

WORKING PROCEDURES OF THE INSTITUTIONAL FORUM OF THE UNIVERSITY OF STELLENBOSCH

These procedures were approved by the Institutional Forum on 30 September 2004.

1. DEFINITIONS

1.1. In these procedures a term has the definition assigned to it in the Act or in the Institutional Statute, unless the context indicates otherwise.

1.2. In these procedures

- 1.2.1. “the Act” means the Higher Education Act (Act No. 101 of 1997);
- 1.2.2. “Council” means the body established in terms of paragraphs 11 and 12 of the Institutional Statute;
- 1.2.3. “Exco (Council)” means the body established in terms of paragraph 17 of the Institutional Statute;
- 1.2.4. “Executive Committee of the Institutional Forum” or “Exco (IF)” means the body established in terms of paragraph 47 of the Institutional Statute;
- 1.2.5. “Institutional Forum” or “IF” means the body established in terms of section 31 of the Act and paragraphs 45 and 46 of the Institutional Statute;
- 1.2.6. “Institutional Statute” means the Statute of the University of Stellenbosch promulgated by Government Notice No. 25850 of 8 April 2004;
- 1.2.7. “stakeholder” means any person with an interest in the IF, the University, or matters concerning the University, who may be a natural or juristic person;
- 1.2.8. “Task Group” means any body established in terms of paragraph 4 of these procedures;
- 1.2.9. “University” means the University of Stellenbosch;
- 1.2.10. “IF Council Member” means such member of the IF, elected from within its ranks, to serve in the Council of the University in terms of paragraph 12(1)(g) of the Statute.

2. THE INSTITUTIONAL FORUM

2.1. Functions and powers

The functions and powers of the IF are determined by section 31(1) of the Act and paragraph 45 of the Institutional Statute, namely –

- 2.1.1. the IF must advise the Council on matters affecting the University, including–
 - 2.1.1.1. the implementation of the Act and the national policy on higher education;
 - 2.1.1.2. race and gender equity policies;
 - 2.1.1.3. the selection of candidates for senior management positions;
 - 2.1.1.4. codes of conduct, mediation and dispute resolution procedures; and
 - 2.1.1.5. the fostering of an institutional culture that promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning; and
- 2.1.2. the IF must perform such other functions as and in a manner determined by the Council from time to time.
- 2.1.3. The consultation procedures in subparagraph (1) above are determined by the Council in consultation with the IF.
- 2.1.4. If consensus regarding such procedures cannot be reached, the procedures as set out in sections 5(3), (4) and (5) of the Act are applicable, with due allowance for the changes demanded by the context.

2.2. Composition

The composition of the IF is determined by paragraph 46 of the Institutional Statute, namely –

- 2.2.1. The IF consists of twenty eight members – seven members from each of the following groupings: governance and management sector, staff sector, student sector and community sector.
- 2.2.2. This representation must be as follows –

2.2.2.1. *Governance and management sector*

- 2.2.2.1.1. two members of the council elected by the council;
- 2.2.2.1.2. three members of the senate elected by the senate;
- 2.2.2.1.3. one member of management designated by management; and
- 2.2.2.1.4. the registrar or a person designated by the registrar;

2.2.2.2. *Staff sector*

- 2.2.2.2.1. two members from its ranks elected by the permanent non-professorial academic staff;
- 2.2.2.2.2. one member from its ranks designated by academic support services;
- 2.2.2.2.3. two members from its ranks elected by recognised trade unions; and

- 2.2.2.2.4. two members from its ranks elected by administrative support services;

2.2.2.3. *Student sector*

- 2.2.2.3.1. two members of the Students' Representative Council (SRC) elected by the SRC;
- 2.2.2.3.2. two members of the prim committee designated by the prim committee;
- 2.2.2.3.3. one members designated by the students' associations; and
- 2.2.2.3.4. two members of the Academic Affairs Council (AAC) designated by the AAC;

2.2.2.4. *Community sector*

- 2.2.2.4.1. two members of the convocation appointed by the president of the convocation; and
- 2.2.2.4.2. five persons designated by the respective representative bodies of civic society as identified by the IF from time to time, without excluding any sector.

2.3. Term of office

The term of office of the IF is determined by paragraph 48 of the Institutional Statute, namely –

- 2.3.1. The term of office of all members, excluding members elected by student bodies, is two years, and members are eligible for re-election.
- 2.3.2. The term of office of members elected by student bodies is one year.

2.4. Chairperson, vice-chairperson and secretary

The IF annually elects from its ranks the chairperson, the vice-chairperson and the secretary (see parr. 3.1 and 3.2).

2.5. Convening of meetings

- 2.5.1. The agenda is
 - 2.5.1.1. Compiled by the chairperson and the secretary in accordance with the Exco (IF) meeting preceding the IF meeting; and
 - 2.5.1.2. When necessary, compiled by applying paragraph 2.5.3 below;
 - 2.5.1.3. Discussed and adopted at the commencement of the IF meeting;
- 2.5.2. The IF meets at least once per cycle of Council meetings, before closing of the agenda of the Exco (Council);
- 2.5.3. An extraordinary meeting of the IF must be convened –
 - 2.5.3.1. At the discretion of the IF or the Exco (IF),

- 2.5.3.2. Upon written request of at least ten members of the IF,
 - 2.5.3.3. Upon written request of the Council, or
 - 2.5.3.4. Upon written request of a Task Group of the IF.
- 2.5.4. The secretary must notify IF members of the date of IF meetings at least 5 working days in advance; provided that in the event of an urgent matter, such notice may, at the discretion of the Exco (IF), be reduced to 3 working days.

2.6. Quorum

The quorum for an IF meeting is ten members, and must include a minimum of one member from each of the sectors.

2.7. Decision making at IF meetings

- 2.7.1. As point of departure decision making should be by way of consensus; or in the absence thereof –
- 2.7.2. Attempts should be made to obtain a two-thirds majority, in which event the opinions of both the majority and the minority must be reported, or in the absence thereof –
- 2.7.3. All viewpoints must be reported.

2.8. Forms of address

At their discretion members may address one another by their first names or more formally.

2.9. Observers

IF and Task Group meetings are open to observers but, when discussing a specific point on the agenda, may be closed at the discretion of the IF or the Task Group, as applicable, or under instructions from the Council.

2.10. Language policy

- 2.10.1. The secretariat will usually issue IF documents in Afrikaans and also in English when warranted by circumstances;
- 2.10.2. Members may speak English or Afrikaans during meetings;
- 2.10.3. Arrangements for the use of any official language other than Afrikaans or English must be made when necessary.

3. THE EXECUTIVE COMMITTEE OF THE INSTITUTIONAL FORUM

3.1. Membership

The composition of the Exco (IF) is determined by paragraph 47 of the Institutional Statute, namely –

The executive committee that is formed annually consists of –

- 3.1.1. the chairperson, the vice-chairperson and the secretary, and

- 3.1.2. one member from each of the sectors as set out in paragraph 46 of the Statute.

3.2. Election and term of office

- 3.2.1. The Exco (IF) holds the position for one year;
- 3.2.2. The election of the Exco (IF) usually occurs at the last ordinary IF meeting of the year and proceeds as follows:
 - 3.2.2.1. The chairperson, the vice-chairperson, the secretary and the IF Council member (cf. par. 8) are elected by the IF after written nomination and voting per ballot; and
 - 3.2.2.2. Each sector, as set out in paragraph 2.2 above, elects one additional member to the Exco (IF).
- 3.2.3. Voting procedures before and during election meeting:
 - 3.2.3.1. Letters are circulated to all the members of the IF beforehand, inviting nominations for a chairperson, a vice-chairperson, a secretary and an IF Council member. In addition the nominees have to write brief mission statements. These are included with the agenda of the last meeting of the year (during which the election takes place).
 - 3.2.3.2. Ballot papers with the names of the nominees for the position of Chairperson are given to members at the meeting.
 - 3.2.3.3. The current chairperson presides over the voting and appoints two persons to count the votes.
 - 3.2.3.4. A nominee must obtain an absolute majority of the members present and voting in order to be elected. More than one poll may be necessary to gradually eliminate the person(s) obtaining the fewest votes.
 - 3.2.3.5. The vice-chairperson, the secretary and the IF Council member, in this order, are subsequently elected in the same manner.
 - 3.2.3.6. The meeting splits up into the four sectors and each sector nominates one member from its ranks to serve in the Exco (IF).
 - 3.2.3.7. The new chairperson takes the chair after all the elections have been completed and deals with the remainder (if any) of the agenda.

3.3. Functions

The Exco (IF) is responsible for –

- 3.3.1. Planning the agenda for IF meetings;
- 3.3.2. Logistics and the secretariat;
- 3.3.3. Liaison with Management;
- 3.3.4. Annual liaison with the Exco (C);
- 3.3.5. Finalising urgent matters in highly exceptional cases that cannot be held over until the next full IF meeting, and reporting in detail to the IF; and
- 3.3.6. Such other functions as the IF may delegate to the Exco (IF).

3.4. Convening meetings

- 3.4.1. Normally the Exco (IF) should meet ten days before every ordinary meeting of the IF;
- 3.4.2. Minimum notice of one week should preferably be given for an ordinary meeting of the Exco (IF); and

- 3.4.3. An extraordinary meeting of the Exco (IF) may be convened at the request of the chairperson, or at the written request of any three members of the Exco (IF), or the Council; provided that at least 24 hours' notice of such extraordinary meeting is given.

3.5. Quorum

The quorum for an Exco (IF) meeting is four members.

3.6. Observers

Exco (IF) meetings are open to observers but may be closed at the discretion of the Exco (IF), or on the instructions of the Council for discussion of a specific point on the agenda of a confidential nature, for example appointment of senior staff.

3.7. Communication

Exco (IF) members who act in their capacity as members of the Exco (IF) when circumstances demand, must inform the rest of the Exco (IF) of their actions in writing.

4. TASK GROUPS

- 4.1. Ad hoc Task Groups may be formed by the IF or the Exco (IF), and given a wide brief and/or a list of specific tasks.

4.2. Task Groups may consist of –

- 4.2.1. Task Group members who are members of the IF, appointed by the IF or the Exco (IF) in terms of their express preferences;
- 4.2.2. Additional (non-IF) Task Group members who are as a rule co-opted by reason of their representativity, expertise, availability and commitment; and
- 4.2.3. Temporary advisers co-opted to assist the Task Group with specific matters.

4.3. Task Groups must –

- 4.3.1. include in their agendas matters that form part of their broad or specific briefs;
- 4.3.2. elect their own chairpersons and secretaries;
- 4.3.3. keep minutes of their meetings; and
- 4.3.4. report in writing to every normal meeting of the IF according to the prescribed style and format.

5. LIAISON WITH THE COUNCIL

5.1. Following discussions at the IF meeting, the IF will give advice regarding a matter or documents in a formal Report to the Council via the Exco (Council) (and not the compilers of documents). Editorial recommendations, merely stating the actions in the Report to the Council, may be given to the compilers. Obviously the Council is at liberty to either follow or reject any advice thus given. The Council's decision regarding advice, with the reasons for rejection, if any, is relayed to the IF.

5.2. Current procedures for deliberations between the IF and the Council are set out in Council Resolutions of 26 June 2000, namely –

- 5.2.1. "That, even though the Council values good communication between the Council and the IF, the Council is of the opinion that the existing processes in terms of which such communication is taking place, namely providing the IF with the full Council minutes (after approval) after every Council meeting, the provision of the Council's specific decisions regarding the IF reports themselves, feedback by the chairperson of the IF if he or she is a Council Member and by other IF members who are also Council Members, are sufficient but that, in addition, a regular Communication by the Council, as is customary in the Senate, should be relayed to the IF.
- 5.2.2. That the Exco (Council) as a rule invite the chairperson of the IF to the Exco (Council) meetings to present and elucidate IF reports.
- 5.2.3. That the Council confirm to its members that in the event of an IF recommendation being problematic for the Council, any Council member may request the Council to put into operation mechanisms (inter alia the appointment of small ad hoc committees for mutual consultation) to address such problems.
- 5.2.4. That, when necessary, powers of finalisation be given to the Exco (Council) to deal with pressing cases in accordance with a mechanism as described in 5.2.3 above."

5.3. The IF interprets these resolutions as follows –

- 5.3.1. "The principle of the Council Resolution is based on achieving reasonable, effective and participatory decision making. The Council is not prepared to agree to more specific procedures for decision making in which the Council would be forced to postpone urgent matters until conflict resolution procedures (as proposed by the IF and the Council sub-committee) had been concluded. Instead it was decided to use 'normal' procedures.
- 5.3.2. In the event of significant differences between the IF and the Council, it implies that decision making in matters that can be postponed can indeed be postponed.
- 5.3.3. Regarding pressing matters it also implies that specific Council members and other stakeholders as necessary and where possible may be requested to form sub-committees to consider and propose alternatives during Exco (Council) meetings, prior to Council meetings, during Council meetings and even, where the Council grants finalisation powers to the Exco (Council), after the adjournment of Council meetings.
- 5.3.4. Should the IF's request that reasons be given for the rejection of IF advice imply that the core arguments be briefly presented, the Council agrees to comply. In accordance with current practices, the Exco (Council) was also requested to enunciate such reasons in its recommendations regarding IF advice to the Council. However, the Council would not concede to a form of reaction to the advice of the

- IF requiring detailed comment on all the reasons for its decisions (should these decisions be in conflict with the IF's advice).
- 5.3.5. In all cases the IF may, in terms of its statutory responsibilities, offer the Council further advice on any matter, even though the Council has rejected previous advice on the matter concerned.
- 5.3.6. In all cases the Council may review its procedures if it becomes evident that existing practices and rules are ineffective.”

6. INPUTS TO IF PROCESSES

6.1. Public discussions and written submissions

- 6.1.1. The IF and the Task Groups will consider any stakeholder's written submissions on any topic.
- 6.1.2. Any stakeholder may request a Task Group in writing to address the Task Group on any matter, provided that –
- 6.1.2.1. The Task Group will decide on granting or rejecting such a request,
- 6.1.2.2. The Task Group's rejection of such a request must be approved by the Exco (IF);
- 6.1.3. Any stakeholder may submit a written request to the IF to address the IF on a matter, and such a request may be granted at the discretion of the Exco (IF);
- 6.1.4. All written requests and submissions will be answered in writing.

6.2. Submission of agenda points, proposals and reports

- 6.2.1. A request by the university to the IF to give input, comment or advice must be addressed to the Exco (IF) via the secretariat, or preferably, the Chairperson. The document to be advised upon must be in its final form.
- 6.2.2. The Task Group of the IF to which the document has been referred must study the document and advise the IF accordingly, which advice should be accepted or amended by a duly convened meeting of the full IF, with a view to advise the Council in a formal Report.
- 6.2.3. Agenda points, with supporting documentation, and reports to the IF should be submitted to the Exco (IF) seven working days prior to the Exco (IF) meeting; provided that, in extremely urgent cases, an agenda point or report may be submitted so that all Exco (IF) members receive it 24 hours prior to the Exco (IF) meeting preceding the applicable IF meeting; and
- 6.2.4. Written proposals, but not agenda points, to be tabled at an IF meeting may be submitted to the secretary up to 24 hours prior to the IF meeting.

7. DOCUMENTS

- 7.1. Upon request all documents of the IF, Exco (IF) and Task Groups will normally be open to inspection by any person;

- 7.2.** Exceptions to paragraph 7.1 above may be made at the discretion of the IF, Exco (IF) or Task Group handling the document, or on the instructions of the Council – such instructions will normally relate to senior appointments.

8. REPRESENTATION

8.1. Representation in the Council

- 8.1.1. In terms of paragraph 12(1)(g) of the Institutional Statute, the IF elects one member of the IF to serve as member of the Council;
- 8.1.2. The term of this IF council member is as set out in paragraph 13(4) of the Institutional Statute, that is, a term equal to the term he or she has been elected to the IF, and until the end of that calendar year;
- 8.1.3. In the Council the IF council member referred to above represents the IF's viewpoints on matters on which the IF has been consulted.

8.2. Representation in committees, commissions or investigation groups

When members of the IF are appointed at the request of the IF to represent the IF in particular committees, commissions or investigation groups, such nominees act in their personal capacity and their opinions may not be deemed to be those of the Institutional Forum. It may furthermore not be deemed to be sufficient consultation with the IF. In addition, the committee, commission or investigation group concerned has to present to the IF the final version of the document addressed to the Council. With a view to advising the Council, the IF only formulates viewpoints based on the final documents that such bodies have submitted.