

## OVERVIEW OF THE CHE

### 1 INTRODUCTION

The Council on Higher Education (CHE) exists as an independent statutory body in terms of the *Higher Education Act*, No. 101 of 1997. It operates in accordance with the prevailing legislative and regulatory frameworks of the Republic of South Africa and with due cognizance of its obligations and responsibilities in terms of such laws and regulations.

The *Higher Education Act* and *Education White Paper 3 of 1997. A Programme for the Transformation of Higher Education* set out the mandate and responsibilities of the CHE.

The **vision** of the CHE is a transformed, equitable, high quality, economically and socially responsive, productive and sustainable higher education system in a transformed, equitable, just, humane and democratic South Africa, based on the principles and values of non-racialism, non-sexism, freedom of expression and other basic human and social rights.

The CHE defines its **mission** as contributing to the development of a higher education system characterized by quality and excellence, equity, responsiveness to economic and social development needs, and effective and efficient provision, governance and management. It seeks to make this contribution

- by providing informed, considered, independent and strategic advice on higher education (HE) policy issues to the Minister of Education;
- through the quality assurance activities of its subcommittee, the Higher Education Quality Committee (HEQC); and
- through publications and a broader dissemination of information, and through conferences and workshops on HE and other focused activities.

### 2 MEMBERSHIP

The Higher Education Act makes provision for a chairperson, 13 ordinary members, co-opted members (maximum three) and six non-voting members. The Minister of Education appoints the members of the CHE following a public call for nominations from HE stakeholders and the general public. Members are appointed for a four-year period and the chairperson for five years.

The Ministry of Education issued a public call for nominations to the CHE in early 2002. In June 2002, the CHE was reconstituted with the following membership during 2004-2005.

#### Chairperson

Mr S Macozoma\*

#### Ordinary members

Prof. HP Africa  
Ms JA Glennie  
Prof. AM Perez  
Dr F Ginwala

Prof. SF Coetzee\*  
Dr MC Koorts  
Prof. MF Ramashala  
Ms N Sibiya

Prof. B Figaji\*  
Mr J Mamabolo  
Prof. SJ Saunders \*

#### Co-opted members

None

#### Non-voting members

Ms N Badsha*	(Department of Education)
Ms A Canca	(Department of Arts and Culture)
Mr SBA Isaacs	(South African Qualifications' Authority)
Dr A Kaniki	(National Research Foundation)
Vacant	(Representative of the Department of Labour)
Dr RC Lubisi	(Representative of the Provincial Heads of the Committee of Education)

**Ex-officio**

Prof. S Badat \*

Dr M Singh \*

(\* Members serving on the Executive Committee of the CHE)

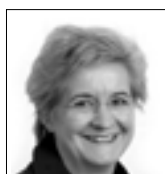
The members of the CHE are appointed in their own right as people with specialist knowledge and expertise on HE matters. In this regard, and despite the members of the CHE being drawn from various constituencies, the CHE functions as an independent, expert, statutory body rather than a body of delegates or representatives of organizations, institutions or constituencies. The current term of office of the ordinary CHE members is until June 2006, and that of the Chairperson until June 2007.

**CHE COUNCIL**

Mr S Macozoma



Prof. HP Africa



Ms JA Glennie



Prof. AM Perez



Dr F Ginwala



Prof. SF Coetzee



Dr MC Koorts



Prof. MF Ramashala



Ms N Sibiya



Prof. B Figaji



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Dr A Kaniki



Dr RC Lubisi



Prof. S Badat



Dr M. Singh

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### 3 RESPONSIBILITIES OF THE CHE

The *Higher Education Act* and the *Education White Paper 3* of 1997 set out the responsibilities of the CHE. These include:

- advising the Minister on all HE issues on which the CHE’s advice is sought;
- advising the Minister on its own initiative on HE issues which the CHE regards as important;
- designing and implementing a system for quality assurance in HE and establishing the HEQC;
- advising the Minister on the appropriate shape and size of the HE system, including its desired institutional configuration;
- advising the Minister in particular on the new funding arrangements for HE;
- advising the Minister in particular on the language policy in HE;
- developing a means for monitoring and evaluating whether, how, to what extent and with what consequences the vision, policy goals and objectives for HE defined in the *White Paper* on HE are being realized;
- promoting the access of students to HE;
- providing advice to the Minister on the proposed new Education Management Information System for HE;
- formulating advice for the Minister on a new academic policy for HE, including a diploma/degree structure which would advance the policy objectives of the *White Paper*;
- formulating advice for the Minister on stimulating greater institutional responsiveness to societal needs, especially those linked to stimulating South Africa’s economy, such as greater HE–industry partnerships;
- appointing an independent assessment panel from which the Minister is able to appoint assessors to conduct investigations into particular issues at public HEIs;
- establishing healthy interactions with HE stakeholders on the CHE’s work;
- producing regular reports on the state of South African HE;
- convening an annual consultative conference of HE stakeholders;
- participating in the development of a coherent human resource development framework for South Africa in concert with other organizations; and
- contributing to the development of HE through publications and conferences.

The numerous and varied responsibilities require the CHE to engage in many different forms and kinds of activities. The CHE is required to be both reactive and proactive in rendering advice to the Minister. It is also required to provide advice on both a formal and informal basis. On occasions, it has needed to provide advice at short notice and with considerable speed, while at other times, it has been relatively cushioned from immediate time pressures.

In summary, the work of the CHE involves:

- **advising** the Minister at his/her request or proactively on all policy matters related to higher education;
- assuming **executive responsibility for quality assurance** within higher education and training – including programme accreditation, institutional audits, programme evaluation, quality promotion and capacity building;
- **monitoring and evaluating** whether, how, to what extent and with what consequences the vision, policy goals and objectives for higher education are being realized, including **reporting** on the state of South African higher education;
- **contributing to developing higher education** – taking the lead (or initiative) in providing guidance on key national and systemic issues, producing publications and holding conferences and conducting research to sensitize government and stakeholders to immediate and long-term challenges of higher education; and
- **consulting with stakeholders** on aspects of higher education.

## 4 THE CHARACTER AND ROLE OF THE CHE

The CHE is a product of the intense debates about relations between state and civil society – debates that have resulted in a number of independent statutory bodies that are composed in a similar way to the CHE and have mandates similar to those of the CHE. Historically, there has been consensus on the virtue of having a body, such as the CHE, composed of persons with special knowledge of and experience in higher education and higher education-related matters, who are nominated by a public process, rather than a body of delegates or representatives of stakeholders.

The activities of the past six years have been significant in unfolding the institutional character, identity and role of the CHE. It is generally agreed that the CHE has four policy-related roles – policy *advice*, policy *monitoring*, policy *development* and policy *implementation*. However, the four functions vary depending on the responsibility and issue involved.

### 4.1 Policy advice

This is the principal role of the CHE, since its mandate is to advise the Minister of Education on policy matters both on request and proactively.

### 4.2 Policy monitoring

This is an important role of the CHE accorded to it by the *White Paper* and also implicit in the requirement of the Act, as amended, for the CHE to produce regular reports on the state of South African higher education. There is systemic value in an independent statutory body, working in partnership with various stakeholders and organizations, undertaking the monitoring and evaluation of progress towards achieving policy goals.

### 4.3 Policy development

This is undertaken in relation to and is essentially limited to the domain of quality assurance. The CHE has taken on work of a policy development nature outside of quality assurance – for example, on Academic Policy – only on the request of the Ministry of Education when it has been mutually agreed that it would be more appropriate for an independent body to conduct such work. However, the CHE has sought to ensure that engaging in work of a policy development nature does not compromise its responsibility to ultimately advise on final policy.

### 4.4 Policy implementation

This role pertains exclusively to the quality assurance (programme accreditation, re-accreditation and review, institutional audits and quality promotion and capacity development) function of the CHE.

The CHE seeks to work closely and cooperatively with stakeholders (including the Department of Education), to hear their views on a number of issues, and to respond to their concerns and interests. Representatives of, and participants from, national stakeholder organizations and individual HEIs contribute extensively to the work of some of the committees and activities of the CHE. At the same time, the CHE tries to accommodate all invitations and requests from stakeholders and individual institutions related to participation in meetings, conferences, workshops, seminars and other activities.

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Some of the views of the CHE and its advice to the Minister of Education find favour with a large number of stakeholders and institutions, but leave a few dissatisfied. Other views and advice correspond with the views of some stakeholders and institutions, but not with those of others. In some cases, advice receives endorsement from only a few stakeholders.

Overall, the CHE does not demur from providing advice and recommendations to the Minister that are at odds with the views of individual stakeholders or sectors of higher education, but which the CHE believes to be in the best interests of the system at large. This, of course, may not always endear the CHE to the stakeholders. Such a situation is to be expected and must be seen as accruing from the CHE's legislative mandate. Indeed, some criticism is perhaps integral to the very nature of the CHE.

The interpretation of its role that the CHE publicly promotes through its practice is that it is not a conduit for the views of stakeholders. Stakeholders must and do communicate directly with the Minister. The CHE is also not a go-between, as has sometimes been perceived, in the sense of mediating between institutions and government, although if such a role is required, there is nothing, in principle, that precludes this. Instead, the interpretation of its role that the CHE promotes is that it has been purposively and deliberately established in order to provide the Minister, without prejudice or apprehension, with informed, considered and independent advice that is in the national interest.

In other words, while the CHE must and does take the views of stakeholders seriously, it is required to do considerably more than simply collate and aggregate these views in advising the Minister of Education. It is also required to interrogate and mediate these views, and to offer its own independent advice to the Minister.

Thus, as an alternative to both the conduit and go-between modes of operation, the CHE tries to contribute to a central steering model by defining a space for an independent, a proactive and an intellectually engaged (or rational) mode of intervention.

This proactive role in putting issues on the agenda of stakeholders and stimulating debate appears to be particularly necessary to counteract two relatively generalized tendencies in policy-making and implementation. The first is the tendency, on the part of some actors in the field of HE, to interpret and implement policy in highly selective ways with the effect of all but distorting and undermining the original policy goals and objectives.

Secondly, there is the equally unsatisfactory tendency to formulate policy without giving sufficient consideration to both the conceptual and practical issues that implementation raises. The recent past has alerted the CHE to the need to draw attention to conceptual aspects of policy when these are overshadowed by concern with implementation, and also to critique policy, if it is conceptually or technically lacking or when implementation is inadequate, ineffective or random. The steering model also implies another kind of intellectual engagement – keeping up with the current international debates on HE, bringing to the fore issues deemed relevant to South Africa and stimulating discussion among stakeholders.

The institutional character of the CHE as an independent body must therefore be embodied in its roles of

- providing the Minister, without prejudice or apprehension, with the carefully considered, informed and independent advice that it deems to be in the national interest;
- making considered, fair and objective decisions and judgements on quality matters; and
- providing intellectual leadership on key national and systemic issues.

For example, the CHE must certainly take as its point of departure the values, principles and policy goals of the *White Paper*, and the policy instruments and mechanisms that are advanced for the achievement of policy goals. However, it must also, where necessary, subject these goals and instruments to critical scrutiny, and raise the question of their appropriateness in relation to the fiscal environment, the capacities of HEIs, the available human and financial resources, and so on.

Such a role may occasionally bring the CHE into disagreements and even conflict with stakeholders, including the Department of Education (DoE). This cannot be avoided, without the independence (and value) of the CHE being compromised. It does, however, demand a great deal of wisdom, and absolute integrity, honesty and fairness on the part of the CHE.

Of course, the CHE does not operate in a vacuum. Its activities and advice to the Minister of Education are and will be shaped by a number of factors. These include:

- the legislative framework for higher education and the values, principles and policy goals and objectives contained in the 1997 *White Paper* and the 2001 National Plan for Higher Education;
- the changing requirements of the economy and of society and its different social groups;
- the goals, aims, aspirations and initiatives of national stakeholders and HEIs and science and technology institutions;
- the local and international knowledge and information base regarding higher education issues, questions and practices; and
- the financial resources and human capacities of the CHE.