
GOVERNMENT NOTICE

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

No. 1064

12 December 2012

MINISTRY OF HIGHER EDUCATION AND TRAINING

OCTOBER 2012

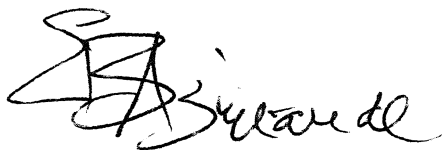
APPOINTMENT OF AN INDEPENDENT ASSESSOR TO CONDUCT AN INVESTIGATION INTO THE AFFAIRS OF THE LETABA FET COLLEGE

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in accordance with section 46 (1) of the Further Education and Training Higher Act (Act 16 of 2006-As amended) hereby appoint Ms Zodwa Manase to investigate the affairs of the LETABA FET COLLEGE in accordance with the Terms of Reference attached hereto as Annexure A.

In accordance with section 46(2) (a), Ms Manase must conduct an investigation within 30 days of her appointment, in terms of the Terms of Reference

Furthermore, Ms Manase must within 60 days after her appointment report in writing to the Minister of Higher Education and Training, the findings of her investigation as substantiated by facts. She must further recommend appropriate measures to resolve matters with the reasons why the measures are required.

The appointment of Ms Manase is effective within 5 days of the publication of this notice in the Government Gazette.



Dr BE Nzimande
Minister of Higher Education and Training

Date: 19/10/12

MINISTRY OF HIGHER EDUCATION AND TRAINING

TERMS OF REFERENCE OF THE INDEPENDENT ASSESSOR TO CONDUCT AN INVESTIGATION INTO THE AFFAIRS OF THE LETABA FET COLLEGE

INTRODUCTION

In terms of section 46 (1) of the Further Education and Training Act, the Minister of Higher Education and Training hereby appoints an Independent Assessor to conduct an investigation into the affairs of the LETABA FET COLLEGE.

The overall purpose of the investigation is to advise the Minister and the College Council on the circumstances of the college in respect of financial or other maladministration of a serious nature which will include the following:

- The nature of problems facing the institution, including those relating to governance, financial management and procurement practices, administration matters, labour matters, student governance, and any other matters that may arise.
- Measures required to resolve problems identified in all areas.
- Clear, short, medium and long-term recommendations.

TERMS OF REFERENCE

1. Conduct a detailed analysis of and provide a report on the current situation of the Colleges' governance, labour and executive management structures, in particular their functioning and efficacy, and relationships between the various structures and portfolios.
2. Conduct a thorough investigation of the financial policy and procedures of the institution, with a specific focus on internal audit processes, procurement and tender procedures, expenditure on legal fees, donor funding management, the management of NSFAS allocations, and any specific allegations of financial irregularity that may be brought to the attention of the Independent Assessor.

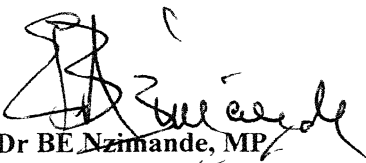
3. Conduct a thorough investigation into the areas of Human Resource Management (HRM) including policies and procedures in appointments of staff, appointments and any other related matters that the Independent Assessor believes warrants investigation.
4. Conduct a thorough investigation of the management of academic affairs (teaching and learning), registration, examinations and certification matters (including the management of examination irregularities) and any other related matters that the Independent Assessor believes warrants investigation.
5. Investigate any problems in the area of student governance.
6. Investigate and report on any matters that, in the opinion of the Assessor, may impact on Effective functioning of the college, from the analysis of problems relating to governance, management and teaching and learning.

TO MAKE RECOMMENDATIONS ON:

1. The restoration of good governance, specifically in relation to the Management of the College and its Council.
2. Short, Medium and Long-term solutions required to address any issues identified in relation to the areas in the Terms of Reference.
3. Any action required to ensure effective academic operations at the college.
4. Ways of resolving the challenges relating to student and labour governance.
5. Any other areas of action required to ensure the effective functioning of the college.

COMPLETION AND REPORT

The Independent Assessor must complete her investigation within 30 days of her appointment and submit a report to the Minister within 60 days of her appointment.



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date: 19/12/12