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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 966

05 JULY 2019

HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)

**APPOINTMENT OF AN INDEPENDENT ASSESSOR TO CONDUCT AN
INVESTIGATION INTO THE AFFAIRS OF THE UNIVERSITY OF FORT HARE**

I, Dr BE Nzimande, Minister of Higher Education, Science and Technology, in accordance with Section 44 of the Higher Education Act (Act 101 of 1997, as amended) hereby appoint an Independent Assessor to investigate the affairs of the University of Fort Hare.

The terms of reference of the Independent Assessor are attached in the Schedule.



Dr BE Nzimande, MP

Minister of Higher Education, Science and Technology

Date: 26/06/2019

SCHEDULE

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

TERMS OF REFERENCE OF THE INDEPENDENT ASSESSOR

TO CONDUCT AN INVESTIGATION INTO THE AFFAIRS OF THE UNIVERSITY OF FORT HARE

INTRODUCTION

In terms of Section 44 and 45(a) of the Higher Education Act, I, Dr BE Nzimande, Minister of Higher Education, Science and Technology, hereby appoint an Independent Assessor to conduct an investigation into the affairs of the University of Fort Hare.

The overall purpose of the investigation is to advise the Minister on the source and nature of problems facing the institution and the measures required to restore good governance and management at University of Fort Hare.

TERMS OF REFERENCE

1. Conduct a detailed analysis of, and provide a report on the state of the University's governance which has led to the Minister to appoint an Administrator and the current state of management including policies and procedures pertaining to financial management, supply chain management, human resources, and information technology.
2. Conduct an investigation of the financial policies and procedures of the University and its business entities, with a specific focus on internal audit processes, procurement and tender procedures, and any specific allegations of financial irregularity that may be brought to the attention of the Independent Assessor.
3. Conduct a detailed analysis and report on the human resource policies and practices of the University, particularly in relation to enhancing organisational efficiency and employment relations at the University.
4. Conduct a detailed analysis and report on the circumstances and reasons for the significant number of staff suspensions, disciplinary cases, and dismissals at the University since 2015.
5. Conduct an investigation on the allegations of misconduct and mismanagement against the Vice-Chancellor.

6. Investigate the operations of the Office of the Registrar in relation to the management of academic affairs, registration and certification matters and any other matters that the Independent Assessor believes warrant investigation.
7. Identify any regulation, policy or practice that must be reviewed or created to improve employment relations within the University.
8. Conduct a detailed analysis of and provide a report on the functioning and efficacy of the statutory structures, namely the Institutional Forum, Convocation and the Alumni Association.
9. Investigate and report on any matters that, in the opinion of the Assessor, may impact on the effective functioning of the University from the analysis of problems relating to governance and management.

TO MAKE RECOMMENDATIONS ON

10. The restoration of good governance and management, specifically in relation to the Executive Management and the Council.
11. Any other areas of action required to ensure the effective functioning of the University.
12. Any other recommendation that requires the attention of the Minister and the Department.
13. What actions, if any, ought to be taken.

COMPLETION AND REPORT

14. The Independent Assessor must complete his/ her work and submit a written report to the Minister within 90 days from the date of publication of this notice. In terms of Section 47(1), the report must contain findings of the investigation together with the reasons upon which the findings are based and recommendations of appropriate measures and reasons why such measures are needed.



Dr BE Nzimande, MP

Minister of Higher Education, Science and Technology

Date: 26/06/2019

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