2) The executive management committee may, on an ad hoc basis, invite persons who are not members of the executive management committee to meetings of the committee.

17. Powers and functions

The executive management committee advises the principal who, as the chief executive officer of the institution, has overall responsibility for the management of the day to day activities of the institution and has final decision-making powers in respect of those matters described in the delegation of decision making document of the institution.

18. Secretary

The registrar or chief academic/administrative officer, or a person designated by the principal acts as secretary of the executive management committee.

ACADEMIC FUNCTIONS OF THE INSTITUTION

19. Academic functions

(1) The provisions applicable to the academic functions of the institution, including the study programmes and curricula, instruction and examinations of students and research if applicable, are as determined by the board on recommendation of the academic board and are contained in the calendar(s) of the institution.

(2) No certificate or diploma may be conferred upon a student who has not complied with the prescribed requirements of such certificate or diploma.

CONFERMENT OF CERTIFICATES AND DIPLOMAS

20. Conferment of certificates and diplomas

(1) A meeting of the institution known as a congregation is held at least once annually for the purpose of conferring qualifications.

(2) Different congregations may be held at different times and places, if deemed necessary for operational reasons.

(3) The principal (or in his/her absence the deputy principal) confers the qualifications at such congregation or congregations.

(4) The principal after consultation with the executive management committee contemplated in par 16 of the Institutional Rules, determines the number of congregations; the times and places of such congregations; and at which congregation which student is admitted to a qualification.

(5) The registrar or chief academic/administrative officer, after consultation with the executive committee of the academic board and the relevant administrative departments, determines the policies and procedures applicable to a congregation.

(6) No student is admitted to a certificate or diploma unless the principal and registrar or chief administrative/academic officer certify that such student has complied with the prescribed requirements applicable to such certificates and diplomas.

EMPLOYEES

21. Employees

(1) The policies and procedures applicable to employees are as determined by the board and are contained in the staff policy and procedure document(s) of the institution.

(2) The approval of the policies and procedures contemplated in par 21(l) of the Institutional Rules is subject to compliance with any relevant legislation or ministerial decisions.

STUDENTS

22. Admission and registration

(1) The provisions relating to the admission and re-admission of students to the institution are as determined by the board after consultation with the academic board and are contained in the relevant calendar(s) of the institution.

(2) The rules relating to the registration of students are as determined by the board after consultation with the executive management committee and are contained in the relevant calendar(s) of the institution.

23. Student discipline

The disciplinary code applicable to students is as determined by the board after consultation with the academic board and student representative council and is set out in the relevant calendar(s) of the institution.

AMENDMENT OF RULES

24. Amendment of rules

Subject to par 3(2) of the Institutional Rules, any amendment of the Institutional Rules is subject to the approval of the board after consultation with the relevant structures, where applicable.

INSTITUTIONAL RULES ON FORMAL INSTITUTIONAL COMMITTEES: GENERAL RULES OF PROCEDURE FOR MEETINGS

1. Application of general rules of procedure for meetings

These rules apply to all meetings of the board and its subcommittees, the academic board and its executive committee, academic department meetings, and meetings of the executive management where applicable.

2. Notice of meeting and agenda

2.1 Notice of meetings must be in writing and state the date, time and venue of the meeting.

2.2 Notice of meetings must be accompanied by a meeting agenda that sets out the matters to be covered at the meeting together with supporting documentation.

2.3 Notice of meetings must be delivered to the members of the committee a reasonable number of days before the meeting-preferably at least five working days although each committee can establish its own norms in this regard

2.4 Notice of an agenda item for consideration at an ordinary meeting must be in writing and lodged with the secretary a reasonable time before the scheduled meeting –preferably at least seven (7) working days before the scheduled meeting although each committee can set its own norm in this regard. The secretary includes such agenda items in consultation with the chairperson of the committee.

2.5 A meeting of which proper notice was given may be postponed by the chairperson in consultation with the vice chairperson if substantial grounds exist to do so – the absence of the chairperson or of the vice-chairperson is not regarded as a substantial reason for postponing a meeting.

2.6 A proposal is placed on the agenda by the chairperson if it is raised at a meeting under the item 'urgent and supplementary matters', or if it arises directly from discussion of a particular agenda item, or if the reconsideration of a resolution passed at the meeting is requested by a member.

2.7 No business other than that for which a special meeting has been called may be discussed at a special meeting and proposals regarding the agenda items to be discussed at the special meeting are subject to the rules set out in par 2.4 and 2.6 where applicable

3. Chairperson's duties.

3.1 The chairperson is responsible for maintaining order at a committee meeting and for ensuring that the agenda items are all covered properly by naming and scheduling speakers, allowing for sufficient discussion before bringing closure to debate on an item, summarizing points of view in order to either obtain a decision by way of sufficient consensus or by way of a vote, and if necessary re-arrange the order of items on the agenda due to pressing needs to do so, provided the meeting agrees to this.

3.2 In the event of any matters concerning meeting procedure not being spelled out in these rules, the chairperson makes a decision backed by sound reasons and such a decision is binding.

3.3 The chairperson only has a casting vote in the event of an equal number of votes being cast on a resolution and only if the meeting agreed beforehand that this would be the case or if such a practice is specifically covered in the regulatory framework of the institution for that specific committee.



4. The meeting: quorum, minutes, attendance, etc.

4.1 Resolutions adopted at a meeting are only valid if a quorum is present where a quorum is made up of one half of the voting members of the committee plus one. Subject to formal approval by the board the quorum for an academic board meeting can be set at one third of the voting members plus one.

4.2 Before considering any other substantive items on the agenda, the meeting has to consider any minutes of a previous ordinary and/or special meeting for purposes of formal approval as an accurate record of such meetings. The approved minutes must be signed by the chairperson of the meeting.

4.3 Members who are unable to attend a meeting of a committee must submit their formal apologies to the chairperson or if he/she cannot be reached to the secretary of the committee at least one working day before the scheduled time of the meeting. In the case of repeated absences by a member without rendering their apologies for not being able to attend, the chairperson shall take appropriate action and report back to the committee in this regard.

4.4 Members are only allowed to address the chairperson in a meeting and not one another directly. A member may address the meeting only with the permission of the chairperson and only with regard to the item on the agenda which the chairperson has opened up for discussion. Except with the permission of the chairperson no member may speak to an agenda item more than once except if it concerns the formulation of a formal proposal or as a seconder of a formal proposal.

4.5 A proposal concerning an agenda item must be clearly and formally put forward by a member of the committee whereupon the chairperson must call for a seconder. Only one proposal can be considered at a time. A proposal can only be withdrawn by the proposer with the permission of the committee.

4.6 A proposal may be amended by any member of the meeting except the original proposer provided the amendment relates directly to the original proposal. Any such amendment must be formally proposed and seconded. An amended proposal replaces the original proposal and must first be dispensed of by the committee before returning to the original proposal if required.

4.7 The proposer of an original proposal or of an amendment to that proposal has the right of reply before a formal vote or decision is taken.

4.8 Points of order may be raised in respect of: Whether proper notice was given of the meeting, whether a quorum is present, whether a valid proposal is serving before the meeting, whether a valid amendment to a valid proposal is serving before the meeting, whether a member has been guilty of using insulting or otherwise unsuitable language or has displayed unacceptable conduct at the meeting, and whether accepted procedures in respect of a particular matter on the agenda have been followed.

4.9 A point of order is raised to the chairperson and may interrupt a member's speaking on a particular agenda item. The chairperson shall not allow any discussion on a point of order but make a decision on it which shall be binding.

4.10 Closure of debate on a particular matter occurs when the matter has been put to the vote, if discussion is adjourned to a later meeting pending additional information that is required, or if the matter is referred to a sub-committee for making a recommendation to the committee.

4.11 Subject to the regulatory framework governing the activities of the committee, matters are resolved when necessary by a majority vote of those members present provided the meeting is quorate. A member who cannot be present and has formally apologized for his/her absence may submit a view on a particular matter in writing to the chairperson who must put forward this view to the meeting. If the view of such a member clearly constitutes a vote either for or against a particular proposal or recommendation before the committee, the chairperson may rule that such a view be recorded as vote for or against whatever the case may be.



4.12 When a vote concerns a person or when any member requests this to be the case, voting takes place by closed ballot. The chairperson has an ordinary vote and subject to the regulatory framework governing the activities of the committee and/or a prior decision taken by the meeting, may have a casting vote as well in the case of a tie.

4.13 A meeting is adjourned before concluding its business if a properly substantiated and valid proposal to such an effect is supported by the majority of the members present.

5. MINUTES

5.1 Minutes representing an accurate and impartial account of the business conducted at the meeting must be kept by every committee. Minutes do not as a rule reflect the individual contributions of every member but must clearly record any resolutions, proposals or amended proposals and the outcomes thereof, unless the meeting by common consent decides that for a particular agenda item every individual contribution or some specific contribution, should be recorded.

5.2 Irrespective of the outcome of a particular proposal, recommendation or resolution serving before the committee any member has the right to request that his/her particular view on such a matter be formally recorded.

5.3 The minutes of a meeting of a committee must be confirmed at a subsequent meeting and only those present at the previous meeting are entitled to suggest changes to the minutes or propose their acceptance. Changes proposed to the minutes are only accepted by common consent of the members present at the meeting concerned.

5.4 Members of a committee have the right, through the chairperson, to request insight into previous minutes of meetings of the committee provided that such a request is within reason.

5.5 SUMMARY

In this chapter the place and role of institutional rules is described accompanied by a set of institutional rules for public non-university tertiary education institutions. An example is also given of a set of institutional rules for private non-university tertiary education institutions. In each case the institutional rules include a set of provisions outlining generally accepted meeting procedures to enhance the consistency within the institution in which meetings are conducted. The acceptance of such sets of institutional rules by the board should be made a mandatory requirement for registration as a tertiary non-university education institution.

FRAMEWORK FOR DELEGATION OF DECISION MAKING AUTHORITY

6

6.1 Introduction

6.2 Rationale for a framework for the delegation of decision- making

6.3 Frameworks for the delegation of decision- making of boards of public non-university tertiary education institutions

6.4 Proposed framework for the delegation of decision making of boards of public non-university tertiary education institutions

6.1 Introduction

In this chapter a framework for the delegation of decision making for institutions is developed. Such a framework for the delegation of decision-making authority sets out systematically which decisions of the governance board are retained for the board itself and which are delegated to the principal of the institution. In addition it normally outlines the principles usually applied to the delegation of decision-making and stipulates the conditions under which the principal is empowered to delegate decisions entrusted to him/her to other officials in the institution.

6.2 Rationale for a framework for the delegation of decision- making

A good framework for the delegation of decision-making is aimed at improving institutional governance and accountability as well as promoting sound institutional management through the following:

- Improve institutional effectiveness and efficiency through establishing shorter decision making lines;
- Improve the mitigation and management of institutional risks;
- Develop decision making skills in lower, middle and senior management;
- Eliminate misunderstandings due to lack of clarity on decision making mandates, particularly between the board and the principal;
- Improve the positioning and taking of decisions at the most appropriate levels; and
- Lessening dependence on particular individuals in the institution.

6.3 Frameworks for the delegation of decision- making of boards of public Non-university tertiary education institutions

Since public universities normally would enjoy far greater levels of autonomy compared to public non-university tertiary education institutions one would expect frameworks for the delegation of decision-making to be less comprehensive and somewhat more prescriptive for public non-university tertiary education institutions. Based on this assumption and the discussion of the main differences between a university and a non-university tertiary education institution in Section 1.3 the framework for the delegation of decision-making given next is proposed for the latter category of institutions.

Obviously institutions differ from one another in respect of their organizational structure, designations of officials, assignment of institutional responsibilities etc so that this framework for the delegation of decision-making authority will need to be customized for every public non-university tertiary education institution in terms of their own specific institutional structure and context. In this regard this document thus represents a generic framework for the delegation of decision making only. In addition certain delegations covered in this framework may not be applicable to some institutions that should then be omitted.



6.4 Proposed framework for the delegation of decision making of boards of public non-university tertiary education institutions

6.4.1 GENERAL PROVISIONS FOR THE DELEGATION OF DECISION MAKING

1. ANY DELEGATION OF POWERS SHOULD TAKE INTO ACCOUNT-

- (a) The degree and extent of such delegation;
- (b) The complexity of the function delegated;
- (c) The capacity of the structure or employee to deal with the matter concerned; and
- (d) The need for such delegation based on practical considerations.

2. The power delegated to a subordinate authority must be exercised by such authority and, unless expressly provided for in such delegation, does not include the power to delegate such power to any other employee or structure.

3. With due regard to the relevant statutory provisions powers should be delegated to the lowest possible level to enhance decentralized decision-making.

6.4.2. DEFINITIONS

In this document, unless the context otherwise indicates:

‘ACADEMIC BOARD’ means the Academic Board as contemplated in the Institutional Rules;

‘ACADEMIC DEPARTMENT’ means a cluster of related academic programmes grouped together to form a coherent specialised or general unit;

‘ACADEMIC EMPLOYEE’ means any person appointed by the institution to teach or to do research at the institution and any other employee serving in a post designated as such by the Board;

‘ACT’ means the relevant primary act under which the institution functions as a tertiary education institution;

‘ACADEMIC YEAR’ means the academic year of the institution;

‘ADMINISTRATIVE EMPLOYEE’ means persons employed by the institution who are not academic employees;’

‘AFTER CONSULTATION WITH’ means that consultation has taken place, however, the relevant body or person having to take the final decision is not bound by opinions or proposals arising from such consultation;

‘APPROVAL’ means the power to make a final decision on a matter in terms of statutory powers or delegated authority, however does not exclude ratification of such decision by the body or person who delegated the power of approval;

‘AUDIT AND RISK COMMITTEE’ (ARC) means the Audit and Risk Committee of the Board as contemplated in the Institutional Rules;

‘BOARD’ means the Board as contemplated in the relevant act and/or its regulations and in the Institutional Rules;

‘DEAN’ means a dean of an academic school consisting of a number of academic departments; ‘Dean of Students’ means the dean responsible for student matters and is not the dean of an academic school;

‘DELEGATION DOCUMENT’ means the Document on the Delegation of Decision-Making Authority, providing for the final decision-making powers in respect of governance and management matters, primarily at institutional level as approved by the Board;

‘DEPARTMENT’ means the academic, support or administrative department which usually has a head responsible for delegated decision-making;

‘FINANCE COMMITTEE’ (FINCOM) means the Finance Committee of the Board;



‘HEADS OF ACADEMIC DEPARTMENTS’ means the Heads of Academic Departments contemplated in the Institutional Rules;

‘HEADS OF DEPARTMENTS’ means all heads of departments, whether academic or administrative;

‘ EXECUTIVE COMMITTEE OF THE BOARD’ (Exco) means the Executive Committee of the Board as contemplated in the Institutional Rules;

‘MANAGEMENT COMMITTEE’ (ManCom) means the Management Committee contemplated in the Institutional Rules;

‘MINISTER’ means the Minister responsible for Education;

‘ON RECOMMENDATION OF’ means that a body or person can deal with a specific matter only after having received and considered the input from the relevant body or person, however, it is not bound by recommendations arising from such input;

‘PRINCIPAL’ means the principal of the institution;

‘RATIFY/RATIFICATION’ means to enhance or confirm a decision which has been made in terms of a delegated authority, but does not divest the body who delegated the authority of its right to overturn a decision taken in terms of such delegation;

‘RECTOR’ means the rector or principal of the institution;

‘REGISTRAR’ means the chief administrative officer of the institution;

‘RULES’ means the Institutional Rules of the institution;

‘SCHOOL’ means a cluster of related academic departments grouped together to form a coherent specialised or general unit;

‘SEMESTER’ means a period of six months commencing in either January or July;

‘SEAT’ means the physical location of the institution;

‘STUDENT DEBT’ means the debt accrued by one individual student;

‘STUDENT REPRESENTATIVE COUNCIL’ (SRC) means the students’ governing body contemplated in the Institutional Rules;

‘WITH CONCURRENCE OF’ means that the relevant bodies (by means of quorate decisions) or persons have to reach agreement on a matter.

Matters that are subject to the approval of the Board on the recommendation of the respective committees of the Board are submitted to such committees by the Management Committee (ManCom) unless described otherwise in this document.

6.4.3 GOVERNANCE AND MANAGEMENT STRUCTURES

• BOARD

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Powers and Functions	Minister or Board		Registrar
- Composition of Board	Minister or Board		Registrar
- Appointment of members:	Minister or Board	Act, Institutional Rules	
- Appointment of chairperson and vice-chairperson	Minister or Board		Registrar
- Election: Acting Chairperson	Board		Registrar
- Establishment of committees of Board (including composition and functions)	Board		Registrar
- Appointment of Board Committee members	Board		Registrar
- Dissolution of committees of Council	Board		Registrar
- Induction of members of Board	Board		Registrar
- Rules of Board	Board		Registrar
- Policy: Assessment of performance of Board	Board		Registrar

• MANAGEMENT COMMITTEE (MANCOM)

Nature of function/activity	Approver	Regulatory reference	Initiator
- Powers and Functions	Board		Rector/Registrar
- Composition	Board		Rector/ Registrar
- Appointment of members	Board		Rector/ Registrar
- Determination of critical performance areas:			
- Principal or Rector	Board on recommendation of Exco		Chairperson of Board
- Members of ManCom	Board on recommendation of Exco		Rector
Appointment of Acting Rector and Chairperson of ManCom			
- Acting period exceeding 20 working days	Board after consultation with Rector		Rector
- Acting period not exceeding 20 working days	Exco after consultation with the Rector		Rector

• **ACADEMIC BOARD**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Powers and functions	Board		Registrar
- Resolution of Academic Board			
- Academic structure of institution	Board on recommendation of Academic Board		Rector/Registrar
- Academic functions of the institution	Board with concurrence of Academic Board		Rector/Registrar
- Composition of Academic Board	Board after consultation with Academic Board		Registrar
Appointment of members:			
- Representatives of Board	Board		Registrar
- Representative of SRC	SRC		Registrar
- Other members	Board on recommendation of Academic Board		Registrar
- Election/appointment of Vice-Chairperson	Academic Board		Registrar
- Establishment of standing and ad-hoc committees	Academic Board		Registrar
- Appointment of standing and ad hoc committee members	Academic Board		Registrar
- Dissolution of committees	Academic Board		Registrar

• **STUDENT REPRESENTATIVE COUNCIL**

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Powers and Functions	Board		Dean of Students
- Approval of constitution (composition; election of members, terms of office, etc.)	Board after consultation with the SRC		Dean of Students
- Privileges/benefits of SRC members	ManCom after consultation with SRC		Dean of Students
- Budget of SRC (part of main budget)	Board on recommendation of FinCom		Dean of Students/ CFO
- Dissolution of SRC	Board on recommendation of ManCom		Dean of Students

6.4.4 INSTITUTIONAL RULES

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval/ making of Institutional Rules	Board on recommendation of ManCom		Registrar
- Making/ amending of Institutional Rules relating to:			
- Academic functions (studies; examinations; etc.)	Board with concurrence of Academic Board		Registrar
- Composition of SRC	Board after consultation with SRC		Dean of Students
- Process for drafting/updating of Institutional Rules	Rector		Registrar

6.4.5 ACADEMIC MATTERS

• ACADEMIC YEAR

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Academic Calendar	Academic Board		Registrar

• ACADEMIC DRESS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Design and colours	ManCom on recommendation of task team appointed by ManCom		Registrar
- Policy: Occasions requiring academic dress	ManCom on recommendation of task team appointed by ManCom		Registrar
- Policy: Purchase/rental of academic dress	ManCom on recommendation of Registrar		Registrar

• OFFICIAL ACADEMIC YEAR OPENING

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of time, venue etc.	ManCom		Registrar/ Head: Communications & Marketing
- Organisational arrangements	Registrar on recommendation of Head: Communications & Marketing		Head: Communications & Marketing

• DIPLOMA/GRADUATION CEREMONIES

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of time, venue etc.	Rector after consultation with ManCom		Registrar
- Designation of guest speaker(s); and honorary guests	Rector after consultation with Chairperson of Board		Registrar / Head: Communications & Marketing
- Determination of policies and procedures applicable to ceremony	Registrar after with ManCom		Registrar's Office
- Invitations: Honorary guests	Rector after consultation with Chairperson of Board		Head of Communications and Marketing
- Arrangements: Catering etc.	Head: Communications & Marketing		Department of Communications and Marketing
- Public relations and communications around diploma graduation ceremonies	Rector		Department of Communications and Marketing

• **ACADEMIC ADMISSION AND RE-ADMISSION OF STUDENTS**

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Policy with regard to admission and re-admission of students	Board with concurrence of Academic Board		Registrar
- Approval/Refusal of admission	Rector with concurrence of relevant Dean/HoD		HoD in School
- Refusal of re-admission	Rector with concurrence of relevant Dean/HoD		HoD in School
- Approval of late applications	Registrar on recommendation of Dean/HoD		HoD in School

• **ACADEMIC AND ADMINISTRATIVE REGISTRATION OF STUDENTS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of dates, venues etc. (incorporated in academic calendar)	Academic Board		Registrar
- Procedures relating to registration of students	Registrar		Registrar's Office
- Approval of late registration	Registrar		Registrar's Office

• **RECOGNITION / EXEMPTION OF COURSES / STATUS RECOGNITION / RPL**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy: Recognition/exemption of courses/status recognition/RPL	Board with concurrence of Academic Board		Registrar
- Implementation of policy	Dean/HoD		Registrar
- Application of policy	Dean/HoD		Registrar
- Deviation from approved policy	Rector on recommendation of Registrar		HoD

• **CLASS GROUPS AND LECTURE SESSIONS**

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on academic workloads	Board on recommendation of Academic Board		Head: HR
- Policy on determination of class size	Board on recommendation of Academic Board		Registrar and Head: Facilities Management

• **ACADEMIC PROGRAMMES AND QUALIFICATIONS**

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Introduction and termination of academic programmes and qualifications	Board on recommendation of Academic Board		Registrar/HoD
- Content/amendments to curricula and syllabi	Academic Board on recommendation of Dean/HoD		HoD

• **TIME- TABLES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on lecture time-tables	ManCom on recommendation of Academic Board		Registrar's Office
- Determination of annual time table	Mancom		Registrar's Office
- Allocation of venues for classes	Registrar on recommendation of Head: Facilities Management		Head: Facilities Management and Registrar's Office

6.4.6 EXAMINATIONS

• **POLICY MATTERS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy: Approval of examination and promotion regulations	Board with concurrence of Academic Board		Registrar
- Implementation of policy	Registrar and Dean/HoD		Registrar's Office and HoD Office

• **TIME-TABLES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of test time-tables	Academic Board on recommendation of Dean/HoDs		Dean/HoD
- Approval of examination time-tables	Registrar		Examinations Officer

• **EXAMINERS/MODERATORS/PROMOTERS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy: Appointments	Academic Board on recommendation of Dean/HoD		Registrar
- Policy: Compensation	Rector on recommendation of ManCom		CFO and Registrar
Appointment of examiners / moderators	Registrar on recommendation of HoD		HoD
- Written notification and administering of claims: examiners/moderators/promoters	Registrar		Registrar's Office

• **ORGANISATIONAL ARRANGEMENTS: INVIGILATION AND EXAMINATION VENUES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on invigilation	Academic Board		Registrar
- Policy on compensation: Invigilators	Rector on recommendation of ManCom		CFO/Registrar
- Appointment of invigilators	Registrar's Office		Registrar's Office
- Identification of examination venues	Registrar and Head: Facilities Management		Head: Facilities Management/ Registrar's Office

EXAMINATION RESULTS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of examination results	Academic Board on recommendation of Dean/HoD		HoD
- Promotion of students	Dean/HoD on recommendation of lecturer		HoD
Publishing of examination results	Registrar		Registrar's Office

6.4.7 CERTIFICATION: FORMAL QUALIFICATIONS AND AWARDS

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on certification and awards	Board with concurrence of Academic Board		Dean/HoD
- Approval of awards	Academic Board		Registrar
- Design of certificates	Academic Board on recommendation of relevant task team		Registrar
- Signing of certificates	Rector, Registrar and Dean		Examinations Department
- Issuing of certificates	Registrar		Examinations Department
- Issuing of certificates	Registrar on recommendation of Dean/HoD		HoD

6.4.9 STRUCTURING OF DEPARTMENTS/SCHOOLS/LEARNING CENTRES / SUPPORT UNITS

• ACADEMIC DEPARTMENTS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Establishment and restructuring of:			
- Academic departments or schools	Board on recommendation of Academic Board		Dean/HoD
- Academic or administrative support units	Board on recommendation of ManCom		Line function member of ManCom

• LEARNING CENTRE

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
Policy on establishment of:			
- Learning centres	Board on recommendation of Academic Board and ManCom		Registrar
- Examination centres	Registrar		Examinations Section
- Implementation of policy	Relevant member of ManCom		Relevant administrative department

6.4.9 STUDENT MATTERS

• DISCIPLINARY CODE, PROCEDURES, AND OUTCOMES OF HEARINGS: STUDENTS

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Policy and procedures	Board after consultation with Academic Board and SRC		Dean of Students/ Registrar
- Implementation of policy	Dean of Students and Registrar after consultation with SRC		Office of the Dean of Students / Officer of the Registrar
- Individual disciplinary cases of academic nature: Outcome	Registrar		Office of Registrar
- Individual disciplinary cases of non-academic nature: Outcome	Dean of Students		Office of Dean of Students
- Appeals on outcomes of individual disciplinary cases of academic nature	Rector on recommendation of Registrar		Registrar
- Appeals on outcomes of individual disciplinary cases of non-academic nature	Rector on recommendation of relevant ManCom line function manager		Dean of Students

• Admission of students to residences

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on admission	Board on recommendation of ManCom		Dean of Students
- Implementation of policy	Dean of Students		Office of the Dean of Students

• Allocation of bursaries and loans to students

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
Policy	Board on recommendation of ManCom		CFO and Dean of Students
- Awarding of bursaries and loans	Student Financial Aid Committee after consultation with relevant Dean		Dean of Students
- Awarding of loans and bursaries outside of prescribed policy	Rector on recommendation of Dean of Students		Dean of Students

6.4.10 FINANCIAL MATTERS (excluding building projects)

Note: Concerning financial expenditure the following distinct steps have to be distinguished from one another:

- i) Budget approval for all expenditure, either as part of the original institutional budget or as part of an amended budget is a **prerequisite** for any institutional expenditure;
- ii) Once budget approval has been given, **authorisation** of the actual expenditure, normally in the form of a requisition accompanied with authorized signatures, has to be given. Such authorisation is subject to:
 - a) Funds being available for the expenditure being envisaged;
 - b) The concluding of a formal contract between the institution and the service provider, or to formal Tender Board approval where applicable;
- iii) Finally a **procedural action** is undertaken on the basis of such authorisation for transmitting the authorised payment – this latter action is typically undertaken within the CFO's division in terms of policies governing matters such as signing of cheques, the making of electronic transfer payments etc.

• Institutional budget

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Annual institutional budget	Board on recommendation of FinCom		CFO
- Amendments to approved institutional budget			
- Amendments amounting to a change of 1% of the institutional budget or less	FinCom on recommendation of Mancom		CFO
- Amendments amounting to change of more than 1% of the institutional budget	Board on recommendation of FinCom		CFO
- External loans including overdrafts	Board on recommendation of FinCom		

• Auditing

Nature of function / activity	Approver	Regulatory reference	Initiator of action(s)
- Appointment of external auditors	Board on recommendation of Audit & Risk Committee (ARC)		CFO
- Approval of annual audited financial statements	Board on recommendation of FinCom and of ARC		CFO
- Evaluation of audit report/ management letter	Board on recommendation of FinCom and of ARC		CFO
- Evaluation of internal audit and external audit services	ARC		Rector and CFO
- Risk management plan	ARC		CFO

- **AUTHORISATION OF BUDGETED OPERATIONAL EXPENDITURES (EXCLUDING BUILDINGS AND CAPITAL WORKS)**

Note: All Tender Board approvals require prior approval of availability of funds. Where any authorisation is in the form of a legally binding contract between the institution and the service provider, the delegations regarding the signing of contracts must be adhered to.

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of overall institutional expenditure priorities	Rector on recommendation of ManCom		CFO
- Approval of expenses within approved budget and within limits of funds available:			
- Up to 5 000 pula	Individual budget holders		Staff within budget holder's unit
- From 5 001 to 35 000 pula	CFO on recommendation of individual budget holder		Individual budget holder
- From 35 001 pula to 100 000 pula	Rector on recommendation of CFO		CFO
- From 100 001 pula to 500 000 pula	FinCom on recommendation of Rector and CFO		CFO
- From 500 001 pula upwards	Board on recommendation of FinCom		CFO

- **BAD DEBTS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on bad debt	Board		CFO
Writing off of bad debt			
- Individual amount not exceeding 3 000 pula	CFO		CFO's Office
- Individual amount of 3 001 pula to 8 000 pula	Rector on recommendation of ManCom		CFO
- Individual amount of 8 001 to 16 000 pula	FinCom on recommendation of ManCom		CFO
- Individual amount of 16 000 pula or more	Board on recommendation of ManCom		CFO

• **INSURANCE**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Appointment of brokers	Rector with concurrence of Tender Board		CFO
- Short and long-term insurance contracts	Rector with concurrence of Tender Board		CFO

• **SUBSISTENCE AND TRAVELLING ALLOWANCES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of policy	Board on recommendation of FINCOM		CFO
- Implementation of policy	CFO		Budget holder
- Approval of individual claims	Budget holder and Deputy CFO		Individual staff members

• **TUITION, RESIDENCE AND OTHER STUDENT FEES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of annual fees	Board on recommendation of FinCom after consultation with SRC		CFO
- Determination of ad hoc fees	Board on recommendation of FinCom after consultation with SRC		CFO

• **WRITE OFF OF MOVABLE ASSETS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Non-economical to repair	ManCom on recommendation of CFO		Line function manager
- Outdated equipment: Disposing of items	ManCom on recommendation of CFO		Line function manager
- Stock losses	ManCom on recommendation of CFO		Line function manager

- INVESTMENTS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Investment policy	Board on recommendation of FinCom		CFO
- Administering of policy	CFO		CFO's Office

6.4.11 BUILDING AND CAPITAL PROJECTS

NOTE: These expenditure approvals are regulated by the institution's Procurement Policy. For example, where this policy requires Tender Board approval to be obtained first, the authorisation can only occur after such Tender Board approval has been granted.

- NEW MAJOR BUILDING AND CAPITAL WORKS OR ALTERATIONS TO EXISTING BUILDINGS AND CAPITAL WORKS (EXCEEDING 1 000 000 PULA)

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of priorities/ approval of projects and associated cost estimates	Board on recommendation of FinCom		CFO
- Method of Financing	Rector on recommendation of ManCom		CFO
- Appointment of panel of professional service providers	Rector on recommendation of ManCom		Head: Facilities Management
- Appointment of professional team from panel	Rector with concurrence of Tender Board		Head: Facilities Management
- Acceptance of tenders	FinCom with concurrence of Tender Board		Head: Facilities Management
- Amendments to approved capital project budgets			
- Amendment 2% or less of approved project budget	Rector on recommendation of ManCom		CFO
- Amendment of more than 2% of approved project budget	FinCom on recommendation of ManCom		CFO

- BUILDING MAINTENANCE PROGRAMME

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Approval of programme	Rector on recommendation of ManCom		Head: Facilities Management

- **MINOR CAPITAL WORKS (LESS THAN 1 000 000 PULA)**

NOTE: These expenditure approvals are regulated by the institution's Procurement Policy. For example, where this policy requires Tender Board approval to be obtained first, the authorisation can only occur after such Tender Board approval has been granted

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Determination of priorities	Rector on recommendation of ManCom		Head: Facilities Management
Approval of expenditure			
-Less than 500 000 pula	CFO		Head: Facilities Management
-Between 500 001 pula and 1 000 000 pula	Rector on recommendation of CFO and ManCom		Head: Facilities Management

- **Immovable Property**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Alienation of property	Board on recommendation of FinCom		CFO
- Long term lease of property (more than 3 years)	Board on recommendation of FinCom		CFO
Short term lease of property:			
Less than 1 year	Rector on recommendation of CFO and ManCom		Head:Facilities Management
Between 1 and 3 years	FinCom on recommendation of Rector and ManCom		Head: Facilities Management
- Acquisition of property	Board on recommendation of FinCom		CFO

6.4.12 STAFF MATTERS

- **ORGANISATIONAL STRUCTURE OF INSTITUTION**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of functional organisational structure	Board		Rector in conjunction with ManCom

• CREATION OF NEW POSTS/FREEZING/UNFREEZING OF POSTS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Approval: New posts			
- Posts on ManCom	Board on recommendation of Exco		Head: HR
- Posts not on ManCom up to Level 10	Rector on recommendation of ManCom		Head: HR
- Post Levels 10 and higher	Relevant ManCom line function member on recommendation of Head: HR		Head: HR
- Approval: Freezing/unfreezing of posts			
- Posts on ManCom	Board on recommendation of Exco		Head: HR
- Posts not on ManCom up to Level 10	Rector on recommendation of ManCom		Head: HR
- Post Levels 11 and higher	Relevant ManCom line function member on recommendation of Head :HR		Head:HR

• ADVERTISEMENTS: VACANT POSTS

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Approval of content of advertisement and its placing			
Posts on ManCom	Board on recommendation of Exco		Head: HR
Posts not on ManCom up to Post Level 10	Rector on recommendation of Director: HR		Head: HR
Post Level 11 and higher	Head: HR on recommendation of line function manager		Line function manager

• **APPROVAL OF PERMANENT APPOINTMENTS/CONTRACT APPOINTMENTS EXCEEDING TWELVE MONTHS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on recruitment (including composition of Selection Panels)	Board		Head: HR
Appointment of Selection Panels			Head: HR
All direct Board appointments	Board on recommendation of Exco		Head: HR
Posts not on ManCom up to Post Level 10	Rector on recommendation of ManCom		Head: HR
Post Level 11 and higher	Relevant ManComline function manager on recommendation of Head:HR		Head: HR
Approval of appointments: Academic & Non-Academic staff All posts on ManCom	Board on recommendation of Selection Panel and after consultation with Academic Board		Head: HR
Posts not on ManCom up to Post Level 10	Rector on recommendation of Selection Panel and after consultation with line function manager		Head: HR
Post Levels 11 and higher	Relevant ManCom line function member on recommendation of Selection Panel and after consultation with line function manager		Director: HR

• **APPROVAL OF TEMPORARY, PART-TIME AND CONTRACT APPOINTMENTS NOT EXCEEDING TWELVE MONTHS**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on recruitment (including composition of Selection Panels)	Board		Head: HR
Appointment of Selection Panel (where appropriate)	Vice Rector: Academic		Head: HR
Academic staff	Relevant line function member of ManCom on recommendation of Head: HR		Head: HR
Non- academic staff			Head: HR
Appointment of staff			
Academic staff	Vice Rector: Academic on recommendation of dean/ Head: HR		Head: HR
Non- academic staff	Relevant line function member of ManCom on recommendation of Head: HR		Head: HR

• **APPOINTMENT: ACTING CAPACITY**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on acting appointments	Board on recommendation of ManCom		Head: HR
- Approval: Acting in supervisory/ management position			
- Posts on Mancom	Rector on recommendation of relevant ManCom member		HEAD: HR
- Other posts	Relevant line function ManCom member		Line function manager

• **TRANSFER/REDEPLOYMENT/SECONDMENT OF STAFF**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on transfer/deployment and secondment of staff	Council on recommendation of ManCom		Head: HR
- Approval of transfer/redeployment/ secondment			
- With financial implications	Rector on recommendation of Head: HR and CFO		Line function manager
- Without financial implications	Relevant line function member of ManCom		Line function manager

• **PROMOTION OF STAFF**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
Policy on staff promotions	Board on recommendation of ManCom		Head: HR
Approval of promotions	Rector on recommendation of Head: HR		Head: HR and line function manager
ManCom posts	Relevant line function member of ManCom on recommendation of Head:HR		Line function manager
Non ManCom posts			

• **PERFORMANCE MANAGEMENT**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of system of performance management including payment of merit bonuses	Board on recommendation of ManCom		Head: HR
- Approval of merit/performance bonus			
- Rector and all ManCom posts	Board on recommendation of Exco		Head: HR
- Non ManCom posts	Rector on recommendation of ManCom line manager and Head:HR		Head:HR

• **TRAINING AND DEVELOPMENT**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on training and staff development	Board on recommendation of ManCom		Head:HR
- Implementation and approval of attendance by staff of training opportunities	Line function managers		Head: HR

• **CONDITIONS OF EMPLOYMENT: GENERAL CONDITIONS OF EMPLOYMENT**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on general conditions of employment	Board on recommendation of ManCom		Head: HR
- Adjustment to remuneration package and other conditions of employment: ManCom posts	Exco on recommendation of Finance Committee		Head: HR
- Adjustment to remuneration package and other conditions of employment: Non ManCom posts	Rector on recommendation of ManCom		Head:HR

• **EXTERNAL WORK**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policies and procedures	Board on recommendation of ManCom		Head: HR
- Approval of applications: ManCom posts	Exco on recommendation of Head:HR		Head: HR
- Approval of applications: Non ManCom posts	Rector on recommendation of ManCom line function manager and Head:HR		Head: HR

• **MEDICAL AID SCHEME**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of scheme and determination of contributions	Board on recommendation of FinCom		CFO and Head: HR

• **PENSION FUND**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of fund and determination of contributions	Board on recommendation of FinCom		CFO and Head: HR

• **GROUP LIFE INSURANCE**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of scheme and determination of contributions	Board on recommendation of FinCom		CFO and Head: HR

• **SALARIES/ALLOWANCES**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy	Board on recommendation of FinCom		Head:HR
- Salary ranges for post levels	Board on recommendation of FinCom		Head:HR
- Annual salary adjustments for all post levels	Board on recommendation of FinCom		Head: HR

• **OVERTIME**

Nature of function/activity	Approver	Regulatory reference	Initiator of action(s)
- Policy	Board on recommendation of ManCom		Head: HR
- Approval of application	Head: HR		Line function manager

- LEAVE

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy with regard to leave and leave benefits	Board on recommendation of ManCom		Head: HR
Approval of leave applications:			
- For Rector	One of Vice Rectors in consultation with Chairperson of Board		Rector
- Other ManCom posts	Rector		Individual staff member
- All other posts	ManCom Line function manager		Individual staff members

- JOB EVALUATION

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of system of job evaluation	Board on recommendation of ManCom		Head: HR
- Approval of job evaluation results:			
- All ManCom posts	Exco on recommendation of Head: HR		Head: HR
- All other posts	Relevant ManCom line function manager on recommendation of Head: HR		Head: HR

- TERMINATION OF SERVICES

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on termination of service	Board on recommendation of ManCom		Head:HR
- Approval: Termination of Service			
- All ManCom posts	Exco on recommendation of Head:HR		Line function manager
- All other posts	Relevant ManCom line function manager on recommendation of Head:HR		Line function manager

- STAFF RELOCATION EXPENSES

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy	Board on recommendation of FinCom		Head: HR
- Application for relocation	Head: HR		Relevant line function manager
- Implementation	Head: HR		Head: HR and CFO
- Relocation claims	CFO after consultation with Head: HR		Relevant line function manager

• DISCIPLINE OF STAFF

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy and procedures	Board		Head: HR
- Implementation of policy and procedures	Line function managers		
- Individual cases of Mancom members	Exco on recommendation of Head:HR		
- Non ManCom posts: Individual disciplinary cases of academic nature: Outcome	Vice Rector: Academic		Head: HR
- Non-ManCom posts: Individual disciplinary cases of non-academic nature: Outcome of hearing	Chair of Staff Disciplinary Committee		Head: HR
- Appeals on outcomes of individual disciplinary cases of academic nature	Rector on recommendation of Staff Disciplinary Committee		Head: HR
- Appeals on outcomes of individual disciplinary cases of non-academic nature	Rector on recommendation of Staff Disciplinary Committee		Head: HR

• HOURS OF DUTY

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Determination of office hours	Board on recommendation of ManCom		Head:HR
- Deviation to office hours	Relevant ManCom line function manager		Line function manager
- Individual deviation to office hours worked	Head: HR		Line function manager

• EMPLOYEE ORGANISATIONS

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
Recognition of organisations:			
- Official recognition	Board on recommendation of ManCom		Head: HR
- Collective agreements	Rector on recommendation of ManCom		Head: HR
- Implementation	Head: HR		HR office

• LONG SERVICE AWARDS

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy	Board		Head: HR
- Implementation of policy	Head: HR		HR Office
- Approval of awards within policy	Head : HR		HR Office

6.4.13 CONTRACTS: APPROVALS AND SIGNING

- EMPLOYMENT CONTRACTS OF ALREADY APPROVED POSITIONS AND APPROVED APPOINTMENTS (PERMANENT CONTRACTS AND CONTRACTS EXCEEDING 1 YEAR)

Post level	Main signatories	Co-signatories	Initiator of action(s)
- All ManCom posts	Chairperson of Board	Chairperson: FinCom or Rector	Head: HR
- Non ManCom posts up to Level 10	Rector on recommendation of Head: HR	Relevant line function member of ManCom	Head: HR
- Non ManCom posts on Level 11 and higher	Relevant ManCom line function member	Head: HR	HR Office

- EMPLOYMENT CONTRACTS OF ALREADY APPROVED POSITIONS AND APPROVED APPOINTMENTS (PART-TIME, TEMPORARY AND CONTRACTS NOT EXCEEDING 1 YEAR)

Staff component	Main signatories	Co-signatories	Initiator of action(s)
- Academic	HoD	Head :HR	HR Office
- Non-academic	Non-Academic line function manager	Head :HR	HR Office

- MAJOR AND MINOR BUILDING AND CAPITAL WORK CONTRACTS FOR ALREADY APPROVED BUILDING PROJECTS

Contract amount	Main signatories	Co-signatories	Initiator of action(s)
- Not exceeding 200 000 pula	Deputy CFO	Head: Facilities Management	Head: Facilities Management
- Exceeding 200 000 pula but less than 500 000 pula	CFO	Deputy CFO	Head: Facilities Management
- Exceeding 500 000 pula	Rector	CFO	Head: Facilities Management

- OPERATIONAL CONTRACTS (EXCLUDING BUILDING PROJECTS, RESEARCH AND HR CONTRACTS)

Contract amount	Main signatories	Co-signatories	Initiator of action(s)
- Not exceeding 200 000 pula	Relevant line function member of ManCom	CFO	Line function manager
- Exceeding 200 000 pula	Rector on recommendation CFO	Relevant line function member of ManCom	Line function manager

6.4.14 MISCELLANEOUS MATTERS

• COMMUNICATIONS AND MARKETING

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on corporate identity/ marketing plan	Board on recommendation of ManCom		Head: Communications & Marketing
- Policy on student recruitment	Rector on recommendation of ManCom		Head: Communications & Marketing
- Fundraising policy and procedures	Rector on recommendation of ManCom		Head: Communications & Marketing
- Annual Report	Board		Head: Communications and Marketing

• INTERNATIONAL TRAVEL

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Policy on international travel	Board on recommendation of ManCom		Head: HR and CFO
- Implementation of policy	ManCom line function members		
- Approval of individual overseas visits funded by the institution:			
- Rector	Chairperson/Deputy Chairperson of Board		Individual staff member
- Other members of ManCom	Rector after consultation with Head:HR		Individual member of ManCom
- Other staff members	Relevant line function manager of ManCom		Individual staff member

• COMPUTER SERVICES AND EQUIPMENT: PURCHASES

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
- Approval of IT policy on services and equipment	Board on recommendation of ManCom		Head: Computer Services
- Annual determination of IT services and equipment specifications and guidelines	ManCom on recommendation of Head: Computer Services		Head: Computer Services

- LEGAL ACTION

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
Legal action: Summons or other legal action on non-payment of monies owed to institution	Rector on recommendation of Registrar		Registrar
Defending legal action instituted against the institution	Rector on recommendation of Registrar		Registrar
Other legal action to be instituted by the institution	Rector in consultation with Chairperson of Board		Registrar

- DELEGATIONS FRAMEWORK

Nature of function/ activity	Approver	Regulatory reference	Initiator of action(s)
Approval of document	Board on recommendation of ManCom		Registrar
Drafting and updating of document	Rector		Registrar

6.5 FRAMEWORK FOR THE DELEGATION OF DECISION MAKING FOR PRIVATE NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

A number of factors, which do not arise in the public sector, must be borne in mind when developing a framework for the delegation of decision making for private non-university tertiary education institutions. Some of these are:

- The fact that private non-university tertiary education institutions, are normally established in terms of acts governing the establishment of companies or enterprises, means that significant differences are likely to occur between the structure, roles and functions of governance bodies in the public tertiary education sector compared to that of the private tertiary education sector;
- In the case of private sector tertiary non-university education institutions that are subsidiaries of a larger company, the governing board of the institution sometimes has limited decision-making authority with decisions in some areas being the responsibility of the board of the holding company. This can complicate the fiduciary responsibilities of members of such governing boards considerably.

Obviously institutions differ from one another in respect of their organizational structure, designations of officials, assignment of institutional responsibilities etc so that this framework for the delegation of decision-making authority will need to be customized for every private non-university tertiary education institution in terms of their own specific institutional structure and context. In this regard this document thus represents a generic framework for the delegation of decision making only. In addition certain delegations covered in this framework may not be applicable to some institutions and which should then be omitted.

With this background the following proposal is made for a framework for the delegation of decision making for private tertiary non-university education institutions, which distinguishes between institutions having less than 500 students, and institutions have 500 or more students.

Private non-university tertiary education institutions with less than 500 students can either:

- i) Develop their own framework for the delegation of decision making taking their own particular institutional context into account, subject to the following requirements:



The framework for the delegation of decision making must include delegations formally approved by the board relating to the following matters:

- Financial matters;
- Staff and HR related matters;
- Academic matters; and
- Other operational matters.

ii) Make use of the institutional rules given earlier for public non-university tertiary education institutions amended in terms of their own institutional contexts.

Private non-university tertiary education institutions with 500 or more students must make use of the framework for the delegation of decision making given earlier for public non-university tertiary education institutions amended as may be required by their specific institutional contexts.

6.6 SUMMARY

The place and role of a framework for the delegation of decision making is described in this chapter accompanied by a set of such delegations for public non-university tertiary education institutions. This framework also serves as a basis for proposals in this regard for private non-university tertiary education institutions. The acceptance of such frameworks for the delegation of decision making should be made a mandatory requirement for registration as a tertiary non-university education institution.

- 7.1 Rationale for academic planning**
- 7.2 Institutional academic thrusts**
- 7.3 National Qualifications Framework**
- 7.5 Categorisation of knowledge fields**
- 7.6 Management Information Systems (MIS)**
- 7.7 Templates for academic programme planning**
- 7.8 Summary of academic planning instruments**
- 7.9 Academic planning processes**
- 7.10 Summary**

7.1 RATIONALE FOR ACADEMIC PLANNING

In this part of the report the requirements for, and components required for developing an academic planning approach for non-university tertiary education institutions is described. Before doing so it must be emphasised that academic planning does not equate to centralised control and planning in which a body such as the HRDC based on some analyses assigns a set number of approved academic programmes to an institution. Academic planning represents a process by which an institution motivates why it regards its existing menu of academic programmes as appropriate to it and argues for the introduction of new academic programmes on the basis of its academic thrusts and strengths, its responses to new socio-economic development imperatives, and its staff and infrastructural capacities.

- Apart from the more general reasons requiring a greater emphasis on overall planning in tertiary education mentioned in Sections 1.1 and 1.2 the more specific arguments in favour of introducing specific academic planning measures in institutions are that academic planning:
 - Is intended to promote a greater synergy between a country's needs for highly skilled person power and the academic programme outputs in the form of diplomates and graduates from these programmes;
 - Aims at managing any unnecessary duplication between tertiary education institutions in the offering of academic programmes which becomes a particularly important challenge in the case of so-called expensive academic programmes;
 - Is meant to assist institutions in choosing new academic programmes in accordance with their own institutional human, operational, and physical capacities more carefully;
 - Aims at improving the quality of academic programmes and thus also the quality of the diplomates and graduates produced through these programmes;
 - Is intended to promote student mobility within and across tertiary education institutions through a more consistently applied programme design approach; and
 - Aims at providing opportunities for tertiary education institutions to develop institutionally specific knowledge thrusts in which they can develop high quality academic programmes and thus strengthen their institutional reputation through such forms of specialisation.

Proper academic planning is based on a number of system wide and institutional instruments being in place so as to form a basis for sound and rational academic planning. These requirements are discussed next.



7.2 INSTITUTIONAL ACADEMIC THRUSTS

As knowledge based institutions, tertiary education institutions are defined first and foremost on the basis of their academic profile (teaching and learning, research, and community service) rather than on any other basis. This means that a tertiary education's set of academic activities should display a satisfactory level of coherence while responding adequately to the requirements of a knowledge society as foreseen by Botswana's Government.

Such a simultaneous level of coherence and responsiveness is normally achieved through an institution developing a limited number of academic thrusts or academic focus areas, which on a macro level, would form a framework for its academic activities. Such thrusts are normally derived from: the institution's response to Government's goals and objectives as set out in its strategic plan, its existing academic strengths and weaknesses, and its reading of future knowledge developments and societal needs.

Examples of such academic focus areas could be thrusts such as:

- Health and wellness;
- Culture, identity, communication and social cohesion;
- Human development, citizenship and leadership, and governance;
- Economic diversification and entrepreneurship;
- Environmental systems and natural resources management;
- Technological and infrastructural development; etc

Such a framework of institutional thrusts should play an important role in the internal allocation of funds by giving preference to academic activities showing a clear link to one or more of these focus areas, the appointment of academic staff, the adjustment of existing academic programmes, and the development of new academic programmes.

Non-university tertiary education institutions, as was pointed out in Section 1.3, normally operate in more narrowly defined knowledge areas such as teacher education, nursing, ICT etc. In this case they may have to select a limited number of sub -areas in which they would concentrate their teaching and learning programmes.

Each non-university tertiary education institution should be requested by the HRDC to develop such a limited set of academic thrusts as an overall and guiding framework for its academic activities. Clearly such a framework of academic thrusts should be in line with the institution's main focus such as would be the case with, for example, the Botswana College of Agriculture or the Botswana College of Accountancy.

7.3 NATIONAL QUALIFICATIONS FRAMEWORK

Countries that have sought to link higher education and development by promoting more responsive academic programmes have generally found this very difficult to do without a national qualifications framework. Such a national qualifications framework usually sets out the various qualification levels assigned to tertiary education by means of level descriptors which specify levels of learning in the form of learning outcomes associated with these qualification levels. In addition such a national qualifications framework usually contains some criteria for the designation of qualifications, major distinctive characteristics of qualifications, the relationship between various qualifications as well as criteria for credit portability and articulation etc.

These qualification frameworks are normally indispensable in academic planning as well as in quality assurance systems. In addition they play a very important role in communicating what qualifications represent to the general public and bring about a consistency of nomenclature and understanding in this regard.

In South Africa, for example, its national qualifications framework consists of 10 levels of which levels 5-10 have been assigned to tertiary education. For example, the Higher Education Qualifications Framework, which was developed in terms of the national qualifications framework, specifies the following for a diploma qualification:

- The qualification's exit level as well as the minimum credits at that level to be included in the qualification and the maximum that can be included at the lowest tertiary education level;
- Which qualification designations are recognised and which additional designator qualifiers are permitted;
- The main purpose and characteristics of the qualification;
- Its admission requirements; and
- Rules for progression to higher levels of learning.

It is difficult to see how Botswana can implement an academic planning framework for non-university tertiary education institutions in a meaningful manner without having developed an accompanying national qualifications framework, applicable to public as well as private non-university tertiary education institutions.

7.4 REGISTRATION AND ACCREDITATION OF ACADEMIC PROGRAMMES

Apart from academic thrusts or focus areas for each non-university tertiary education institution and a national qualifications framework, a system of academic planning should be supported by a functioning system of registering tertiary education institutions in terms of an applicable set of criteria and a functioning system of accrediting qualifications of institutions as part of a quality assurance system. Fortunately Botswana has developed both an institutional accreditation system as well as a programme or qualification accreditation system. In addition these two systems apply to public as well as private non-university tertiary education institutions alike.

7.5 CATEGORISATION OF KNOWLEDGE FIELDS

Academic planning is meant to support the establishment of a greater measure of correspondence between diplomate and graduate outputs of institutions and the needs for highly skilled person power of society. Achieving such improved correspondence is not possible without some or other system which classifies knowledge areas or subject areas. A variety of such knowledge classification systems exist some of which are quite detailed and consist of up to 3 or 4 levels of classification and sub classification while others are more general consisting of more aggregated levels of classification.

All academic programmes should be able to be classified in a major knowledge field or two according to their main knowledge emphasis usually depicted through the major subjects of the qualification or programme.

As an example, the South African system of the classification of educational subject matter (CESM) consists of the following 20 main fields or areas of knowledge. Each of these fields is subdivided into a number of sub fields.

1. *Agriculture, Agricultural Sciences and Related Sciences*
2. *Architecture and the Built Environment*
3. *Visual and Performing Arts*
4. *Business, Economics and Management Studies*
5. *Communication, Journalism and Related Studies*
6. *Computer and Information Sciences*
7. *Education*
8. *Engineering*
9. *Health Professions and Related Clinical Sciences*
10. *Family Ecology and Consumer Sciences*
11. *Languages, Linguistics and Literature*
12. *Law*
13. *Life Sciences*
14. *Physical Sciences*

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15. *Mathematics and Statistics*
 16. *Military Sciences*
 17. *Philosophy, Religion and Theology*
 18. *Psychology*
 19. *Public Management and Services*
 20. *Social Sciences*

As mentioned before each of the above knowledge categories is subdivided further. For example the field of Agriculture is subdivided into the following subcategories:

- Agricultural Business and Management
- Agricultural Mechanisation
- Agricultural Production Operations
- Applied Horticulture and Horticultural Business Services
- International Agriculture
- Animal Sciences
- Food Science and Technology
- Plant Sciences
- Soil Sciences
- Forestry and Wood Sciences

Apart from being an indispensable component of academic planning such knowledge categorisation systems also play a crucial part in enrolment planning systems as well as funding systems which are aimed at steering tertiary education systems in desired directions associated with person power needs of societies.

It is assumed that such a knowledge classification system is being developed as part of the establishment of a management information system for Botswana's tertiary education system. This would enable tertiary education institutions to draw up academic plans reflecting existing and intended academic programmes according to knowledge areas as well as according to learning levels as reflected in a national qualifications framework.

For non-university tertiary education institutions a simplified system of knowledge categorisation is proposed.

- Institutions specialising in a particular field such as education for teacher education colleges, or nursing as part of health sciences for nursing colleges, or agriculture for agricultural colleges choose their particular field of knowledge from the list given above. If deemed necessary they could then select a few sub areas of their specialised knowledge field provided not more than 4 such sub knowledge areas are chosen.
- Institutions not following the above approach can choose between the following four aggregated knowledge areas as their main areas of activity:
 - Education;
 - Social Sciences and Humanities;
 - Business and Management Studies; and
 - Science, Engineering and Technology.

7.6 MANAGEMENT INFORMATION SYSTEMS (MIS)

An academic planning system also requires information on enrolments in existing academic programmes and anticipated enrolments in any envisaged academic programmes. This is not possible unless a system wide management information system has been developed and implemented which defines concepts such as headcount student, successful student, graduation rates, undergraduate and postgraduate, etc.

Such a system is being developed for Botswana's tertiary education system but implementing a functional academic planning system will require such a MIS to have been operative for at least 2-3 years and which contains as accurate data as is possible. It would be advisable if a simplified management information system was developed for non-university tertiary education institutions which is in line with the level of sophistication of their operations and their capacity to maintain such systems.

7.7 TEMPLATES FOR ACADEMIC PROGRAMME PLANNING

A number of basic academic planning templates are required in order for academic planning to play a meaningful role in enhancing institutional efficiency and effectiveness. The first template is an 'as is' presentation of formally accredited academic programmes offered by a non-university tertiary education institution and together with the second template, forms the basis for approval of an institution's initial programme and qualification mix (PQM) by the HRDC. The processes accompanying such PQM approval are described later in this report.

The third template essentially covers which academic programmes an institution intends offering over the next 3 years. The fourth and fifth templates represent national distributions of accredited academic programmes and national distributions of intended academic programmes over the next 3 years for non-university tertiary education institutions.

In some cases institutions in Botswana may have permission to operate on more than one campus. In such cases the templates given below should be amended somewhat and the data should be supplied per campus.

i) Institutional distribution of formally accredited academic programmes for year

The first template aims to distinguish between qualifications and programmes in respect of their NQF level of study i.e. a certificate, diploma, or undergraduate degree, etc and in respect of the knowledge field characterising the programme.

Below is an example of a possible template for such an 'as is' analysis for Institution A in which, for illustrative purposes only, some assumptions have been made regarding possible qualifications as part of an NQF for Botswana. It is further assumed that this institution only operates in a single knowledge field and has selected 4 sub fields depicting its coverage of this knowledge field. Accredited programmes are indicated by an 'x' in the appropriate cells of the template.

Table 1: Institutional distribution of existing formally accredited academic programmes according to qualification type and knowledge field for Institution A for year n

Knowledge Field A	Certificate	Diploma	3 or 4 Year B degree
Subfield 1	x	x	x
Subfield 2			x
Subfield 3	x	x	
Subfield 4		x	x

From the above template reflecting Institution A's formally accredited programmes in Knowledge Field A, it appears that it has certificate programmes in Subfields 1 and 3, diploma programmes in Subfields 1, 3, and 4 and degree programmes in Subfields 1, 2, and 4.

ii) Institutional distribution of non-accredited academic programmes for year n

The second template normally consists of programmes being offered by non-university tertiary education institutions of which their formal accreditation status is unclear. In some cases institutions do not have any academic programmes falling into this category. The purpose of this template is to start off the academic planning exercise on a 'clean slate' consisting only of formally approved academic programmes. Institutions which have programmes not carrying a formal accreditation approval would, on the basis of the second template apply for formal accreditation for these programmes to the HRDC.

Table 2: Institutional distribution of existing academic programmes not formally accredited according to qualification type and knowledge field for Institution A for year n

Knowledge Field A	Certificate	Diploma	3 or 4 Year B degree
Subfield 1		y	
Subfield 2	y	y	
Subfield 3			y
Subfield 4			

In terms of this template Institution A in year n was offering a diploma in Subfield 1 which was not formally accredited, a certificate and a diploma in Subfield 2 which were not accredited and a degree programme in Subfield 3 which was not accredited. All programmes in Subfield 4 were accredited.

iii) Institutional distribution of intended academic programmes for year n+1, n+2, and n+3

The third template reflects intended new offerings over the next 3 years or so and requires a separate template for year n+1, n+2 and n+3.

Table 3: Institutional distribution of intended academic programmes for which formal PQM Approval and there-after accreditation approval is to be sought for Institution A for year n+1

Knowledge Field A	Certificate	Diploma	3 or 4 Year B degree
Subfield 1			
Subfield 2			z
Subfield 3			
Subfield 4			



Similar tables should be submitted for year n+2 and for year n+3

From its Table 3 inputs for year n+1 it seems as if Institution A is only aiming to introduce a single new degree programme in Subfield 2 in year n+1

Each application for approval to offer a new programme must include the following motivation:

- i) The intended programme's role in the production of human capacity required by the National Human Resource Plan;
- ii) How the intended programme fits the institution's academic mandate as reflected in its academic thrusts;
- iii) The anticipated enrolments for the first 3 years of the programme after its inception;
- iv) The availability (or not) of academic staff and physical infrastructure, and if not available the cost in obtaining such capacity;
- v) Consultation with stakeholders such as business/industry on the nature of and need for such a programme.

iv) National distribution of formally accredited academic programmes for year n

Once the HRDC has obtained the inputs from all non-university tertiary education institutions in the form of the first two templates and the non accredited programmes given in the second template have been considered it is in the position to establish a nationally applicable PQM distribution of formally accredited existing programmes according to qualification type and knowledge field. In the example given next it is assumed that all academic programmes have been classified in the four main knowledge areas given earlier viz, Education; Social Sciences and Humanities; Business and Management Studies; and Science, Engineering and Technology.

Table 4: National distribution of formally accredited academic programmes offered by non-university tertiary education institutions in Botswana for year n

Knowledge Field A	Certificate	Diploma	3 or 4 Year B degree
Education			
Social Sciences			
Business and Management Studies			
Science, Engineering and Technology			

The entries in the cells in Table 5 above would indicate the total number of programmes of each type offered in Botswana by non-university tertiary education institutions in the various knowledge fields. This should enable the HRDC to assess the adequacy, on a national level, of study opportunities at the certificate, diploma and degree level in the various knowledge fields in order to take some form of remedial action in areas where clearly too few programmes are available for Botswana's knowledge needs and needs for highly skilled person-power to be satisfied.

Table 5: National distribution of intended academic programmes to be offered by tertiary education institutions in Botswana for year n+1, n+2 and n+3

The entries in Table 5 are compiled from the institutional submissions of Table 3 for each of year n+1, n+2, and n+3.

Knowledge Field A	Certificate	Diploma	3 or 4 Year B degree
Education			
Social Sciences			
Business and Management Studies			
Science, Engineering and Technology			

From the data compiled in Table 4 the HRDC should be able to identify the need for certain types of qualifications in specific knowledge fields. This analysis is then matched against the distribution of intended academic programmes for year n+1, n+2 and n+3 given in Table 5 and from this matching, the applications by the various institutions for approval to offer new academic programmes is then assessed. The processes followed in this regard are described more fully next.

7.8 SUMMARY OF ACADEMIC PLANNING INSTRUMENTS

In this part of the report the main requirements for and components of an academic planning framework are summarised.

In order to establish a functional academic planning approach which has value for non-university tertiary education institutions as well as for macro oriented regulatory and planning structures such as the HRDC the following components of such a system have to be in place:

- Each institution must have an approved set of academic focus areas which correspond to its academic mandate;
- Botswana must have a national qualifications framework in place with a tertiary education qualifications framework as a subset;
- A working system of registering non university tertiary education institutions and accrediting academic programmes must be in place;
- A system for the classification of fields of study or areas of knowledge must be in place for tertiary education; and
- A working management information system which enables conformity of terminology and of definitions, must be in place and must have produced usable data for at least the past 2-3 years.

The components of the envisaged academic planning framework are as follows:

- A distribution of existing formally accredited academic programmes according to qualification type and knowledge field for each non-university tertiary education institution;
- A distribution of existing academic programmes not formally accredited according to qualification type and knowledge field for each non-university tertiary education institution;
- A distribution of intended academic programmes for which formal PQM approval and there after accreditation approval is to be sought for each non university tertiary education institution for year n+1, n+2 and n+3;

- A national distribution of formally accredited academic programmes offered by non-university tertiary education institutions in Botswana for year n; and
- A national distribution of intended academic programmes to be offered by non-university tertiary education institutions in Botswana for year n+1, n+2 and n+3

7.9 ACADEMIC PLANNING PROCESSES

In this part of the report the processes involved in setting up an effective academic planning system for non-university tertiary education in Botswana are described. In general the following should hold:

- Academic planning should be the outcome of consistent and healthy interaction between the HRDC and the various non-university tertiary education institutions;
- It should simultaneously bear the characteristics of both a 'bottom-up' and a 'top-down' approach;
- Collective interactions between the HRDC and all non-university tertiary education should be supplemented by interactions on a bi-lateral level between the HRDC and individual institutions; and
- An undisputed commitment by non-university tertiary education institutions to play their part in Botswana's efforts to match its production of high level person power needs better with its human capacity needs.
- A workable sequence of submission of data by institutions and a commitment by the HRDC of supplying its national analyses timeously.

i) Interactions between the HRDC and non-university tertiary education institutions

- Clearly the development and initial implementation of an academic planning system will require concerted and planned interaction between the HRDC and the institutions on a collective as well as an individual level. In these interactions the HRDC should explain what the academic planning system is and what it is not, what its components are, what inputs and outputs are expected, and how it is to be phased in.
- These interactions should also give rise to the establishment of a national qualifications framework and a system for the classification of knowledge if the latter is not already included in the management information system that has been developed for tertiary education in Botswana.
- Institutions in turn should have an opportunity to point out difficulties and challenges they would be facing in implementing the academic planning system. In this way they would be contributing to the improvement of the system and its role in the production of high level person power for Botswana in terms of its national human resources development plan.
- Such collective interaction should occur frequently during the development of the system and at least annually once it has been formally implemented.

ii) Being both a 'bottom-up' as well as a 'top-down' approach

- Academic planning should continuously display the characteristic of being the outcome of both a bottom-up as well as a top down process. The top down characteristic of academic planning follows since the overall national distribution for academic programmes has to be determined by a body such as the HRDC having the requisite mandate to do steer the outputs of non-university tertiary education towards greater synergy with national human resource needs.
- The bottom-up characteristic of academic planning arises from the fact that a picture of knowledge areas in which academic programme gaps occur cannot be developed by the HRDC without analysing the distributions of existing academic programmes of the various institutions and more pertinently without the HRDC engaging each individual institution on a bi-lateral basis on its academic programmes before these are finalised. In these bi-lateral discussions individual institutions have an opportunity to point out specific institutional developments which may require amendments to any PQM approval decisions by the HRDC.



iii) Non-university tertiary education's role in meeting Botswana's national human capacity requirements.

The world over tertiary education does not always enjoy unfettered confidence from Government and industry in particular in respect of its commitment to assist in meeting national human resource needs. Many still view tertiary education as a system consisting of insular institutions and feel that public institutions in particular make little effort in improving their levels of responsiveness regarding specific human resource requirements. In this way a perception often exists that tertiary education institutions do not see that they have a primary role to play in solving the problem of a mismatch between their student outputs and the human capacity needs of society and industry in particular.

Introducing a system of academic planning in Botswana would go a long way in dispelling these perceptions and in strengthening collaboration between the Botswana Government, tertiary education and business/industry in the interests of Botswana's socio-economic growth.

iv) Workable sequences of provision of data by institutions and by the HRDC

The proposed academic planning framework requires some tables to be completed by each non-university tertiary education institution to which the HRDC should respond with the compilation of some national tables of data.

The dates for each year by which institutions should submit each of their tables should be determined in consultations between the HRDC and the non-university tertiary education sector collectively. The submission of Table 2 (academic programmes for which accreditation approval was not given but which are nevertheless offered) should normally only occur once. Similarly the dates by which the HRDC would release the two sets of national distributions of academic programmes reflected in Tables 4 and 5 should also be determined in these consultations with the non-university tertiary education sector.

In addition, the HRDC should commit itself to ensuring that each non-university tertiary education institution would be informed annually of its finally approved PQM by a certain date in order to give these institutions some time to initiate the required academic planning responses etc.

7.10 SUMMARY

In this part of the report a context for academic planning in the non-university tertiary education sector is presented. This context mainly consists of a description of the place and role of academic planning as part and parcel of matching the student outputs of non-university tertiary education institutions better with Botswana's high level human resource needs.

Next a set of necessary components and measures that are required beforehand in order to engage in meaningful academic planning are set out. This is followed by an exposition of some academic planning data in the form of templates required from non-university tertiary education institutions. Based on this information the HRDC is in turn enabled to embark on academic planning on a national and system level.

Finally, the core characteristics and steps to be followed in setting up a productive academic planning regime for non-university tertiary education institutions in Botswana is described. It is not envisaged that a different set of templates or a different approach in terms of process is required for private non-university tertiary education institutions. The academic planning system described in this report should thus be applicable to both public and private non-university tertiary education institutions.

- 8.1 Rationale for enrolment planning
- 8.2 Enrolment planning for non-university tertiary education institutions
- 8.3 Components of enrolment planning for non-university tertiary education institutions
- 8.4 Over and under enrolments
- 8.5 Enrolment planning processes
- 8.6 Summary

8.1 RATIONALE FOR ENROLMENT PLANNING

- **Botswana's National Economic Development Plan**

Botswana's most recent National Economic Development Plan aims to move Botswana quite decisively from an economy largely dependent on mining and tourism to a more diversified and knowledge based economy.

This new direction for Botswana's economy has been set against a backdrop of very high levels of unemployment even amongst those in possession of a tertiary education qualification where approximately 15% of all unemployed persons hold such qualifications while a further approximately 22% of all unemployed persons hold post –secondary school certificates of some kind or other. These levels of highly skilled but unemployed persons are worrying and a part explanation could be that too many tertiary education students are being trained in areas which do not play a central role in strengthening Botswana's transition to a knowledge driven economy- the phenomenon of a mismatch between tertiary education graduate supply and that demanded by a changing economy.

Clearly such a growth path will make very specific demands on the quantity and types of human capacity available to support such a transition. In addition it will require a significant improvement in Botswana's research and innovation capabilities. In respect of both these issues a recent Global Competitiveness Ranking conducted by the World Economic Forum found that Botswana did not perform well at all in terms of higher education participation and output rates and in the area of research and innovation.

Delivering the human capacity required for the above economic transition will not simply happen by chance- hence the need for a more systematised approach to student enrolments in tertiary education as a whole and for non-university tertiary education in particular as the latter forms the focus of this report. Neither will the unemployment rates of highly skilled person power simply drop in and of themselves these highly skilled but unemployed persons will have to be equipped with useful skills required by Botswana's economic development plans and efforts will have to be made that new graduates do not end up in the same position. Doing so likewise requires a more systematised approach to student enrolments.

- **Establishment of Human Resources Development Council**

In opposition to an approach as outlined above it is often argued that tertiary education's direction and character should not be driven overly much by considerations of economic development as students who graduate, irrespective of their field, contribute to the overall stock of highly skilled person power which is also needed for social and human development in the fields of culture, national cohesion, communication, identity, policy and social analysis, and diversified forms of human expression.

While this is clearly the case sufficient examples exist of a strong linkage between an emphasis on science (in its broader sense), engineering and technology and economic development in countries such as Japan and South Korea which as recently as 50 or 60 years ago were classed as developing economies and now represent some of the strongest and most advanced economies in the world.



Nevertheless an enrolment planning approach should guard against a too one sided emphasis and take into account the many and diversified needs of a developing economy and society such as Botswana. Certainly Botswana does not only need graduates in the 'hard sciences' but in the 'soft sciences' as well. The challenge for most developing countries is that of achieving a better proportion of graduates in these two broad areas as outputs in the 'soft sciences' tend to outstrip outputs in the 'hard sciences' by far in such countries.

In order to avoid the twofold pitfalls of simply allowing human resource development in Botswana to 'happen as it sees fit' and of only concentrating on delivering the human capacity required by its economy, and in order to bring about a greater level of cohesion in Botswana's production of human resources, particularly in view of its new economic emphasis, the Government of Botswana recently established the Human Resources Development Council into which the Tertiary Education Council and Botswana's Training Authority were subsumed.

The HRDC's functions include the development of the National Human Resource Development Plan while its advisory functions would include the provision of advice to Government through the Minister of Education and Skills Development on human resource development policy. Regulatory functions would include the registration, accreditation of tertiary education institutions and work placed learning providers, quality assurance, setting and enforcement of institutional standards and regulating such institutions generally

In addition it is foreseen that the Human Resources Development Plan will provide the tool through which the Ministry of Education and Skills Development, the HRDC and the individual education and training institutions will agree on supply side priorities, programme interventions and funding allocations. In doing so a collaborative integrated systems approach to human resource development planning that links together national policies and strategies, education and skills development, the labour market and the economy and different sectors of the economy and all relevant government ministries through the National Human Resource Development Plan is envisaged.

Clearly, the establishment of the HRDC with its wide ranging set of functions and responsibilities requires a more systematised approach to tertiary education enrolments as one of its approaches towards achieving its goals.

- **Improving Botswana's higher education participation rate**

Botswana has set itself the challenge of improving its gross enrolment rate for tertiary education appreciably. The gross enrolment rate (GER) is defined as the total number of tertiary education enrolments divided by the number of 20-24 year olds in a country's population. Although some may wish to dispute the veracity of Botswana's tertiary education enrolment figures (particularly for private tertiary education) its GER has improved from about 8% in 2004 to approximately 18% in recent years.

In achieving higher GER levels Botswana's public tertiary education sector and specifically its non-university tertiary education sector, should seek to improve its enrolments substantially. This aim would be supported strongly by a more systematized approach to tertiary education enrolments through, for example, enrolment planning which seeks to match increased enrolments better with available institutional capacity than may be the case at present.

- **Improving Botswana's higher education participation rate**

As was mentioned before, worldwide governments are under pressure in funding tertiary education institutions. This follows since annual cost increases in tertiary education are usually substantially higher than general cost increases due to the labour intensive nature of providing tertiary education. In most countries governments have sought to cope with these funding pressures by developing new funding frameworks which seek to emphasise an appropriate mix of inputs and outputs, by requiring higher levels of efficiency and effectiveness from tertiary education institutions, by increasing levels of public accountability and requiring tertiary education institutions to become more responsive to the high level person power needs of their countries; and in most cases by introducing some form of user payment usually in the form of tuition fees.

Developing countries in particular have found that competing social demands linked to primary health care, basic education, services such as water and electricity, communication services etc have resulted in very strong pressures being exerted on maintaining tertiary education levels.



Botswana is no exception to these dynamics and a natural consequence of these pressures is to ask tertiary education institutions to respond more directly to national goals and imperatives than may have been the case in the past as the Government of Botswana seeks to balance the availability of resources with student enrolments. One way of achieving this balance is through a system of enrolment planning.

- **Improving student throughput rates**

Although not a direct aim of enrolment planning systems, improving student throughput rates forms an important secondary goal of enrolment planning. This aspect assumes a particular importance in systems experiencing low throughput rates and where person power demands of growing economies and public funding constraints necessitate higher levels of throughput in the form of successfully graduating students.

- **Monitoring tertiary education's contribution to the production of high level person power**

Establishing an enrolment planning system provides the necessary mechanism for a body such as the HRDC to start monitoring the contribution of tertiary education to the production of high level person power as required by Botswana's wishing to move towards a knowledge driven economy. In particular building up a longer term set of enrolment data would enable the HRDC to perform some trend analyses on the production of person power and in conjunction with the various tertiary education institutions devise appropriate responses to the outcomes of these trend analyses.

The motivating factors for a more systematized approach to enrolment planning for tertiary education enrolments hold for both university as well as non-university tertiary education enrolments with the latter being the focus of this particular report.

8.2 ENROLMENT PLANNING FOR NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

In this part of the report the requirements for developing an enrolment planning approach for non-university tertiary education are described. Before doing so it must be emphasised that enrolment planning does not equate to centralised planning in which a body such as the HRDC, based on some analyses, assigns a set number of approved student places to an institution. Enrolment planning represents a process by which an institution motivates its anticipated growth in student numbers (usually in 3 year periods) on the basis of its academic strengths, its past enrolment patterns, its responses to new development imperatives, and its staff and infrastructural capacities. As part of this process bi lateral discussions between the HRDC and each institution eventually lead to a compact between the institution and Government (as represented by the HRDC) on their enrolment planning targets for the next 3 years. There is nothing unilateral about this process as its outcome is determined by bi-lateral consultations between the HRDC and the non-university tertiary education institutions.

- **Institutional academic plans**

Enrolment planning and academic planning go hand in hand and cannot be separated from one another. In fact an institution's enrolment plan is normally developed in terms of its academic plan. Strictly speaking an institution's academic plan should precede its enrolment plan. This follows due to mainly two reasons:

- As knowledge based institutions, non-university tertiary education institutions are defined first and foremost on the basis of their academic profile (teaching and learning, research (if applicable), and community service) rather than on the basis of their student numbers; and
- Although students enrol for study at an institution they do so for study in a specific academic programme. This means that an institution's programme profile is the determining factor in its enrolment profile.

Seen in this way an institutional enrolment plan should flow from an institutional academic plan- academic planning for non-university tertiary education institutions was covered in a separate report.



- **National and institutional management information**

An enrolment plan cannot be developed in any meaningful sense by an institution unless it has accurate enrolment information for at least the three years preceding the year for which the enrolment plan is being drawn up available. This data has to be available in the format agreed on between the HRDC and the non-university tertiary education sector and would normally be arranged according to knowledge field, programme type and programme level.

Similarly the HRDC cannot assess institutional enrolment plans in isolation but has to do so against an aggregate national enrolment plan. This can only be done if all the non-university tertiary education institutions can supply the requisite data to the HRDC on a regular basis in an agreed format.

In some tertiary education systems more detailed enrolment data is required where enrolments, for example, have to be presented according to gender. This is usually the case when socio-political goals such as improving women enrolments are pursued. As this may introduce unnecessary complexities in the enrolment processes and as women enrolments already amount to more than 50% of all enrolments in Botswana's tertiary education system, this further refinement is not suggested.

Since the cost of presenting face-to-face tertiary education programmes and distance (and open learning) programmes normally differ sufficiently significantly from one another, enrolment plans usually distinguish between mode of delivery as well. This is suggested for non-university tertiary education in Botswana.

- **Uniformity of definitions**

Enrolment planning requires a uniformity of definitions of all relevant measures and variables. These definitions normally form part and parcel of the national management information system. These definitions would include the following:

Student headcounts, student full time equivalents, approved academic programme, distance education, contact (face- to-face) education, qualification types, graduations, graduation rates, student drop outs, enrolment census dates, full time equivalent academic staff, degree credits and / or successful students, grouping of knowledge fields in broader categories.

Usually enrolment planning is also used to assess the efficiency and effectiveness of tertiary education institutions through evaluating throughputs and success rates. This is particularly the case when institutions apply for approval to offer new academic programmes. This can be done in two ways. One way is simply to calculate the pass or success rate of the subjects or modules on offer in the institution. While valuable, doing so does not provide one with an overall picture of graduates becoming available for functioning in Botswana's economy. To obtain such a picture in any accurate way requires tracking an entering cohort of students in year n and seeing how many graduated in say, year $n+4$. A proxy for such cohort studies is to define the graduation rate for year n as the total number of 'graduations' in year n divided by the total number of enrolments for year n . Thus the 'graduation' rate for all three year study programmes would be the total number of 'graduations' for such programmes in year n divided by the total number of enrolments in three year degree study for year n . Obviously this definition has limitations but it does provide some indications of throughput rates and would allow the HRDC in consultation with the non-university tertiary education sector to set some normative 'graduation' rates for say three year study programmes, four year study programmes etc and monitor the progress of the system towards these normative 'graduation' rates.

The availability of data for the measures listed earlier would allow the HRDC to perform a number of analyses on a regular basis such as analysing changes in student headcount ratios, analysing academic staff and student ratios etc.

8.3 COMPONENTS OF ENROLMENT PLANNING FOR NON-UNIVERSITY TERTIARY EDUCATION INSTITUTIONS

INTRODUCTION

In this section of the report the major components of an enrolment planning system are presented. The components presented here are done so in a simple a form as possible as this seems to be an appropriate approach for the



non-university tertiary education sector. For example, in the various tables presented below no distinction is made between first time entering students and students already in the system for say certificate and diploma programmes. Furthermore, for the sake of simplicity it is assumed that all students at non-university tertiary education institutions are full time students. This means that it is assumed that the headcount student number equals the FTE student number. Should there be a need for this the tables simply have to be expanded to provide for supplying such additional information.

Depending on national needs it is sometimes required to distinguish between contact or face-to-face and open distance learning. Although no provision is made for this distinction in the tables that follow it can be accommodated quite easily as an additional dimension in each of the tables. Some assumptions would have to be made regarding the relationship between headcount student numbers and FTE student numbers. For the sake of simplicity it could be assumed that 1 headcount student equals 0,5 of an FTE student. Regarding enrolment planning a further decision that has to be made by the HRDC concerns the scope of application of enrolment planning to both public and private non-university tertiary education institutions or only to public non-university tertiary education institutions. In the tables that follow it is assumed that enrolment planning systems will only apply to public non-university tertiary education institutions.

- **Actual student enrolments for the period of years n-3, n-2, and n-1**

The first component of an institutional enrolment planning framework consists of aggregate national student enrolments for the years n-3, n-2 and n-1. These are used in developing enrolment targets for year n, n+1, and n+2. Depending on the availability of data, enrolment data for year n-1 is sometimes not available when the enrolment targets are set for year n, n+1, and n+2 which means that historical data of actual enrolments for year n-4, n-3 and n-2 must be used.

Table 6: Aggregated actual student enrolments for public non-university tertiary education institutions for year n-3, n-2, and n-1.

Headcount and FTE enrolments by qualification type	Actual year n-3 Head FTE count	Actual year n-2 Head FTE count	Actual year n-1 Head FTE count	Average annual increase
1 year Certificates				
2 year Certificates				
2 year Diplomas				
3 year Diplomas				
4 year Diplomas				
Total				
Headcount enrolments by major field				
SET				
Business and Management Studies				
Social Sciences and Humanities				
Education				
Total				
Student outputs				
Graduation rate				
Total graduates				

Since headcount student numbers are assumed to equal FTE student numbers face-to face education institutions would only supply the date for one of these variables but distance education institutions would be required to supply both headcount as well as FTE student numbers using the ratio that 1 headcount student equals 0,5 FTE student. Apart from actual headcount and FTE data Table 1 would normally also contain proportional distributions expressed as % of totals.

- **Actual student enrolments for individual public non-university tertiary education for year n-3, n-2, n-1**

In the table below actual enrolments for each public non-university tertiary education institution in Botswana are given. Obviously specialist institutions will not have entries in all the various rows of the table, particularly those reflecting the various fields of study.

Table 7: Actual student enrolments for public non-university tertiary education institution A for year n-3, n-2, and n-1.

Headcount and FTE enrolments by qualification type	Actual year n-3 Head FTE count	Actual year n-2 Head FTE count	Actual year n-1 Head FTE count	Average annual increase
1 year Certificates				
2 year Certificates				
2 year Diplomas				
3 year Diplomas				
4 year Diplomas				
Total				
Headcount enrolments by major field				
SET				
Business and Management Studies				
Social Sciences and Humanities				
Education				
Total				
Student outputs				
Graduation rate				
Total graduates				

Apart from actual headcount and FTE data (where applicable) Table 3 would normally also contain proportional distributions expressed as % of totals.

- **Aggregated student enrolments for public non-university tertiary education for year n, n+1, n+2**

The next component of the enrolment planning framework consists of developing a set of national student enrolment targets. These are based on the following:

- An analysis of actual enrolments for the Botswana public non-university tertiary education system for years n-3, n-2, and n-1 as given in Table 1.
- Enrolment increases required to improve Botswana's overall GER;
- Enrolments according to broad knowledge field and according to level and type and type of qualifications in accordance with anticipated human capacity needs related to the National Human Resources Development Plan;
- Increased enrolments anticipated because of the introduction of new academic programmes in some institutions; and
- An analysis of the infrastructural capacity of the public non-university tertiary education system available for teaching and learning.

Table 8: Student enrolment targets for public non-university tertiary education institutions for year n, n+1, and n+2.

Headcount and FTE enrolments by qualification type	Actual year n Head FTE count	Actual year n+1 Head FTE count	Actual year n+2 Head FTE count	Average annual increase
1 year Certificates				
2 year Certificates				
2 year Diplomas				
3 year Diplomas				
4 year Diplomas				
Total				
Headcount enrolments by major field				
SET				
Business and Management Studies				
Social Sciences and Humanities				
Education				
Total				
Student outputs				
Graduation rate				
Total graduates				

Apart from actual headcount and FTE data, where applicable, Table 2 would normally also contain proportional distributions expressed as % of totals.

- **Student enrolment targets for individual institutions for year n, n+1, and n+2**

In Table 7: student enrolment targets for each individual public non-university tertiary education institution are given. As before not every institution will have entries in each of the rows of the table. The processes through which these targets are arrived at are described more fully later in this report.

The other factors mentioned earlier also play a crucial role in determining enrolment targets for individual institutions. These factors are:

- An analysis of actual enrolments for the institution for years n-3, n-2, and n-1 as given in Table 3
- Enrolment increases required to improve Botswana's overall GER;
- Enrolments according to broad knowledge field and according to level and type and type of qualifications in accordance with anticipated human capacity needs related to the National Human Resources Development Plan;
- Increased enrolments anticipated because of the introduction of new academic programmes in some institutions; and
- The infrastructural capacity available for teaching and learning within the institution.

Table 9: Student enrolment targets for individual public non-university tertiary education institutions for year n, n+1, and n+2.

Headcount and FTE enrolments by qualification type	Actual year n Head FTE count	Actual year n+1 Head FTE count	Actual year n+2 Head FTE count	Average annual increase
1 year Certificates				
2 year Certificates				
2 year Diplomas				
3 year Diplomas				
4 year Diplomas				
Total				
Headcount enrolments by major field				
SET				
Business and Management Studies				
Social Sciences and Humanities				
Education				
Total				
Student outputs				
Graduation rate				
Total graduates				

Apart from actual headcount and FTE data Table 4 would normally also contain proportional distributions expressed as % of totals.

8.4 OVER AND UNDER ENROLMENTS

While an institutional enrolment planning framework is a valuable instrument in improving institutional planning and in lining up the 'graduate' outputs of tertiary education better with national human resource needs, institutions, despite their best efforts usually either have over or under enrolments in terms of their targets.



These over and under enrolments mainly arise from the fact that in developing countries in particular, the practice of students applying in advance for admission to tertiary education institutions is often not an established practice. This means that in such cases institutions have to contend with the phenomenon of ‘walk-in’ students i.e. students who simply arrive at the institution un-announced and who in fact do qualify for admission. Clearly the larger the number of ‘walk ins’ the more difficult it is to remain on course in terms of set enrolment targets. In order to make enrolment planning meaningful on both the institutional as well as the national level it will be required that public non-university tertiary education institutions gradually introduce systems requiring students to apply for admission for year n some time towards the end of year n-1.

While the introduction of applying for admission for tertiary education study should diminish the number of ‘walk-ins’ drastically, experience has shown that this is seldom entirely possible. Some ‘walk in’ cases having real merit usually still occur and institutions should be given the right of discretion on admitting such students in such cases.

One way of approaching this challenge is to develop over and under enrolment bands for each institution based on an analysis of their past experiences in terms of admitting students who applied formally and those who simply ‘walked in’. These bands could be fairly generous at the inception of enrolment planning for non-university tertiary education institutions and thereafter be made narrower gradually as institutions improve their own institutional planning capacities.

Obviously this is a very complex and difficult matter to resolve and would certainly require much consultation between the HRDC and the non-university tertiary education sector.

8.5 ENROLMENT PLANNING PROCESSES

In this part of the report the processes involved in setting up an effective enrolment planning system for the public non-university tertiary education system in Botswana are described. In general the following should hold:

- Enrolment planning should be the outcome of consistent and healthy interaction between the HRDC and the various public non-university tertiary education institutions;
- In addition it should simultaneously bear the characteristics of both a ‘bottom-up’ and a ‘top-down’ approach;
- Collective interactions between the HRDC and the public non-university tertiary education sector should be supplemented by interactions on a bi-lateral level between the HRDC and individual institutions; and
- A commitment by public non-university tertiary education institutions to play a constructive role in Botswana’s efforts to match its production of high level person power needs better with its human capacity needs as required for establishing its economy as a knowledge economy.
- **Collective interaction between HRDC and public non-university tertiary education institutions**

Clearly the development and initial implementation of an enrolment planning system will require concerted and planned interaction between the HRDC and the institutions on a collective level. In these interactions the HRDC should explain what the enrolment planning system is and what it is not, what its components are, what its inputs and outputs are expected to be, and how it is to be phased in.

Institutions in turn should have an opportunity to point out difficulties and challenges they would be facing in implementing the enrolment planning system. In this way they would be contributing to the improvement of the proposed enrolment planning system and its role in the production of high level person power for Botswana in terms of its national human resources development plan.

Such collective interaction should occur frequently during the development of the enrolment planning system and at least annually once it has been formally implemented.

- **Being both a ‘bottom-up’ and a ‘top-down’ approach**

Enrolment planning should continuously display the characteristic of being the outcome of both a bottom –up as well as a top down process.



The top down characteristic of enrolment planning follows since the overall national enrolment targets have to be determined by a body such as the HRDC having the requisite mandate to steer the 'graduate' outputs of non-university tertiary education towards greater synergy with national human resource needs.

The bottom-up characteristic of enrolment planning arises from the fact that the national enrolment targets cannot be developed without analysing the actual enrolments of the various institutions and more pertinently without the HRDC engaging each individual institution on a bi-lateral basis on its enrolment targets before these are finalised. In these bi-lateral discussions individual institutions have an opportunity to point out specific institutional developments which may require amendments to any enrolment targets as proposed by the HRDC.

- **Non-university tertiary education and its commitment to play a constructive role in meeting Botswana's national human resource capacity requirements**

The world over tertiary education does not always enjoy unfettered confidence from Government and industry in particular in respect of its commitment to assist in meeting national human resource needs. Many still view tertiary education systems as consisting of 'ivory towers' and feel that public institutions in particular make little effort in improving their levels of responsiveness regarding specific human resource requirements. In this way a perception often exists that tertiary education institutions do not see that they have a primary role to play in solving the problem of a mismatch between their student outputs and the human capacity needs of society and industry in particular.

8.6 SUMMARY

In this chapter of the report a context for student enrolment planning in the non-university tertiary education sector is presented. This context mainly consists of a rationale for enrolment planning in terms of a description of the place and role of enrolment planning in matching the student outputs of non-university tertiary education institutions better with Botswana's high level human resource needs.

Next, a set of measures which should be in place on which enrolment planning should be based, are given. This is followed by an exposition of the actual components of enrolment planning data in the form of templates required from non-university tertiary education institutions. Based on this information the HRDC is in turn enabled to embark on enrolment planning on a national and system level.

Finally, the core characteristics of the processes to be followed in setting up a productive enrolment planning regime for non-university tertiary education institutions in Botswana is described.

In the report the various templates were presented for public non-university tertiary education institutions only. It is not envisaged that a different set of templates or a different approach in terms of process is required for private non-university tertiary education institutions. If required, the enrolment planning system described in this report should thus be applicable to both public and private non-university tertiary education institutions.

In conclusion, enrolment planning represents an opportunity for:

- Non-university tertiary education institutions to improve their levels of effectiveness and efficiency, specifically with regard to enrolment planning;
- Non-university tertiary education institutions to demonstrate their commitment to play a constructive role in meeting the human capacity needs of Botswana in its quest to develop a knowledge driven economy;
- Government to pro-actively provide leadership and direction in respect of the country's human resource needs and its ability to meet these needs;
- Government to establish strong partnerships with non-university tertiary education institutions by establishing strong processes of interaction and consultation with these institutions in developing enrolment targets; and

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- The HRDC to monitor the non-university tertiary education sector's contribution to Botswana's human capacity needs and introduce any required steering of non-university tertiary education outputs.

Developing an infrastructure planning framework depends two preceding frameworks, namely an academic planning framework and an enrolment planning framework. This follows since the infrastructure planning framework is largely driven by FTE student numbers, which in turn arise from the application of the other two planning frameworks.

As in the case of the two planning frameworks mentioned earlier, developing an infrastructure planning framework requires a number of planning support mechanisms to be in place. These are discussed first and The processes to be followed in developing an infrastructure planning framework are presented thereafter.

9

FRAMEWORK FOR INSTITUTIONAL GOVERNANCE

2.1 Introduction

2.2 Fundamentals of a governance framework

9.1 RATIONALE FOR INFRASTRUCTURE PLANNING

Given the technical complexities and high level human capacity required to develop, implement, and sustain an infrastructure planning framework, a compelling rationale for developing such a planning approach for non-university tertiary education in Botswana should exist before the HRDC embarks on such a route.

Very advanced infrastructure planning systems distinguish between infrastructure in the form of buildings and infrastructure in the form of the provision of basic services on land such as roads, storm drainage, lighting etc. For simplicity's sake in this report only buildings are included in infrastructure planning.

In addition some infrastructure planning approaches distinguish between the provision of new buildings and the maintenance of existing buildings. In this report it is assumed that the provision for the maintenance of buildings forms part of the annual Government allocations for running costs and this report thus concentrates on the provision of new buildings only.

9.1.1 ASSESSMENT OF EXISTING PROVISION OF INFRASTRUCTURE

In many developing countries in particular, the provision of new buildings for tertiary education tended to occur on a fairly ad hoc basis largely determined by the availability of funds and the amount of leverage a tertiary education institution could muster to sway decision makers. In such systems a fairly accurate assessment of over- or under provision of buildings for educational purposes is usually not available.

The first rationale for developing an infrastructure planning framework for non-university tertiary education is thus that of determining whether the system as a whole is under- or over provided with building space and within the system which institutions are over-or under provided. It is of course entirely possible that certain types of building space may be under provided such as student residence space while other forms of space such as for administration may be overprovided for. These assessments are normally carried out as the first step of developing an infrastructure planning framework. The results of such an assessment are then used by Government to guide the future provision of funding for new infrastructure where institutions suffering building backlogs are given preference while institutions which have building space surpluses are expected to work away their surpluses before they qualify for any funds for new infrastructure again.

9.1.2 ENSURING GREATER CONSISTENCY IN THE AMOUNT AND QUALITY OF BUILDING SPACE PROVIDED

The absence of a regulating set of space and cost norms for buildings usually leads to unacceptably large variations in the size and quality of buildings erected on campuses of non-university tertiary education institutions. In addition the absence of such space and cost norms can easily lead to institutions grossly over paying for what they are getting. Introducing an infrastructure planning framework thus brings about greater consistency in the size and quality of new buildings for non-university tertiary education purposes as well as providing a valuable guideline to Government and to institutions on realistic costs associated with new buildings.



9.1.3 PROVIDING FOR VARIATIONS IN BUILDING REQUIREMENTS DUE TO FUNCTIONAL USAGE

Non-university tertiary education institutions require buildings for a number of purposes which are often inter-related. They, for example, require lecture halls, libraries, laboratories, administration buildings, residences etc. The space and costs associated with these different functional uses vary considerably and a differentiated set of space and cost norms provides a fair way of ensuring consistency within such variation.

9.2 REQUIREMENTS FOR AND COMPONENTS OF INFRASTRUCTURE PLANNING

A framework for infrastructure planning requires a number of quite technical building space and building cost measures to be in place. In this section extensive use is made of such measures developed by the Department of Higher Education and Training (DHET) in South Africa that in turn were based on similar measures developed by the National Centre for Education Statistics in the USA. These approaches are outlined in the following documents of the DHET: Building and Space Inventory and Classification Manual, 2009, and Space and Cost Norms for Buildings and Other Land Improvements at Higher Education Institutions, 2009.

In the case of non-university tertiary education in Botswana an approach aimed at simplifying infrastructure planning as much as possible should be followed. This is mainly due to the differences outlined between universities and non-university tertiary education institutions earlier. This assumption means that infrastructure planning for the main academic activity of teaching and learning only will be considered. This, for example, implies that infrastructure provision associated with specialist functions such as library provision, maintenance workshops etc should be covered by the HRDC on an ad hoc basis.

However, distinctions in building costs between buildings for teaching and learning in different types of knowledge fields should be recognised and provided for. This is due to building costs for fields such as SET are markedly higher than those of, for example, the humanities.

9.2.1 BUILDING AND SPACE CLASSIFICATION SYSTEM

Infrastructure planning requires that a building and space classification system be in place. This classification system should be developed within the context of Botswana's non-university tertiary education system but its main elements are not expected to be too different from the classification system developed for South African higher education by DHET. The various facets of such a system can be categorised as follows.

- **Buildings to be included/excluded**

Apart from a formal definition of what constitutes a building and what not, for the purposes of the inventory of existing building space the classification system should make it clear which buildings are included and which are excluded. Normally only buildings under the direct control and ownership of the governing board of the institution and that are directly related to the performance of the institution's tertiary education mandate are included. The definition of a building requires it to be attached to a foundation and to be serviced by utilities such as electrical services, plumbing services etc.

In this report only buildings directly serving the instruction or teaching and learning programme will be considered.

- **Measuring building space**

Building space is usually measured in square metres and the gross building space consists of three elements:

- a. Assignable space that refers to space which can be assigned to a specific occupant or user of the building for their use. It is measured within the interior walls of the structure and the usage normally falls into one (or more) of the following categories: Classrooms, laboratories, offices, study areas, special use space, general use areas, support rooms, health care rooms, residential space and unclassified space. For the purposes of an infrastructure planning framework for non-university tertiary education institutions only those building spaces directly related to the instruction programme will be considered –these are classrooms, laboratories, and offices.

- b. Non-assignable space represents space which is essential to the operation of the building but which cannot be assigned directly to people for use. Once again its area is measured within its interior walls. Such space normally is associated with building services, circulation services, mechanical services such as lifts etc.
- c. Structural space which represents the space upon which the exterior and interior walls sit.

These spaces are usually determined from building plans or through physical measurement.

- **Rooms to be included/excluded**

Sometimes rooms are used for multiple purposes and then the main purpose (or at most two main purposes) should be identified in respect of its functional usage.

- **Number of stations**

A station is normally defined as the total facilities provided to accommodate one person during one time period – normally the reporting year. The term workstation is often used as a synonym for station and, for example, in a classroom with a number of loose desks and chairs, each set of a chair and a desk would constitute a station for the use of one student during the time period. The concept of a station is normally only applied to assignable space.

- **Space categories**

All assignable space in the instruction programme should be categorised into one the relevant of the space use categories listed earlier being classrooms, laboratories, and offices. The code 1 at the beginning of each 4 digit code indicates 'assignable space'. Non-assignable areas are designated with the digit 2 as the first digit of the four digit code for space types. The second digit reflects one of the 3 space categories listed below with classroom facilities being '1', laboratory facilities '2' etc. The final two digits are used to designate more specific space categories. The 3 categories for assignable space are:

1100	Classroom facilities	1200	Laboratory facilities
1300	Office facilities		

- Examples of some of the sub classifications of space within the 10 main categories are:

1300	Office facilities	1310	Office
1315	Office service	1350	Conference room
1355	Conference room service		

Each of these types of sub spaces is described in more detail such as:

1310: Office service is defined as a space that directly serves an office or group of offices as an extension of the activities in office spaces. This could include file rooms, kitchenettes, copy and fax rooms, vaults etc.

The first and second order space categories used in the South African infrastructure planning framework are given in Annexure A as an example of such a classification.

Clearly developing such a space classification system for Botswana's non-university tertiary education system has to be conducted in conjunction with facility managers in the various non-university tertiary education institutions.

- **Space and cost norms for buildings**

An infrastructure planning system can only serve its intended purposes if it is based on a consistently applied set of norms which enable within and cross institutional comparisons to be made. In this part of the report some suggestions are made in respect of developing such a set of space and cost norms for buildings.

A set of space and cost norms should meet the following characteristics:

- Be tailored for Botswana's tertiary education environment;
 - Be functional in the sense of being as simple as possible while nevertheless serving their intended purposes;
 - Make provision for both face to face and open distance modes of learning; and
 - Not be so prescriptive as to remove any room for legitimate institutional differences.
- One of the first aspects to be clarified in developing space and cost norms for buildings is the relationship between the programmes (sets of functions and activities) and the types of assignable space. This relationship spells out for which programme-space type combination provision is made for the development of space and cost norms and for which programme-space type combination no provision for developing space and cost norms is made.

For example, in the case of South Africa, provision for the development of building space and cost norms for buildings associated with the instruction programme is only made for the following combinations:

Instruction: Classrooms, open laboratories, and offices

- **Space norms for buildings**

In order to manage the provision of space for the instruction programmes a number of definitions are required. By way of an example the definitions covering classrooms for the instruction programme are given:

Assign able square metres (ASM) classroom space per FTE enrolled student should be used as the standard space norm for classroom facilities.

These standard space norms in turn involve the following three concepts:

1. ASM classroom space per classroom station (A): The ASM per classroom station used in different infrastructure planning systems tends to vary somewhat but 1,5 sq m is usually seen as a reasonable amount of space for one station.

2. Annual utilisation hours per classroom station (U): This measures the number of hours per annum that a classroom station (usually a seat) can be realistically utilised. This value is determined by the number of hours a classroom can realistically be occupied as well as the average percentage of the classroom that is occupied at a given time.

For example, assuming a classroom usage of 30 weeks and of 40 hours per week yields 1200 hours of usage per annum. If an average utilisation of classroom stations of 50% is assumed a U value of 600 is obtained.

Obviously efforts to achieve higher U values should be supported. In some countries the following ways have been considered:

- Doing away with claims by individual academic departments that certain spaces belong to them and to no one else in favour of institutional ownership of space;
- Introducing a centralised system of booking of classroom space to optimise the use of classrooms;
- Increasing the number of weeks of formal instruction and the number of hours per day during which teaching activities take place; and
- Introducing systems whereby academic departments 'rent' classroom space via a centrally controlled rental system.



3. Annual classroom contact hours (C): These values can differ between knowledge fields where formal face to face teaching is the dominant mode of educational delivery and knowledge fields where this is not the case.

The value of C would normally be somewhat lower than that of U although every effort should be made to bring the C value as close as possible to the U value in order to promote the maximal usage of space.

The ASM classroom space per FTE student of a particular knowledge field is then expressed as: **AC/U**

For example, in the South African infrastructure planning framework an application of the values of A=1,5, U= 540 and C=500, yields an ASM classroom value of 1,389 per FTE student for the Mathematical Sciences. Similar calculations lead to ASM per FTE student values of 1,028 for the Agricultural Sciences and of 0,778 for Public Management.

The above examples concern classroom space only – similar calculations for open laboratory space and for offices would then yield the total ASM per FTE student in for the instruction programme.

- **Cost norms for buildings**

As was the case in developing space norms for buildings, developing cost norms is also highly technical in nature and requires a number of concepts to be defined in order to establish a generally applicable set of cost norms. Although infrastructure planning systems differ from country to country the South African infrastructure planning system's set of cost norms will once again be used as an example.

Building cost unit: First it is required to define a building cost unit. In South Africa's case it is defined to be the current rand equivalent of R 3065 on 15 June 1995, the latter amount being escalated by the University of Stellenbosch's Bureau of Economic Research's Building Cost Index in their annual report on building costs. The building cost index on 15 June 1995 is taken to be 152.4 using 1990 as a base year.

Rather than developing cost norms from first principles as was done for space norms, moving from space norms to cost norms is normally accomplished by simply converting applicable ASM values to cost units by means of suitable conversion factors. An example of such a set of conversion factors for the instruction programme is given at Annexure B for a knowledge classification system consisting of 22 fields.

The procedure for converting standard space norms to standard cost norms can be summarised as:

Standard cost norm = Standard value of cost unit per ASM x Standard space norm.

Adopting this procedure then yields building cost norms per FTE student. For example, for the knowledge field agriculture, the instruction programme and for classrooms, this procedure yields a cost norm of 1,542 whereas for engineering it yields a cost norm of 2,331 and for education one of 1,500.

This would mean that if equally sized buildings were to be planned for each of these three knowledge areas the classroom space of engineering would cost more than a similar amount of classroom space for agriculture, which in turn would cost slightly more than a similar amount of classroom space for education.

Once the cost units per FTE student, the number of FTE students in a particular knowledge field(s) and the value of the building cost unit are known, the building cost of a building say for the Management Sciences or for the Physical Sciences can be calculated.

Apart from being of value in estimating the cost of a new building these space and cost norms are also of great value in calculating the replacement value of existing buildings for insurance purposes.

Although complex the development of all the above technical underpinnings together with an institution's distribution of FTE students across knowledge categories then allows one to obtain a picture of the assignable square metres of space such an institution is entitled to as well as the associated building cost units for each knowledge category, for its teaching activities.

An example from the South African application of its infrastructure planning framework is provided for illustrative purposes. This example is based on a fictitious institution having a total of 15 104, 6 FTE students in contact education and 1 887,0 in open distance learning. In this case a knowledge classification consisting of 22 categories has been used although the South African CESM system has since been amended to consist of 20 knowledge categories only.

This example gives the total building space and building cost provision across knowledge categories for the instruction programme only.

Example 1: Total building space and building cost provisions for a fictitious higher education institution within the Instruction Programme

CESM category	Total ASM	Total cost units
01 Agriculture	1824	2725
02 Architecture and Environmental Design	4386	4761
03 Arts, Visual and Performing		
3A Music	912	1432
3B History of Visual Arts	371	428
3C All other Arts, Visual and Performing	235	263
04 Business, Commerce and Management Sciences	8298	10435
05 Communication	622	755
06 Computer Science and Data Processing	5056	5897
07 Education	2329	2781
08 Engineering and Engineering Technology	5702	6622
09 Health Care and Health Sciences		
09A Nursing, Rehabilitation and Therapy, etc	1306	1523
09B All other Health Care and Health Sciences	2473	3728
10 Home Economics	276	339
11 Industrial Arts, Trades and Technology	759	732
12 Languages, Linguistics and Literature	2 008	2428
13 Law	3 149	3 989
14 Libraries and Museums	7	8
15 Life Sciences and Physical Sciences	3 993	6149
16 Mathematical Sciences	1809	2307
17 Military Sciences	0	0
18 Philosophy, Religion and Theology	116	141
19 Physical Education, Health Education and Leisure	652	751
20 Psychology	1571	1933
21 Public Administration and Social Services	911	1095
22 Social Sciences and Social Studies	3348	3995
TOTAL	52 112	65 217



The value of its buildings used directly in the instruction programme can then be obtained by multiplying the number of cost units i.e. 65 217 by the value of the building cost unit at that particular time. In addition the ASM value of 52 112 for its teaching activities to which this institution is entitled can then be compared to its actual teaching related ASM and an assessment of building space shortages or surpluses can be made. These calculations of shortages and surpluses can be made on an overall institutional level or within each knowledge category thus enabling institutional management to determine which knowledge areas are most in need of additional space and which have too much space in terms of the norms. Although not always possible such analyses can then lead to building space trade-offs within an institution in order to establish greater levels of consistency in space allocation before new buildings are planned.

9.2 INFRASTRUCTURE PLANNING PROCESSES

Infrastructure planning for non-university tertiary education will require a significant initial investment in time and energy from the HRDC. Given its highly technical nature, training and the development of the required institutional capacity by the HRDC will be of paramount importance.

Step 1: The first step in the infrastructure planning process will be for the HRDC to develop a Botswana version of the DHET in South Africa's Building and Space Inventory and Classification Manual. This will require some decisions to be taken on the following matters:

- The knowledge classification system to be used; and
- Clarity on a number of definitions and concepts such as assignable space, non-assignable space, structural space, space stations, different types of space etc.

Step 2: The second step consists of developing a set of space norms for the instruction programme, types of space, and knowledge groupings. Once this has been done institutions can start building up a theoretical space inventory in terms of their student FTE distribution across knowledge categories. This can then be compared to their existing space allocation and the HRDC could assess which institutions experience building surpluses or backlogs. It is of course entirely possible that an institution may have a surplus of teaching space but a backlog of residential space, for example.

The HRDC then summarises all these inventories of space and compiles a report on building space backlogs and surpluses. The results of compiling such inventories are then used to guide any future allocations of funds for new buildings for the instruction programme where as a rule, institutions that suffer from building space backlogs receive preferential treatment in the awarding of such allocations until such time as these backlogs have been worked away.

Such building backlog and surplus studies are not normally conducted every year or even periodically but are usually carried out every 10 years or so, as once building space backlogs have been worked away and once building space surpluses have been eroded through growth in student numbers, the allocation of infrastructural funds can proceed from a position of 'even playing fields'. What is obviously required is to keep the playing fields even and hence the checking of this every 10 years or so.

Step 3: The third step consists of the development of a set of building cost norms which serve as a guide for compiling realistic estimates of the anticipated costs of new buildings. These estimates serve as guideline for the allocation of funds for any approved new building projects and form an important part of the information on which final building tenders are awarded.

9.3 INFRASTRUCTURE PLANNING: SUMMARY

The development of an infrastructure planning framework arguably represents the greatest challenges to the HRDC of all the planning frameworks thus far developed for it. Infrastructure planning requires the development of highly complex and extremely technical supportive measures that normally pose significant human capacity challenges on both the system and the institutional levels. Due to these challenges the rationale and the advantages to be obtained from introducing such a system must be very persuasive indeed. Furthermore, every effort should be made to keep such an infrastructure planning system as simple as possible while still retaining its value in non-university tertiary education



planning and decision making. Finally, a reasonable assurance must exist that the desired human capacity to drive such a planning approach on the national level as well as on the institutional level exists and can be maintained.

The following factors would have a crucial bearing on the implementation of an infrastructure planning framework for non-university tertiary education:

- Addressing the pre-requisite of developing HRDC capacity to ensure implementation efficiency and long term sustainability of measures introduced;
- Ensuring the institutionalisation of an effective consultative mechanism between the HRDC and non-university tertiary education institutions;
- The development of a detailed project implementation plan that responds to the requirements as identified for infrastructure planning;
- Recognising the need for realism regarding implementation time frames bearing in mind the nature of turnaround times and institutional preparedness to be expected in the non-university tertiary education environment;
- Considering the gains that could be achieved through a selection of suitable candidate institutions for implementation, and thereby developing case studies for demonstration and replication; and
- Accepting the need to establish a project implementation management function at HRDC with dedicated focus, and resourced with higher education management professionals with proven expertise and experience.

ANNEXURE A

SPACE USE CATEGORIES IN THE INSTRUCTION PROGRAMME

1100 Classroom Facilities

1110 Classroom
1115 Classroom Service

1200 Laboratory Facilities

1210 Class Laboratory
1215 Class Laboratory Service
1220 Open Laboratory
1225 Open Laboratory Service
1250 Research/Non-class Laboratory
1255 Research/Non-class Laboratory Service

1300 Office Facilities

1310 Office
1315 Office Service
1350 Conference Room
1355 Conference Room Service

ANNEXURE B

BUILDING COST UNITS PER ASM FOR CONTACT AND DISTANCE TUITION FOR THE INSTRUCTION PROGRAMME

Space use Category	Classroom	Class/Open Laboratory	Office
CESM category			
01 Agriculture	1.5	1.75	1.00
02 Architecture	1.5	1.00	1.00
03 Arts, Visual and Performing			
3A Music	1.5	1.75	1.00
3B History of Visual Arts	1.5		1.00
3C All other Arts, Visual and Performing	1.5	1.10	1.00
04 Business, Commerce and Management	1.5	1.00	1.00
05 Communication	1.5	1.05	1.00
06 Computer Science and Data Processing	1.5	1.10	1.00
07 Education	1.5	1.10	1.00
08 Engineering and Engineering Technology	1.5	1.10	1.00
09 Health Care and Health Sciences			
09A Nursing, Rehabilitation and Therapy, etc	1.5	1.10	1.00
09B All other Health Care and Health Sciences	1.5	1.75	1.00
10 Home Economics	1.5	1.25	1.00
11 Industrial Arts, Trades and Technology	1.5	0.90	1.00
12 Languages, Linguistics and Literature	1.5	1.05	1.00
13 Law	1.5	1.00	1.00
14 Libraries and Museums	1.5	1.00	1.00
15 Life Sciences and Physical Sciences	1.5	1.75	1.00
16 Mathematical Sciences	1.5	1.00	1.00
17 Military Sciences	1.5	1.00	1.00
18 Philosophy, Religion and Theology	1.5	1.00	1.00
19 Physical Education and Health Education	1.5	1.10	1.00
20 Psychology	1.5	1.15	1.00
21 Public Administration and Social Services	1.5	1.00	1.00
22 Social Sciences and Social Studies	1.5	1.00	1.00



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