University of Cape Town

Presentation: Parliamentary Portfolio Committee on Higher Education, Science and Innovation

8 November 2023
Bremer Building, UCT

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Focus areas for PPC meeting

1. Findings and recommendations of the independent panel of investigation into governance at UCT.

2. Actions taken by the University to implement the recommendations in the report.

3. Update on filling the Vice-Chancellor's post.

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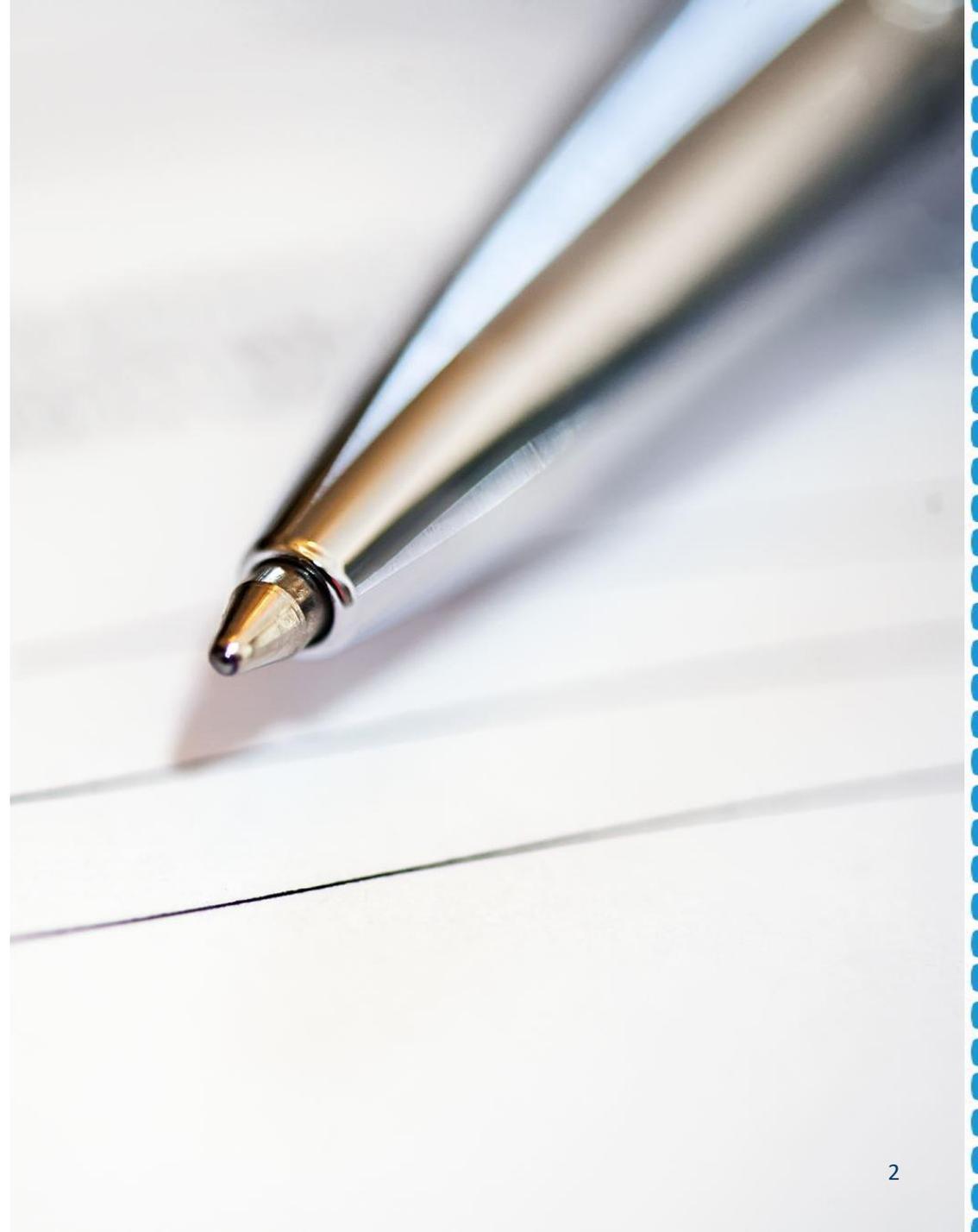
Receipt of the Report

- The receipt of the report followed Council's decision in October 2022 to establish an independent panel, whose work commenced in January 2023.

- The report of the Panel focusses on governance matters at UCT during the period 2018-2022.

- The hardcopy of the executive summary of the report was made available to UCT on 9 October 2023.

- The hardcopy of the full report was received by UCT on 11 October 2023.

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Since the receipt of the Report

- Council convened a plenary meeting on 14 October 2023 and Council members were given the opportunity to read the report.

- Council convened a second plenary meeting on 28 October 2023 to consider the content of the report.

- Following the meeting of 28 October 2023, Council resolved to adopt the report, whereafter the Chair of Council, on behalf of Council, issued a statement to the UCT community – 1 November 2023. This statement is in the public domain.

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Release of the Report

- Copies of the report, without annexures, were sent electronically to the Minister of Higher Education and to the Chairperson of the PPC on 1 November 2023.

- Additionally, those persons named in the report, in cases of adverse findings as well as those whom the Panel concluded were wronged by UCT, also received an electronic version of the report.

- In the 1 November 2023 communique to the UCT community, it was communicated that the release of the report was for reasons of transparency, accountability and in the public interest.

Findings of the Panel

1. The Panel has made findings in specific categories. These are in respect of:

    • The Councils chaired by Ms Ngonyama and by Mr Pityana respectively.

    • The Office of the Ombud of UCT and the related matters of the complaints received by the former Ombud and the manner in which Council dealt with the 2019 report of the Ombud.

    • The resignations of senior staff (nine in total) at UCT in the period under review.

    • The case of a current Deputy Vice-Chancellor.

    • Governance failures.

    • Breaches of law and policy

    All of the above are serious and are detailed in the executive summary of the report, and in the full report.

Recommendations

1. The Panel has made recommendations in the following categories:

   a) Recommendations in relation to governance.

   b) Recommendations in relation to specific / implicated individuals.

   c) Recommendations in relation to remedies for individuals who were wronged by UCT.

   All of the above are extremely serious and Council intends to deal with each of these recommendations.

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Next steps

1. Council is determined to use the report as a roadmap to guide it towards a future marked by accountability and transparency, and a renewed commitment to strengthen the governance of the university.

2. Council has acknowledged that during the period under review, in important respects it did not exercise its fiduciary responsibilities timeously and that it did not always act in the best interests of the university.

3. Council has acknowledged publicly that had it at the time fulfilled its governance role as required, the events that unfolded and the emotional trauma caused to many individuals could have been avoided.

4. Council has publicly indicated its regret for not acting sooner and has apologised unreservedly.

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Next steps

- Council has indicated that it will be pursuing the specific recommendations relating to those who were wronged by UCT, as recommended by the report.

- Council is giving attention to the matter of taking remedial action and course correcting in order to restore the university community and the public's trust and confidence in UCT as a leading institution of higher learning. There is much to do and Council is determined to get it right.

- In relation to the individuals implicated in the report, Council is deliberating an appropriate course of action. This will be done in line with UCT policies, procedures, and codes of conduct.

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In conclusion

- There is much work to be done.
- Council will convene another special meeting (tentatively set for 11 November 2023) to further deliberate the above.
- The University has gone through a very difficult period and Council is committed to make every effort to ensure that UCT is able to move forward.
- Council commits to keeping its stakeholders apprised as to future developments.

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Process to appoint the Vice-Chancellor

In commencing the recruitment and selection process for the appointment of a new Vice-Chancellor (VC) the UCT policy outlines two initial responsibilities required of the Chair of Council i.e. to consult with key constituencies about:

- the composition of the selection committee and;
- the position criteria for the post of VC.

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Process to appoint the Vice-Chancellor

Selection Committee composition:

- Chair of Council (Chair);
- four (4) external Council members elected by the Council;
- two (2) Deans elected by Senate;
- two (2) Employment Equity Representatives elected by the Chair and Co-Chairs of the IF;
- three (3) Professors (excluding Deans) chosen from a panel of five elected by Senate;
- two (2) non-Professorial members of the academic staff chosen from a panel of five elected by the academic staff (who are not Professors);
- one (1) PASS staff member in payclass 13 chosen from a panel of five elected by that group of staff;
- one (1) PASS staff member in payclasses 5 to 12 chosen from a panel of five elected by that group of staff;
- one (1) PASS staff member in payclasses 1 to 4 chosen from a panel of five elected by that group of staff;
- three (3) students (at least one of whom will be a postgraduate student) elected by the SRC;
- and up to three (3) co-opted members to ensure appropriate balance and diversity elected by Council.

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Process to appoint the Vice-Chancellor

The committee composition process is far advanced:

- The Chair of Council concluded the compilation of the selection committee on 10th September 2023 and submitted the list to the IF.

- The IF Executive Committee reviewed the process at a sitting on 20th September 2023.

- The SRC is dealing with a matter related to the process for the deployment of SRC representatives to the selection committee and their appointments are pending. The new SRC has only recently, wef 1 November, assumed office.

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Process to appoint the Vice-Chancellor

Consultation on key criteria for the post of VC

- The criteria for the position of VC are set by Council. The Chair of Council has consulted constituencies across the University on the key criteria for the post and the challenges facing the University.

- The Chair of Council conducted a series of consultations during the period 9 to 19 October 2023 with key constituencies. These constituencies comprised of the organised labour, the Senate, the SRC and the university senior management.

- Following these consultations, the Chair of Council consulted with the IF on the position criteria and post advisement which will be submitted to Council for the finalisation.

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Process to appoint the Vice-Chancellor

Next Steps:

- In consideration of the IF's advice, Council will verify the final selection committee and confirm the position criteria for the post of Vice-Chancellor.

- The SRC will deploy its selection committee representatives prior to the December 2023 Council meeting. The SRC nominations will conclude the nominations for a duly constituted selection committee.

- Council will finalise the selection committee and position criteria on or before the next Council plenary meeting in December 2023.

- Following the above, the selection committee will activate the formal search for a new Vice-Chancellor

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