# Intergovernmental Relations in the South African Higher Education Sector

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## ABSTRACT

*The article focuses on intergovernmental relations in the higher education sector in South Africa and is motivated by the rising need to assess the role that the South African higher education sector plays in promoting the state's long term developmental goals. To achieve these goals a strong, effective and efficient system of intergovernmental relations is needed among the Department of Higher Education and Training, higher education institutions, the Council on Higher Education (CHE) and Higher Education South Africa (HESA). The article analyses the environment within which intergovernmental relations takes place in the higher education sector and explains the composition, role and functions of stakeholders involved in intergovernmental relations in the South African higher education sector.*

## INTRODUCTION

The article investigates a crucial public administration challenge, namely, creating and promoting intergovernmental relations in the higher education sector that cater for the needs of South Africa. The focus of the article is on intergovernmental relations in the higher education sector as various government departments, as well as educational institutions and other stakeholders should interact with each other "in mutual trust and good faith" to strive to promote quality in the higher education sector. The current environment within which the higher education sector operates is described and the weaknesses and strengths of intergovernmental relations in the current higher education sector environment are explained.

A strong higher education sector is needed for South Africa to develop and succeed in achieving its long term developmental goals. The South African developmental goals to be achieved by 2014 include (Soobrayan 2005:4):

- reducing unemployment by half;
- reducing poverty by half;
- achieving an adequate supply of the skills required by the economy;
- massively reducing the incidence of emerging and re-emerging diseases; and
- positioning South Africa strategically as an effective force in global relations.

Stakeholders in the higher education sector should support the above-mentioned development goals through, amongst others, fostering strong intergovernmenta relations.

## INTERGOVERNMENTAL RELATIONS AND COOPERATIVE GOVERNMENT

Chapter 3 of the Constitution of South Africa, 1996, outlines the values and principles for cooperative government and intergovernmental relations and each sphere has distinctive powers and functions, but forms part of a coherent system. The spheres of government are therefore also interrelated and interdependent. Cooperative government is about partnership government and the values associated with it while intergovernmental relations is one of the means through which the values of cooperative government may be given both institutional and statutory expression. It may include executive or legislative functions of government. Intergovernmental relations are a set of formal and informal processes as well as institutional arrangements and structures for bilateral and multilateral cooperation among the three spheres of government (Anderson 1960:3). Section 1.2 of the *White Paper on Local Government* (1998) also states that the strategic purpose of the intergovernmental relations system is to promote and facilitate cooperative decision-making; coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors; and ensure a smooth flow of information amongst government institutions with a purpose of enhancing the implementation of policy and programmes. The aforementioned should also be relevant to the higher education sector in South Africa

## SOUTH AFRICAN HIGHER EDUCATION POLICY FRAMEWORK

The South African higher education policy is developed by government on advice from various institutions, for example the Council for Higher Education (CHE) and Higher Education South Africa (HESA).

A higher education policy framework consists of a number of elements according to McKinney and Howard (1998:94):

- government action and intergovernmental relations – in the national sphere of government, the Department of Higher Education and Training, the CHE and HESA,

as well as higher education institutions are stakeholders involved in influencing higher education policy;

- public purpose – the action and policy are intended to be in the interest of South Africans and the state as a whole;
- legal documents – the Constitution, *White Paper on the Programme for the Transformation of Higher Education*, 1997; the *National Plan for Higher Education*, 2001; the *National Education Policy Act*, 1996; the *South African Qualifications Authority Act,* 1995; and other written and unwritten statements and documents;
- decision for implementation – order of the President and the Cabinet to execute a policy; and
- results – the consequences of the policy implementation.

Higher education policy cannot be developed and implemented by a single government department and input from and cooperation among a number of departments are necessary for a policy to be effective and reach a desired outcome.

## INTERGOVERNMENTAL RELATIONS AND HIGHER EDUCATION

The Department of Higher Education and Training in the national sphere of government, and a number of role players in the higher education sector interact with each other to promote effective and efficient higher education service delivery in South Africa. This interaction is necessary as these institutions implement the higher education priorities determined by the government. The main role players in higher education intergovernmental relations are the Department of Higher Education and Training (DHET), higher education institutions, as well as institutions promoting intergovernmental relations in the higher education sector such as the Council on Higher Education (CHE) and Higher Education South Africa (HESA).

According to the White Paper 3 (*Department of Education* 1997a: Section 3.6) the former Ministry of Education adopted a principle of

> cooperative government for higher education in South Africa based on the principle of autonomous institutions working cooperatively with a pro-active government and in a range of partnerships. The aforementioned means that there will be cooperative relationship among the state and higher education institutions. (Department of Education 1997a: Section 3.7).

The White Paper 3 (*Department of Education* 1997a: Section 1.28.1 and 1.28.2) outlines the goals of the DHET that include "*transformation* and democratisation of the governance structures of higher education". New structures should provide for cooperative decision-making among separate but functionally interdependent stakeholders who recognise their different identities, interests and freedoms, while pursuing the common goal of a coordinated and participative polity and civil society. The Ministry should "encourage interaction through cooperation and partnerships among institutions of higher education and between such institutions and all sectors of the wider society" which implies that the DHET, the CHE, HESA and higher education institutions are interdependent.

The cooperation among stakeholders in the higher education sector has been on the agenda since 1996. The National Commission on Higher Education (NCHE) in its 1996 report stated that higher education institutions should be autonomous but accountable to the state, while the state plays a steering, and coordinating role as well as a decision-making role. The state, however, should use "financial incentives and other steering mechanisms" to persuade institutions to follow its policies (NCHE 1996:5). In its report the NCHE (1996:10) states that cooperative government implies state supervision and argues that cooperative government entails stakeholders working cooperatively with an assertive government through initiatives that promote interaction and coordination through partnerships (NCHE 1996:10). It is the duty of the state to make higher education decisions (for example funding, access, quality) and develop higher education policy, but higher education institutions are autonomous institutions that determine their own means of achieving the goals set in the policy.

The manifestation of intergovernmental relations in the higher education sector is crucial as is evident from the interaction by the following role players: priority setting and direction from the South African government; determination and implementation of higher education policy by the Department of Higher Education and Training with the input of other stakeholders such as HESA, CHE and higher education institutions; and the appropriation of funding from the National Treasury.

## CURRENT INTERGOVERNMENTAL STRUCTURES FOR HIGHER EDUCATION

Currently, there is no lead agent or structure promoting intergovernmental relations in the higher education sector even though the DHET, CHE and HESA acknowledge the importance of cooperative government and intergovernmental relations.

### Department of Higher Education and Training (DHET)

The government department in the national sphere of government that is directly involved in higher education intergovernmental relations is the Department of Higher Education and Training. The Department of Higher Education and Training (2010:8) aims to deliver, at an increased rate, the knowledge and skills needed by the South African economy. The Department's aim is a higher education system that serves both the youth and adult population of South Africa and promotes a system that provides quality learning. The Department supports the structural interaction between universities, colleges, the Sectoral Education and Training Authorities (SETAs) and other training institutions to ensure the production of knowledge and skills needed in South Africa.

### Statutory bodies

The Council on Higher Education and Higher Education South Africa are statuary institutions that are involved in higher education intergovernmental relations. Although these institutions are considered to be promoting intergovernmental relations, they do not

have authority or power to enforce cooperation amongst all the stakeholders in the higher education sector.

### Council on Higher Education (CHE)

According to the *Higher Education Act*, 1997 (Department of Education 1997b:11), the functions of the CHE include providing advice to the Minister of Higher Education and Training on policy matters as well as quality assurance and quality promotion within the higher education and training sector; monitoring and evaluating how the vision, policy goals and objectives for higher education are realised; and contributing to the development of higher education by, for example, producing publications and conducting research.

The CHE has a permanent committee, the Higher Education Quality Committee (HEQC), the responsibility of which is to promote and ensure quality higher education. The HEQC accredits higher education programmes (CHE 2010). The HEQC, according to the CHE (2012) has three directorates:

- *Institutional Audits Directorate* – audits systems of public and private institutions to ensure quality in teaching and learning, research and community engagement;
- *National Reviews Directorate* – re-accredits existing programmes in specific disciplines and/or qualification areas; and
- *Programme Accreditation Directorate* – accredits the learning programmes of public and private higher education institutions.

The CHE has four Standing Committees (CHE 2012):

*Advice and Monitoring Standing Committee* – "provides guidance and input into the CHE's advice on and monitoring of all aspects of higher education, except those that specifically address funding and infrastructure"; *Higher Education Funding and Infrastructure Standing Committee* – "deals with the CHE's advice on and monitoring of all aspects of the funding and financing of higher education, such as "policies, principles, criteria and mechanisms that govern the allocation of public funds among higher education providers; public and private financing and forms of student financial assistance"; *Finance and Investment Standing Committee* – "advises and makes recommendations to the Council and/or its Executive Committee on financial matters"; and *Audit Standing Committee* – "operates as a sub-committee of Council to assist with the review of the financial reporting process, the system of internal control and the management of financial risks, the audit process and the CHE's process for monitoring compliance with laws and regulations".

The CHE, together with its committees and directorates, has only an advisory role, with the exception of having authority to accredit and re-accredit programmes.

### Higher Education South Africa (HESA)

HESA is considered to be a body that serves as the link among higher education institutions and the South African government. Nevertheless, HESA does not have the power to promote higher education intergovernmental relations in a formal way.

HESA (2011) was established in 2005 and represents 23 South African public higher education institutions. Its mandate, according to HESA (2011), is to "to facilitate the development of informed public policy on higher education and to encourage cooperation among universities and government, industry and other sectors of society in

South Africa". HESA's primary roles are policy analysis and strategic research; advocacy and stakeholder influence; and sector support (HESA 2011). The policy analysis and strategic research component includes a focus on an active participation in the direction of higher education policy development while the advocacy and stakeholder influence role includes a focus on the development and strengthening of networks, partnerships and relationships with key higher education organisations and stakeholder constituencies and positioning HESA as a leader in shaping the national higher education policy and regulatory agenda. The sector support role includes focusing on representing and advancing the sector's interests through participation in national structures and the promotion and facilitation of partnerships, collaboration and information sharing among institutions and with other organisations (HESA 2011).

HESA has a few governance and advisory committees, the role of which is "to study and advise HESA on governance and/or major policy issues in higher education" (HESA 2012) as well as strategy and working groups, or groups dealing with funding; strategy; research and innovation; transformation; teaching and learning. Strategy groups are established by HESA's Board of Directors (consisting of the 23 Vice Chancellors) to, according to HESA (2012), advise the Board of Directors on overall strategic directions pertaining to a specific portfolio; advise the Board of Directors on positions to be taken on specific issues of relevance to Higher Education; and undertake any other tasks requested by the Board of Directors. HESA's committees, working groups and task teams have only advisory roles.

Because of the advisory nature of the CHE and HESA's mandates, these institutions do not have the power to act as lead agents in higher education intergovernmental relations.

### Higher education institutions – universities

Castells (2009:1) states that universities are essential for scientific and technological development, as well as in training human capital according to the constantly changing economic and technological environment. According to Castells (2009:1-3), there are historically six functions of universities:

- producers of values and theological institutions – for example, Bologna, Oxford, Sorbonne;
- selection of elite – for example, Cambridge and Oxford;
- training of the labour force in professional universities, such as schools of medicine, business schools, engineering schools (for example, engineering School of Lausanne in Europe);
- production of specific science and knowledge needed for a development of specific industries needed by a country – for example, Harvard;
- provision of degrees – unlike training of labour force this function helps individuals to receive a degree and then be trained in a specific job (the post-World War II universities in Europe and post-independence universities in Africa); and
- innovation – entrepreneurial universities connecting science and technology with business (for example, Stanford and MIT).

The Vice Chancellor of the University of Bristol, Professor Eric Thomas, pointed out that "human society requires universities – they are not an added extra, they are an essential part of the fabric of our civilisation, our educational provision, our search for new knowledge

and our civic life" (Thomas 2002:3). The above statement means that every society needs universities and that they are an integral part of any society, they have an ability to ensure that society has knowledge and skills to develop and progress. This is also supported by Van Jaarsveldt (2010: 26) who refers to Jasper's 1956 book entitled, *The Idea of the University*. In this book Jaspers states that responsibilities of universities include the provision of professional training and knowledge, education and research; encouraging students to think independently.

The combination of thoughts regarding the duties of the universities of Rosenstone and Short (in Van Jaarsveldt 2010:26-33) provides for the following responsibilities:

- the advancement of knowledge through basic research;
- teaching students to think analytically regarding social, economic and political environments that students live in;
- regular publications on new discoveries;
- teaching students to be "good citizens";
- provision of a profession specific training;
- training of researchers and educators to ensure that they can also teach future generations of students; and
- protection of a society's values and community outreach.

Van Jaarsveldt (2010:29-30) argues that in the current environment universities focus on students' motivation, team work, community outreach, solving problems in a community and analytical skills. Universities are therefore crucial and should be acknowledged as one of the main stakeholders in higher education intergovernmental relations. Government, the CHE and HESA should cooperate with universities, and *vice versa*, for the South African higher education sector to fulfil its role and responsibilities of promoting the developmental goals of the state.

## DEVELOPMENTS IN THE EDUCATION AND HIGHER EDUCATION ENVIRONMENT IN SOUTH AFRICA

The South African government acknowledges the importance of education and higher education as a priority and undertook a number of steps to address the challenges facing education. In 2009, President Zuma divided the Department of Education into the Department of Basic Education and the Department of Higher Education and Training and announced at a conference in Durban (March 2009) that "education was the number one priority for his administration". He also declared education to be a main driver in ensuring that the levels of poverty and unemployment are halved by 2014 (UNDP 2010).

The Minister of Higher Education and Training has demonstrated his commitment towards ensuring success in the higher education sector by announcing in 2009, according to *News24* (2010), that government is looking into introducing entrance examinations to give learners an additional chance to gain admission to universities if they had failed to do so during their Grade 12 examinations. He also mentioned that in cases where students do not cope at university level, it is the universities' responsibility to assist these students. To assist students in developing their academic skills the DHET allocated R136 million in 2009 to

*foundation grants* (*News24* 2010). The Minister also voiced the possibility of increasing the time for obtaining a standard degree from three to four years, which can possibly lead to reconsidering the necessity for Honours degrees (*News24* 2010). According to *Times Live* (2010), the Minister of the DHET stated that the "skills challenge needed to be tackled using universities, universities of technology, colleges and Sector Education Training Authorities (SETA)". He maintained that these institutions should work closely with one another and that partnerships among these institutions should be developed.

In January 2011, The Minister announced the increase of learning opportunities from 184 547 in 2010 to 288 487 in 2011 through Further Education and Training Colleges, universities, 'learnerships' and short skills programmes (Nzimande 2011). He also announced that students who qualify for financial aid will be exempted from paying academic fees at FET Colleges. In addition, education loans of final year students who are academically successful will be transformed into bursaries. The NSFAS, according to the Minister (2011), will receive an additional R150 million from the National Skills Fund (NSF) to focus on addressing scarce skills in South Africa.

From the above-mentioned developments, it is clear that a lead agent promoting intergovernmental relations in the higher education sector is necessary. This intergovernmental relations structure should have the authority to put mechanisms in place to ensure that stakeholders involved in the higher education sector cooperated with one another to pursue the developmental goals of South Africa.

## CONCLUSION

The article has briefly described the roles and responsibilities of the various stakeholders in higher education intergovernmental relations. It is evident that although the mentioned stakeholders in the higher education sector acknowledge intergovernmental relations as an important element in the efficient and effective implementation of higher education policy and programmes, there is no lead agent or structure in place to promote the values of cooperative government and intergovernmental relations in this sector. Such an intergovernmental relations structure should be a statutory constituted body one where enforceable binding decisions can be made and communicated to the various role-players. It is suggested that the Department of Higher Education and Training facilitate the process of establishing such a structure, after consultation with the CHE as well as HESA. Delegates from the various universities should also be represented on such a structure. Technical support for such a structure could be provided by the Department of Higher Education and Training. Roles and responsibilities of such a structure should be clearly defined to be able to support the mandates of the various stakeholders represented in the structure and not entrenched in the various institutions in the pursuance of their main goals and objectives.

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