

INSTITUTIONAL RULES: ELECTION/APPOINTMENT OF COUNCIL MEMBERS BY THE CONVOCATION OF THE UNIVERSITY OF PRETORIA

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1. OBJECTIVE

The aim of this document is to provide guidelines with regards to the procedure to be followed upon the expiry of the term of office of a Council member or Council members elected/appointed by the Convocation of the University of Pretoria.

2. BACKGROUND

The Statute of the University of Pretoria (2012) (“the Statute”) provides as follows with regards to –

2.1 Membership of the Convocation

In accordance with paragraph 45 of the Statute the Convocation consists of all persons who immediately before the commencement of the Statute were members of the Convocation of the University; the Principal, the Vice-Principals, the Executive Directors, the Registrar, the Deans of faculties, the permanent academic employees of the University, professors emeriti, other retired academic employees and such other persons as the Council may determine; as well as all other persons who have obtained a qualification, as approved by Senate and Council, from the University.

2.2 Members’ list

In accordance with paragraph 48(1) of the Statute the Registrar keeps the members’ list of the Convocation and it is the responsibility of every member of the Convocation to register his or her name with the Registrar and notify the Registrar from time to time of any change of address.

The members’ list is conclusive evidence of membership of the Convocation and only a person whose name appears on the members’ list at the time of his or her claiming a right to vote as a member of the Convocation is entitled to vote.

3. PROCEDURES: ELECTION OF MEMBERS TO COUNCIL BY THE CONVOCATION

3.1 Procedure

In accordance with paragraph 48(7) of the Statute of the University of Pretoria¹ the appointment of members of the Convocation to Council takes place as follows:

“The appointment of members of the Convocation shall take place in accordance with the procedure provided for in the Institutional Rules.”

3.2 Determination of the required expertise and experience

- 3.2.1 Council shall determine the experience and expertise required of the person or persons to be elected/appointed from the ranks of the University's Convocation.
- 3.2.2 In determining the required experience and expertise due consideration shall be given to the available skills sets on Council.

3.3 Notice of election and call for nominations

- 3.3.1 The Registrar shall place an advertisement in at least two national papers and on the University's website inviting organisations, interest groups and individuals to nominate Convocation members of the University with experience and expertise as determined by the Council to serve on the Council: Provided that if, in the opinion of Council, the advertisements fail to elicit a satisfactory response in terms of diversity and gender, Council may request that the advertisement be placed again.
- 3.3.2 Approximately six weeks, or such longer period as may be deemed appropriate, before the date of the election the Registrar, in the appropriate media, calls for nominations from the Convocation for members to serve on Council who possess the skills sets as determined by Council.
- 3.3.3 The Executive of the University will take the decision whether the election of Council members by the Convocation shall take place by means of (a) a combined electronic and paper-based voting process or (b) a fully paper-based process. The decision is taken with due consideration of the availability of the required infrastructure (Information Technology and otherwise) as well as the cost implications.
- 3.3.4 The methods employed for calling for nominations and giving notice of the vacancy or vacancies and the election of members of Council by the Convocation include the following:
 - (a) Advertisement in at least two national newspapers (one Afrikaans and one English)
 - (b) UP website
 - (c) Email to Principal, Vice-Principals, Executive Directors and Deans
 - (d) Email to all permanent UP academic staff members
 - (e) Bulk email to all contactable members on the TuksAlumni database.

¹ The amendment of paragraph 48(7) was approved by the Minister and published in the Government Gazette on 24 March 2017.

3.4 Nominations

- 3.4.1 Only members of the Convocation of the University of Pretoria may participate in the voting process.
- 3.4.2 All nominations must be submitted on the prescribed form to the Registrar at least two weeks, or such longer period as may be deemed appropriate, before the commencement of voting.
- 3.4.3 The closing date for the submission of nominations is at 16:00 on the date determined by the Registrar.
- 3.4.4 No person may sign more than one nomination form whether as a proposer or as seconder.
- 3.4.5 The Registrar must ensure that nomination forms and all relevant information are accessible on the UP website or can be provided on request, provided that reasonable notice is given.
- 3.4.6 Each nomination must be signed by at least four (4) members of the Convocation and must contain a signed, written acceptance of the nomination by the nominee, as well as an abridged CV of the nominee in either English or Afrikaans, but preferably in both languages.
- 3.4.7 The nomination form must also contain a short background sketch (a maximum of 50 words) of the candidate which indicates the degree/s obtained and the date/s upon which such a qualification/s were obtained, as well as an indication of the current employment or position of the candidate. This information will form part of the ballot paper.
- 3.4.8 It must be indicated on the nomination form for which specific vacancy a candidate is nominated.
- 3.4.9 It should be noted that a member of Council's term of office expires when he or she reaches the age of 70 years.
- 3.4.10 Please note that this category forms part of the external group of Council members and therefore section 27(6) and section 27(7)(e) of the Higher Education Act, as amended, are applicable. As a result, no employee or student of the University or employee or student of any other university may be considered for appointment. Paragraph 16(5) of the Statute contains further details on the factors which would exclude a person from being elected as a member of Council.

3.5 The short-listing committee

- 3.5.1 The President of the Convocation, the Principal, the Chairperson of Council and the Chairperson of TuksAlumni or their respective representatives will draw up a list of the most suitable nominees from the Convocation members nominated in terms of paragraph 3.3.1 above: Provided that at least two persons per vacancy shall be short-listed if two or more nominations were received. In the case of a tie of votes on whether

or not to shortlist a candidate, the relevant candidate must be placed on the shortlist. Due regard must also be given to the diversity and gender of the candidates. Should a member of the short-listing committee be nominated as a candidate to serve on the Council of the University, the members of the body to which he/she belongs shall appoint a substitute in his/her place to serve on the short-listing committee.

- 3.5.2 Sufficient time must be allowed for the above process and meeting of the short-listing committee to take place.

3.6 Voting

- 3.6.1 Members of the Convocation of the University will be given an opportunity to vote on the appointability to the vacancies (positions) identified in terms of paragraph 3.2 above of the candidates who have been short-listed in accordance with paragraph 3.5.1 above.

- 3.6.2 The voting process shall be overseen by the Registrar and must be completed within a reasonable period of time.

- 3.6.3 If only one person is nominated in a specific vacancy the Registrar shall declare the person duly elected and no voting will be required in such vacancy.

- 3.6.4 If more than one person is nominated for a specific vacancy, the members of the Convocation will vote on the appointability to such vacancy of the candidates who have been short-listed by the committee.

- 3.6.5 After the short-listing committee has drawn up the list of the most suitable nominees from the Convocation members nominated, the voting process shall take place by means of (a) an electronic and paper-based voting process or (b) a fully paper-based process or (c) fully electronic, depending on the decision of the Executive.

- 3.6.6 If the Executive decides on a combination of an electronic and paper-based voting process, the following four methods will be employed to cater for the different needs of members of the Convocation:

- (a) Electronic voting on the UP web following the instructions as set out on the UP web.
- (b) Sending notices via email to members of the Convocation on the TuksAlumni database with working email addresses.
- (c) Making ballot papers available on the UP web which can be downloaded, completed and returned as set out below.
- (d) A facility will be established to which members of the Convocation can direct enquiries and from which ballot papers can be obtained. The ballot papers can be completed and returned as set out below.

If the Executive decides on a paper-based process only, subparagraphs (b) to (d) above shall apply.

- 3.6.7 The Registrar must ensure that, where applicable, ballot papers as well as all relevant information are accessible on the UP web or can be provided on request provided that reasonable notice is given.
- 3.6.8 No person may vote more than once and the various processes employed, whether electronic or paper-based. The Registrar must ensure that only eligible voters participate in the election. No voting by proxy will be allowed.
- 3.6.9 Voting officially begins on a date determined and announced by the Registrar. If applicable, the electronic voting facility created on the UP website will go live at 09:00 on such date, while the facility will be shut down at 16:00 on the announced closing date.
- 3.6.10 All votes cast via the UP website in a web-based voting process will be recorded electronically on a UP database.
- 3.6.11 In the case of paper-based voting, ballot papers that are received by post, fax, or scanned and emailed, or which are delivered by hand before the announced closing date will be processed.
- 3.6.12 Ballot papers must contain the voter's full names, surname, date of birth and ID number as well as cell phone and/or telephone number. Ballot papers that are received by post, fax, or scanned and emailed, or which are delivered by hand, must also contain the signature of the voter.
- 3.6.13 In cases where duplication is identified during the voting process, the voter concerned will be contacted, whereafter the Registrar will take a decision regarding the validity of the vote.
- 3.6.14 The results of the web-based voting process and the paper-based voting process will be tallied in the case of a combined voting process.
- 3.6.15 Based on the outcome of the voting process, the Board of TuksAlumni shall submit the list of candidates, accompanied by the results of the voting on their appointability as well as their full CVs, to the Standing Committee of Council for consideration and recommendation to Council.
- 3.6.16 The full results of the voting by the Convocation on the appointability of the short-listed candidates should be published on the Alumni website so as to ensure transparency.
- 3.6.17 The two candidates who obtained the most votes in respect of appointability from the Convocation (in two different positions) shall be automatically appointed to Council while the Standing Committee of Council will make a recommendation to Council regarding the appointment of the remaining members to fill the vacancies on Council, having due regard to the requirements of diversity of race, gender and suitable expertise and experience.

3.6.18 At an ordinary or extraordinary meeting of Council, the appointment of the two members who obtained the most votes from the Convocation shall be confirmed and the remaining members appointed from the ranks of the candidates, after taking into consideration the recommendations made by the Standing Committee of Council.

3.6.19 The results are announced in an official communication by the Registrar as the official overseeing the election/appointment process, at a time and place he or she deems appropriate.

4. REPEATING THE PROCESS

4.1 The Institutional Rules determine that the Registrar shall place an advertisement in at least two (2) national newspapers and on the University's website to call for the nomination of Convocation members with the expertise and experience as determined by the Council to serve on the Council. However –

“... if, in the opinion of the Council, the advertisements fail to elicit a satisfactory response, the Council may request that the advertisement be placed again.”

4.2 In such an event the terms of office of the relevant members may be extended for six months, if possible, in order to make allowance for conducting the process a second time, or if this is not possible, Council shall carry the vacancy or vacancies until the process has been concluded.

5. CONFIDENTIALITY OF VOTING

5.1 All the personal information obtained via the voting process is restricted to a limited number of staff members and the UP external internal auditors, and is used purely for administrative and verification purposes.

5.2 Such staff members and auditors undertake to maintain strict confidentiality at all times.

6. REVIEW OF THE INSTITUTIONAL RULES

These rules shall be reviewed every four (4) years or otherwise whenever deemed necessary during the intervening period.

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