



higher education  
& training  
Department  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA



EKURHULENI EAST TVET COLLEGE  
*Committed to Excellence*

## **EKURHULENI EAST TVET COLLEGE**

### **HUMAN RESOURCES COMMITTEE OF COUNCIL**

#### **TERMS OF REFERENCE**

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## 1. LEGISLATIVE FRAMEWORK AND BEST PRACTICES

Key principles contained in the following legislation and best practices were applied to develop these Terms of Reference:

- a) The South African Constitution Act No. 108 of 1996;
- b) Continuing Education and Training Colleges Act No. 16 of 2006, as amended;
- c) Public Service Act no. 103 of 1994, as amended
- d) Public Service Regulations, 2001 as amended.
- e) Basic Conditions of Employment Act, as amended.
- f) Labour Relations Act, 66 of 1995 as amended.
- g) Relevant PSCBC Resolutions.
- h) King Report on Corporate Governance for South Africa 2009
- i) Protocol on Corporate Governance for the Public Sector 2002

## 2. PURPOSE

- 2.1 The standard College statute requires Council to establish a Human Resources Committee (HRC).
- 2.2 The purpose of this Charter is to:
  - a) establish the terms of reference of HRC;
  - b) ensure the effective and efficient functions of the College, and
  - c) ensure that all activities are within the delegations as approved by Council.

## 3. DEFINITIONS, ACRONYMS AND ABBREVIATIONS

For the purpose of this charter, unless the context indicates otherwise, the following definitions, acronyms and abbreviations are set out for the terms indicated:

- 3.1 **"Accounting Officer"** – is the College Principal.
- 3.2 **"Act"** – is the CET Colleges Act No. 16 of 2006, as amended.

- 3.3 **“College”** – is a Public TVET College.
- 3.4 **“Council”**- is the Council of the College established in terms of the CET Act.
- 3.5 **“Department”**; **“DHET”** – is the Department of Higher Education and Training.
- 3.6 **“Management”** – are collectively the College Principal and Deputy Principals.
- 3.7 **“Exco”** – is the Executive Committee of the College.
- 3.8 **“HRC”** – is the Human Resources Committee of the College.
- 3.9 **“TVET”** – is Technical, Vocational, Education and Training.
- 3.10 **“VCET”** is Vocational and Continuing Education and Training.

#### 4. COMPOSITION

- 4.1 The members of the College Council will elect the members of HRC.
- 4.2 Membership of the committee shall consist of the Principal who shall be an ex-officio member; two external Council Members; two internal council members and Deputy Principal Corporate Services.
- 4.3 The College Human Resources Manager shall be in attendance
- 4.4 The term of office of HRC shall coincide with the Council term for external members elected by Council

#### 5. CHAIRPERSON OF THE COMMITTEE

- 5.1 The Chairperson of the Committee will be appointed by the Council who shall be an external council member.

- 5.2 The Chairperson of the Committee and other Council representative(s) on the Committee shall be available to report orally to the Council on key aspects of the proceedings of the Committee as required.

## 6. SECRETARY

- 6.1 The Council Secretary shall act as Secretary to the Committee and be responsible for the preparation and distribution of agenda, papers, minutes and reports following consultation with the Chairperson of the Committee.

## 7. MEETING PROCEDURES

- 7.1 HRC shall meet as often as it needs to but should have a minimum of 4 meetings in an academic year
- 7.2 In the absence of the chairperson, HR committee may appoint any external member of the Council as chairperson for the duration of the meeting.
- 7.3 A quorum of 50%+1 members is necessary for HRC meeting to be properly constituted and proceed, provided that at least one external member of Council is present.
- 7.4 An agenda and meeting pack for HRC shall be circulated to all members within reasonable period. Minutes of the previous meetings shall be included with HRC pack.

## 8. ROLES & RESPONSIBILITIES

HRC is assigned the following functions:

- 8.1 Oversee the implementation of College's strategy on Human Resources arising from the College's Strategic Plan
- 8.2 To maintain an overview of all matters concerned with staff.

- 8.3 To advise the Council in relation to the Human Resources and Organisational Development Function including policies and associated procedures covering recruitment, training, equal opportunities, discipline and grievance.
- 8.4 To consider the deliberations of the and the impact of National Collective Bargaining councils on the College
- 8.5 To consider reports on the provision and impact of continuous Professional Development.
- 8.6 To undertake a regular self-evaluation of the HR Committee.
- 8.7 Monitor and review the implementation of policies for the provision and delivery of Human Resources services in the College
- 8.8 Regular oversight on all key issues in a report from the Council Secretary, this to constitute a standing agenda item for the Committee, and the submission of an annual report from the Secretary
- 8.9 To provide an oversight regarding the implementation and monitoring Performance Management Development System in the context of the strategic objectives of the College and in line with the requirements of national agreements
- 8.10 To include a schedule in the Terms of Reference detailing the College Policies applicable to the monitoring functions of the Committee

## 9. AUTHORITY

- 9.1 The Committee will operate under the delegated authority of the College Council.
- 9.2 The Committee may establish and approve terms of reference and membership as may be required to advise on activities relating to College Human Resources and related matters.
- 9.3 The Committee may consider or review any matter falling within its terms of reference, calling on whatever resources and information it considers necessary to do so.

## **10. PERFORMANCE EVALUATION**

- 10.1 The Committee shall review its performance annually, and shall report the conclusions and any recommendations arising from this review in its draft minutes to the Council.

## **11. RISK MANAGEMENT**

- 11.1 To notify the Council on any specific areas of risk identified by the Committee for its own area.

## **12. REPORTING**

- 12.1 The Chairperson of the Committee shall report on Committee business to the Council with such recommendations, as Committee may deem appropriate.
- 12.2 The agendas, associated papers and minutes for this Committee will be made available in accordance with the Council's Standing Orders and regulations governing college council information management.

## **13. REMUNERATION**

- 13.1 HRC members not holding executive office in the College or not employed in the public service shall be remunerated for their services on the HRC, based on DHET guidelines.

## **14. ADOPTION OF TERMS OF REFERENCE**

- 14.1 This Charter is effective from the date on which it is adopted by the Council.

## **15. ANNUAL REVIEW OF TERMS OF REFERENCE**

- 15.1 The Terms of Reference shall be frequently reviewed to ensure relevance.

**16. APPROVAL OF THE TERMS OF REFERENCE**

**Recommended by:**

**Chairperson of Human Resources Committee**

**Signature:** 

**Date:** 10/11/2016

**Approved by:**

**Chairperson of College Council**

**Signature:** 

**Date:** 07/12/2016