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## GOVERNMENT NOTICE

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### DEPARTMENT OF HIGHER EDUCATION AND TRAINING

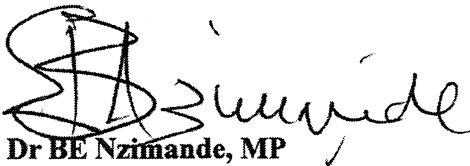
No. 1035

10 December 2012

#### APPOINTMENT OF AN ADMINISTRATOR FOR COASTAL FET COLLEGE

I, **Bonginkosi Emmanuel Nzimande**, Minister of Higher Education and Training, in terms of the provisions of section 46(4) of the Further Education and Training Colleges Act, 2006 (Act 16 of 2006), as amended by the Further Education and Training Colleges Amendment Act, 2012 (Act 3 of 2012) published in Notice No. 345 of Government Gazette No. 35308 of 3 May 2012; read with Notice No. 367 of Government Gazette No. 35336 of 11 May 2012, hereby appoint Dr EMS Ntombela as Administrator for the public Further Education and Training Coastal College, to take over the functions of council and management, for a period not exceeding two years, from the date of publication of this Notice.

The terms of reference for this appointment are contained in the Schedule attached hereto.



**Dr BE Nzimande, MP**  
**Minister of Higher Education and Training**

Date: 28/07/12.....

## **SCHEDULE**

### **TERMS OF REFERENCE**

#### **ADMINISTRATOR FOR COASTAL FET COLLEGE**

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##### **PREAMBLE AND BACKGROUND**

The appointment of the Administrator is necessitated due to serious maladministration of the Coastal FET College and due to the fact that the term of office of Council ended during July 2011. In the light of this, an Administrator is to be appointed to take over the functions of both council and management in terms of Section 46(4) of the Further Education and Training Colleges Act, 2006 (Act 16 of 2006) as amended, read with Notice No. 367 of Government Gazette No. 35336 of 11 May 2012.

Section 46(4) of the FET Colleges Act, as amended, provides the following:

“ If an audit of the financial records of a public college, or an investigation by the person as contemplated in subsection (1) reveals financial or other **maladministration of a serious nature at a public college or the serious undermining of the effective functioning of a public college**, the Minister may, **after consultation with the council of the public college concerned, if practicable, and despite any other provision of this Act, appoint a person as administrator to take over the authority of the council or the management of the college and such person may perform all the functions relating to governance or management on behalf of the college for a period determined by the Minister, which period may not exceed two years.**

**MAIN OBJECTIVE OF APPOINTMENT**

To act in line with the provisions of section 46(4) and (6) of the FET Colleges Act. Section 46(6) states: "If an administrator is appointed in terms of subsection (4), the council is deemed to have resigned and the administrator must-

- (a) take over the authority of the council
- (b) perform the council's functions relating to governance; and
- (c) ensure that a new council is constituted."

**SCOPE OF WORK OF THE ADMINISTRATOR**

1. To take over the authority of the council of the Coastal FET College for a period not exceeding two years.
2. To take over the authority of management and administration and to identify and initiate processes, initiatives and interventions to restore proper governance and administration to ensure effective functionality at the Coastal FET College for a period not exceeding two years.
3. In performance of the duties as outlined in paragraph 1 above, due regard must be given of the respective Protocols entered into by and between the Minister of Higher Education and Training (DHET) and the Member of the Executive Council for Education in the Kwa-Zulu Natal Province; and the Director-General of the DHET and the Superintendent General of the KZNPED in relation to performance of the functions of council and management.
4. In addition the Administrator must:
  - 4.1. Develop structured and relevant policies, strategies and procedures in regard to the roles and responsibilities of council and management, student and staff support and financial management;
  - 4.2. Create and/or install systems to support functions relating to college leadership and governance, infrastructure development, change management, financial management, monitoring and evaluation and to ensure that effective

and efficient teaching and learning to takes place;

- 4.3. Develop structured and relevant policies, strategies and procedures in regard to the roles and responsibilities of council and management, student and staff support and financial management;
- 4.4. Implement the procedures to appoint a new council in line with the requisites of the FET Colleges Act, college statute and any requirement as may be set by the DHET.
- 4.5. Strengthen and implement a clear monitoring, evaluation and reporting framework in line with the requirements of the DHET;
- 4.6. Assess the issues that are prevalent within the college and impeding functionality, identify areas that require investigation, recommend the appropriate course of action to the Director-General of the DHET, who will liaise with the Superintendent General of the KZNPED for funding of investigations duly agreed upon; and
- 4.7. Steer the College back to operational sustainability with an effective functional council.

#### **GENERIC SCOPE OF WORK**

The generic scope of work shall entail the following:

- Ensuring that the College adopt a unique educational character inclusive of the mission and value system of the institution;
- Implement the decisions of the Minister and the Director-General as decision making authorities;
- Provide direction to the administration, management and leadership within the organization;
- Ensure the efficient and effective management of the college's resourcing;
- Establish appropriate financial, planning and management controls to safeguard public funds to the SA-GAAP and/or Public Finance Management Act, 1999 (Act 1 of 1999) (FMA) standard;
- Provide accurate annual estimates of income and expenditure, for consideration

and approval by the council, and for the management of budget and resources, within the approved estimates;

- Ensure funding is used for the purpose intended and in accordance with the conditions set out in the PFMA;
- Determine the curriculum, after consultation with the Academic Board and due consideration of the institution's academic activities;
- Ensure that the learning and teaching environment is conducive and contributes towards a sustained high certification rate;
- Ensure that the Information standards, standardized management processes and reporting requirements for FET College are adhered to at all times.; and
- Maintain and ensure student discipline.

#### **INTERNAL AND EXTERNAL CONTACTS**

Effective and efficient communication must be established and maintained with (amongst others) the Department of Higher Education and Training, KwaZulu-Natal Department of Education, Kwa-Zulu Natal Premier's office, FETC Employee Association, Service Providers, College Principals Association, College council, College staff and students.

#### **WORKING CONDITIONS**

- The work is predominantly office-based.
- A 40 hr work week with extended work hours will be required.
- Regular visits to satellite campuses will also be required.
- The position will also involve attending meetings/workshops outside of working hours and on weekends.

#### **REPORTING LINES**

The Administrator will report to the Minister of Higher Education and Training or his delegated official, Mr G Qonde, the Director-General of the Department of Higher Education and Training. Besides other forms of communication the Administrator must submit written quarterly reports on the progress regarding the above issues. The Administrator may appoint technical experts where necessary to assist in the different areas.

**DURATION OF APPOINTMENT**

One year with the option of renewal of the contract to a maximum of two years or until the post is filled by process of advertising, whichever comes first.

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