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**(Extraordinary)**

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## PROVINCIAL NOTICE

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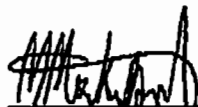
No. 51

### DEPARTMENT OF EDUCATION

#### **APPOINTMENT OF ADMINISTRATORS FOR IKHALA AND KING SABATHA DALINDYEBO PUBLIC FURTHER EDUCATION AND TRAINING COLLEGES IN TERMS OF THE FURTHER EDUCATION AND TRAINING COLLEGES ACT, 2006( Act No. 16 of 2006)**

I Mandla Makupula, Member of the Executive Council Responsible for education in the Province of the Eastern Cape, acting in terms of section 46(4) of the Further Education and Training Colleges Act, 2006( Act No. 16 of 2006), and after consultation with the Minister of Higher Education, hereby appoint Administrators for Ikhala and King Sabatha DalIndyebo Public Further Education and Training Colleges to take over the functions of Management and Council of the Colleges for a period of not more than two years from 15<sup>th</sup> December 2011.

The terms of reference for the appointment of the administrators are as set out in the Annexure hereto.



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**MANDLA MAKUPULA**  
**MEC FOR EDUCATION**

## **ANNEXURE A**

### **TERMS OF REFERENCE FOR THE ADMINISTRATORS APPOINTED AT IKHALA AND KING SABATA DALINYEBO FET COLLEGES**

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#### **BACKGROUND**

In terms of the **Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006)**, as amended, the Member of the Executive Council may, after consultation with the Minister and 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 a person may perform all the functions relating to governance or management on behalf of the college for a period determined by the Member of the Executive Council, which may not exceed two years.

In 2010, an **Implementation Protocol on the monitoring of the management, governance, structuring and support of public further Education and training colleges in the Eastern Cape** was signed between the Minister of Higher Education and Training, The Premier of the Eastern Cape Province, and the Member of the Executive Council responsible for Education and Training in the Eastern Cape Province. A related protocol was signed by the Director-General of the Department of Higher Education, the Director-General of the Eastern Cape Provincial Administration, and the Superintendent-General of the Eastern Cape Department of Education. In terms of this protocol all decisions relating to the broader areas of Governance, Management and Finance will be made after due consultation with the

national and provincial spheres of government.

In a report of the DHET/Eastern Cape FET Colleges Capacity Improvement Project it was established that there is maladministration occurring of a financial nature. In addition the Term of Office of the Council ended in 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 FET Colleges Act, 16 of 2006.

#### **MAIN OBJECTIVE OF APPOINTMENT**

To act in line with Section 46 (4) and (6) of the FETC Act of 2006, which states: "If an administrator is appointed, the administrator must take over the management of the College and -

- 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. The Administrator must provide a range of services or interventions, in line with the FET Act 16 of 2006 (as may be amended) and other relevant legislation, where the views of the National and Provincial Government, Minister and Director-General (DG) of DHET can be given effect and ensure functionality of the FET College.
2. In performance of the duties as outlined in paragraph 1 above, due regard must be taken of the Protocol Agreements between the Minister of Higher Education and the Member of the Executive Council for Education in the Eastern Cape; and the Director-General of the DHET and the Superintendent General of the ECPED and any further legislative changes that may take place in relation to

performance of the functions of council and management.

3. 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 takes place.
4. 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;
5. Implement the procedures to appoint a new council in line with the requisites of the FET Act, college statute and any requirement as may be set by the DHET.
6. Strengthen and implement a clear monitoring, evaluation and reporting framework in line with the requirements of the DHET.
7. 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 Head of Department of the provincial department of education and the Director-General of the DHET. These in turn will concurrently agree and fund investigation duly agreed upon.
8. Work in close cooperation with the DHET/Eastern Cape Intervention team (JET) who was commissioned to assist FET Colleges in the Eastern Cape to reach optimal functionality.

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

- Ensuring that the College adopt an unique educational character inclusive of the mission and value system of the Institution.
- Implement the decisions of the Department.
- 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 PFMA 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 that 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.
- Ensures that the information standards, standardized management processes and reporting requirements for FET Colleges are adhered to at all times
- Maintain and ensure student discipline
- Ensure that each campus is properly capacitated and functions optimally.

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

Effective and efficient communication must be established and maintained with (amongst others) the Department of Higher Education, Eastern Cape Department of Education, Eastern Cape Premier's office, FETC Employee Association, Service Providers, College Principals Association, College Councils, 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:**

**Adv Manny**

**The Head of Education Department: Eastern Cape**

**AND**

**Mr G Qonde**

**Director-General: Department of Higher Education And Training**

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