


<b>UNIVERSITY OF THE WESTERN CAPE</b>			
 <p style="text-align: center;"><b>UNIVERSITY of the WESTERN CAPE</b></p>		Document Type	Policy
	<b>DEVELOPMENT AND GOVERNANCE OF POLICIES</b>	Council Approval Reference Number	<b>C2023/02 – 22 June 2023</b>
		Implementation Date	23 June 2023
		Revision / Amendment Number	n/a
		Revision / Amendment Date	n/a
		Policy Owner	Registrar: Secretariat and Policy Management
		Portfolio	Registrar
		Contributors	DVC: Academic APU, Secretariat, Compliance Project Manager
		Circulated by:	Registrar
Circulated to:	EMC, SEC, Senate		

## **Development and Governance of Policies**

C2023/02 – 22 June 2023

## Table of Contents

1. Introduction .....	3
2. Purpose.....	3
3. Scope .....	4
4. Definitions.....	4
5. Policy Hierarchy .....	6
6. Policy Lifecycle with Roles and Responsibilities.....	7
6.1.Phase 1 – Initiation and Development .....	7
6.2.Phase 2 – Approval .....	8
6.3.Phase 3 – Implementation .....	9
6.4.Phase 4 – Review.....	10
6.5.Phase 5 – Repeal .....	11
7. Policy Governance .....	11
8. Storage, Documenting and Database .....	11
9. Template.....	12
10. Version History .....	12

Annexure A – Policy Template

Annexure B – Implementation Plan

Annexure C – Policy Review, Approval of New/Amended Policy Form

## **1. Introduction**

This document specifies the processes that the University of the Western Cape (the University) will follow when developing institutional policies.

Policy documents are documents that articulate the position of the University on a particular matter and are intended to direct decision-making across the University. Policies form the basis of the University's governance practices and are thus crucial to the success and efficiency of the institution. Therefore, the University's governance is enabled through well-articulated, unambiguous, fair, and appropriate policies, guidelines, and related procedures.

By implementing this policy, the University can:

- a. Ensure consistency and quality in its activities,
- b. Attain its strategic goals and priorities,
- c. Promote operational efficiencies and
- d. Reduce risks.

Policy documents function within the broader governance of the University which is regulated by the Higher Education Act of 1997.

## **2. Purpose**

The purpose of Policy in the University is to:

- a. Direct and guide the actions of staff and students as well as service providers, independent committee members, professional advisors, University partners, and affiliates
- b. Provide a mandate to staff and students as well as service providers, independent committee members, professional advisors, University partners, and affiliates
- c. Clarify the roles and responsibilities of the different role-players
- d. Ensure consistency in the actions of persons expected to implement policy
- e. Facilitate uniformity in the application of the rules, and decision-making
- f. Clarify the meaning of terms used to avoid confusion among policy implementers, and to ensure uniformity in the application of the rules
- g. Improve the accountability of persons involved

## **3. Scope**

This policy applies to the University, staff, and students as well as service providers, governance structures, professional advisors, University partners, and affiliates.

## 4. Definitions

**“Acts”** Adopted and effective legislation that create the powers and responsibilities of entities.

**“Approving Governance Structure”** In accordance with Chapter 2 of the Higher Education Act, 1997, read with the UWC Statute, 2018, Council approves University Policies.

The particular Governance Structure that a Policy Owner identifies as the appropriate structure to consult, review and recommend the Policy to Council for final approval will be based on the structure’s scope of responsibility and authority.

**“Committee”** In accordance with Chapter 4 of the Higher Education Act, 1997, committees are governance structures to whom Council or Senate has delegated authority and responsibility for addressing particular academic and administrative matters.

**“Council”** In accordance with chapter 4 of the Higher Education Act of 1997, the Council is a governance structure that has the responsibility of governing the University subject to the Act and associated regulations and the State.

**“Executive Management”** The Executive Management consists of the Vice-Chancellor/Rector, Deputy Vice-Rectors, the Registrar, and the Executive Directors. The Executive Management is accountable to Council.

**“Executive Management Committee”** A structure of the University that consists of members of the Executive Management and such other persons as may be determined by the Rector

**“Governance Structures”** The Higher Education Act of 1997, provides for the establishment of several structures to govern public universities:

- Council, which governs the University
- Senate, which is accountable to the Council for academic and research functions of the University
- Students’ Representative Council
- Institutional Forum advises the Council on the implementation of the Act, race, and gender policies, selection of senior management, codes of conduct, and fostering of an appropriate institutional culture
- Sub-committees of Council and/or Senate may be established in accordance with the UWC Statute. Committees perform various functions delegated to them by the Council and/or Senate

**“Guidelines”** Outline the preferred or recommended way to carry out a process, procedure, or course of action at the University and should be followed unless good reason is provided

**“Higher Education Act of 1997”** means the Legislation that states the laws that govern higher education in South Africa

**“Institutional Statute and Rules”** An institutional statute defines how and what the University does in order to give expression to the Higher Education Act as well as any matter not expressly prescribed in the Act. An institutional statute is approved by the Minister of Education. The institutional statute applicable to the University is the University of the Western Cape Statute, 2018. The rules give effect to the Statute.

**“Policy”** is a document that specifies the University’s position on a particular matter. It is intended to guide decision-making and may include procedures to guide actions.

**“Policy Author”** Any member of staff or service provider delegated by the Policy Owner to facilitate the development of new, or the revision of existing, policy documents.

**“Policy Owner”** means a member of the Senior Executive Team or such other designated person with responsibility for the relevant policy area.

**“Policy Lifecycle”** The series of different stages applicable to policies, from being initiated, developed, approved, reviewed, revised, and withdrawn or rescinded.

**“Procedures”** Sets out the practical steps necessary to realise the objective or purposes of Policies and may also be linked to Rules and Regulations.

**“Regulations”** are Pieces of legislation that stipulate how to implement the Act.

**“Rules”** means the institutional rules of the University made in terms of Section 32 of the Act and includes all policies and standing orders. Rules are approved by Council for all areas of operation other than academic matters. Senate approves academic rules.

**“Stakeholder”** Is any entity, office, or person who has an interest or concern in a given matter. Internal Stakeholders are stakeholders that are members of the University (students, staff, or a designation on University structures), while external stakeholders are independent of the University.

**“Standing Orders”** Standing orders expand on rules and/or policies and govern how all business shall be conducted. Standing orders are a set of instructions on how to carry out a task.

**“Subject-matter experts (SME)”** are Persons with noteworthy expertise and experience in a particular matter.

## 5. Policy Hierarchy

Policy differs from law in that while the law compels or prohibits behavior (e.g. a law requiring the payment of taxes on income), a policy directs actions toward achieving the desired outcome.

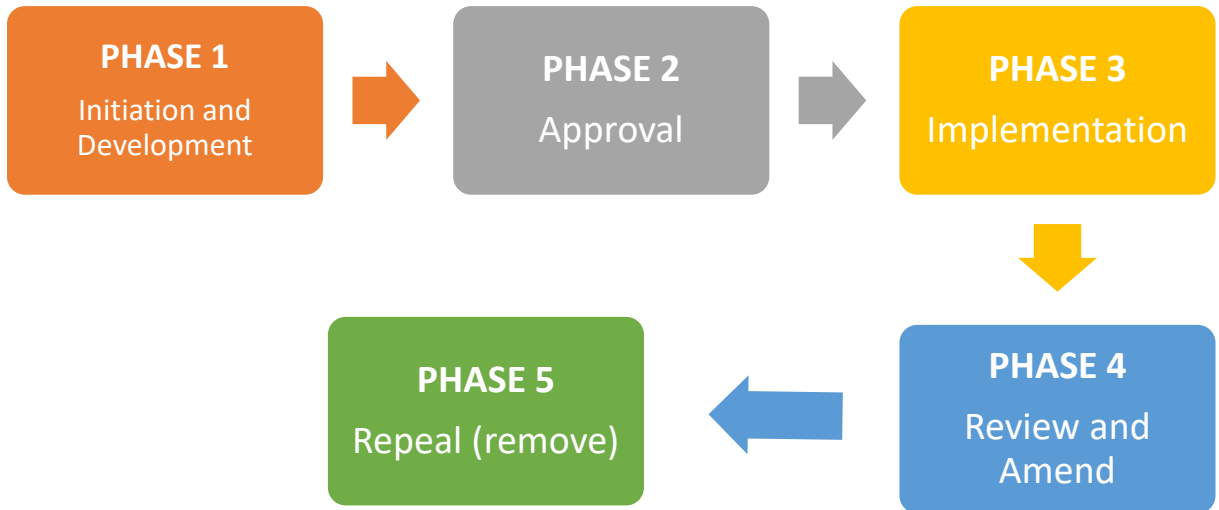
Figure 1 – Policy hierarchy



## 6. Policy Lifecycle with Roles and Responsibilities

This document identifies 5 phases of policy development. Figure 2 illustrates the phases involved, whilst the table that follows describes the individual steps of each phase.

Figure 2 – Policy Life-cycle



### 6.1 PHASE 1 - Initiation and Development

A need for policy is identified and the process of drafting and developing a policy is initiated.

Key Steps	Responsible Role
a. The identification of a policy gap or need may arise from any office within the University. The need must be communicated to the relevant members of the Executive Management who thereafter functions as the Policy Owner.	Policy Owner = A member of the Executive Management
b. The Policy Owner (who is a member of the Executive Management) confirms the need for a new policy with the Executive Management Committee. Policy Owner appoints a Policy Author to facilitate and manage the development process.	Policy Author = A senior manager reporting to the member of the Executive Management

<p>c. The Policy Owner in consultation with the Policy Author may appoint a Task Team. The Task Team consults relevant stakeholders, develops the policy draft using the policy template (Annexure A) and an implementation plan (Annexure B). The final draft policy must satisfy the Policy Standards noted in section 9 of this policy.</p>	<p>Task Team = Policy Author and subject matter experts</p>
<p>d. The Policy Author ensures that the Policy Standards as noted in section 9 have been complied with and submits the revised/draft policy and implementation plan to the Policy Owner. The Policy Owner initiates the approval process (Phase 2).</p>	<p>Policy Author</p>

## 6.2 PHASE 2 - Approval

### Consultation and approval process

Key Steps	Responsible Role
<p>a. The Policy Owner considers the draft policy and screens the draft policy for compliance with the standards mentioned in section 9 of this document.</p>	<p>Policy Owner</p>
<p>b. Draft policies are submitted to the Executive Management Committee (EMC) or Executive Committee of Senate, via the Registrar, together with a proposed consultation and approval governance structure completed in the "Policy review, approval of new, or amended policies" document (Annexure C).</p>	<p>Policy Owner</p>
<p>c. Draft policies are submitted to the relevant governance structures as approved by EMC for consultation and recommendation via the Secretariat of such governance structures.</p>	<p>Policy Owner</p>
<p>d. Following consultation and amendment, if any, the draft policy is recommended, as may be applicable, to:</p> <ul style="list-style-type: none"> <li>i. First to a sub-committee of Senate, if applicable, and then to Senate Executive Committee, for recommendation to Senate,</li> </ul>	



<p>who will then recommend the draft policy to Council for final approval;</p> <p>ii. A sub-committee of Council, whose remit accords with the subject matter of the policy, for recommendation to Council for final approval.</p> <p>Note: The approval process is to be detailed and approved by EMC as per (c) above.</p>	
<p>e. Where applicable, the secretariat of a committee will provide feedback on proposed amendments to the Policy Owner for implementation. On the recommendation of a policy by a sub-committee of Senate, as the case may be, the Secretariat submits the draft policy to Council for approval.</p>	Committee Secretariat
<p>f. The Policy Owner is responsible to ensure that recommendations of a governance structure are implemented and resubmission to the relevant governance structure (or Secretariat for recommendation to Council)</p>	Policy Owner
<p>g. On approval of Council, the Secretariat notifies the Policy Owner of the approval, obtains a word version of the final approved policy from the Policy Owner, prepares the publishable final policy (including noting the Council approval), and officially lodges the policy and stores it in a database.</p>	Secretariat

### 6.3 PHASE 3 - Implementation

Policy Owners oversee that policies are properly implemented and put into practice.

Key Steps	Responsible Role
<p>a. The Secretariat provides the approved policy to the Policy Owner.</p>	Secretariat
<p>b. The Policy Owner is responsible for communication of the approved policy with the University community and the implementation of the new policy which should be conducted in accordance with the Implementation Plan</p>	Policy Owner

(Annexure B) and includes training arrangements for affected staff.	
---------------------------------------------------------------------	--

6.4 PHASE 4 - Review

The purpose of policy reviews is to determine if a policy remains relevant, fit for purpose, and is consistent with the University’s vision, mission, values, institutional plans, and strategy.

The timeframes for review are specific to each policy, however, all policies must be reviewed at least once every five years, unless otherwise determined by law. Policies may be called in to review on an ad-hoc basis. This may be for a variety of reasons; changes in the University’s strategic goals, changes in legislation, advancement in best practices, identification of efficiency, or gaps within existing policies.

Ad-hoc reviews may be initiated by any office within the University, and the review process must be led by the Policy Owner.

The review process is the same as the development process and will thereafter follow Phases, 2 and 3 above.

Key Steps	Responsible Role
a. Policy Owner leads the review.	Policy Owner
b. Policy Author facilitates and manages the amendment process.	Policy Author
c. The Task Team/Policy Author amends the draft policy using the policy template (Annexure A) and an implementation plan (Annexure B). The final amended draft policy must satisfy the Policy Standards noted in section 9 of this policy.	Task Team/Policy Author Policy Owner
d. Hereafter, phases 2 and 3 apply.	

6.5 PHASE 5 - Repeal

Outdated or irrelevant policies may be repealed. The process for repealing a policy requires a recommendation from governance structures (Executive Management Committee/Senate/Sub-committees of Senate and/or Council) and final approval from Council.

When a new policy replaces an existing policy, the outgoing policy must be repealed together with the approval of the replacement policy.

Key Steps	Responsible Role
1. The policy owner submits a motivation to repeal a policy, together with the governance process to be followed to the Executive Management Committee (EMC) together with the completed "Policy review, approval of new, or amended policies" document (Annexure C).	Policy Owner
2. EMC recommends the repeal of the policy and approves the governance process to be followed.	Executive Management
3. The Policy Owner submits the motivation to repeal the policy to the secretariat of the governance structures as approved by EMC.	Policy Owner
4. The recommendation of the governance structures is submitted to Senate and/or Council, as the case may be by Secretariat.	Secretariat
5. Council approves the repeal.	Council
6. Secretariat removes the policy from the repository, updates the policy schedule, and communicates the repeal to the Policy Owner.	Secretariat
7. If necessary, the Policy Owner communicates the repeal of the policy to the University Community.	Policy Owner

## 7. Policy Governance (monitoring and reporting)

The Policy Owner ensures that mechanisms exist to monitor the proper implementation and adherence to the policy. Cases of non-compliance must be identified, reported, and rectified. Mechanisms/tools to ensure compliance with policies should also be reviewed to test effectiveness.

## 8. Storage, Documenting and Database

The Secretariat is responsible to store and maintain the University's Policy Register and Policy Repository.

Policies will be stored and updated within a central allocated electronic storage space. Institutional policies will be made available on the University's intranet. Rules, policies, standing orders, procedures, guidelines, and local documents will be stored per department and faculty.

## 9. Template/Format

Policy documents contain the following subdivisions by default (see Annexure A for the template for Policy Documents)

- a. Introduction – provides a brief background to the reason for the writing of the policy document
- b. Purpose – provides the reason why the policy is written
- c. Scope – addresses whom the policy applies to in the University
- d. Definitions – of the essential terms that are used in the policy
- e. Policy Principles – provide the most important principles underlying the essence of the policy concerned
- f. Policy Provisions – contain the requirements and prescriptions for the policy document concerned
- g. Policy Control – address the elements that are required to manage a specific policy such as:
  - Roles
  - Implementation
  - Monitoring
  - Reporting
  - Release
  - Review
  - Action in the case of non-compliance
- h. Supporting Documents – policy and management documents that are directly subsidiary to the document.
- i. Related Documents - policy and management documents that exist beside the document related to them.

## 10. Version history

Version	Date	Summary of changes	Changed by	Date of next review

Annexure A – UWC Policy Template

Annexure B – Implementation Plan

Annexure C – Policy Review, Approval of New or Amended Policies, and diagrammatic representation of Recommendation and Approval Process via sub-committees