



## Rules for the Appointment of Office Bearers

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## **RULES FOR THE APPOINTMENT OF OFFICE BEARERS**

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the Council of the North-West University has, in accordance with the provisions of the Statute of the North-West University, adopted these Rules for the Appointment of Office Bearers on 24 April 2017.

### **1 Interpretation and application**

These rules must be interpreted and applied in a manner consistent with the

- 1.1 Constitution of the Republic of South Africa, 1996;
- 1.2 Higher Education Act, No 101 of 1997;
- 1.3 Statute of the North-West University (2017) (“the Statute”);
- 1.4 Labour Relations Act, No 66 of 1995;
- 1.5 Employment Equity Act, No 55 of 1998; and
- 1.6 Basic Conditions of Employment Act, No 75 of 1997.

### **2 Policy statement**

It is the policy of the North-West University (NWU) to follow an optimal process for the recruitment, selection and appointment of the following office bearers in accordance with the provisions of the Statute, in particular paragraphs 7(1)(c), 7(7) and 42 to 62 thereof:

- 2.1 Vice-Chancellor (para 42);
- 2.2 Vice-Principal (para 49);
- 2.3 Deputy Vice-Chancellors (para 51);
- 2.4 Registrar (para 53);
- 2.5 Executive Directors (para 55);
- 2.6 The Internal Auditor (referred to in para 7(5) (a) (ii));
- 2.7 Executive Deans (para 57);
- 2.8 Deputy Deans (para 59); and
- 2.9 Academic Directors (para 61).

### **3 Rules**

#### **3.1 Procedure for the appointment of office bearers appointed by Council**

- 3.1.1 At least three months prior to the date of a vacancy in respect of any of the offices referred to in 2.1 to 2.6 above, or as soon as possible after such an office has become vacant prior to the expiry of the term, the Registrar notifies all members of Council, Senate and the Institutional Forum of such vacancy.
- 3.1.2 Any person who is a candidate for appointment is required to recuse him-/herself from all preparatory and decision-making proceedings.
- 3.1.3 As soon as possible after receipt of the Registrar’s notification of a vacancy, the Council establishes a selection panel constituted in accordance with 3.2 below.
- 3.1.4 On the advice of the Executive Director People and Culture and in the case of the Vice-Chancellor on the advice of the University Management Committee, the selection panel reviews and approves the

formulation of the minimum requirements for the position, the position profile, any additional selection criteria proposed by the selection panel, and the advertisement for the vacancy.

- 3.1.5 The Executive Director People and Culture causes an advertisement for the filling of the vacancy to be published in accordance with the formulation in 3.1.4.
- 3.1.6 After receipt of all applications in response to the advertisement, a preliminary evaluation of the applications is done by the Executive Director: People and Culture and the managerial head concerned, having regard to the minimum requirements of the post. The Registrar reports the results to the selection panel.
- 3.1.7 The selection panel convenes to do a preliminary evaluation of all applications received in response to the advertisement, and to compile a shortlist from among those applicants considered to comply with the minimum requirements, profile and other selection criteria set by Council in accordance with 3.1.4 above to be interviewed.
- 3.1.8 The Registrar timeously forwards the formulation referred to in 3.1.4, and the applications and *curricula vitae* of the candidates on the shortlist to the consulting structures referred to in 4 below with the request that they express an opinion by a vote taken by secret ballot on the suitability for appointment of the shortlisted candidates.
- 3.1.9 The Registrar reports the outcome of the consultations of the consulting structures to the selection panel.
- 3.1.10 In the event that one or more of the consulting structures are of the opinion that no suitable application was received, the panel advises Council on whether or not the position should be re-advertised.
- 3.1.11 Psychometric evaluations of shortlisted candidates will be conducted in accordance with the NWU Recruitment and Selection Policy in the People and Culture portfolio, always subject to the provisions of the Employment Equity Act, No 55 of 1998.
- 3.1.12 Prior to the interview of any candidate, the selection panel must first determine a set of specific questions proposed by the manager to whom the appointee will report (or in the case of the appointment of a Vice-Chancellor, the Chairperson of Council), as advised by the Executive Director: People and Culture, on which the interviews of all the applicants to be interviewed will focus.
- 3.1.13 Interviews with shortlisted candidates are conducted by the selection panel on a date arranged by the Registrar in consultation with the members of the selection panel.
- 3.1.14 The selection panel recommends the appointment of a suitable candidate to the Council, or, in the event of the panel finding that none of the applicants is suitable for appointment to the advertised position, that the position be re-advertised.
- 3.1.15 Council, after consultation with the recommended candidate, determines the time and manner of public dissemination of the outcome, and, on the advice of the Executive Committee of Council, determines the term of office and conditions of employment for purposes of the contract of employment, which process is administered by the Registrar.
- 3.1.16 In the event of a vacancy occurring in the position of Vice-Principal, the following procedure is followed:
  - 3.1.16.1 the Vice-Chancellor submits a nomination of a Deputy Vice-Chancellor for appointment by Council as Vice-Principal in writing to the Registrar, motivating the nomination in terms of the managerial, administrative and supervisory skills required for the position;
  - 3.1.16.2 the Registrar forwards the nomination to the Chairperson of Council, who presents it to the Council Exco for consideration;
  - 3.1.16.3 if Council Exco approves the nomination, the Registrar timeously forwards the name of the nominee to the relevant consulting structures referred to in 4 below requesting them to express an opinion by a vote taken by secret ballot on the suitability for appointment of the nominee as Vice-Principal;
  - 3.1.16.4 on completion of the consultation process, Council Exco submits its recommendation to Council;
  - 3.1.16.5 when Council determines to appoint a Deputy Vice-Chancellor as Vice-Principal, the procedure contemplated in 3.1.15 ("selection panel" in 3.1.15 read to mean "Council Exco") is followed.

### 3.2 Composition of the selection panel for the appointment of office bearers to be appointed by Council

3.2.1 The selection panel established by Council in accordance with 3.1.2 above for the appointment of the Vice-Chancellor is constituted as follows:

Chairperson of Council	Chairperson of the Selection Panel
Members of Council Exco	Two of the external members of Council Exco
Member of Council	One external member of Council
Member designated by Senate	Member of the Senate appointed after a valid nomination and election process
Member designated by IF	Member of the IF appointed after a valid nomination and election process
External expert	A person not in the employ or serving in any governance structure of the NWU who has demonstrable knowledge and experience of an institution of higher education

3.2.2 The selection panel established by Council in accordance with 3.1.2 above for the appointment of a Vice-Principal, Deputy Vice-Chancellor, Registrar, Executive Director or the Internal Auditor is constituted as follows:

Chairperson of Council	Chairperson of the Selection Panel
Members of Council Exco	Two external members of Council Exco
Member of Council	One external member of Council
Member designated by Senate	Member of the Senate appointed after a valid nomination and election process
Member designated by IF	Member of the IF appointed after a valid nomination and election process
Vice-Chancellor	Vice-Chancellor
External expert	A person not in the employ or serving in any governance structure of the NWU who has demonstrable knowledge and experience of an institution of higher education

3.2.3 Council, Senate and IF designate alternatives for every member of a selection panel to participate in the panel in the event that an appointed member is, for good reason, unable to participate.

3.2.4 Should the Vice-Chancellor not be able, for good reason, to participate in a selection panel established in accordance with 3.2.2 above, the Vice-Principal replaces the Vice-Chancellor.

3.2.5 Should a member of a selection panel become unable to continue participating in the functions of the panel, such a member is not substituted and the panel must decide whether its work can continue without its being reconstituted.

3.2.6 The Registrar and the Executive Director: People and Culture attend all the proceedings of the selection panel in an advisory capacity.

### 3.3 Procedure the appointment of Executive Deans and Deputy Deans

3.3.1 At least three months prior to the date of a vacancy in respect of any of the offices of dean or deputy dean, or as soon as possible after such an office has become vacant prior to the expiry of the term, the Vice-Chancellor in the case of a Dean, and the responsible Deputy Vice-Chancellor in the case of a Deputy Dean notifies the senate, the relevant faculty board, and the institutional forum of the vacancy.

3.3.2 As soon as possible after notification of the vacancy in terms of para 3.3.1, the Vice-Chancellor, or the Deputy Vice-Chancellor, as the case may be, causes a selection panel to be constituted in accordance with 3.5.1 below.

3.3.3 On the advice of the Executive Director People and Culture, the Vice-Chancellor, or the Deputy Vice-Chancellor, as the case may be, formulates the minimum requirements for the position, the position profile and any additional selection criteria, as well as an advertisement for the filling of the vacancy for review and approval by the selection panel.

- 3.3.4 The Executive Director People and Culture causes an advertisement for the filling of the vacancy to be published in accordance with the formulation in 3.3.3.
- 3.3.5 After receipt of all applications in response to the advertisement, a preliminary evaluation of the applications is done by the Executive Director: People and Culture and the managerial head concerned, having regard to the minimum requirements of the post.
- 3.3.6 The selection panel convenes to do a preliminary evaluation of all applications received in response to the advertisement, and to compile a shortlist from among those applicants considered to comply with the minimum requirements, profile and other selection criteria set in accordance with 3.3.3 above to be interviewed.
- 3.3.7 The Registrar timeously forwards the formulation referred to in 3.3.3, and the applications and *curricula vitae* of the candidates on the shortlist to the consulting structures referred to in 4 below with a request that they express an opinion by a vote taken by secret ballot on the suitability for appointment of the shortlisted candidates.
- 3.3.8 The Registrar reports the outcome of the consultations of the consulting structures to the selection panel.
- 3.3.9 In the event that one or more of the consulting structures are of the opinion that no suitable application was received, the panel advises the Vice-Chancellor, or the Deputy Vice-Chancellor, as the case may be, on whether or not the position should be re-advertised.
- 3.3.10 Psychometric evaluations of shortlisted candidates will be conducted in accordance with the NWU Recruitment and Selection Policy in the People and Culture portfolio, always subject to the provisions of the Employment Equity Act, No 55 of 1998.
- 3.3.11 Prior to the interview of any candidate, the selection panel must first determine a set of specific questions proposed by the manager to whom the appointee will report, as advised by the Executive Director: People and Culture, on which the interviews of all applicants to be interviewed will focus.
- 3.3.12 Interviews with shortlisted candidates are conducted by the selection panel on a date arranged by the Registrar in consultation with the members of the relevant selection panel.
- 3.3.13 The selection panel recommends the appointment of a suitable candidate to the Vice-Chancellor, or the Deputy Vice-Chancellor, as the case may be, or, in the event of the panel finding that none of the applicants is suitable for appointment to the advertised position, that the position be re-advertised.
- 3.3.14 The Vice-Chancellor, or the Deputy Vice-Chancellor, as the case may be, after consultation with the recommended candidate and on the advice of the selection panel, determines the term of office and conditions of employment for purposes of the contract of employment, which process is administered by the Registrar.

### **3.4 Procedure for the appointment of Academic Directors**

- 3.4.1 At least three months prior to the date of a vacancy in the office of an academic director, or as soon as possible after such an office has become vacant prior to the expiry of the term, the Executive Dean concerned notifies the Deputy Vice-Chancellor concerned, Senate and the relevant faculty board of the vacancy.
- 3.4.2 As soon as possible after notification of the vacancy has been given, the Deputy Vice-Chancellor causes the appointment of a selection panel constituted in accordance with 3.5.1 below.
- 3.4.3 On the advice of the Executive Director People and Culture, the Executive Dean formulates the minimum requirements for the position, the position profile and any additional selection criteria, as well as an advertisement for the filling of the vacancy for review and approval by the selection panel.
- 3.4.4 The Executive Director People and Culture causes an advertisement for the filling of the vacancy to be published in accordance with the formulation in 3.4.3.
- 3.4.5 After receipt of all applications in response to the advertisement, a preliminary evaluation of the applications is done by the Executive Director: People and Culture and the Executive Dean, having regard to the minimum requirements of the post.
- 3.4.6 The selection panel convenes to do a preliminary evaluation of all applications received in terms the advertisement, and to compile a shortlist from among those applicants considered to comply with the minimum requirements, profile and other selection criteria set in accordance with 3.4.3 above to be interviewed.
- 3.4.7 The Registrar timeously forwards the formulation referred to in 3.4.3, and the applications and *curricula vitae* of the candidates on the shortlist to the consulting structures referred to in 4.2 below with a

request that they express an opinion by a vote taken by secret ballot on the suitability of the shortlisted candidates.

- 3.4.8 The Registrar reports the outcome of the consultation of the consulting structures to the selection panel.
- 3.4.9 In the event that one or more of the consulting structures is of the opinion that no suitable application was received, the panel advises the Executive Dean on whether or not the position should be re-advertised.
- 3.4.10 Psychometric evaluations of shortlisted candidates will be conducted in accordance with the NWU Recruitment and Selection Policy in the People and Culture portfolio, always subject to the provisions of the Employment Equity Act, No 55 of 1998.
- 3.4.11 Prior to the interview of any candidate, the selection panel must first determine a set of specific questions proposed by the Executive Dean, as advised by the Executive Director: People and Culture, on which the interviews of all applicants to be interviewed will focus.
- 3.4.12 Interviews with shortlisted candidates are conducted by the selection panel on a date arranged by the Registrar in consultation with the selection panel.
- 3.4.13 The selection panel recommends the appointment of a suitable candidate to the Executive Dean, or, in the event of the panel finding that none of the applicants is suitable for appointment to the advertised position, that the position be re-advertised.
- 3.4.14 The Executive Dean, after consultation with the recommended candidate and on the advice of the selection panel, determines the term of office and conditions of employment for purposes of the contract of employment, which process is administered by the Registrar..

### 3.5 Composition of selection panels for the appointment of Executive Deans, Deputy Deans and Academic Directors

- 3.5.1 The selection panels established by Council in accordance with 3.3.2 and 3.4.2 above, is constituted as follows:

Executive Deans and Deputy Deans	<p>Chairperson: Vice-Chancellor          Both Deputy Vice-Chancellors for the appointment of an Executive Dean          Relevant Deputy Vice-Chancellor for the appointment of Deputy Deans (<i>DD with research responsibility – DVC:RI; DD with TL responsibility – DVC:TL</i>)          A designated person from the Faculty Board, a designated person from the Senate and a designated person from the Institutional Forum (after conclusion of due processes that were followed at the relevant structure for nomination and election)          The Executive Director: People and Culture or his/her designate</p>
Academic Directors	<p>Chairperson: Relevant Deputy Vice-Chancellor          Relevant Executive Dean or his/her designate,          A designated person from the Faculty Board and a designated person from the Senate (after conclusion of due processes that were followed at the relevant structure for nomination and election)          The Executive Director: People and Culture or his/her designate</p>

- 3.5.2 The relevant selection panel may invite an additional person with relevant expertise or experience to serve on the panel.
- 3.5.3 The Executive Director: People and Culture or his/her designate attend all the proceedings of the selection panel in an advisory capacity.

## 4 Consulting structures

The consulting structures referred to in 3 above are the following:

- 4.1 For the appointment of the Vice-Chancellor, the Vice-Principal, a Deputy Vice-Chancellor, the Registrar, and Executive Director and the Internal Auditor;

Reference to Statute	Level	Consulting structure	Appointing authority
Para 44(1)	Vice- Chancellor	<ul style="list-style-type: none"> <li>• Senate</li> <li>• Institutional Forum</li> </ul>	Council
Para 50(1)	Vice-Principal	<ul style="list-style-type: none"> <li>• Vice- Chancellor</li> <li>• Senate</li> <li>• Institutional Forum</li> </ul>	Council
Para 52(1)	Deputy Vice-Chancellors	<ul style="list-style-type: none"> <li>• Vice-Chancellor</li> <li>• Senate</li> <li>• Institutional Forum</li> </ul>	Council
Para 54(1)	Registrar	<ul style="list-style-type: none"> <li>• Vice-Chancellor</li> <li>• Senate</li> <li>• Institutional Forum</li> </ul>	Council
Para 56(1)	Executive Directors	<ul style="list-style-type: none"> <li>• Vice-Chancellor</li> <li>• Senate</li> <li>• Institutional Forum</li> </ul>	Council
Para 7(5)(a)(ii)	Internal Auditor	<ul style="list-style-type: none"> <li>• Vice-Chancellor</li> <li>• Registrar</li> <li>• Institutional Forum</li> </ul>	Council

4.2 For the appointment of an Executive Dean, a Deputy Dean and an Academic Director;

Ref in Statute	Level	Consulting structure	Appointing Authority
Para 58(1)	Executive Deans	<ul style="list-style-type: none"> <li>• All Deputy Vice-Chancellors</li> <li>• Senate</li> <li>• The faculty board in respect of which the appointment is to be considered</li> <li>• Institutional Forum</li> </ul>	Vice-Chancellor
Para 60(1)	Deputy Deans	<ul style="list-style-type: none"> <li>• Relevant Executive Dean</li> <li>• Senate</li> <li>• The faculty board in respect of which the appointment is to be considered</li> <li>• Institutional Forum</li> </ul>	Deputy Vice-Chancellor
Para 62(1)	Academic Directors	<ul style="list-style-type: none"> <li>• Relevant Deputy-Dean</li> <li>• The faculty board in respect of which the appointment is to be considered</li> <li>• Senate</li> </ul>	Responsible Executive Dean

## 5 Appointment for a subsequent term

5.1 An office bearer whose term of appointment expires is not automatically entitled to be appointed in the same position for a further term.

5.2 If a serving office bearer is eligible for appointment in the same position for a subsequent term, the same procedures applicable to the filling of a vacancy as provided for above will apply, subject to 5.3.

- 5.3 In the event that a selection panel contemplated in 3.1.2 determines that substantial changes to the formulation in terms of 3.1.3 of the minimum requirements, the position profile or any other selection criteria for the position are not required, the panel may:
- 5.3.1 request council to resolve that the notification by the Registrar given in terms of 3.1.1 substitutes the advertisement contemplated in 3.1.4, and
  - 5.3.2 that the psychometric evaluation contemplated in 3.1.10 be substituted by an evaluation of the performance of the incumbent office bearer during the current term of office,
  - 5.3.3 which must then be included in the documentation referred to in 3.1.7.

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