



Background on National Youth Development Agency Board Selection

25 November 2016

1. Introduction

The Portfolio Committee on Women, Youth and Persons with Disabilities and the Select Committee on Health and Social Services will embark on a recruitment and selection process with an aim to appoint Members of the Board of the National Youth Development Agency. This brief has been drafted to aid Members with the appointment process.

The Board is established in terms of the National Youth Development Agency Act (54 of 2008) and consists of seven members. Members hold office for a period of three (3) years. Its functions are to manage the affairs of the National Youth Development Agency and exercise control over its powers and execution of its function. The President will, on recommendation by Parliament, appoint members to serve on the National Youth Development Agency.¹

2. NYDA Board: Composition, appointment and conditions of service

During the shortlisting and interview process, Members should consider the conditions of service of the Board as outlined in the National Youth Development Agency Act.²

Composition, appointment and conditions of service of the Board

- (1) The Board consists of—
 - (a) seven members, two (2) of whom are executive directors; and
 - (b) the Chief Executive Officer, who is an ex-officio member of the Board without voting rights.
- (2) Members must be appointed by the President on the recommendation of Parliament.
- (3) Members must be appointed in a manner ensuring—
 - (a) participation by youth in the nomination process;
 - (b) transparency and openness; and
 - (c) that a short-list of candidates for appointment is published.
- (4) Members must reflect the demographics and geographical spread of the Republic.
- (5) (a) The President must designate one of the members as the chairperson and another member as a deputy chairperson and both are executive directors referred in subsection (1).

² Taken directly from the National Youth Development Agency Act No. 54 of 2008.

- (b) Members who are not executive directors serve on a part-time basis.
- (6) Members hold office for a period of three (3) years.
- (7) The deputy chairperson must, when the chairperson is absent or unable to perform his or her duties, act in his or her stead and when so acting, perform any function of the chairperson.
- (8) The President must publish the appointment of a member in the *Government Gazette*.
- (9) A member appointed to fill a vacancy holds office for the unexpired portion of the term of the member he or she replaces.
- (10) The conditions of service of members are determined by the President in consultation with the Minister of Finance
- (11) Members who are employed by an organ of state are not entitled to remuneration, or any allowance, but must be reimbursed for out-of-pocket expenses by the Board.

3. Roles and Responsibilities of the Board³

According to the Charter of the NYDA Board of Directors, the Board is accountable and responsible for the affairs of the Agency. To this end, the Board shall:

- a) Retain full and effective control of the Agency;
- b) Be responsible for implementing the "Objects of the Agency" and "Principles of Youth Development" as defined in the Act;
- c) Fulfil the Agency's responsibility in terms of 'Reporting by Agency" as defined by the Act;
- d) Appoint the Chief Executive Officer;
- e) Determine the Agency's values;
- f) Determine the strategy to achieve its purpose;
- g) Approve, on an annual basis, the Business Plan, Budgets and Reporting Framework of NYDA
- h) Exercise leadership, enterprise, integrity and judgement in directing the Agency so as to achieve sustainability for the Agency;
- i) Monitor and evaluate the implementation of Strategies, Policies and Management performance criteria and business plans;
- j) Identify key risk areas and key performance indicators of the Agency in order for it to achieve its objectives in a sustainable manner so as to enhance stakeholder value;

³ National Youth Development Agency (2019). The Charter of NYDA Board of Directors.

- i. Regularly review processes and procedures to ensure effectiveness of internal systems of control and accept responsibility for the total process of risk management;
 - ii. Identify and monitor relevant Non-Financial matters;
- k) Ensure that the Agency complies with all relevant laws, regulations and leading practices;
- l) Ensure that technology and systems are adequate to run NYDA properly and for itto provide world class products and services through efficient use of its assets, processes and human resources;
- m) Creation, enforcement, monitoring and auditing of development and progress of an organisational culture, structures and process that seek to support the development of people and the optimisation of their potential;
- n) Address and correct any inequalities in staff profiles and organisational practices;
- o) Establish procedure for induction programme for incoming Directors;
 - i Regularly assess Board performance and effectiveness as a whole, and that of individual directors, including that of the Chief Executive Officer;
 - ii Ensure that the Agency has developed a succession plan for the Executive Directors and Senior Management;
 - iii Ensure that the Agency communicates with Shareholders and relevant

4. NYDA Board: Current structure

The table below provides a summary of the NYDA Board at present.⁴

Table 1: Summary of the NYDA Board

	Name	Designation	Date Appointed	Qualifications
1	Sifiso Mtsweni	Executive Chairperson	May 2017	Sports Management and a certificate in SMME Management and Project Management.
2	Yershen Pillay	(Non-executive member)	May 2017	Social Sciences Degree majoring in Politics and Economics
3	Joy Maimela	(Non-executive member)	May 2017	NCV Level 4 in Civil Engineering and Building Construction

⁴ National Youth Development Agency Annual Report (2014-2015).

At present, the NYDA only has 3 active board members as listed in Table 1.

5. Board Committees

The Board is authorised to form Board Committees in the execution of its duties, powers and authorities, but at all times remains accountable to the Shareholder.

The following are Board committees:

- Audit Committee
- Human Resource and Remuneration Committee
- Investment Committee
- Executive Management Committee
- Social & Ethics Committee
- ICT Steering Committee

Board Committees must be constituted having the skills, expertise and experience of Members with reference to the respective Committees' mandates. Where appropriate or necessary, independent external professionals with relevant skills and expertise may be appointed to assist or bolster the Committees where there is a shortage of such skills or expertise. Co-opted professionals shall form part of additional members to the Committee, shall form part of the quorum for meetings and shall have voting rights.

During the recruitment process, Member of the Joint Committee should consider the following criteria with the board committees in mind.

6. Board candidate criteria

The Committee should consider the following criteria for the NYDA board candidates.

Essential Criteria

- Proven experience contributing to the leadership and strategic direction of a complex organisation.
- Personal credibility and integrity to command the confidence in the youth of the country.
- Ability to lead and to engage effectively with diverse and high profile stakeholders.
- Track record in understanding and previous involvement on youth development matters.
- A candidate should have played a meaningful role in youth development in the society.
- A candidate should be someone of reliability, integrity and independence.

Desirable criteria

- Experience in governance in the private, public and non-government sectors
- Experience in government system.
- Experience in finance.
- Experience in auditing.
- Experience in dealing with credit risk.
- Experience in human resources management

Furthermore, the NYDA Act states that a person may not be appointed or continue to serve as a member if he or she

(a) is an unrehabilitated insolvent;

(b) has been convicted and imprisoned without the option of a fine, or fined more than the prescribed amount, for theft, fraud, forgery, perjury, an offence in connection with the promotion, formation or management of a company, any violation of the Public Finance Management Act or any offence involving dishonesty;

(c) has, as a result of improper conduct, been removed from an office of trust; or 45 (d) has been declared by a court to be mentally ill or unfit.

7. References

National Youth Development Agency Annual Report (2014-2015).

National Youth Development Agency Act No. 54 of 2008.

