



Cape Higher Education Consortium

46 Rouwkoop Road, Rondebosch, Cape Town • Private Bag X8, Rondebosch 7701, South Africa
Tel +27 21 686 5070 • Fax +27 21 689 7465 • www.chec.ac.za

A PRACTICAL APPROACH

TO

SYSTEMIC REGIONAL COLLABORATION

IN

WESTERN CAPE HIGHER EDUCATION

Discussion Paper
Prepared for the Cape Higher Education Consortium (CHEC)
September 2002

A PRACTICAL APPROACH TO SYSTEMIC REGIONAL COLLABORATION IN WESTERN CAPE HIGHER EDUCATION

**Discussion Paper Prepared for the Cape Higher Education Consortium (CHEC)
September 2002**

TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
1 BACKGROUND & CONTEXT.....	3
2 THE RATIONALE FOR REGIONAL COLLABORATION	4
2.1 TRANSFORMATION AS A RATIONALE	4
2.2 INCREASED OPERATIONAL EFFICIENCY AND EFFECTIVENESS AS A RATIONALE	5
3 “REGIONAL GOVERNANCE”: DECISION-MAKING STRUCTURES & PROCESSES	6
3.1 SOME GUIDING PRINCIPLES FOR REGIONAL GOVERNANCE.....	6
3.2 CAPACITY AND ROLES.....	8
3.3 “VALUE CHAIN” FOR REGIONAL COLLABORATION	8
3.4 IDENTIFYING & PRIORITISING COLLABORATION OPPORTUNITIES	9
3.4.1 Prioritisation Analysis 1: Filtering.....	10
3.4.2 Prioritisation Analysis 2: Mapping	11
3.4.2.1 Voluntary Collaboration: Type 1.....	11
3.4.2.2 Institutionally-driven Collaboration: Type 2.....	12
3.4.2.3 Externally-driven Collaboration: Type 3.....	13
3.5 STRUCTURED DIALOGUE	13
3.6 CONFLICT RESOLUTION	14
3.7 GOVERNANCE STRUCTURES.....	15
3.7.1 Board of Regents	16
3.7.2 CHEC Board of Directors	16
3.7.3 Standing Committees for Collaboration Areas.....	17
3.7.4 Steering Committees and Task Teams.....	18
3.8 GOVERNANCE PROCESSES.....	18
3.8.1 Steps in the Regional Governance Cycle	19
3.9 MEMORANDA OF UNDERSTANDING.....	21
4 WAY FORWARD	22

TABLE OF FIGURES

Figure 1: Proposed Regional Collaboration Value Chain.....	9
Figure 2: Proposed Regional Collaboration Prioritisation Model	10
Figure 3: Types of Collaboration.....	11
Figure 4: Structured Dialogue Process	14
Figure 5: Proposed Regional Collaboration Governance Structure.....	16
Figure 6: Proposed Regional Collaboration Governance Process	20

EXECUTIVE SUMMARY

This document advances the unfolding vision for systemic regional collaboration between public higher education institutions in the Western Cape. Previous efforts have established principles and commitments to regional collaboration and have identified specific areas in which collaboration might be of substantial value. What has not been addressed is the question of how the five autonomous institutions of the Western Cape give substance to the intentions contained in the vision and principles developed thus far. This document attempts to plug the gap by developing specific proposals for governance structures and processes. It then goes on to sketch the elements of a suggested implementation path.

The next step is to design a comprehensive plan to implement these proposals. This is currently being developed and should be presented to the CHEC trustees for discussion in October 2002.

Section 3 sets out the proposed collaborative governance structures and processes and is the heart of the discussion. Section 2 documents the rationale for systemic regional collaboration. The concluding section points to the next steps that have to be taken, focusing on implementation of the proposals.

1 BACKGROUND & CONTEXT

Collaboration is basic to academic enterprise. Whether it is coming together to write a paper, travelling to deliver a lecture or a more complex relationship constructed around shared research facilities or teaching programmes, most academics will immediately recognise collaboration as endemic to the academy. They would also recognise, without much further thought, that it is beneficial to the academy.

The purpose of this paper is to advance an emerging vision for *systemic regional collaboration* amongst the public higher education institutions in the Western Cape. Central to this vision is a belief that structured and intentional co-operation between geographically proximate institutions can bring substantial additional benefits to the institutions and to higher education in the region as a whole. Systemic regional collaboration is neither involuntary nor intended to replace the current modes of collaboration. Instead, it seeks to extend collaboration by drawing institutions into voluntary co-operative initiatives in which the benefit of acting in concert is perceived to be substantially greater than that resulting from independent action. Against the challenging global, national and regional backdrop of the higher education landscape there would appear to be ample justification for equipping the Western Cape institutions with the tools to carry out such initiatives.

The vision for systemic regional collaboration has, in fact, been taking shape for some time under the auspices of the Cape Higher Education Consortium (CHEC). Specific regional collaborative initiatives such as the CALICO library project date back to 1991 but were *ad hoc* and opportunistic in nature. The first attempt to express the vision in more formal terms was the acceptance of the principles of a regional Compact¹ by the Vice-Chancellors (or Rectors) of the five Western Cape institutions in December 2001, and their commitment to a strategic vision of systemic regional collaboration. In the first half of this year two papers^{2 3} set out some thoughts on specific areas for collaboration. In particular, eight high-priority areas for programme collaboration were identified. Discussion within CHEC and amongst institutional administrators has also focused on several areas of administration and shared services in which collaboration might be fruitful. Finally, government action in the form of the recent higher education merger proposals and the results of its Programme & Qualification Mix (PQM) exercise have further defined “what” to collaborate on.. What has been missing in all these efforts, to date, is explicit consideration of how to go about systemic regional collaboration. Specifically, very little thought has been given to the question of creating and implementing the governance structures and processes necessary to give effect to the vision. It is this gap that is the primary focus of this document.

Section 3 sets out the proposed collaborative governance structures and processes and is the heart of the discussion. Section 2 documents the rationale for systemic regional collaboration. The concluding section points to the next steps that have to be taken, focusing on implementation of the proposals.

¹ Cape Higher Education Consortium (December 2001), “A Compact to Facilitate Regional Co-operation in Higher Education in the Western Cape”.

² Cape Higher Education Consortium (21 May 2002), “Co-operating in a Competitive Environment: the way forward for Cape Higher Education”.

³ Cape Higher Education Consortium (28 February 2002), “Information Guidelines for Prospective Collaboration or Offering of Joint Programs”

2 THE RATIONALE FOR REGIONAL COLLABORATION

Successive CHEC documents have argued for various benefits which could arise from collaboration. It is worth taking stock of these threads and reconsidering the basic rationale for the envisaged collaboration.

The case is founded on the potential to advance broad transformation goals and to increase the operational efficiency and effectiveness of participating institutions.

2.1 TRANSFORMATION AS A RATIONALE

In one sense, transformation refers to the changing social priorities in South Africa. The legacy of apartheid and the subsequent drive to normalise the society is creating huge challenges in every sphere of life – higher education is no exception. Specifically, higher education must address: the need for a restructured national system that, in demographic terms, mirrors the general population in both its staff and students and regional needs for economic and social development, including the desire for a fully articulated system of education that can serve those needs and the needs of aspirant learners. Meanwhile, the higher education agenda is being increasingly charted through central planning efforts, as the state grows impatient with the failure of institutions to respond under their own initiative. Resource constraints at all levels within the sector provide further constraints on institutions.

In another sense, transformation refers to wider changes in the global environment – indeed they are the result of globalisation. Principal among these are the globalisation of knowledge and the changing knowledge economy and; the creation of a global higher education “market”. Both these trends suggest that higher education institutions need to become more competitive if they are to retain their usefulness. Academic offerings must respond flexibly to changing social needs and increasing demands for demonstrable quality. Research programmes will need to be well funded and well staffed to remain competitive. Strong co-operative relationships between higher education and other sectors are also emerging as a key element of success in this new environment. Institutions must compete more directly with foreign institutions as they use technology to extend their reach into the local education market and attract globally mobile students and staff away from their home regions.

Collectively, these imperatives underpin a strong case for regional collaboration – in many cases a collective, regional response offers a far more compelling approach than individual institutions acting in isolation. Since collaboration is essentially an emergent phenomenon – that is, its precise form is defined over time through the act of collaborating – it is hard to map out a definitive picture of the collective responses to all the issues we have raised. However, a few examples illustrate the point:

- ❖ **Academic programme collaboration - enhancing existing, and developing new, forms of collaboration to build a coherent platform of academic programme offerings in the region.** Shared teaching resources allow individual institutions to extend their offerings and increase their attractiveness by accessing capabilities at other institutions. Critical mass in poorly subscribed courses/programmes can be created by concentrating resources in a single programme and sharing it across institutions.

- ❖ **Research collaboration – increasing research capacity through strategic collaboration and resource sharing.** Research, particularly in the sciences and engineering, is increasingly costly. Human talent is also in short supply. For many areas, it makes sense to create regional research excellence by pooling financial and academic resources. Less ambitious efforts such as equipment sharing could also yield benefits. Collaborative research structures also provide a natural interface for joint initiatives encompassing the private and public sectors.
- ❖ **Technology-based Learning.** The time is ripe for looking at virtualised teaching - especially at postgraduate level - through technology-enhanced learning. Given an existing wide area network (WAN) that links all campuses and satellite campuses, it would be feasible for institutions to offer undergraduate courses for which they have no staff (e.g. archaeology for technikons), and to create virtual postgraduate courses (e.g. chemical engineering). Development of such infrastructure would position the Western Cape excellently to bid for a South African “ICT university” should that ever become a reality.
- ❖ **Collective response to Ministry initiatives.** Both the PQM exercise and the recent merger announcements originated within government. Regional collective action is essential if institutions want to engage government on these systemic questions from a position of strength.
- ❖ **Collaborative engagement in the region.** This is new ground for regional collaboration, but could yield high benefits for social and economic development in the region, as well as for reciprocity between institutions and their communities. Possible initiatives could include engagement with the further education and school sectors, including assessment of such options as a regional “community college”; community service in higher education (or “service-learning”); and other community awareness and involvement initiatives around such issues as HIV/AIDS.
- ❖ **Collaboration to agree and meet collective targets for equity and efficiency gains.** The regional review of institutional three-year rolling plans, required by the Department of Education, facilitates the establishment of collective targets for higher education in the region, for review in the public domain and external audit where necessary. Collaboration should ensure a regional as well as an institutional dimension in setting equity targets to widen student access, equity targets to ensure proper race and gender representation in staffing, and targets for efficiency gains through co-operative effort.

2.2 INCREASED OPERATIONAL EFFICIENCY AND EFFECTIVENESS AS A RATIONALE

The other argument favouring systemic regional collaboration is that it leads to increased effectiveness and efficiencies in institutional operations. Efficiency gains come from economies of scale arising from the consolidation of various routine administrative and service functions. These may arise either in the classic sense of larger scale resulting in lower unit costs or through greater purchasing power that enables the collective to extract more favourable terms from third party suppliers.

Collaboration can also increase operational effectiveness. Pooled resources enable the creation of capabilities beyond the reach of any one institution. Best practices can be shared and raise the standards for everyone. Again, it is difficult to compile an exhaustive list of efficiency and effectiveness enhancing collaborative opportunities, but some examples will suffice:

- ❖ **Shared academic infrastructure – sharing resources in such areas as libraries and information and communications technology.** Collaborative efforts in the Western Cape began, and are hence most developed, in the infrastructural projects area (e.g. Cape Library Co-operative/CALICO, Publishing Liaison Office/PLO and Tertiary Education Network/TENET).
- ❖ **Shared services – leveraging cost saving and efficiency benefits in support services.** Initiatives could include, for example, shared platforms and programmes for administrative computing (e.g. for payroll and purchasing systems), shared information technology services, shared purchasing power and shared advertising (including recruitment advertising) and marketing accounts.

3 “REGIONAL GOVERNANCE”: DECISION-MAKING STRUCTURES & PROCESSES

Western Cape institutions have been collaborating with mixed results and now need to take the next step. *Systemic regional collaboration* differs from other forms of collaboration in its requirement for formal “governance” – that is, decision-making structures and processes that facilitate intentional and structured collaboration. This section sets out the specifics of a proposed regional governance arrangement.

3.1 SOME GUIDING PRINCIPLES FOR REGIONAL GOVERNANCE

Any proposal for a collective governance arrangement must address three questions:

- ❖ How should institutional autonomy be balanced against the need for robust collective decision making?;
- ❖ How does one ensure effective regional governance without overburdening the system with a costly co-ordinating layer?; and
- ❖ What role should the state play in collective governance arrangements?

The following proposal is guided by a number of principles that implicitly address each of these questions:

- ❖ **Any system of regional collaboration in the Western Cape must recognise that institutions participating in the collaborative effort are autonomous.** The central implication here is that regional collaboration must be based on willing participation in collaborative structures and initiatives. Institutions cannot be subordinate to a regional or “federal” structure.
- ❖ **Therefore, collaboration must benefit the institutions.** It must address the needs, priorities and best interests of Western Cape public higher education institutions,

balancing these with the goals and imperatives for higher education, as set out in national policy⁴.

- ❖ **A workable collaborative framework requires that institutions commit to a sustained programme of collaboration** across many initiatives and over a long period of time. Collaboration will, at times, inevitably place institutions in situations that require them to relinquish individual interests in favour of the collective interest. In general, this is only rational if there is a reasonable expectation that current sacrifices will be repaid with gains in the future⁵.
- ❖ **Regional governance cannot impose binding decisions on autonomous institutions; however it can facilitate the development of binding agreements between member institutions** by acting as a filter for collaboration opportunities and brokering the terms of collaborative initiatives. Indeed, once terms of collaborative initiatives have been agreed, effective implementation will typically require that institutions bind themselves to the agreements. It is hard to imagine, for example, any workable implementation of a joint Performing Arts initiative without binding commitments around the required contributions from the various members.
- ❖ **Even though regional governance has no statutory authority, it must have legitimacy in the eyes of its member institutions.** For this reason, it is important that regional governance structures achieve a proper representation of institutional authority, as well as a proper representation of expertise and perspectives. They must be transparent to member institutions and must create a channel of access for stakeholder perspectives, while not duplicating the channels already provided at institutional level through existing legislation.
- ❖ **Regional governance must articulate with institutional governance.** It is important that the regional governance process adopts as far as possible a rhythm that is synchronised with the academic year and the institutional governance process.
- ❖ **The resource requirements for regional collaboration must be kept to a minimum.** A large regional co-ordinating layer is not desirable.
- ❖ **Regional collaboration should not require government participation or approval.** Crucially, the proposals should not require any changes to the Higher Education Act (some “hard” federal options would require this) . Institutions are free, under the current statutory provisions, to create and resource collaborative mechanisms and even formal structures. However, public participation in collaborative structures and initiatives is highly desirable and should be sought wherever possible.

⁴ Increased access to meet the human resource needs of the country; equity of access and outcomes to redress past inequalities; diversity in the institutional landscape through mission and programme differentiation; developed high-level research capacity; new institutional identities and forms. (NPHE 2001: Section 1.7.)

⁵ Those familiar with “Game Theory” will recognise the underlying problem as the classic “Prisoner’s Dilemma”. However, the “Prisoner’s Dilemma” is a consequence of the fact that the game is only played once. It has been shown (e.g. by Axelrod) that the “Dilemma” falls away, allowing co-operative solutions to emerge, if the participants know that the game will be repeated.

3.2 *CAPACITY AND ROLES*

Formal regional governance arrangements will clearly require some implementation capacity and allocation of responsibility. While the specifics are discussed later in detail it is worth noting the broad roles played by the CHEC member institutions on the one hand and the supporting role played by the CHEC secretariat on the other. The most important roles of CHEC's member institutions would be:

- ❖ Establishing and participating in the structures and processes of governance for regional collaboration – while these structures and processes would be non-statutory, their legitimacy and co-ordination functions would be crucial for the purposes of decision-making and action;
- ❖ Ensuring proper articulation between the regional governance system and their institutional governance systems;
- ❖ Committing proper resources – including persons, knowledge, expertise, time and funds - to the structures, systems and processes needed to govern, manage and implement systemic regional collaboration.

The most potentially useful roles for the CHEC secretariat emerge as⁶:

- ❖ Providing a forum for the discussion of policy and identification of potential collaborative initiatives;
- ❖ Facilitating, co-ordinating and monitoring collaborative activities and projects agreed to by members;
- ❖ Acting as a co-ordinating mechanism for regional review of institutional plans and any other items as requested by the Ministry or Department of Education;
- ❖ Organising the clearing house mechanism for new academic programmes proposed in the region;
- ❖ Acting as a representative of institutions, when appropriate, to government, donors and other groups;
- ❖ Acting as a disseminator of information of relevance to members;
- ❖ Acting as a catalyst in the creation of regional governance arrangements.

3.3 *“VALUE CHAIN” FOR REGIONAL COLLABORATION*

Regional governance mechanisms need to develop and maintain a model for systemic regional collaboration in the Western Cape that is able to do the following:

- ❖ Identify and prioritise regional collaboration opportunities;
- ❖ Select opportunities to address;
- ❖ Analyse, develop and recommend collaboration options;
- ❖ Implement agreed collaboration initiatives;
- ❖ Review and monitor the effectiveness of regional collaboration initiatives individually and collectively.

Together these activities can be seen as constituting a “value chain” for regional collaboration.

⁶ With acknowledgement to Gibbon, PA & Parekh, A, March 2001, “Uncommon Wisdom: Making Co-operation Work for South African Higher Education”.: Section 4.2.

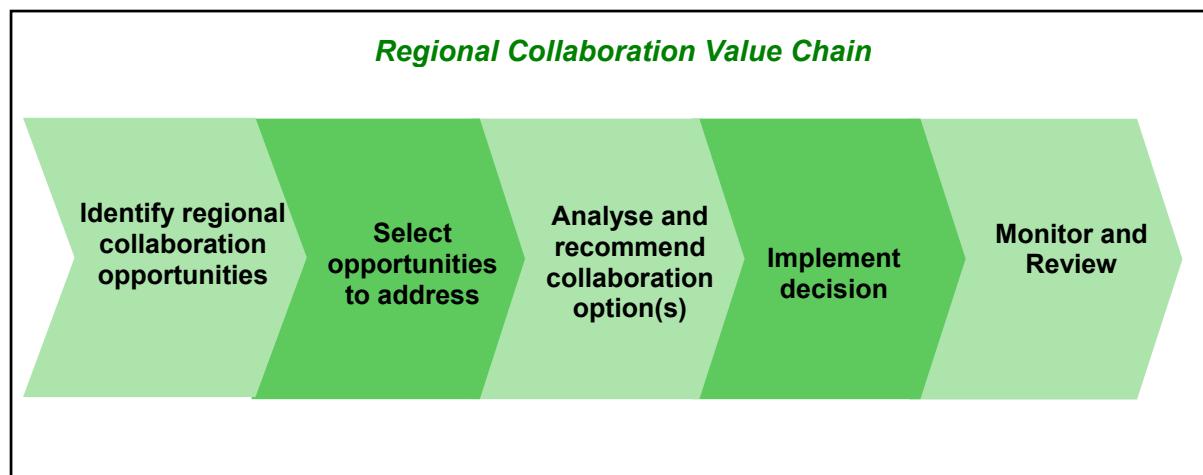


Figure 1: Proposed Regional Collaboration Value Chain

The following sections propose a set of governance structures and processes that would enable this chain of activities.

3.4 IDENTIFYING & PRIORITISING COLLABORATION OPPORTUNITIES

Potential opportunities for regional collaboration are numerous and could originate from a variety of sources. Many of them, for example, could arise from institutional planning processes, from regional review of institutional three-year rolling plans, and from other forms of CHEC interaction. Others will arise from within faculties, and some ideas could be initiated within administrative or support departments; these opportunities may be fed into the faculty-level or institutional governance process, or may be more *ad hoc* in nature. Finally, collaboration opportunities could be externally generated: by the Ministry, as in the case of the recent PQM exercise, or even by external stakeholders such as business, regional government or donors.

Opportunities that arise will also be qualitatively different. The academic programme collaboration area illustrates this point. For example, opportunities could arise around:

- ❑ academic programmes offered in more than one institution, attracting inadequate enrolments (e.g. foreign languages);
- ❑ academic programmes offered in only one institution, for which other institutions could benefit by access (e.g. agriculture at the University of Stellenbosch/US, archaeology at the University of Cape Town/UCT);
- ❑ academic programmes that are best offered on a joint basis, by more than one institution (e.g. Museum Studies, offered jointly by UCT, the University of the Western Cape/UWC and the Robben Island Museum, or potentially incorporating graphic design at the Cape Technikon into Film and Media Studies at UCT); or
- ❑ academic programmes that must be rationalised in the view of the Ministry (e.g. Dentistry, currently offered by both UWC and US).

Qualitatively different opportunities require qualitatively different approaches. While it is acknowledged that identification of collaboration opportunities would be occurring informally on a continuous basis, and that generation of opportunities at a range of levels should be encouraged, there is an associated danger that identification, prioritisation and

selection of collaboration initiatives could become *ad hoc* and uneven (and in fact this has been CHEC’s past experience). For this reason, it is proposed that a formal process for identification and prioritisation of collaboration opportunities should be instituted, and that this step would in fact initiate the regional governance process.

It is suggested that this preliminary work would be carried out by what is called here the CHEC Board of Directors (BoD)⁷, and that this would occur on an annual basis around the end of the first quarter of the year⁸. The proposed process is described below, with reference to Figure 2.

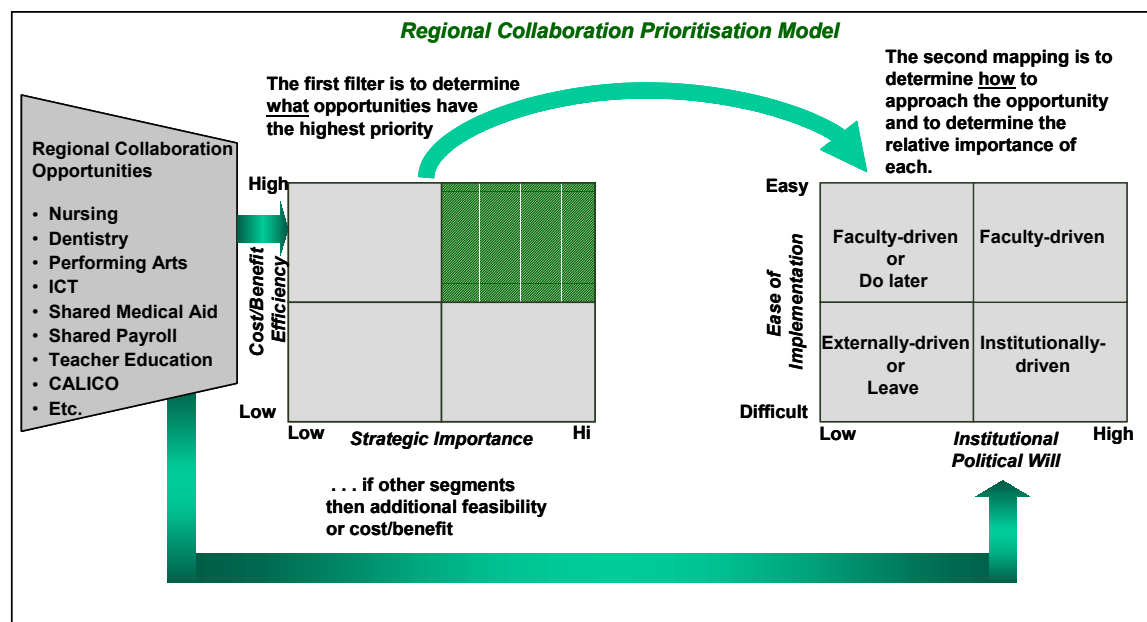


Figure 2: Proposed Regional Collaboration Prioritisation Model

Assuming that a range of collaboration opportunities have emerged via different routes and have been synthesised into a digestible format, then the BoD’s task would be to determine which collaboration opportunities should be pursued and which should be left alone. It is suggested that this could be done effectively, using a simple two-stage matrix analysis.

3.4.1 Prioritisation Analysis 1: Filtering

The first stage of the analysis would determine which collaboration opportunities have the highest priority, based on an assessment of whether the strategic importance of such collaboration is high or low, and whether the cost and/or efficiency benefits are seen to be high or low.

- ❖ Where an opportunity scores high on both dimensions, then collaboration in this area would be a high priority, and would be referred for a second stage of analysis. (The eight priority areas for academic programme collaboration already identified by CHEC could be assumed to have been assigned to this category, although via another process.)

⁷ This would be the equivalent of the current CHEC Board of Trustees, and what may become the CHEC Board of Directors under a Section 21 company arrangement.

⁸ This preliminary step in the governance process is reflected as step 1 of the governance process, as illustrated in Figure 4.

important choice in process terms here would be whether to proceed immediately, or whether to hold collaboration over till a later date.

A collaborative opportunity, in terms of high priorities for the Western Cape already identified by CHEC, which would probably fall into the Type 1 category, is Teacher Education. It should also be noted that much Type 1 activity is already occurring in the form of collaborative teaching arrangements – collaborative postgraduate teaching in Chemical Engineering between US and UCT serves as one illustrative example, but CHEC currently possesses a six-page register of such initiatives.

There are two key points to be made about Type 1 collaboration. The first is that, given this is an area in which inter-institutional collaboration has a track record, CHEC could, through a sampling of experiences, seek to capture learning and best practices to assist ongoing voluntary collaboration efforts. In this sense, formal collaborative structures can have a facilitative and supportive role for this type of collaboration.

The second point is that the intention should be to engage regional governance resources as little as possible in these collaboration opportunities. The opportunities emerge at the faculty level, and follow an institutional route in terms of Senate approval. At the same time, given their emergent and *ad hoc* nature and the legitimate learning benefit to be gained from them, simple mechanisms for taking account of these initiatives at regional level should be found. One option for doing so is the existing regional register which could be updated on an annual basis through a request addressed to the faculties by each institution and appropriately co-ordinated thereafter. Another option would be to formalise the collaboration through a Memorandum of Understanding (MOU) such as is proposed for other collaboration types later in this document. For Type 1 collaboration initiatives, this would be a very simple agreement spelling out the information needing to be submitted for Senate approval anyway. Great care would be needed to ensure that such initiatives do not become burdened by administrative overhead – the emphasis must be on simplicity.

3.4.2.2 Institutionally-driven Collaboration: Type 2

Where institutional political will to implement a collaboration opportunity is high at senior leadership level, but implementation is likely to be difficult, in part for reasons of complexity and in part because political will at other levels in the institutions concerned may be much lower, a collaboration opportunity would need to be processed using the full resources of the regional governance system. For this reason, Type 2 collaboration initiatives are likely to constitute a large part of regional governance focus, and the regional structures and processes described in sections below will give the best idea of how these opportunities would progress through the system.

Type 2 opportunities would typically originate at the institutional planning level, or through the regional planning review process. A collaborative opportunity, in terms of high priorities for the Western Cape already identified by CHEC, which would almost certainly fall into the Type 2 category, is Performing Arts. Visual Arts and Design, and South African and foreign languages may also qualify for this category. New infrastructural and administrative projects (e.g. virtualised postgraduate teaching, shared administrative computing) would also tend to fall here once identified as high priorities.

Some key points regarding Type 2 collaboration bear noting here, although they will be expanded upon in later sections. Firstly, these collaboration opportunities need to be presented to the institutional governance structures using a “double loop” process. The first loop would, on the basis of a high-level brief, seek in-principle approval for detailed investigation around collaboration. The second loop would take concrete proposals and agreements to the institutional governance structures for final approval. The process between these two loops would be one engaging deans or directors in a steering capacity, as well as task teams undertaking detailed investigative work. Since Type 2 collaboration is inherently driven by the senior institutional leadership, it is important that these managers set firm guidelines for this work. In particular, they need to emphasise constraints that require changes to the status quo. The process would be of a “decision dialogue” kind, framing the nature of possible collaboration, surfacing a set of alternatives, analysing the options, and synthesising a preferred approach based on the range of perspectives and findings. This would then be codified through an MOU that would bind institutions to the agreement reached. It is possible that decision dialogue could deadlock at some point in the process, requiring a shift into conflict resolution mode.

3.4.2.3 Externally-driven Collaboration: Type 3

Type 3 collaboration issues are those where institutional political will to implement collaboration is low at all levels of the institutions concerned, and where implementation is likely to be highly complex. Typically, these would be collaboration opportunities that are presented as requirements to rationalise by the Ministry. One of the institutions – or more than one, or all – may feel a significant loss will be incurred through collaboration in this area, and may resist attempts at regional agreement.

Academic programme collaboration issues that might fall into this category under current circumstances could include Dentistry and Nursing. Essentially, two options are open to institutions in this case. The first option is for the region to leave the issue for resolution by the Ministry and thus to accept a centrally imposed way forward. The second option is for a regionally facilitated process of negotiation and conflict resolution, which would generate a constructive way forward to be presented by way of response to the Minister. This option would involve those senior institutional leaders who are also key players in regional governance. To this extent, Type 3 collaboration would constitute an important part of regional governance focus. Where agreement is successfully negotiated, Type 3 collaboration would then need to go through a process of investigation, leading to codification through an MOU, as with Type 2 initiatives.

3.5 STRUCTURED DIALOGUE

Structured dialogues are an effective way of addressing complex decision situations which require clarity over what is best and alignment of the key participants around the chosen course of action. This will generally be the case with Type 2 collaboration discussed above. The essence of a structured dialogue is a series of conversations between knowledgeable experts (the task team) and empowered decision makers (steering committee). The objective of the dialogue is to create a solution to a problem, understand the strengths and weaknesses associated with it and, ensure that all the participants are committed to its implementation.

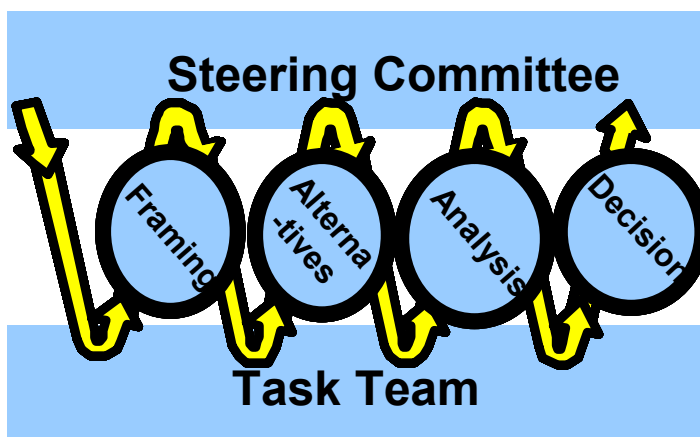


Figure 4: Structured Dialogue Process

A typical dialogue process involves four stages that successively build on one another (see figure 3). At the end of each stage there is a meeting between the steering committee and the task team during which issues are shared and raised, feedback given and agreement reached before proceeding:

1. **Framing – What is the Problem?** The framing stage of the dialogue is designed to lead to agreement around the problem that needs to be solved and the process for solving it.
2. **Alternatives – What can we do?** Alternatives are potential solutions to the problem and, ideally, will represent the range of opinion and debate amongst the participants.
3. **Analysis – What did we learn?** The purpose of analysis is for the group to learn about the sources of value and risk from a side-by-side examination of the initial alternatives.
4. **Decision - What are we going to do and why?** The final step in the process is a conversation in which the participants decide on the way forward. The object is to create a new “hybrid” alternative which combines the best elements of each of the initial alternatives based on the increased level of shared understanding that has been developed through the process.

3.6 CONFLICT RESOLUTION

The need for conflict resolution may arise in the early stages of Type 3 collaboration (in which case it would be handled at the highest levels: the Board of Regents as proposed under Governance Structures, below), or it could arise should difficulties be encountered during efforts to agree Type 2 collaboration initiatives (in which case it would be referred in the first instance to a Standing Committee as proposed under Governance Structures, below). It is suggested here that conflict resolution should begin, in either instance, with an attempt to reach a negotiated agreement between the institutions involved, as facilitated by a neutral party. The facilitator could, for example, be the head of the CHEC Secretariat or any other suitable person acceptable to the institutions.

A well-advised and well-known approach to negotiating agreement is that offered by Fisher and Ury⁹ and it is useful to give a flavour of it here, as a possible mode of conflict resolution to be applied in the region. This approach focuses on principled negotiation as opposed to positional bargaining – i.e. instead of opening with their specific positions on an issue, parties negotiate on the basis of four key principles, namely: separate the people (personalities and emotions) from the problem; focus on interests rather than positions; generate a variety of options before settling on an agreement; and insist that the agreement be based on objective criteria. These principles should be observed at each stage of the negotiation process. The process begins with the analysis of the situation or problem, of the other parties' interests and perceptions, and of the existing options. The next stage is to plan ways of responding to the situation and the other parties. Finally, the parties discuss the problem trying to find a solution on which they can agree. In this way, negotiable issues can be resolved as far as possible, and “positions” need not feature as obstacles. While no negotiation method can completely overcome differences in power, Fisher and Ury suggest ways to protect parties against a poor agreement, and to help them make the most of their assets. Often negotiators will establish a “bottom line” in an attempt to protect themselves against a poor agreement; the bottom line is what the party anticipates as the worst acceptable outcome. Negotiators decide in advance of actual negotiations to reject any proposal below that line. Fisher and Ury argue against this approach, as a bottom line decided upon in advance of discussions, may be arbitrary, unrealistic or obstructive. Instead, parties should concentrate on assessing their best alternative to a negotiated agreement (the “BATNA”), and rejecting any agreement that would leave them worse off than their BATNA.

Should CHEC member institutions be unable to negotiate an agreement through the type of facilitated process suggested above, then the options would be to leave the issue for an externally-driven solution (in Type 3 instances), or to drop the collaboration opportunity altogether (in Type 2 instances), or to agree to proceed to a formal review by a “panel of wise persons”, or a formal mediation or arbitration, at the same time committing themselves to be bound by the outcomes of the formal process.

3.7 GOVERNANCE STRUCTURES

The discussion to this point has indicated the likely varied nature and focus of regional collaboration, implying that a differentiated governance structure will be required. Earlier comments highlighted the importance of appropriate authority, expertise and representation in governance structures in order to confer legitimacy on them. A possible model to satisfy these conditions is presented in the sections that follow, with reference to Figure 3.

⁹ Fisher, R and Ury, W (1983), “Getting to Yes: Negotiating Agreement Without Giving In”. New York, Penguin Books.

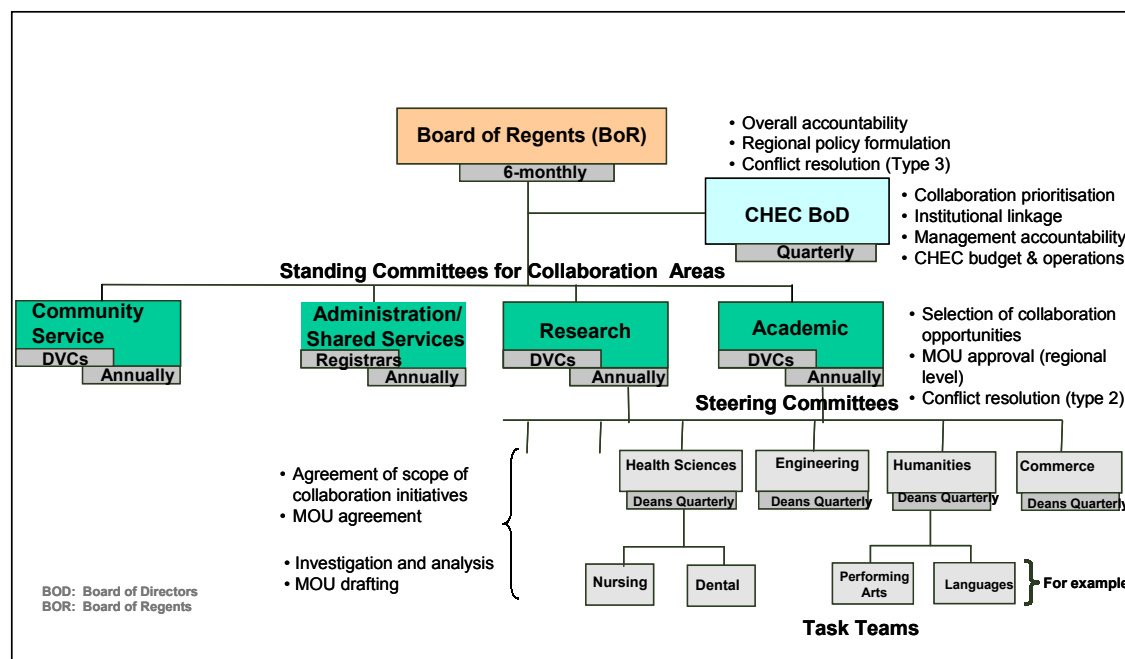


Figure 5: Proposed Regional Collaboration Governance Structure

3.7.1 Board of Regents

The Board of Regents (BoR) would have overall accountability, and would formulate policy, for the systemic regional collaboration effort to which the five public higher education institutions in the Western Cape have dedicated themselves via the CHEC Compact signed by their Vice-Chancellors. The BoR would also constitute the most senior level for conflict resolution within the system (typically, as needed for Type 3 collaboration).

Up to now, the most senior forum within CHEC has been a collective meeting of Vice-Chancellors. However, it is proposed that membership of the BoR should be expanded to include one external member of the Council of each institution, as nominated by the Councils (this could be the chair or any other external member of Council). In this way, the BoR would gain a wider institutional representation, and the Vice-Chancellors – who are chairs of their senates, as well as chief executives of their institutions – would be relieved of some of the possible conflicts of interest that might otherwise arise.

The BoR should be serviced by the head of the CHEC secretariat who, together with the Chair of the regional CHEC Board of Directors, would be present at meetings as a member in attendance, but without voting rights.

The BoR should meet twice a year. The first meeting of the year would approve the action plan of regional collaboration for that academic year. The second meeting would approve the consolidated proposal for regional collaboration for the following academic year, and review the progress report on collaboration initiatives already being implemented. Both meetings would discuss and resolve such policy issues as are current. Special meetings of the BoR may need to be called where conflict resolution is needed.

3.7.2 CHEC Board of Directors

The CHEC Board of Directors (BoD) would play the role that has been fulfilled up to now by the CHEC Trustees, as well as any additional roles that may be incumbent upon it through the

establishment of CHEC as a Section 21 company. These roles include overall management co-ordination of the regional collaboration effort, accountability for the budget and operations of CHEC, prioritisation of collaboration opportunities and, critically, establishing proper linkage between CHEC and their institutions. Members of the BoD may in some instances need to participate alongside BoR members in conflict resolution proceedings.

It is proposed that the membership of the BoD should continue to be one Deputy Vice-Chancellor from each CHEC member institution, as nominated by the institutions but preferably being the DVC with accountability for the institutional planning portfolio. (Under a Section 21 company model, the BoD would be the actual CHEC Board of Directors and may have additional co-opted members.)

The BoD should meet quarterly and should be serviced by the head of the CHEC Secretariat. The first meeting of the year would have two main agenda items: identifying and prioritising collaboration opportunities for the following academic year; and conducting an interim review of MOUs and proposals for collaboration initiatives emerging from detailed investigation by task teams and their steering committees. The second meeting of the year would prepare a consolidated collaboration proposal for the next academic year, as well as a consolidated progress report on collaboration initiatives being implemented, based on information submitted by the standing committees on collaboration areas, and to be submitted for BoR consideration and/or approval. The third meeting of the year would draw up the high-level action plan for regional collaboration in the new academic year, determining implementation steps, establishing investigative task teams and their steering committees, or feasibility studies as necessary, and approving and allocating budget as needed.

3.7.3 Standing Committees for Collaboration Areas

It is proposed that standing committees should be established for high-level collaboration areas, such as Academic Programme Collaboration, Research Collaboration, Infrastructural and Capital projects, Administration and Shared services, Transformation and Engagement Projects, and any others if needed. These standing committees would play an important role in selecting the collaboration opportunities that are to be addressed in any given academic year, in giving regional approval for MOUs agreed for collaborative initiatives (Type 2), in ensuring that an accurate register is maintained of Type 1 collaboration initiatives falling within their ambit, and in ensuring that reporting occurs on the implementation of collaboration initiatives. Standing committees would also be involved in conflict resolution in the case of Type 2 collaboration initiatives that have foundered at some point in their development (unless the conflict should be so serious as to require escalation to Board level).

Standing Committee membership would be drawn from senior institutional leadership, with one member per institution – e.g. using the examples of possible standing committees above and in Figure 4: DVCs Academic for Academic Programme Collaboration, DVCs Research for Research Collaboration, DVCs or Executive Directors as appropriate for Infrastructural and Capital Projects, Registrars for Administration and Shared Services, and DVCs Transformation/Community Relations for Transformation and Engagement Projects.

It is proposed that Standing Committees would have one substantial meeting a year (this would probably need to be at least a full day meeting). Special meetings could be convened for Type 2 conflict resolution purposes. The business of the annual meeting would include selecting new collaboration opportunities, approving MOUs, reviewing and confirming the register of Type 1 collaboration initiatives and signing off implementation progress reports.

As such, preparation for the meetings could be onerous, and follow-up to the meeting will include the writing of high-level briefs and preparation of a complete pack for the consideration of the BoD. For this reason, the standing committees should be serviced by an officer who has good links with the Chair, and who is well versed in the issues under consideration. Such servicing officers could be drawn from within the institutions or perhaps provided by the CHEC Secretariat; options would need to be investigated as part of the implementation plan for the ideas contained in this document.

3.7.4 Steering Committees and Task Teams

Steering committees and task teams would be convened to undertake the detailed work required for Type 2 collaboration. They would work together, with the steering committees playing an oversight and decision role, and the task teams playing an active investigation and analysis role. Their task would be to develop thinking and agreement around collaboration to the point where this can be codified in an MOU to be submitted for approval by the relevant standing committee. (On occasion, a task team might be convened to undertake only a preliminary feasibility study of an issue as identified by the BoD.)

The composition of these bodies would vary according to the initiative under investigation. In the case of academic programme collaboration, the steering committee is likely to comprise the deans; the task team will comprise primarily academics in the area being investigated. In the case of administrative collaboration or shared services, the steering committee is likely to comprise directors of the area concerned (e.g. Human Resources, Purchasing, Information Technology Services) with the task team comprising members of the institutional support departments. In addition, any task team could co-opt such institutional or other members as it needs to do its work effectively. This could well extend to drawing in representatives of business, regional or local government, or the community, in cases where these perspectives are relevant or necessary.

These groups would meet frequently over the three- to four-month period of investigation. They would require highly effective support and co-ordination and, once again, options for providing this support would need to be investigated as part of the implementation plan for the ideas contained in this document.

Finally, it should be noted that steering committees and task teams may also be required to give preliminary support to implementation of approved collaboration initiatives, and steering committees in particular may continue to exercise an oversight role over the first stages of implementation.

3.8 GOVERNANCE PROCESSES

This section proposes a regional governance process that sets up an annual rhythm for regional collaboration decision-making and that articulates with the institutional governance process. It should be noted that the proposed process is an ideal, or a guideline, intended to give shape, focus and transparency to regional collaboration. At the same time, it is clear that such a model cannot be rigidly imposed in every case. There will be instances when the cycle of governance may be achieved in less than one year, and instances where more time, or an adapted process, is required for decision-making involving very complex collaboration, or where conflict resolution is required.

The full cycle of governance that is described below is most applicable for Type 2 collaboration, but Type 1 and Type 3 collaboration are readily incorporated within this cycle.

Essentially, this process takes account of four elements of the regional collaboration value chain proposed earlier (see Figure 1). For example, Step 1 in Figure 4, as well as the inputs to that step, make up the value chain segment for identifying and prioritising regional collaboration opportunities; steps 2 through 7 entail selecting opportunities to address; steps 8 and 9 enable analysis and recommendation of collaboration options; monitoring and review of effectiveness would take place at steps 2 through 5 in those cases where implementation has already occurred.

The full governance process is described in the section that follows, with reference to Figure 4. The cycle is traced from beginning to end, as it might operate once the system is functioning. It should be noted that Year One of such a cycle would inevitably look somewhat different.

3.8.1 Steps in the Regional Governance Cycle

The regional governance cycle for the new academic year would begin at the end of the first quarter of the preceding academic year.

The first step (step 1 in Figure 4), conducted by the BoD at its first meeting of the year, is the identification and prioritisation of new collaboration opportunities arising from a variety of sources – including the institutional planning process, as described in detail above. Type 3 collaboration issues emerging for further negotiation would become the focus of a conflict resolution process, requiring BoR-level attention. Opportunities that are not yet high priority, but may warrant further investigation, would be referred for investigation to an appropriate task team. Type 1 and Type 2 collaboration priorities emerging would be submitted to the standing committees so that actual opportunities to be addressed in the forthcoming academic year, can be selected. This first BoD meeting of the year would also conduct an interim review of the reports of steering committees/task teams working on Type 2 issues already selected (step 9 in Figure 4). These reports would then be submitted to the standing committees, with comment from the BoD where necessary.

The second step (step 2 in Figure 4), is the annual meetings of each of the standing committees. A two-month period is allocated for the accompanying process, given the preparation and follow-up required. Each standing committee meeting would deliver a documentation pack, for the information of the BoD, comprising: selection of any new collaboration opportunities to be addressed, together with a high-level brief in each case; regionally approved MOUs for Type 2 initiatives already investigated in detail; confirmed register of Type 1 collaboration initiatives in the standing committee's ambit; and a progress report of collaboration initiatives being implemented.

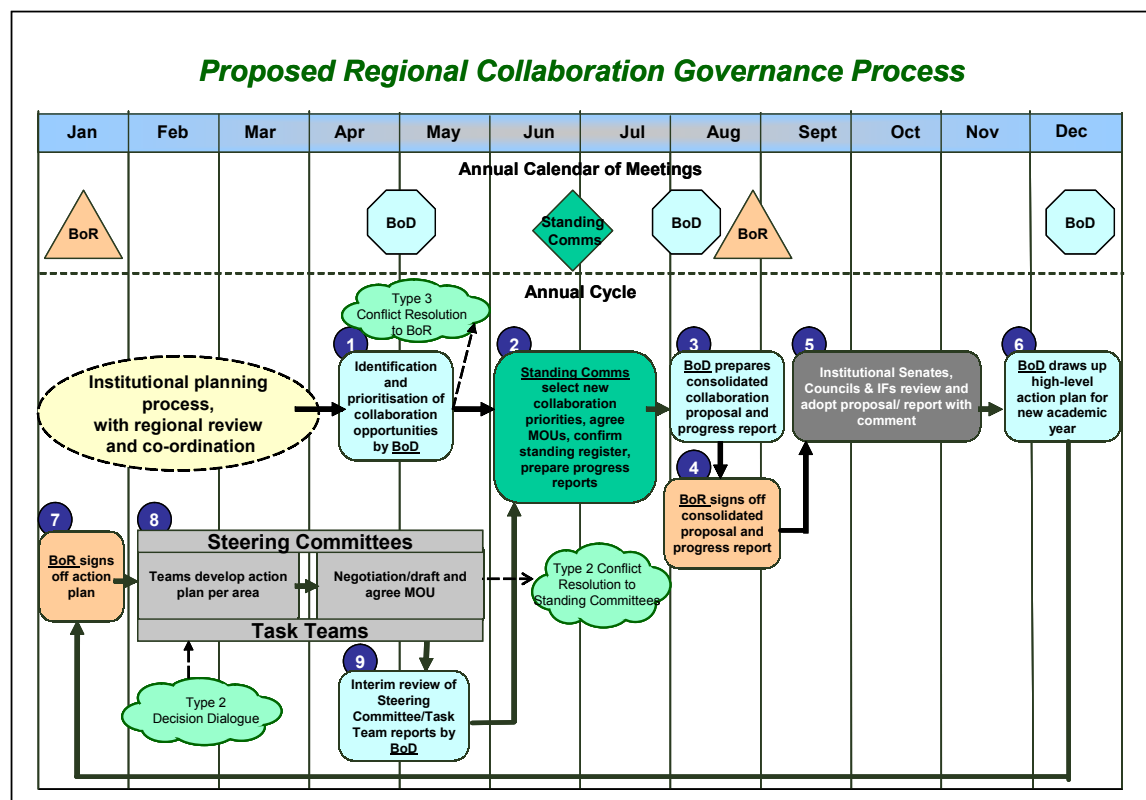


Figure 6: Proposed Regional Collaboration Governance Process

At its second meeting of the year (early August, step 3 in Figure 4), the BoD will prepare a consolidated collaboration proposal and report for the new academic year. This document will comprise: list of all new collaboration initiatives selected; all regionally approved MOUs; complete register of Type 1 collaboration; progress report on all collaboration initiatives being implemented; a covering memorandum specifying items for the approval, comment or noting of institutional governance structures. This consolidated proposal and report will be approved by the BoR at its second meeting of the year (late August, step 4 in Figure 4).

It would then be the responsibility of each institution’s CHEC BoD member to ensure that the consolidated proposal and report is submitted to the institution’s governance structures (step 5 in Figure 4), namely: to Senate, to Council and, via a request for advice from the Council, to the Institutional Forum where necessary. This is a critical step in the regional governance process, as it ensures transparency of regional collaboration at the institutional level and also opens up a channel for stakeholder perspectives on regional collaboration, given that stakeholders are statutorily represented on the institutional governance structures. The institutions would obviously be free to use such mechanisms as they see fit for the processing of the regional collaboration proposal and report, including such structures as Senate and Council executive committees, or such mechanisms as the Principal’s Circular (UCT). A period of about three months is probably needed to allow for the processing of the regional collaboration proposal and report through all the CHEC member institutions, given varying governance calendars in each. Although the regional governance process only articulates formally once a year with the institutional governance process, it has already been noted that this effectively represents a “double loop” process for collaboration initiatives. The first loop seeks in-principle approval for detailed investigation around collaboration, the second loop in

the following year takes concrete proposals (including MOUs) to the institutional governance structures for final approval.

The next step (step 6 in Figure 4) takes place around the final BoD meeting of the year. Based on the outcomes of institutional governance review, as synthesised by the CHEC Secretariat, the BoD prepares a high-level action plan for regional collaboration for the new academic year. This will include identification of steps for the implementation of approved collaboration agreements, the establishment of steering committees and task teams to investigate and agree Type 2 collaboration initiatives, as well as the allocation of budget and resources. The BoR signs off the high-level action plan at its first meeting of the new academic year (step 7 in Figure 4).

Steering committees and task teams conduct their detailed investigation of Type 2 collaboration areas during the first quarter of the new academic year (step 8 in Figure 4). As has already been described, they would work using a decision dialogue process to surface alternatives, analyse options, and agree an approach to be formulated in a binding MOU. The MOU would be drafted by the task team, agreed by the steering committee, and referred to the relevant standing committee for approval (at the regional level; institutional governance structures would also need to approve all MOUs). Together with the MOU proposal, the steering committees and Task Teams would generate a report on their findings and recommendations for interim review by the BoD (step 9 in Figure 4), and full review by the relevant standing committee (step 2 in Figure 4). Should the steering committees deadlock at any point in the investigative or MOU process, then there would be a need for conflict resolution, referred in the first instance to the standing committee, but escalated to BoR level where necessary.

This completes the description of the steps of the regional governance cycle. However, it should be noted that this description has not fully integrated the annual regional review process for institutional three-year rolling plans. This process is in large part dependent on directives and timing determined by the Department of Education. However, it is to be hoped that, through the efforts of the CHEC Secretariat and over time, regional planning review could be managed so as to articulate as successfully as possible with the overall governance cycle. Certainly the regular meetings of institutional planners, convened by the secretariat, should be maintained as one of the key operational co-ordination mechanisms and to ensure an active flow of collaboration opportunities from this source.

3.9 MEMORANDA OF UNDERSTANDING

A final – but critical – issue in any consideration of regional governance is the mechanism for binding collaboration agreements in the form of Memoranda of Understanding. CHEC member institutions are signatories to the CHEC Compact – however, while this Compact is a commitment to principles and a high-level statement of strategic vision, it is not a binding contract. Neither is a binding contract at this level possible, given that CHEC member institutions are autonomous. One of the arguments of this paper has been that regional collaboration is a strategic necessity for institutions, given the opportunities and imperatives they face, and that if regional collaboration is to be effective, then institutions will have to make substantive choices that in practice limit their autonomy. However, these choices can only be made binding at the level of specifically agreed collaboration initiatives. This level of binding agreement is enacted through the MOU.

To recap: the MOU is the end point of investigation and negotiation around Type 2 collaboration initiatives (as well as Type 3 collaboration that has been “converted” to Type 2 through a successful conflict resolution process). It has also been suggested that Type 1 collaboration (voluntary academic programme collaboration) should be formalised through simple MOUs. The MOU is drafted by a task team, agreed by a steering committee, regionally approved by a standing committee, and then submitted for institutional approval.

The MOUs would specify, as necessary, academic programme collaboration agreements, research and infrastructural collaboration agreements, or service level agreements for shared administrative or support services. An academic programme collaboration MOU would specify, for example: the agreed nature of the collaboration and its participants - i.e. is this a shared programme, a joint programme, or a new structure (physical or virtual) enabling a joint programme; agreed details of the qualification and academic programme – e.g. admission criteria, assessment criteria, credit arrangements; agreed resourcing, funding (subsidies and fees) and infrastructural arrangements; agreed quality assurance arrangements; and agreed student and academic support arrangements. A shared services agreement would specify, for example: the agreed nature of the collaboration and its participants; agreed resourcing, funding and infrastructural arrangements; obligations and constraints upon the parties to the agreement; and agreed performance measurement and review processes.

MOUs should be geared explicitly to meeting aggregate targets of improved access to higher education (both in volume of students, and demographically in terms of race and gender); increased articulation (movement of enrolled students between institutions, or shared courses as units in academic programmes); increased effectiveness (meeting social and economic development goals and strengthening civil society); and increased efficiency (more product for less money). These aggregate goals should be linked explicitly to the objectives of the NPHE.

MOUs would also need to give attention to such questions as: the initial fixed period of the agreement, terms of exit from the agreement, procedures for resolving conflicts that may arise during implementation of the agreement, and so on.

Should the ideas in this report be accepted, then one of the early implementation steps could be to design “template” MOUs for the main categories of regional collaboration (recognising that these would be adapted flexibly to meet the requirements of specific collaboration initiatives).

4 WAY FORWARD

The proposals outlined in this paper represent a significant conceptual step towards achieving effective systemic collaboration between the Western Cape higher education institutions. They have built on the growing impetus to collaborate in a number of high potential areas by suggesting specific processes and structures for governing regional collaborative enterprise. However, by themselves these proposals will not generate actual results; they need to be implemented.

Implementing these proposals is a substantial undertaking in its own right, involving four main tasks:

- ❖ **Ensuring the necessary institutional buy-in.** The governing bodies of the institutions need to approve (perhaps with modifications) the proposals and commit to their implementation.
- ❖ **Handling the existing collaboration initiatives.** There are numerous collaborative initiatives currently underway (many of which are drifting without a clear process to follow) which need to be supported and incorporated into the proposed governance arrangements.
- ❖ **Creating the proposed governance structures.** The structures we have proposed need to be further defined and formally constituted.
- ❖ **Creating the necessary capacity.** Resource requirements need to be clearly defined and agreement reached on how these will be sourced or funded.

Developing an implementation plan to accomplish these tasks is a clear next step that is already underway. The intention is to produce a document for consideration during October.

In the meantime, this paper needs to be carefully discussed and debated within the institutions as part of accomplishing the first of the implementation tasks.

James Leatt, CHEC
Marius Rezelman, PSP-Icon
Warwick Blyth, PSP-Icon
Ashley Symes, Independent Consultant

September 2002.

