



TWO The Role of Council

The fundamental role of council is to govern the higher education institution. Within that general role, there are a number of specific functions that a council must perform and others that it may perform. While it is permitted to delegate to others the authority to perform functions, it is nonetheless ultimately responsible for their performance.

These functions are set out in the Higher Education Act of 1997 and subsequent amendments, and in the Standard Institutional Statute or the individual statutes of institutions. All members of council should be provided with copies of these documents and should be fully conversant with their contents, especially with those sections that are directly pertinent to council. While the role and functions of council are not the immediate focus of this document, it may be helpful to offer a summary of these roles as drawn up by the Council of the University of Cape Town²:

The Council is enjoined to govern the University, and has recorded that, in governing, its key functions and responsibilities are: to decide policy; to influence the affairs of the University; to make key appointments; to make all financial appropriations and decide fees to be charged; to report to the State; and to require the Vice Chancellor (and the Executive) and the Senate to account to the Council for their responsibilities. (University of Cape Town, 1998)

| The Purpose of Council Meetings

To be effective, council meetings should serve a number of purposes of which the following are identified as being the most important:

- for information;
- for notification;
- for approval;
- for control; and
- for compliance.

Information consists of supplying council with information on the institutional environment and actions taken or not taken with regard to specific university business.

Notification relates to the institution's executive management's noting specific action taken by council committees and other structures in the execution of their delegated work.

Approval is needed from council in relation to specific items that are beyond the designated authority of committees of council and executive management.

Control is the follow-up on cost and capital budgets, as well as on specific objectives where report-back was required by council.

Compliance is another fiduciary responsibility in the execution of which council ensures that all policies, processes and decisions are in accordance with legislation and the institution's own regulations, that financial management is sound, and that the institution is effectively run.

Council's role is one of 'governing' rather than 'managing' the institution and this is a vital distinction. At times councils fall into the trap of micromanaging institutions but this confusion of roles can be avoided if a clear focus is kept on the wider policy-setting role of council. Defining the overall strategic direction for the institution is probably one of the most important functions for council to perform, and in this context it needs to be well informed in order to reflect on current and future challenges, set appropriate policy, and make wise decisions. Councillors should deliberate on issues, paying attention to the interests of the institution and not to their individual interests

or the interests of their constituencies. Furthermore, any decision taken during a meeting becomes binding on all members. Even if, individually, they or their constituencies hold contrary views.

What this means is that in order for council to perform its role effectively, members should, well in advance of the meeting, have the requisite information upon which decisions will be based and should have a clear sense of the prioritisation of business in the meeting. The responsibility for this largely devolves upon the secretary to council who must be a skilled manager of information and must, in consultation with the chairperson and the vice-chancellor, decide what is to be sent out to council members, and how to shape the agenda. Many council members complain about the manner in which council documents are presented³, and because this is critical to the success of meetings, the role of the secretary is expanded upon in the following section.

DO'S AND DONT'S OF SENDING OUT INFORMATION BEFORE MEETINGS

DO

- Send information well in advance (the length of time depends on the institutional rule, but may be anything from seven to 14 days).
- Classify information according to the urgency of the matter to enable members to make important and informed decisions.

DON'T

- Send more information than is necessary.

NOTES

2. This statement is printed on all notices of meeting of council as a reminder of its central functions and responsibilities.
3. This emerged strongly in many of the DoE/CHET workshops held with the councils of a range of higher education institutions.