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| MEMORANDUM FROM THE PARLIAMENTARY OFFICE |

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 114**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 09/02/2023**

**INTERNAL QUESTION PAPER NO 1 OF 2023**

**Mr S S Zondo (IFP) to ask the Minister of Higher Education, Science and Innovation:**

With regard to the myriad issues affecting institutions of higher learning including the clear dysfunction of administration, mal-governance, fraud and corruption allegations within the institutions themselves, (a) how does his department intend to develop capable, well-educated and skilled citizens in line with their mandate in the midst of these ills, and to prevent the possible undermining of confidence in the Republic’s development trajectory and (b) what steps has his department taken to ensure that the legitimacy of higher learning institutions, as well as the qualifications that they issue, is not compromised, considering these factors?

**NW118E**

**REPLY:**

1. The Department of Higher Education and Training is responsible for the oversight of the higher education system, in line with the Higher Education Act. University Councils are the ultimate body responsible for the governance of institutions and must ensure that they govern effectively to prevent any instances of fraud, maladministration, and corruption. In a case where the Minister is concerned that matters are not being addressed adequately, the Act guides the circumstances under which the Minister can intervene. The Minister is also able to engage directly with university Councils where concerns have been raised directly with him. Councils of public higher education institutions complete an annual self-assessment scorecard in line with the Guidelines for Good Governance Practice and indicators for Councils of South African Public Higher Institutions. The Department also monitors governance through an analysis of the annual reports of the institutions and assesses the overall effectiveness of governance in the system in relation to several issues. The Department supports governance at institutions through also supporting training for university councils. At the current moment one institution is under administration (Mangosuthu University of Technology) and independent assessments are underway at the University of South Africa and Central University of Technology. The Department has a watching brief on all institutions where governance challenges may arise.

The Department has developed policies and procedures which colleges are required to comply with. College councils are also required to adopt their code of conducts and to ensure that they play a meaningful oversight role. For management and staff, there are disciplinary processes undertaken in terms of the Labour Relations Act in an event there are instances of maladministration, fraud, and corruption. For college council the Minister institutes an investigation in terms of section 46 (1) of the Continuing Education and Training Act and where allegations are proved to be correct, the council is dissolved, and the cases referred to state law agencies.

1. The Department has developed the examination regulations which colleges must comply with 100%. Instances of irregularity and/or non-compliance are investigated, and officials implicated are subjected to disciplinary processes. The Department’s examinations and assessment processes are subjected to the quality assurance bodies such as UMALUSI before results are issued. This institution ensures conducts robust review of the examination and assessment processes to ensure the credibility of examinations before resulting and certification. The Council on Higher Education (CHE) is responsible in terms of the Higher Education Act for quality assurance of the higher education system and for qualification accreditation through the Higher Education Quality Committee (HEQC).