



Western Cape
Government

Health



WESTERN CAPE COLLEGE OF NURSING

(Public Higher Education Institution)

INSTITUTIONAL STATUTE

As at June 2021

Table of Contents

1. APPLICATION	4
2. DEFINITIONS.....	4
3. PREAMBLE.....	7
4. INSTITUTION	7
4.1 Name, seat and powers.....	7
4.2 Constitution of Institution	8
5. PRINCIPAL.....	8
5.2 Functions of Principal.....	8
5.3 Appointment of Principal.....	9
5.4 Term of Office of Principal	9
6. VICE-PRINCIPAL/S	9
6.1 Functions of Vice-Principal/s	9
6.2 Appointment of Vice-Principal/s.....	9
6.3 Term of Office of Vice-Principal/s	9
7. COUNCIL.....	10
7.1 Functions of the Institution Council.....	10
7.2 Composition of the Council	11
7.3 Remuneration of the Council.....	12
7.4 Election of Council Members.....	12
7.5 Term of office of members of council	13
7.6 Termination of membership and filling of Vacancies.....	13
7.7 Chairperson and Vice-Chairperson of Council:	14
7.8 Secretary to Council	14
7.9 COUNCIL MEETINGS	15
7.9.1 Ordinary and Special meetings	15
7.10 Council Meeting Procedures	15
7.11 Conflict of Interest of Council Members.....	16
7.12 Committees of Council.....	16
7.13 Minutes of Council and Committee Meetings	17
7.14 Drafting, amending or rescinding Statute.....	17
7.15 General support	17
7.16 Raising and utilisation of funds, receiving of monies, stores and equipment	17
8. THE SENATE	18
8.1 Functions of the Senate	18
8.2 Senate Membership.....	19
8.3 Composition of Senate	19
8.4 Terms of office of Senate Members.....	20
8.5 Termination of membership and filling of vacancies.....	20
8.6 Chairperson, Vice- Chairperson and Secretary of the Senate.....	20
8.7 Senate Meeting Procedure	21
8.8 Conflict of Interest of Senate Members.....	21

8.9 Committees of Senate	22
8.10 Joint committees of council and senate	22
8.11 General support	22
9 THE INSTITUTIONAL FORUM	22
9.1 Functions of institutional forum.....	22
9.2 Composition of the Institutional Forum.....	23
9.4 Meetings and meeting procedure of Institutional Forum.....	23
10 CENTRAL STUDENT REPRESENTATIVE COUNCIL (CSRC).....	23
10.2 Functions of CSRC	23
10.3 Composition of CSRC.....	24
10.4 Office-bearers of CSRC	24
10.5 Term of office of CSRC members.....	24
10.6 Privileges	25
10.7 Meetings of CSRC.....	25
10.8 CSRC committees	25
10.9 General meeting.....	25
11. CONVOCATION.....	25
11.1 Functions of convocation.....	25
11.2 Role of convocation	25
11.3 Membership of Convocation.....	25
11.4 Office-bearers of Convocation	26
11.5 Meetings of Convocation.....	26
11.6 Meeting procedures of Convocation	26
12 MANAGEMENT AND SENIOR MANAGEMENT.....	27
12.1 Management and Senior management	27
13 Executive Management.....	27
13.2 Functions and powers of the Executive Management	27
14 EMPLOYEES.....	28
14.1 Appointment.....	28
14.2 Conditions of employment.....	28
14.3 Evaluation	28
14.4 Employees discipline.....	28
15 STUDENTS	28
15.1 Admission and registration of students	28
15.2 Student discipline.....	28
16 DONORS	29
16.1 Donors	29
17 TRANSITIONAL PROVISIONS	29
17.1 Transitional provisions	29
SIGNATURES	30

1. APPLICATION

- 1.1 This Institutional Statute under section 32, subject to section 33 of the Higher Education Act (Act 10 of 1997) as amended, gives effect to any law relating to the Western Cape College of Nursing, herein referred as the 'Institution' which provides higher education as a Public Higher Education Institution in terms of Government Gazette 42774, 16 October 2019. It also promotes the effective management of the Institution in respect of matters not expressly prescribed by any law nor matters not expressly prescribed by the above-mentioned Act.

2. DEFINITIONS

- 2.1 In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning so assigned to it, and unless the context otherwise indicates:

TERM	DEFINITION
"Academic employee"	Any person appointed to teach, do research and perform community engagement for and on behalf of the Institution or perform any other academic activities designated to him or her by the Council or Senate of the institution.
"Administer"	To monitor and evaluate the adherence and the compliance to norms and standards including regulatory frameworks.
"Act"	Higher Education Act, 1997 (Act No. 101 of 1997), as amended.
"Campus"	An approved learning site of the Institution at which the implementation of learning programmes occur i.e. where the teaching, learning, research and community engagement takes place.
"Central Administration"	Centralised Administrative Component of the Institution.
"College"	The Western Cape College of Nursing.
"Convocation"	the convocation contemplated in Section 12 of this Statute
"Council"	The governing body of the Institution.
"CSRC"	The Central Student Representative Council.
"Department"	The Western Cape Government: Health.
"Diplomate"	A person who has obtained a diploma of an institution
"Donor"	A person, body or entity who has made a donation, which, in the opinion of the council warrants that person, body or entity being recognised as a donor.
"Employee"	A person employed by the Institution whose opportunities and rights are outlined in terms of the conditions of service of the Department.

TERM	DEFINITION
"Executive Officer"	A person who carries out strategic, executive management, administrative and supervisory functions as an executive head who in this context is the Principal of the Institution.
"ESRC"	Executive Student Representative Council
"Graduate"	A person who receives a degree conferred by the Institution.
"Higher Education Institution"	Any institution that provides higher education on a full-time, part-time or distance basis and which is- a) merged, established, or deemed to be established as a public higher education institution under this Act b) declared as a public higher education institution under this Act; or
"Higher Education College"	A higher education institution providing higher education, but with a limited scope and range of operations and which meets the criteria for recognition as a higher education college as prescribed by the Minister under section 69(d) and (a) Established, merged, converted, deemed to have been established or declared as a public higher education college; or (b) Registered as a private higher education college in terms of Act No.9 of 2016: Higher Education Amendment Act, 2016.
"HEQF"	Higher Education Qualifications Sub-Framework
"Institution"	The Western Cape College of Nursing
"Juristic Person"	A body recognised by law as being entitled to rights and duties in the same way as a natural or human person, and in terms of the Company's Act can be held to account in a court of law.
"LSRC"	Local Student Representative Council
"MEC"	The Western Cape Minister of Health.
"Multi-campus System"	A Higher Education Institution with two or more campuses , which is controlled by a single legal management of the management committee
"NQF"	National Qualifications Framework
"Non-academic employee"	Any person appointed by the Institution, who is not an academic employee.
"Public Higher Education Institution"	Any higher education institution that is established, deemed to be established or declared as a public higher education institution under this Act.
"Qualification"	A learning programme higher than a grade 12 which gives rise to a formal qualification that is registered on the Higher Education Qualifications Sub-Framework and recognised by the South African Qualifications Authority (SAQA) and the South African Nursing Council.
"Quorum"	A minimum number of persons required to be present at a meeting to allow proceedings to be regarded as valid.

TERM	DEFINITION
"SAQA"	The South African Qualifications Authority
"Senate"	A body of the Institution constituted in terms of Section 28 of the Higher Education Act (No 101 of 1997) as amended.
"SANC"	The South African Nursing Council.
"Statute"	The Statute of the Institution.
"Student"	Any person registered with the Institution for a degree, diploma or certificate programme.
"WCCN"	Western Cape College of Nursing

3. PREAMBLE

- 3.1 Whereas Western Cape College of Nursing, herein referred as the 'Institution', is established to function as a Public Higher Education Institution in terms of section 20, of the Higher Education Act, 1997 (Act No. 101 of 1997) as amended, herein referred as the 'Act, under the Department of Higher Education and Training, the Administrative Authority of the College, which is aligned with the **service delivery mandate of the province**, and resides within the Western Cape Government Health, herein referred as the 'Department'.
- 3.2 Whereas the afore-stated establishment and functioning of the Institution will enable the Department to meet the human resource/ development needs of the Department. This has been taken into consideration in adapting the Government Gazette Publication Number 23065 of 2002, "Standard Institutional Statute", published under the Act.
- 3.3 Whereas Government Notice No 42774 of 16 October 2019 recognizes the Institution as a Public Higher Education Institution that is designated to offer accredited nursing qualifications regulated and registered by the SANC and Higher Education Qualifications Sub-Framework of the National Qualifications Framework (NQF).
- 3.4 Whereas Chapter 7, section 51 (a) of the National Health Act, (Act 61 of 2003) makes provision for the Minister of Health, in consultation with the Minister of Higher Education and Training, to determine and establish academic health complexes to meet the human resource / development requirements of the health care system.
- 3.5 Whereas Section 25 (1) of the National Health Act, (Act 61 of 2003) provides for the MEC, Head of Department to implement the National Policy on Norms and Standards. In this regard the consensus of the Ministers of Health and Higher Education and Training on the establishment of the Western Cape College of Nursing shall be implemented in the Western Cape.
- 3.6 Whereas Chapter 111 of the Public Service Act, (Act 103 of 1994) empowers the Head of Department to provide resources and an enabling environment for human resources development.

4. INSTITUTION

4.1 Name, seat and powers

- 4.1.1 The name of the institution is the Western Cape College of Nursing.
- 4.1.2 The Institution's physical location is Stikland Hospital, De la Haye Road, Bellville, 7535.
- 4.1.2.1 Metro West Campus physical location is Klipfontein Rd, Heideveld, Cape Town, 7764
- 4.1.2.2 Boland Overberg Campus physical location is 11810 Rainier Street, Victoria Park, Worcester, 6850
- 4.1.2.3 Southern Cape Karoo Campus physical location is 1 Herrie Street, George, 6529
- 4.1.3 The core functions of the Institution are teaching, learning, research and community engagement which is taking place at the campuses located within the Western Cape Province, namely Metro West Campus in Athlone, Boland Overberg Campus in Worcester and Southern Cape Karoo Campus in George.
- 4.1.4 The Institution is a juristic person, as contemplated in section 5(c) of the Higher Education Amendment Act (No 9 of 2016).

- 4.1.5 Notwithstanding subparagraph (4.1.4), the Institution may not, without the concurrence of the Head of Department, dispose of or alienate in any manner, any immovable property acquired with the financial assistance of the State or grant to any person any real right therein or servitude.
- 4.1.6 In terms of sections 65B and 65C of the Act, the Institution may, subject to its Institutional Statute and this Act confer degrees and award diplomas and certificates in its own name.

4.2 Constitution of Institution

- 4.2.1 In terms of section 26 of the Act, the Institution must establish the following structures and offices. Therefore: The Institution consists of:
- 4.2.1.1 The Institution Council, herein referred as the 'Council';
 - 4.2.1.2 The Institution Senate, herein referred as the 'Senate';
 - 4.2.1.3 The Principal within the meaning of section 30 of the Act;
 - 4.2.1.4 The Vice Principals;
 - 4.2.1.5 The Registrar as determined by the Council;
 - 4.2.1.6 A Central Student Representative Council (CSRC);
 - 4.2.1.7 An Institutional Forum;
 - 4.2.1.8 Such other academic structures of the Institution as determined by the Council.
 - 4.2.1.9 The academic employees of the Institution;
 - 4.2.1.10 The non-academic employees of the Institution;
 - 4.2.1.11 The students of the Institution;
 - 4.2.1.12 The convocation of the Institution; and
 - 4.2.1.13 Such other offices, bodies or structures as may be established by the Council.
- 4.2.2 No vacancy in any of the offices contemplated in subparagraph (4.2.1) nor any vacancy or deficiency in the numbers or defect in the composition of the bodies contemplated in subparagraph (4.2.1) impairs or affects the existence of the Institution as a juristic person or any function conferred by the Act or this Statute upon the Institution.

5. PRINCIPAL

- 5.1 The Principal is the chief executive officer of the Institution.

5.2 Functions of Principal

- 5.2.1 The Principal is responsible for the day-to-day management and administration of the Institution in terms of Section 30 of the Act and has all the powers necessary to perform these functions.
- 5.2.2 The Principal is accountable to and reports to the Council in terms of governance and management.
- 5.2.3 The Principal also reports to the manager as designated by the Head of Department Western Cape, Health as the accounting officer of the Institution
- 5.2.4 The Principal is the chairperson of the Senate and a member of all the committees of the Council and the Senate.
- 5.2.4 The Principal performs such additional functions as assigned to him or her by the Council.
- 5.2.5 When the Principal is absent or unable to perform the duties, or if his or her office becomes vacant, the Administration will appoint a Vice-principal to act in his or her place as Acting Principal.

5.2.6 The Principal confers all degrees and award all diplomas and certificates in the name of the Institution.

5.3 Appointment of Principal

5.3.1 Subject to section 31 91) of the Act, the Principal is appointed in terms of the Public Service Act and Regulations as amended.

5.4 Term of Office of Principal

5.4.1 The Principal remains a member of the Council for as long as he or she occupies his or her post within the Department.

5.4.2 If the Principal is unable, for any reason, to perform the functions of his or her office, or if the office of Principal becomes vacant, the Vice-Principal performs the functions of the Principal.

5.4.3 The term of office of the Principal terminates in the event of

(a) death or incapacity;

(b) resignation; or

(c) removal from office by the Council.

d) Becomes insolvent;

(e) Is declared to be of unsound mind by a Court of Law;

(f) Is removed from an office of trust by a Court of Law, or is convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a court of law; or

5.4.4 The Principal may only be removed from office by the Council by means of a resolution passed by at least two-thirds of the members of the Council and then only after the Principal has been given the opportunity to answer to the reasons provided by the Council for the removal there from.

6. VICE-PRINCIPAL/S

6.1 Functions of Vice-Principal/s

6.1.1 The Vice-Principal/s, when acting as the Principal, must execute the functions of the Principal as set out in subparagraph 5.2 as and when the Principal is on leave of absence for any reason whatsoever.

6.2 Appointment of Vice-Principal/s

6.2.1 The vice-principal/s is/are appointed in terms of the Public Service Act and Regulations as amended.

6.3 Term of Office of Vice-Principal/s

6.3.1 The Vice-Principal/s remains a member of the Council for as long as he or she occupies his or her post within the Department.

6.3.2 The term of office of the Vice-Principal/s terminates in the event of:

(a) death or incapacity;

(b) resignation; or

(c) removal from office by the Council;

(d) Becomes insolvent;

- (e) Is declared to be of unsound mind by a Court of Law;
- (f) Is removed from an office of trust by a Court of Law, or is convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a court of law; or

7. COUNCIL

7.1 Functions of the Institution Council

- 7.1.1 Subject to Section 27 of the Act, any other law and this Institutional Statute, the Council is the highest governing structure of the Institution and is therefore the highest decision-making body of the Institution, with regard to administrative, quality educational, and financial matters.
- 7.1.2 The Council through its Executive Management Structure, which is headed by the Principal of the Institution shall be responsible for the management and administration of the Institution. Its responsibilities include:
 - 7.1.2.1 determining the mission, objectives, goals, strategies, and policies for the progress of the Institution.
 - 7.1.2.2 ensuring an environment conducive to efficient, effective, economical, and ethical attainment of these goals.
 - 7.1.2.3 maintaining and ensuring a financially secure, healthy, and viable environment and accounting for all decisions taken at the Institution, including the submission of the required reports and documents to the Department / MEC.
- 7.1.3 The Council subject to the policy determined by the MEC of the relevant funding authority and with the concurrence of the Senate of the Institution, will determine the language policy of the Institution, must publish it, and make it available on request.
- 7.1.4 The Council must after consultation with the CSRC, provide for and establish a suitable structure to advise on the policy for student support services within the Institution.
- 7.1.5 The Council may establish committees in terms of section 29 of the Act, to perform any of its functions and may co-opt persons who are not members of the Council onto such committees.
- 7.1.6 The Council may delegate in terms of section 68 in terms of subsection (7) of the Act any of its responsibilities to any committee in subparagraph 7.1.5 or any individual member of such committee, but the Council shall not be divested of the responsibility for the performance of such functions.
- 7.1.7 The Council may delegate the responsibility of performing any of its functions to the Institutional Forum, but the Council shall not be divested of the responsibility for the performance of such functions delegated to the Institutional Forum.
- 7.1.8 The Council must in a manner determined by the relevant Administration, keep proper records of all its proceedings. These must include:
 - 7.1.8.1 proper accounting records of all assets, liabilities, income and expenditure; and
 - 7.1.8.2 any other financial transactions of the Institution as a whole, of its structure, and of other bodies operating under its auspices.
- 7.1.9 The Council shall submit expenditure and audited statements for the funding of the Institution to the relevant Administration in the manner and at the time prescribed by the Administration.
- 7.1.10 The Council shall in consultation with the relevant Administration and the Senate, determine the admission and selection criteria for the students into the Institution.
- 7.1.11 The Council shall in consultation with the Senate and Administration determines:

- 7.1.11.1 The fees payable by the students
- 7.1.11.2 The number of students who may be admitted to a program or part thereof in terms of the prescripts of SANC,
- 7.1.11.3 The minimum requirements for re-admission to study at the Institution, and for refusal of re-admission of a student who has failed to satisfy the minimum requirements for re-admission.
- 7.1.12 The Council shall make recommendation to the Administration on the appointment of academic staff, after consultation with the Senate on appointment criteria for teaching, learning, research and professional appointment.
- 7.1.13 The Council may allow reasonable use of the College facilities for community social and college fund raising purposes.
- 7.1.14 The Council may authorize organized student activities.
- 7.1.15 The Council will establish the Senate of the Institution and incorporate the mission and vision of the Senate as part of its own Constitution.

7.2 Composition of the Council

- 7.2.1 The Council, as contemplated in section 27 of the Act, must consist of not more than thirty (30) members, made up of:
 - 7.2.1.1 The principal;
 - 7.2.1.2 Three (3) vice-principals;
 - 7.2.1.3 Five (5) persons appointed by the Member of the Executive Council (MEC for Health) Western Cape Government that are not employees of the Department or the Institution. These members must have the expertise in the following areas:
 - 7.2.1.3.1 Higher Education;
 - 7.2.1.3.2 Clinical experience (Health Professional) and background / expertise in nursing education & training;
 - 7.2.1.3.3 Public Health
 - 7.2.1.3.4 Finance / financial accounting and
 - 7.2.1.3.5 Legal.
 - 7.2.1.4 Two (2) members of the Senate elected by the Senate and who must be from the health service sector;
 - 7.2.1.5 One (1) academic employee of the Institution, elected by the academic employees of the Institution;
 - 7.2.1.6 Two (2) students elected by the CSRC;
 - 7.2.1.7 One (1) non-academic employee elected by such employees of the Institution;
 - 7.2.1.8 Two (2) persons elected by the Institutional Forum of the Institution, other than the members already present on the Council to represent the Institutional Forum;
 - 7.2.1.9 Seven (7) persons with a broad spectrum of competencies in the fields of education, public health, business, finance, law, marketing, information technology and human resource management nominated by the Council and appointed by the MEC of the relevant funding authority (Western Cape Government Health) and who are not employees of the Institution and Department;
 - 7.2.1.10 Two (2) persons appointed by the Department to represent the health service sector;
 - 7.2.1.11 Two (2) persons elected by the alumni of the Institution from among the alumni and other than the members already present on the Council; and
 - 7.2.1.12 Such members as co-opted by the Council who are not members and who are not employees of the Institution and Department.

- 7.2.2 The Composition of the Institution Council should be such that at least 60% of the members should be persons who are not employed by or students of the Institution or the Department as subject to the Act;
- 7.2.3 The two (2) student representatives from the CSRC, with reference to subparagraph 7.2.1.7, will serve on the Council for a period of one academic year where after new representatives will be elected from their ranks to serve on the Council. The student representatives elected to serve on the Council shall be from the ranks of second (2nd) year and onwards;
- 7.2.4 The two (2) representatives from the labour organizations / Trade Unions, with reference to subparagraph 7.2.1.12, will be from organizations/unions as recognised by the employing authority and will be representing the stakeholder grouping and not their individual organizations/unions.

7.3 Remuneration of the Council

- 7.3.1 Employees of the Institution may not receive any remuneration for attendance of the meetings of the Council;
- 7.3.2 The rest of the Council members (60%) will receive remuneration for the attendance of meetings according to the tariffs determined by the Department and approved on an annual basis by the Head of the Department, Western Cape Government: Health;
- 7.3.3 A member of the Council who becomes a student or employee of the Institution or who enters into a contract with the Institution in terms of which he or she is to receive a regular remuneration from the Institution must forthwith vacate his or her seat on the Council.

7.4 Election of Council Members

- 7.4.1 Subject to Section 27(5A) of the Act, the eligibility criteria for nomination and election as a member of Council of the Institution referred to in subsection (4) of the Act must be determined by the Institutional Statute.
- 7.4.2 In electing or appointing Council Members, due consideration must be given to the functions and tasks that the Council performs, therefore the members of the Council or members of a Committee of the Council or a person with delegated functions in terms of section 68(2) in terms of subsection (7) of the Act must:
 - 7.4.2.1 have the knowledge and experience relevant to facilitate the objects and governance of the Institution.
 - 7.4.2.2 participate in the deliberations of the Council or the committee of the Council or exercise any delegated function in the best interests of the Institution;
 - 7.4.2.3 before he or she assumes office, and annually for as long as he or she continues to hold such office, declare any business, commercial or financial activities undertaken for financial gain that may raise a conflict or a possible conflict of interest with the Institution;
 - 7.4.2.4 not place himself or herself under any financial or other obligation to any individual or organisation that might seek to influence the performance of any function of the Council;
 - 7.4.2.5 not have a direct or indirect financial, personal, or other interest in any matter to be discussed at a meeting, or in regard to which he or she is to make a decision in terms of a delegated function, and which entails or may entail a conflict or possible conflict of interest with the Institution; and
 - 7.4.2.6 before the meeting of the Council or the Committee concerned and in writing, inform the Chairperson of that meeting of the existence of a conflict or possible conflict of interest;

- 7.4.2.7 before that meeting of the Council or the Committee concerned, any person, in writing, inform the Chairperson of a meeting of the Council or a Committee of the Council concerned, of a conflict or possible conflict of interest of a member of the Council or of a Committee of the Council of the Institution of which such person may be aware;
- 7.4.2.8 recuse himself or herself from the meeting during the discussion of the matter and the voting thereof;
- 7.4.2.9 In the event that any member of a Committee of the Council or any employee, with delegated functions in terms of section 68(2) of the Act, has a conflict or possible conflict of interest in respect of a matter to be considered, the Committee or the employee concerned may not take part in any consideration or a decision on the matter but must refer the matter for decision by Council, having noted the member's or the employee's interest in the matter.

7.5 Term of office of members of council

- 7.5.1 The term of office of the remaining members is four (4) years, from 1 July to 30 June, four (4) years later, as determined by the Rules; and
 - 7.5.1.1 the term of office of any member elected or appointed after the start of the four-year term of office is for the balance of that four-year term of office.
- 7.5.2 On the expiry of the period of office of a member, he or she may retain office until his or her successor has been appointed, up to a maximum of 6 months.
- 7.5.3 A member is eligible for re-appointment or re-election on the Council, at the termination of his or her term of office if the qualifying criteria for membership still apply to him/her.
- 7.5.4 A member who is a representative of the CSRC may not serve on the Council for more than one year. The term of office:
 - 7.5.4.1 of the students elected by the CSRC is twelve months, from 1 November to 31 October of the next year
 - 7.5.4.2 provided that the membership ceases automatically when the student ceases to be a registered student of the Institution or a member of the CSRC.
- 7.5.5 All members must attend a minimum of 50% of meetings annually unless the Chairperson or Vice-Chairperson, has authorized leave request from members.
- 7.5.6 If a member is committed to an extended period of leave of absence, this matter must be approved with the Council.
- 7.5.7 Non-attendance for three (3) consecutive meetings, will result in forfeiture of membership.

7.6 Termination of membership and filling of Vacancies

- 7.6.1 All other members of the Council's term of office terminates and his or her vacates his or her position on the Council if he or she:
 - 7.6.1.1 Dies;
 - 7.6.1.2 Resigns in writing;
 - 7.6.1.3 Becomes insolvent;
 - 7.6.1.4 Is declared to be of unsound mind by a Court of Law;
 - 7.6.1.5 Is removed from an office of trust by a Court of Law, or is convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a Court of Law; or
 - 7.6.1.6 is absent from three (3) consecutive ordinary meetings of the Council without approved leave or absent from more than 50% of the meetings annually without approved leave by the Council;
 - 7.6.1.7 Ceases to hold office by virtue of which he or she was appointed or elected;

- 7.6.1.8 Fails to disclose to the Council any direct or indirect personal financial interest in a matter before the Council if that member is present during or participated in discussion of that matter.
- 7.6.2 In the event of a vacancy through death or otherwise, the Chairperson must forthwith notify the authority or body that appointed or elected the member, requesting the authority or body to appoint or elect a successor.
- 7.6.2.1 The successor holds office for the unexpired term of office of the predecessor.
- 7.6.3 If 75% or more of the members of the Council resigns at a meeting of the Council as contemplated in Section 27 (8) of the Act, it is deemed that the Council has resigned.
- 7.6.4 If a Council resigns as contemplated in subsection (8) of the Act, a new Council must be constituted in terms of the institutional Statute of the Institution by the Administrator appointed in accordance with section 49G of the Act within a period of six (6) months following the Administrator's appointment.

7.7 Chairperson and Vice-Chairperson of Council:

- 7.7.1 With reference to Section 3 (4)(c) of the Higher Education Amendment, Act, 1999, the Council must elect a Chairperson and a Vice-Chairperson from among the members of the Council who are neither employees nor students of the Institution or Department.
- 7.7.1.1 The term of office of the Chairperson and of the Vice-Chairperson is four (4) years which runs concurrently with the term of office of the members who serve a four-year term, until the start of the meeting of the Council elected to serve for the following four-year term.
- 7.7.2 The Registrar is the Secretary of the Council.
- 7.7.3 The Registrar must invite the Council to elect a Chairperson and a Vice-Chairperson at the first meeting of the new Council.
- 7.7.3.1 Nominations for the office of the Chairperson and the Vice-Chairperson of the Council must be in writing and be directed to the secretary to the Council;
- 7.7.3.2 If more than one candidate is nominated, voting is by secret ballot;
- 7.7.3.3 Each member of the Council has only one vote during a ballot and no proxy is allowed;
- 7.7.3.4 A majority of all members present elects the Chairperson and the Vice-Chairperson;
- 7.7.3.5 If a vacancy occurs in the office of Chairperson or Vice-Chairperson within the term of office, the provisions of subparagraph (7.6.3.1) to (7.6.3.4) apply with the necessary changes to the filling of such vacancy.
- 7.7.3.6 A person who fills a vacancy in terms of subparagraph (7.6.3.5) holds office until the end of the predecessor's term.
- 7.7.4 The Chairperson and the Vice-Chairperson are eligible for re-election.
- 7.7.5 The Chairperson presides at all meetings of the Council at which he or she is present.
- 7.7.6 The Vice-Chairperson presides at meetings of the Council in the absence of the Chairperson.
- 7.7.7 If both the Chairperson and the Vice-Chairperson are absent, the Council elects a Chairperson for the meeting concerned from those members present who are neither staff nor students.
- 7.7.8 The Chairperson of the Council must report regularly on the activities of the Council to the Administration.

7.8 Secretary to Council

- 7.8.1 The Secretary to the Council is the Registrar as contemplated in section 26(4)(b) of the Act.

- 7.8.2 The Secretary acts as an electoral officer.
- 7.8.3 The Secretary attends all meetings and keeps all relevant documents of the Council.

7.9 COUNCIL MEETINGS

7.9.1 Ordinary and Special meetings

- 7.9.1.1 The Principal determines the time and the place for the first meeting of the Council.
- 7.9.1.2 The ordinary meetings of the Council must be held when and where the Council decides, and at least four (4) ordinary meetings must be held each year.
- 7.9.1.3 A special meeting of the Council may at any time be called:
 - 7.9.1.3.1 by the Chairperson; and
 - 7.9.1.3.2 when a written request, for a special meeting, stating the object of the meeting, is received by the Registrar from at least five (5) Members of the Council.
- 7.9.4 The Chairperson must notify members of the time and place of a special meeting at least three working days in advance of the meeting, except where a shorter notice period is necessitated by the exceptional urgency of the circumstances.
- 7.9.5 No matters other than those for which the meeting has been called may be dealt with at a special meeting.

7.10 Council Meeting Procedures

- 7.10.1 The Council shall determine the procedure at meetings of Council.
- 7.10.2 A quorum of not less than 50% plus one of the Members must be present at a Council meeting of at any time when business is transacted.
- 7.10.3 The Registrar must:
 - 7.10.3.1 issue a written notice to each member of the Council at least three (3) days before each ordinary meeting of the Council;
 - 7.10.3.2 setting out the place, date and time of the meeting; and
 - 7.10.3.3 drafting the agenda for the meeting; but
 - 7.10.3.4 the Council may, if the chairperson so rules, or a majority of the total membership of the Council agrees, consider any urgent matter of which notice has not yet been given
- 7.10.4 At each ordinary meeting the Council must:
 - 7.10.4.1 confirm the minutes of the last ordinary meeting, and the minutes of any special meeting held since then, with or without amendment, the minutes to be taken as read if copies have been sent to members prior to the meeting; and
 - 7.10.4.2 deal with the business of which notice has been given and any other business which a majority of the total membership of the Council agrees to consider.
- 7.10.5 A decision of the Council must be made by consensus, or in absence of consensus, by a majority vote of the members who are present at the meeting.
- 7.10.6 In the event of votes being equally divided or any matter, the chairperson may exercise a casting vote in addition to the deliberative vote.
- 7.10.7 The Council may co-opt any person by virtue of their knowledge and or skill to participate in an advisory capacity, and such person may not have voting powers.
- 7.10.8 The chairperson must ensure that:
 - 7.10.8.1 A proper record is kept of attendance and resolutions adopted at every meeting of the Council;
 - 7.10.8.2 A copy of such record signed and forwarded to the Administration.

- 7.10.9 The Council decides its own rules of debate but:
- 7.10.9.1 every motion, and every amendment proposed must be seconded and must, if the Chairperson requires this, be in writing and a motion or amendment that is not seconded falls away;
 - 7.10.9.2 except where the Act or this Statute requires a different procedure, each question must be decided by the majority of votes of the Members present and voting, and unless the meeting decides otherwise voting must be by show of hands;
 - 7.10.9.3 the Chairperson has a deliberative vote on each question and also has a casting vote in the case of an equality in the number of votes;
 - 7.10.9.4 the number of Members voting for and the number of members voting against any proposal must be entered in the minutes;
 - 7.10.9.5 where any member asks for this, his or her vote for or against a proposal must be entered in the minutes;
 - 7.10.9.6 a motion to make, amend or rescind this Statute may not be considered unless due notice has been given as specified in subparagraph (4.2.1);
 - 7.10.9.7 a motion to rescind a resolution of the council within twelve (12) months after it was passed requires
 - 7.10.9.7.1 a majority of two thirds of the Members present and voting or failing; that:
 - 7.10.9.7.2 a simple majority of the Members present and voting at two consecutive ordinary meetings of the Council; and
 - 7.10.9.8 the ruling of the Chairperson on any question of order or procedure is binding unless immediately challenged by a Member, in which case the Chairperson must submit his or her ruling without discussion to the meeting, which decision is final and binding.

7.11 Conflict of Interest of Council Members

- 7.11.1 A member of Council may not have a conflict of interest with the institution.
- 7.11.2 A member of Council who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting which entails or may entail a conflict or possible conflict of interest must declare the interest.
- 7.11.3 Any person may inform the Chairperson of a meeting of a conflict or possible conflict of interest of a Council Member of which such person may be aware. This must be done in writing before the meeting.
- 7.11.4 The member is obliged to excuse him/her from the meeting during the discussion of the matter and the voting thereon.

7.12 Committees of Council

- 7.12.1 The Council may establish Committees to perform any of its functions and may appoint persons, who are not members of the Council, as the case may be, as members of such committees. The Council appoints:
 - 7.12.1.1 An Executive Committee;
 - 7.12.1.2 An Audit Committee;
 - 7.12.1.3 A Finance Committee; and
 - 7.12.1.4 Such other Committees as may be required.
- 7.12.2 The composition, manner of election, functions, procedure at meetings and dissolution of a Committee and a Joint Committee are determined by the Institutional Statute and Institutional Rules .

- 7.12.3 The Council is not divested of responsibility for the performance of any function delegated or assigned to a Committee under this section.
- 7.12.4 The Council and the Senate of the Institution may jointly nominate Committees, to be known as Joint Committees, to perform functions that are common to the Council and the Senate
- 7.12.5 At least 60 % of the Members of a Committee must be persons who are not employees or students of the institution or Department.
- 7.12.6 The Chairperson of a Committee may not be an employee or a student of the Institution.

7.13 Minutes of Council and Committee Meetings

- 7.13.1 The secretary to the Council keeps the minutes of each meeting of the Council and includes such minutes in the agenda of the next Council meeting when the agenda is sent out in terms of subparagraph 15(3).
- 7.32 minutes of all committee meetings must be included in the agenda of the next ordinary meeting of the council following the respective committee meetings.

7.14 Drafting, amending or rescinding Statute

- 7.14.1 No motion to draft, amend or rescind the Statute or Rules is of force and effect unless adopted by at least 75% of all Members present at the meeting, provided that such meeting is constituted by at least one half plus one of the total number of Members.
- 7.14.2 Any motion to draft, amend or rescind the Statute or Rules must be in accordance with the provisions of section 32(2) of the Act.

7.15 General support

- 7.15.1 The College shall provide meeting space as well as administrative support requires by the Council for meetings.
- 7.15.2 Personnel who provide administrative support should come from within the College staff component.
- 7.15.3 Notwithstanding the provisions of this section, the Council may make alternative arrangement for the provision of meeting space, as well as administrative support, provided that the Council pays such alternative arrangements from funds raised by the Institution.

7.16 Raising and utilisation of funds, receiving of monies, stores and equipment

- 7.16.1 The Council is responsible for the management and administration of all funds of the Institution.
- 7.16.2 The Council may receive services, finances, stores donations or contributions or equipment for the purposes of providing education and training of a high quality and standard.
- 7.16.3 The Council may approve the disposal of finances, stores, or equipment belonging to the Institution within the delegated powers of the Administration in accordance with the Regulations of the Administration and Treasury Prescripts.
- 7.16.4 The Council may engage in fund raising activities in accordance with relevant and applicable laws for the purpose of raising monies that will be utilized for the good of the Institution and its students.
- 7.16.5 The Council may invest monies received or raised within Treasury guidelines applying at the time.

- 7.16.6 The Council may derive income from such investments, which shall be utilized for the good of the Institution and its students.
- 7.16.7 The Council may establish a trust for the benefit of the Institution and may accept and administer all existing Trust upon agreement of all Trustees and in accordance with applicable Laws when the Institution has been formally established.
- 7.16.8 The Council may render services and may receive compensation for services rendered to any person or Organisation for the good of the Institution and or its students.
- 7.16.9 The Council may receive and administer all monies payable by students for higher education programs offered at the Institution.
- 7.16.10 The Council may receive and administer all monies received from students undergraduate and post graduate programmes of the Institution and personnel of the Institution for accommodation and other services provided at the Institution.
- 7.16.11 The Council must keep records of all funds received and spent by the Institution and of its assets, liabilities and transactions.
- 7.16.12 The Council must not later than three (3) months after the end of each Financial Year submit Audited Financial Statements to the Administration compiled according to generally accepted accounting practices.
- 7.16.13 The Principal will be the Accounting Officer.

8. THE SENATE

8.1 Functions of the Senate

- 8.1.1 **Subject to section 28 (1) of the Act, the Senate of the Institution is accountable to the Council for the academic and research functions of the Institution** and must perform such other functions as may be delegated or assigned to it by the Council.
- 8.1.2 Pursuant to the provisions of subsection 8.1.1, the Senate shall be responsible for making recommendations to the Council on all academic matters with due regard to the criteria laid down by the:
 - 8.1.2.1 South African Nursing Council;
 - 8.1.2.2 South African Qualification Authority (SAQA).
- 8.1.3 The Senate shall submit to the Council the following:
 - 8.1.3.1 A copy of the minutes of each Senate meeting;
 - 8.1.3.2 Recommendations for the institution or abolition of courses subject courses, posts or Departments at the Institution;
 - 8.1.3.3 Recommendations with regard to clinical facilities most suitable for practical experience;
 - 8.1.3.4 Recommendations with regard to the selection, admission and re-admission criteria;
 - 8.1.3.5 Recommendations for the number of students to be admitted;
 - 8.1.3.6 Recommendations regarding academic personnel needs of the Institution;
 - 8.1.3.7 Recommendations on any matter referred to it by Council.
- 8.1.4 The Senate shall submit the curricula of all educational programmes offered at the Institution to the Council for ratification.
- 8.1.5 The Senate shall submit the rules prescribing the requirements for all educational programmes to SANC for approval.
- 8.1.6 The Senate shall submit proposals for the appointment of moderators, for evaluation strategies, to the Council, for approval.
- 8.1.7 The Senate may accept credits gained by a student at another approved Higher Education Institution.

- 8.1.8 The Senate shall encourage and approve research, as well as academic and educational publications under the auspices of the Institution through the appropriate institution structures.

8.2 Senate Membership

- 8.2.1 Members of the Senate must participate in the deliberations of the Senate in the best interest of the Institution.
- 8.2.2 Failure to act in the best interest of the institution or behaviour that brings the Institution into disrepute may result in the removal from the senate following due process.
- 8.2.3 If it is alleged that a member is not acting in the best interest of the institution or has engaged in conduct that brings or tends to bring the institution into disrepute and at least one-third of the members of the senate at any meeting resolve that steps should be taken against that person, the senate must instruct that a hearing by an ad hoc committee of senate take place.
- 8.2.4 If the committee finds that the member has failed to act in the best interest of the institution or has behaved in a manner that brings the institution into disrepute then the committee may recommend that the member be removed from the senate.
- 8.2.5 The member may be removed from the senate if at least two-thirds of the members of the senate present at any meeting vote for his or she removal.

8.3 Composition of Senate

- 8.3.1 Subject to section 28 (2) of the Act, the Senate of the Institution must consist of:
- (a) The Principal of the Institution;
 - (b) The Vice Principals, one of whom shall be the Vice- Chairperson on a rotational basis;
 - (c) All Heads of Departments / Subject Head;
 - (d) Two (2) persons, of whom one (1) person shall be the Head of the Clinical Education and Training Unit, and one (1) person the Head of Clinical practice and Provincial Clinical Placement Coordinator;
 - (e) Eight (8) persons elected from within the academic personnel of the Institution that are additional to those members already on the Senate;
- 8.3.1.6 Two (2) members of the Council appointed by the Council;
- 8.3.1.7 Two (2) representatives from the Province representing the Department of Health appointed by the Department;
- 8.3.1.8 Five (5) Professional Nurses (PN) nominated by the respective health services and who represent the interest of the Department of which:
- 8.3.1.8.1 two (2) PNs must be from the Facility-based District Health Services;
 - 8.3.1.8.2 two (2) PNs from the Provincial Hospital Services (Metro and Rural representative respectively); and
 - 8.3.1.8.3 one (1) PN from Central Hospital Services.
- 8.3.1.9 Two student representative who must be from the ranks of second year and onwards elected by the CSRC;
- 8.3.1.10 Any additional member(s) of staff from the College as may by resolution of Senate and approved by the Council, be declared as members of the Senate:
- 8.3.1.10.1 The majority of members of the Senate must be academic employees of the Institution;
 - 8.3.1.10.2 There must be sufficient representation to ensure that all grades or ranks of teaching staff at the College are represented.

- 8.3.2 The number of persons contemplated in section 28 subsection (2)(b), (c), (d), (e), (f) and (g) of the Act, and the manner in which they are appointed or elected, as the case may be, must be determined by the Institutional Statute.

8.4 Terms of office of Senate Members

- 8.4.1 The appointment of Members pursuant to the provisions of subheading 8.2 shall be for a period of four (4) years.
- 8.4.2 On expiration of the period of office of a Member, he or she may retain office until his or her successor has been appointed, up to a maximum of six (6) months.
- 8.4.3 A member is eligible for re-appointment or re-election to the Senate, at the termination of his or her term of office.
- 8.4.4 The term of office for student members is determined by the CSRC, provided that membership automatically lapses when a student ceases to be a registered student or member of the SRC.
- 8.4.5 All members must attend a minimum of 50% of meetings annually unless the Chairperson or Vice-Chairperson, has authorized leave for Members.
- 8.4.6 If a member is committed to an extended period of leave of absence, this matter must be approved with the Senate.

8.5 Termination of membership and filling of vacancies

- 8.5.1 The chairperson of the Senate must immediately declare vacant an office of the Senate if a member:
- 8.5.1.1 Dies;
 - 8.5.1.2 Resigns in writing;
 - 8.5.1.3 Becomes insolvent;
 - 8.5.1.4 Is declared to be of unsound mind by a Court of Law;
 - 8.5.1.5 Is convicted of any crime or offence for which he or she is sentenced to imprisonment without the option of a fine, either in Republic or outside the Republic if the conduct constituting an offence would have been an offence in the Republic.
 - 8.5.1.6 Is absent without leave from the Chairperson or Vice-Chairperson from two consecutive meetings, or more than 50% of the meetings annually without leave of absence having been approved by the Senate.
 - 8.5.1.8 Fails to disclose to the Council any direct or indirect personal financial interest in a matter before the Council, if that member is present during or participated in discussion of that matter.
- 8.5.2 Within seven (7) days of declaring an office vacant, the Chairperson of the Senate must inform the Administration of the vacancy.
- 8.5.3 Upon receipt of the notice of vacancy pursuant to subsection 4.2 another person must be appointed or elected in accordance with the relevant procedures, on the same criteria on which the vacating member was appointed or elected, to fill the vacancy for the unexpired period of office of the previous incumbent.

8.6 Chairperson, Vice- Chairperson and Secretary of the Senate

- 8.6.1 The principal is the chairperson of the senate as contemplated by section 26 (4)(a) of the Act.
- 8.6.2 The vice-chairperson of the senate is the vice-principal designated by the Senate as such.

- 8.6.3 The Secretary of the Senate is the Registrar designated by the Senate as such.
- 8.6.4 The Chairperson presides at the meetings of the Senate and the meetings of the sub-committees of the Senate if the Senate considers it appropriate for him or her to do so.
- 8.6.5 The Chairperson performs such other functions as the Senate may determine.
- 8.6.6 In the absence of the Chairperson, the provisions of subparagraph (8.6.4) apply to the Vice-Chairperson.
- 8.6.7 The Vice-Chairperson performs such other functions as the Senate may determine.
- 8.6.8 The Secretary performs those functions assigned to him or her by the Senate.
- 8.6.9 If both the Chairperson and the Vice-Chairperson are absent, the Senate elects from among its Members, a Chairperson for the meeting concerned.

8.7 Senate Meeting Procedure

- 8.7.1 The Senate shall determine the procedure at meetings of Senate.
- 8.7.2 A quorum of not less than 50% plus one of the members must be present at a meeting of Senate at any time when business is transacted.
- 8.7.3 A decision of the Senate must be made by consensus, or in absence of consensus, by majority vote of the members who are present at the meeting.
- 8.7.4 In the event of votes being equally divided on any matter, the Chairperson may exercise a casting vote in addition to the deliberative vote.
- 8.7.5 The Senate may co-opt any person by virtue of their knowledge and or skill to participate in an advisory capacity, and such person may not have voting powers.
- 8.7.5.1 A proper record is kept of attendance and resolutions adopted at every meeting of the Senate.
- 8.7.5.2 A copy of such recordings signed and forwarded to the Council.
- 8.7.6 The Principal will determine the time and the place for the first meeting of the Senate.
- 8.7.7 The Senate will determine the time and place of subsequently ordinary meetings of the Council, with a minimum of four (4) meetings annually.
- 8.7.8 The Chairperson of the Senate may at any time and must if requested in writing by at least two (2) Members of the Senate, call a special meeting of Senate.
- 8.7.9 The Chairperson must notify members of the time and place of a special meeting contemplated in subparagraph 8.7.8 at least three (3) working days in advance of the meeting, except where a shorter notice period is necessitated by the exceptional urgency of the circumstances.

8.8 Conflict of Interest of Senate Members

- 8.8.1 A member of Senate may not have a conflict of interest with the Institution.
- 8.8.2 A member of Senate who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting which entails or may entail a conflict or possible conflict of interest must declare the interest.
- 8.8.3 Any person may inform the Chairperson of a meeting of a conflict or possible conflict of interest of a Senate member of which such person may be aware. This must be done in writing before the meeting.
- 8.8.4 The member is obliged to excuse himself or herself from the meeting during the discussion of the matter and the voting thereon.

8.9 Committees of Senate

- 8.9.1 The Senate may from time to time establish such Committees as it may deem necessary, each consisting of such number of persons as it may determine, whether they be members of the Senate or not. The Senate appoints
- 8.9.1.1 An Executive Committee; and
- 8.9.1.2 Such other committees as may be required including the following committees:
- i. Research and Ethics Committee;
 - ii. Academic Review Committee;
 - iii. Examination Review Committee;
 - iv. Curriculum Committee;
 - v. Quality Assurance Committee;
 - vi. Student Selection Committee and
 - vii. Other Senate Committees as deemed necessary.
- 8.9.2 The composition and functions of the Committees are determined by the Senate.
- 8.9.3 The Senate may delegate or assign any of its responsibilities to any such committee or any individual members of such committee, but the Senate shall not be divested of the responsibility of the performance of such function delegated or assigned to a committee or individual member of such committee.

8.10 Joint committees of council and senate

- 8.10.1 The Council, in consultation with the Senate, appoints such joint committees of the Council and the Senate as may be necessary for the performance of particular tasks.

8.11 General support

- 8.11.1 The Institution shall provide meeting space as well as secretarial and administrative support requires by the Senate for meetings.
- 8.11.2 Personnel who provide secretarial and administrative support should come from within the Institution personnel component.
- 8.11.3 Notwithstanding the provisions of this section, the Senate may make alternative arrangement for the provision of meeting space, as well as secretarial and administrative support, provided that the approval of the Council pays such alternative arrangements from funds raised by the College.

9 THE INSTITUTIONAL FORUM

9.1 Functions of institutional forum

- 9.1.1 Subject to section 31 of the Act, the Institutional Forum advises the Council on issues affecting the Institution, including:
- 9.1.1.1 The implementation of the Act and the National Policy on Nursing Education and Training;
 - 9.1.1.2 Race and gender equity policies;
 - 9.1.1.3 The selection of candidates for senior Departmental Head positions
 - 9.1.1.4 Codes of conduct, mediation and dispute resolution procedures related to student issues;

- 9.1.1.5 Fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, learning, research and community engagement; and
- 9.1.1.6 The language policy of the Institution.
- 9.1.2 The Institutional Statute performs such functions as may be determined by the Council.

9.2 Composition of the Institutional Forum

- 9.2.1 The institutional forum of Institution consists of:
 - 9.2.1.1 Two (2) members of the Council who are not employees or students of the Institution;
 - 9.2.1.2 Two (2) members from management;
 - 9.2.1.3 Two (2) members from Senate;
 - 9.2.1.4 Two (2) members representing the academic employees;
 - 9.2.1.5 Two (2) members representing the non-academic Employees;
 - 9.2.1.6 Two (2) SRC members designated by the CSRC; and
 - 9.2.1.7 One (1) or more members co-opted by the Institutional forum for the specific purpose of assisting the Institutional Forum in respect of any specific project.
- 9.2.2 Nominations of representatives must be transparent and democratic, and each constituency must follow the procedure within its own constituency and submit the names of its representatives to the registrar.
- 9.2.3 The term of office of members is as determined by each constituency.
- 9.2.4 Paragraph __ applies, with the necessary changes, to the termination of membership of the Institutional Forum.

9.3 Office-bearers of Institutional Forum

- 9.3.1 The Institutional forum elects from among its members a chairperson, a deputy chairperson and a secretary.

9.4 Meetings and meeting procedure of Institutional Forum

- 9.4.1 The number of meetings is as decided by the Institutional Forum.
- 9.4.2 Fifty (50) percent plus one of the members forms a quorum.
- 9.4.3 The meeting procedures are as determined by the Institutional Forum.

10 CENTRAL STUDENT REPRESENTATIVE COUNCIL (CSRC)

- 10.1 There is a CSRC, which represents all students from all the Campuses of the Institution.
- 10.2 The CSRC consists of the number of students as prescribed in the CSRC Constitution, elected in a general election in the second term of each year in which every student who has been registered for at least one term is entitled to vote.
- 10.3 C/SRC functions in terms of a Constitution approved by the Council as a set of Institutional Rules, which determines the manner of election, the term of office, the functions and the privileges of the CSRC.

10.2 Functions of CSRC

- 10.2.1 The students of the Institution are represented in matters that may affect such students by the CSRC.
- 10.2.2 The matters contemplated in subparagraph (11.2.1) include:

- 10.2.2.1 liaison with the Council, the Senate, the Management, the General Public, other Institutions, Students' Representative Councils of other Institutions, National or International Student Organisations, Unions and News Media;
- 10.2.2.2 being the umbrella organisation for all student committees, clubs, councils and societies, granting or withdrawing recognition of such student committees, clubs, councils and societies as it deems appropriate;
- 10.2.2.3 the co-ordination and supervision of the use of students' facilities and all matters pertaining thereto, in conjunction with the institution management;
- 10.2.2.4 the convening and conducting of all authorised meetings of the student body and to be the managing body in all general referenda and petitions organised by the students within the Rules;
- 10.2.2.5 the appointment of such office-bearers and establishing of such committees as it deems necessary;
- 10.2.2.6 the organisation and promotion of extramural activities among students;
- 10.2.2.7 keeping account of all moneys paid over to it by the council and any other moneys which may accrue to it in its capacity as representative of the students, also to allocate or disburse such funds for use by students, and to make grants to approved student clubs, committees, societies and councils;
- 10.2.2.8 the responsibility for the preservation of order at student functions, and the ensuring of good conduct at other approved meetings of students;
- 10.2.2.9 the co-ordination of student involvement in all community projects initiated by it;
- 10.2.2.10 the responsibility for all student publications;
- 10.2.2.11 the recommendation to the council of Rules to determine the conduct of its affairs;
- 10.2.2.12 the final decision making in all matters falling within its jurisdiction; and
- 10.2.2.13 such additional functions and privileges as may be specifically conferred upon it by the Council.

10.3 Composition of CSRC

- 10.3.1 Only registered students are eligible to serve on the CSRC.
- 10.3.2 The CSRC, as contemplated in section 35 of the Act, must be representative of the student body and consists of two students from each faculty elected by the students of each specific campus.
- 10.3.3 The nomination and election of CSRC members must be democratic and transparent.

10.4 Office-bearers of CSRC

- 10.4.1 The CSRC elects from among its members a President to act as chairperson and a vice-president to act as deputy chairperson.
- 10.4.2 The functions of other office bearers and the election of such office bearers are as determined by the CSRC.
- 10.4.3 The composition of the CSRC may not be repealed or amended except after consultation with the CSRC.

10.5 Term of office of CSRC members

- 10.5.1 The term of office of the members of the CSRC is one year.

10.6 Privileges

10.6.1 The privileges of members of the CSRC are as determined by the Council, after consultation with the CSRC and outlined in the constitution.

10.7 Meetings of CSRC

10.7.1 The number of meetings, the quorum at a meeting and the meeting procedures are determined by the constitution of the CSRC as approved by the Council.

10.8 CSRC committees

10.8.1 The CSRC must establish a disciplinary committee responsible for the discipline of any members of the CSRC and members of the student structures affiliated to the CSRC.

10.8.2 The CSRC may establish such other committees as may be required.

10.9 General meeting

10.9.1 The CSRC must convene at least one general meeting of students per semester.

10.9.2 A general meeting may also be requested by at least 75% signatories of the total student body of the Institution petitioning the CSRC.

10.9.3 Meetings may not disrupt academic activities unless the principal has granted prior permission.

11. CONVOCATION

11.1 Functions of convocation

11.1.1 The convocation may discuss and state its opinion upon any matter relating to the Institution, including any matter referred to it by the Council, the Senate or the Institutional Forum.

11.2 Role of convocation

11.2.1 The registrar must keep the roll of convocation.

11.2.2 Every member of convocation must notify the registrar of his or her address and of any change of address.

11.3 Membership of Convocation

11.3.1 The convocation consists of the Principal, the Vice-Principal, the Registrar, Academic Employees as set out in subparagraph (2) and all persons who are or become graduates or diplomats of the Institution and such other persons as the Council may determine.

11.3.2 Academic employees on the permanent staff of the Institution, lecturers' emeriti and other retired academic employees are members of the convocation.

11.3.3 The fact that the name of a person appears on the convocation roll is on face value proof of him or her being a member of the convocation, and of him or her being entitled to vote.

11.3.4 The names of new graduates and diplomates of the Institution are deemed to have been inscribed in the convocation roll after degrees have been conferred or diplomas have been awarded, but members so registered are required to furnish their addresses to the secretary and to notify him or her of any change of address.

- 11.3.5 For purposes of the election of council members the convocation is deemed closed from the latest date on which ballot papers are issued until the date of the election, both days inclusive.

11.4 Office-bearers of Convocation

- 11.4.1 The convocation, at its first meeting, elects from among its members a President to act as Chairperson at all its meetings who holds office for a period of three (3) years from the meeting at which he or she is elected.
- 11.4.2 Whenever the office of President becomes vacant, the Principal acts as President until a successor is elected at the following meeting of the convocation for a period of three (3) years.

11.5 Meetings of Convocation

- 11.5.1 The President or, if the office of the President is vacant, the Principal convenes a meeting of the convocation annually and notice of such meeting must be given at least four (4) weeks prior to the date of the meeting.
- 11.5.2 A member who wishes to raise any matter at such meeting must submit written motions in regard to the said matter to the Registrar or the President at least two (2) weeks before the date of the meeting.
- 11.5.3 An extraordinary meeting of the convocation may be convened by the President or the Principal if and when required.
- 11.5.4 An extraordinary meeting of the convocation must be convened by the President or, if the office of President is vacant, by the Principal, upon a written request signed by at least 25 members containing the matters for consideration in the form of separate motions.
- 11.5.5 An extraordinary meeting as contemplated in subparagraph (11.5.4) must be held within two (2) months after receipt of the request.

11.6 Meeting procedures of Convocation

- 11.6.1 Fifty (50) members constitute a quorum at a meeting of the convocation, provided that, if no quorum is present the meeting may adjourn and an extraordinary meeting may be convened with at least seven (7) days' notice, at which the members present constitute a quorum.
- 11.6.2 Notwithstanding the absence of a quorum at an annual meeting, such meeting may proceed to elect office bearers and to dispose of other formal matters, but no motions may be submitted at such meeting.
- 11.6.3 After its constitution, by reading the notice in terms of which it was convened, a meeting commences with the reading and confirmation, by the signature of the Chairperson, of the minutes of the previous ordinary meeting and of all subsequent extraordinary meetings.
- 11.6.4 Any objection to such minutes must be raised and determined prior to their confirmation.
- 11.6.5 A member may not, without the permission of the meeting speak more than once on a motion or amendment thereof, but the mover of the motion or amendment may reply.
- 11.6.6 All matters are decided by the majority of the members present.
- 11.6.7 In addition to his or her ordinary vote, the chairperson has a casting vote in the event of an equality of votes.

- 11.6.8 If a meeting so resolves, the number of votes in favour of or against a motion must be recorded in the minutes, and, at the request of a member, the Chairperson must further direct that the vote of such member be likewise recorded.
- 11.6.9 A motion or amendment thereof must be seconded, and if the Chairperson directs, such motion or amendment must be in writing.
- 11.6.10 A motion or amendment may not be withdrawn without the permission of the meeting.
- 11.6.11 The Chairperson may permit the discussion of a matter of which notice was not duly given, provided such discussion is unopposed.
- 11.6.12 The ruling of the Chairperson on a point of order of procedure is binding, unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting, whose decision is final.
- 11.6.13 A copy of the resolutions of the convocation, and a statement on such other matters as the convocation may determine, duly certified by the Chairperson and Secretary are submitted to the Chairperson of the Council for the information of the Council and to the Principal for the information of the Senate.
- 11.6.14 Election of members of the convocation to the Council is in the manner determined by the convocation.

12 MANAGEMENT AND SENIOR MANAGEMENT

12.1 Management and Senior management

- 12.1.1 Management means, for the purpose of section 31 (2)(a) of the Act, senior management as well as management as determined by the Council.
- 12.1.2 Senior management means, for the purpose of section 31 (2)(a)(iii) of the Act, the Principal, the Vice-Principals, the Registrar, the Heads of Departments and the administrative positions equivalent to the position of the deans of faculties.

13 Executive Management

13.1 Constitution of Executive Management

- 13.1.1 The Executive Management team shall be constituted of the following members: -
 - 13.1.1.1 The Principal of the College, who is the Head of the Executive Management structure and the accounting officer of the Institution;
 - 13.1.1.2 The Registrar who is directly accountable to the Head of the Executive Management Structure
 - 13.1.3 The three (3) Vice-Principals of the Institution
- 13.2.4 Any other administrative and academic support staff as determined by the Principal of the Institution

13.2 Functions and powers of the Executive Management

- 13.2.1 The Executive Management team will be responsible for assisting the Principal in the management and administration of the Institution.

14 EMPLOYEES

14.1 Appointment

14.1.1 Subject to section **34** of the Act, the Principal appoints employees in cooperation with the Council according to the staffing policies of the Institution as determined by the Institutional Rules, in compliance with the Public Service Act and Regulations, 1994 as amended.

14.2 Conditions of employment

14.2.1 The conditions of employment including the determination and review of salaries, of employees and all other forms of remuneration, are determined by the Department of Public Service and Administration.

14.3 Evaluation

14.3.1 All employees of the Institution are subject to continuous evaluation in the performance of their duties.

14.4 Employees discipline

14.4.1 Every employee is subject to a disciplinary code, a disciplinary procedure and a grievance procedure for employees as set out in the Public Service Regulation and subject to the Labour Relations Act 66 of 1995, which serve as an integral part of every employee's conditions of service.

15 STUDENTS

15.1 Admission and registration of students

15.1.1 A person may be permitted by the Council to register as a student and study at the Institution only if he or she satisfies the legal or any other admission requirements that may be determined by the Council and laid down in the Institutional Rules.

15.1.2 The requirements for admission of a student are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate.

15.1.3 A student is registered for one (1) year or for such shorter period as the Council may determine in general or in a particular case.

15.1.4 In order for a student to renew his or her registration after the expiry of the period contemplated in subparagraph (15.1.3), the student is required to comply with any conditions set by the South African Nursing Council after consultation.

15.1.5 The Council may decline the renewal of registration if a student fails to meet the conditions contemplated in subparagraph (15.1.4).

15.1.6 The conditions contemplated in subparagraph (15.1.4) may include the payment of outstanding fees.

15.2 Student discipline

15.2.1 The disciplinary measures and discipline provisions applicable to the students are set out in the Institution Rules and may be changed by the Council after consultation with the Senate and the CSRC.

15.2.2 Penalties:

15.2.2.1 The Principal may, from time to time, amend monetary penalties; and

15.2.2.2 Such amended penalties must be placed before the Council at the next ordinary meeting of the Council for implementation as determined by the Institutional Rules.

15.2.4 If the council should alter or set aside any such amendment, its validity up to the time of alteration or setting aside by the Council is not affected.

16 DONORS

16.1 Donors

16.1.1 The institution may receive moneys and equipment of any sort from donors to assist the institution in providing quality education.

16.1.2 The institution may recognise and register certain donors as determined in the Rules.

16.1.3 All donations received must be managed according to the prescripts of the Public Finance management Act (No, 1 of 1999) and the relevant Regulations.

17 TRANSITIONAL PROVISIONS

17.1 Transitional provisions

17.1.1 Once the Council is established in terms of this standard Statute the interim Council must dissolve.

17.1.2 The Council established in paragraph 7.2 takes over the governance of the Institution in terms of the Act.

17.1.3 The Council will, after considering a proposal by the Executive Committee of the Council, approve a process for the staggering of the terms of office of office bearers and members of the Council

SIGNATURES



Ms FP Africa
Chairperson: College Council
Western Cape College of Nursing
Date: 3 June 2021



Mrs B Arries
Chief Director: People Management
Western Cape Department: Health
Date: 04 June 2021



Dr K Cloete
Head of Department
Western Cape Department: Health
Date: 4 June 2021



Dr N Mbombo
Member of the Executive Council
Western Cape Department: Health
Date: 2021/06/11