



HANDBOOK

FOR APPOINTMENTS MADE BY COUNCIL

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FOREWORD

This Handbook revises the 2009 Handbook for Appointments made by Council in light of the amendments made to the Statutes of the University in 2015. If there is any apparent conflict between the procedures set out in this Handbook and the Statutes, the Statutes must prevail.

The provisions of this Handbook cover any appointments to be made after 1 July 2009. Any appointments made under the former Statutes will continue to be covered by the provisions set out in the former Statutes and Handbook, except to the extent that both the University and the appointee agree to adopt the new provisions.

The Handbook covers appointments of the Chancellor, Vice-Chancellor and President, Deputy Vice-Chancellors, Vice-Presidents, Secretary to Council, the Auditor and the Visitor. In 2015, the provisions for the appointment of the Pro-Chancellor and Deputy Chair of Council were taken out of this Handbook and passed as separate Ordinances. Other officers which Council may create, are also covered. If the titles of any of these officers change, the procedures set out will continue to apply to the equivalent new position.

Appointments of all other levels of academic and comparable staff have been delegated by the Council to the Vice-Chancellor (61st Council meeting, October 2005). Under statute 26(3), this power may be further delegated by the Vice-Chancellor to specified employees or committees of the University.

1 THE CHANCELLOR

1.1 Charter and Statutes

Article 5 of the Charter provides:

There shall be a Chancellor of the University who shall be the titular head of the University.

Statute 5 provides:

- (1) *The Chancellor shall be appointed by the Council from one of the member countries.*
- (2) *The Chancellor shall hold office for a term of one year.*
- (3) *The Chancellor may resign by writing addressed to the Council or may be removed by resolution of the Council.*
- (4) *If the office of Chancellor becomes vacant before the expiration of his or her term of office, the vacancy shall be filled at the next meeting of the Council or the Executive Committee (whichever occurs first) by another person from that member country for the remainder of his or her predecessor's term.*

1.2 Procedure and Qualifications for Appointment

- (a) The Chancellor of the University is appointed from the member countries in alphabetical rotation as set out in Statute 12(1)(c). The Chancellor will usually be the Head of State but, if appropriate, another very senior representative of the country may be considered for appointment.
- (b) The Secretary to Council, after consultation with the Pro-Chancellor, the Vice-Chancellor and the government of the country from which the nominee comes, must advise Council at its last scheduled meeting of the year of the expiry date of the current Chancellor's term and invite Council to appoint a new Chancellor. The paper must set out a nomination for the next Chancellor.
- (c) If any country declines to make an appropriate representative available for appointment as the Chancellor, the Pro-Chancellor must approach the next country in alphabetical order.
- (d) If Council does not accept the nomination of the Pro-Chancellor, it may appoint another Chancellor of its choosing.
- (e) If, during his or her term, the Chancellor is unable to continue in office for any reason or has been removed by Council, the Pro-Chancellor must propose to the next meeting of the Council or the Executive Committee, whichever occurs first, another person from the same country to be appointed Chancellor for the remainder of the previous Chancellor's term.

2 THE PRO-CHANCELLOR

Refer to the Ordinance for the Appointment of the Pro-Chancellor and Chair of Council.

3 DEPUTY PRO-CHANCELLOR / DEPUTY CHAIR OF COUNCIL

Refer to the Ordinance for the Appointment of the Deputy Pro-Chancellor / Deputy Chair.

4 THE VICE-CHANCELLOR AND PRESIDENT

4.1 Charter and Statutes

Article 7 of the Charter provides:

There shall be a Vice-Chancellor of the University, who shall be the chief academic and administrative officer of the University.

Statute 7 provides:

The Vice-Chancellor and President

- (1) *The Vice-Chancellor shall hold office for a term of 5 years and on such other terms and conditions as the Council determines.*
- (2) *The Vice-Chancellor's contract may be renewed by the Council for further terms of up to 5 years.*
- (3) *The Vice-Chancellor shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.*
- (4) *The Vice-Chancellor may resign by writing addressed to the Pro-Chancellor.*
- (5) *The Vice-Chancellor may be removed by resolution of the Council.*
- (6) *The Vice-Chancellor shall be responsible to the Council as the chief academic and administrative officer and President of the University.*
- (7) *The Vice-Chancellor shall exercise delegations of powers, duties and functions made by the Council or the Senate as those delegations are specified in writing.*
- (8) *The Vice-Chancellor, as prescribed in Statute 12, shall be a member of Council.*
- (9) *The Vice-Chancellor may invite staff members to attend meetings of Council.*
- (10) *The Vice-Chancellor, as prescribed in Statutes 24 and 25, shall be a member of the Executive Committee and an ex-officio member of all other committees of Council.*
- (11) *The Vice-Chancellor in consultation with the Pro-Chancellor shall determine whether the Executive Committee meets more regularly than as prescribed in Statute*

24.

- (12) *The Vice-Chancellor shall determine, as prescribed in Statute 9, those aspects of the administration of the University for which a Vice-President shall be responsible.*
- (13) *The Vice-Chancellor, as prescribed in Statute 26(3) may from time to time, either generally or particularly, by writing, delegate to any member of the staff of the University:*
 - (a) *Any functions of the Vice-Chancellor under the Charter or Statutes; and*
 - (b) *Such of the functions delegated by the Council to the Vice-Chancellor under this section as the Council may have approved.*
- (14) *The Vice-Chancellor shall be the Chair of the Senate and an ex-officio member of the Senate, as prescribed in Statute 27.*
- (15) *The Vice-Chancellor, as prescribed in Statute 30(3), shall be, unless otherwise specifically provided in any Statutes or Ordinances, an ex-officio member of all committees of the Senate.*
- (16) *The Vice-Chancellor, as prescribed in Statute 32, may:*
 - (a) *exclude or authorise the exclusion of any person from any part of the University or premises in use by it; or*
 - (b) *refuse to admit any person as a student of the University.*
- (17) *The Vice-Chancellor must report to each meeting of the Council on the working of the University.*
- (18) *A delegation under this Statute does not affect or prevent the performance of any function by the Vice-Chancellor and, as prescribed in Statute 26, does not affect the responsibility of the Vice-Chancellor for the actions of any person under the delegation.*

4.2 Procedure and Qualifications for Appointment

- (a) At least 18 months before the expiry of any term of the Vice-Chancellor, or as soon as possible after the position of Vice-Chancellor otherwise becomes vacant, the Secretary to Council must propose to the Council and to Senate the establishment of a Joint Committee of Council and Senate to consider a new appointment.
- (b) If the serving Vice-Chancellor is seeking appointment for a further term, the Secretary must advise the Council and Senate of this fact.

Establishment of Joint Committee

- (c) The Joint Committee must comprise between 6 and 8 persons as determined by the Council, including 1 or 2 persons being nominated by Senate and the remainder by the Council.

- (d) Senate nominees may be selected in anticipation of the Council establishing a Joint Committee or, if the Council has already established the Committee, as soon as possible thereafter.
- (e) The Joint Committee is chaired by the Pro-Chancellor or, if the Pro-Chancellor is not available, by the Deputy Chair of Council. If neither is available, the Joint Committee must elect as its chair one of its members, other than a member of staff or a student of the University. The Secretary to Council serves as Secretary to the Joint Committee but is not a member of the Committee.

Review of existing appointment

- (f) If the serving Vice-Chancellor is seeking a renewal of his or her contract, the Joint Committee must review the work of the Vice-Chancellor before deciding whether to recommend to the Council a renewal of the contract.
- (g) In conducting this review, the Joint Committee may appoint a sub-committee to undertake a detailed review, including consideration of the annual reviews of the Vice-Chancellor undertaken by the Pro-Chancellor and up to three other persons appointed by the Council. It should also elicit comments from Council members, senior academic and administrative staff and such other persons as the sub-committee considers appropriate.
- (h) The Vice-Chancellor is entitled to see and to comment on the draft report of the Joint Committee.
- (i) After considering the reviews and comments, the Joint Committee must recommend to the Council whether the Vice-Chancellor should be reappointed for a further term and, if so, the number of years of that appointment, not exceeding 5 years.
- (j) The Council, on receiving the recommendation of the Joint Committee, must decide whether to reappoint the Vice-Chancellor and, if so, set the term of the appointment, or decide that expressions of interest be sought for a new appointment.

New Appointment

- (k) If a new appointment is to be made, the Joint Committee must meet as soon as possible after its establishment to consider and approve an advertisement for the position of the Vice-Chancellor, to set terms and conditions of appointment and timelines for advertising the post, and for consideration of applications.
- (l) The Secretary must provide the Joint Committee with details of the previous advertisement and terms and conditions of appointment.
- (m) The position of Vice-Chancellor is to be advertised within the region and internationally in educational and other appropriate publications. The advertisement must contain a summary of the responsibilities and criteria for appointment. The position must be open to all nationalities. A copy of the terms and conditions of the office must be available on request.

- (n) The advertisement may be repeated from time to time for up to 2 months from the first advertisement.
- (o) All applications must be sent under confidential cover to the Secretary of the Joint Committee who will make a schedule of individual applications in accordance with the criteria approved by the Joint Committee. The Secretary must follow up any required documents with applicants or referees.
- (p) The schedule, together with the applications, referees' reports and other documentation, shall be circulated to members of the Joint Committee.
- (q) The Joint Committee must meet within 3 weeks of the closing date of the applications to assess all applications and to develop a short list for interview.
- (r) The applications should be assessed against criteria fixed by the Joint Committee. These include the criteria set out in Appendix A to this Handbook.
- (s) In assessing the applications, the Joint Committee must have regard to Article 22 of the Charter which provides that no person may be prevented from holding office by reason of that person's religious, ethnicity or political beliefs or any disability, and to Article 23 which provides that men and women are equally eligible for appointment.
- (t) The Joint Committee must interview each of the short-listed candidates and make a report to the next ordinary or special meeting of the Council making a recommendation as to its preferred candidate or candidates.
- (u) All proceedings of the Joint Committee, including the contents of those interviews and the report to the Council, must remain confidential to the Joint Committee and to the Council.
- (v) If the Council does not accept a recommendation from the Joint Committee, it must either refer the matter back to the Joint Committee or establish a new Joint Committee. It may direct the existing or new Joint Committee to further consider the existing applicants or to readvertise the position.

5 DEPUTY VICE-CHANCELLOR

5.1 Charter and Statutes

Article 8 of the Charter provides:

There shall be one or more Deputy Vice-Chancellors of the University who shall, subject to the Statutes, exercise and perform such of the powers and functions of the Vice-Chancellor as the Vice-Chancellor or, if the Vice-Chancellor should be incapacitated, the Council may delegate.

Statute 8 provides:

- (1) *The Council shall determine from time to time the number of Deputy Vice-Chancellors of the University.*

- (2) *A Deputy Vice-Chancellor shall hold office for a term of 5 years and on such other terms and conditions as the Council determines.*
- (3) *A Deputy Vice-Chancellor shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.*
- (4) *A Deputy Vice-Chancellor's contract may be renewed by the Council for further terms of up to 5 years.*
- (5) *A Deputy Vice-Chancellor may resign by writing addressed to the Vice-Chancellor.*
- (6) *Deputy Vice-Chancellors shall carry out such duties as may be determined by the Vice-Chancellor.*
- (7) *The Vice-Chancellor may appoint an Acting Deputy Vice-Chancellor to act until an appointment is made under Statute 8(3).*

5.2 Procedure and Qualifications for Appointment

- (a) At least 18 months before the expiry of any term of any Deputy Vice-Chancellor, or as soon as possible after the position of Deputy Vice-Chancellor otherwise becomes vacant, the Council must establish a Joint Committee to review the performance of an existing Deputy Vice-Chancellor or to appoint a new Deputy Vice-Chancellor.
- (b) Paragraphs (b) to (v) of clause 4.2 above apply as if the references to the Vice-Chancellor were a reference to the Deputy Vice-Chancellor, except that:
 - (i) The Vice-Chancellor must be a member of the Joint Committee; and
 - (ii) The Deputy Vice-Chancellor's annual performance reviews are to be carried out by the Vice-Chancellor and any persons appointed by the Vice-Chancellor rather than the Pro-Chancellor and other persons appointed by the Council.
 - (iii) The main duties to be carried out by a Deputy Vice-Chancellor must be set out in the Deputy Vice-Chancellor's contract, but the Vice-Chancellor may also from time to time direct the Deputy Vice-Chancellor to carry out other duties.
 - (iv) If for any reason the Vice-Chancellor is unable to perform his or her duties and has not delegated those duties, the Council may delegate some or all of the Vice-Chancellor's functions to one or more of the Deputy Vice-Chancellors.

6 VICE-PRESIDENT

6.1 Charter and Statutes

Statute 9 provides:

- 9. *Vice-Presidents*

- (1) *A Vice-President shall hold office for a term of 5 years and upon such terms and conditions as the Council determines.*
- (2) *A Vice-President shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.*
- (3) *A Vice-President's contract may be renewed by the Council for further terms of up to 5 years.*
- (4) *A Vice-President may resign by writing addressed to the Vice Chancellor.*
- (5) *A Vice-President shall be responsible for such aspects of the administration of the University as the Vice-Chancellor may from time to time determine.*
- (6) *The Vice-Chancellor may appoint an Acting Vice-President to act until an appointment is made under Statute 9(2).*

6.2 Procedure and Qualifications for Appointment

The appointment procedure and qualifications for the Vice-President is the same as that of the Deputy Vice-Chancellor prescribed in clause 5.2.

7 SECRETARY TO COUNCIL

7.1 Charter and Statutes

Although there remains provision in the Charter for the appointment of a Registrar, the corresponding provisions in the Statutes were removed in 2009 and the Council has not appointed one since 2009. The statutory powers and functions of the former Registrar are now executed by the Secretary to Council while other administrative functions have been redistributed elsewhere in the University.

Under Standing Order 2.2 made by the Council pursuant to Statute 33 "*The Secretary must keep the minutes of all business transacted by the Council.*" Similarly under Standing Order 1 (b) made by the Senate under the same Statute, its Secretary (who is a subordinate of the Secretary to the Council) is also required to keep minutes of all Senate business.

7.2 Procedure and Qualifications for Appointment

- (a) At least 18 months before the expiry of any term of the Secretary to Council, or as soon as possible after the position otherwise becomes vacant, the Vice-Chancellor must establish a committee to review the performance of an existing Secretary to Council or to appoint a new Secretary to Council.
- (b) The Pro-Chancellor must be a member of the Committee;
- (c) The Secretary to Council's annual performance reviews are to be carried out by the Vice-Chancellor with the Pro-Chancellor and one other independent person appointed by the Council.

- (d) The recommendation of the Committee must be presented to the Council for its appointment
- (e) The main duties to be carried out by the Secretary to Council must be set out in the Secretary to Council's contract, but the Vice-Chancellor with the Pro-Chancellor may also from time to time amend the Secretary to Council's duties.

8 THE VISITOR

8.1 Charter and Statutes

Article 27 of the Charter provides:

The Council may by simple majority approve the appointment of a Visitor of the University for such period and with such duties as Council determines. The Visitor's decision on matters within his or her jurisdiction shall be final.

Statute 10 provides:

- a) *The Council shall appoint a University Visitor who shall have jurisdiction to determine any disputes between the University and any member of staff, or the University and any student, provided always that all internal avenues for resolution of disputes have been exhausted.*
- b) *The term of office and duties of the Visitor shall be determined by the Council and set out in an Ordinance.*

8.2 Procedure and Qualifications for Appointment

- (a) The University Visitor is to be appointed by the Council for a term of up to 5 years, with the term being renewable with the mutual consent of the Visitor and the Council.
- (b) One year before the expiry of the term of the Visitor, the Secretary must advise the Council either that the serving Visitor is willing to continue in the role for a further term, or that the Council must consider the appointment of a new Visitor.
- (c) If a new Visitor is required, or the Council does not wish to renew the term of the serving Visitor, the Secretary, after conferring with the Pro Chancellor, Vice-Chancellor and such other persons as the Secretary considers appropriate, must provide the Council with the name or names of potential appointees. The Secretary must also confirm that the potential appointees are willing to accept the appointment.
- (d) Nominees for the position of Visitor should be senior lawyers or judicial officers (including retired lawyers or judges) from the region or from neighbouring countries. A Visitor must have the time and ability, when required, to adjudicate on any dispute which is referred to the Visitor.
- (e) Disputes which may be referred to the Visitor include disputes between:

- (i) the University and any of its staff, former staff or applicants for appointment as a staff member; or
 - (ii) the University and any student or former or prospective student; or
 - (iii) The University and any other institution or person, provided that both parties agree to the matter being submitted to the Visitor for resolution.
- (f) The reference of a dispute covered by clause [5] to the Visitor is desirable in all cases occur before the matter, other than a criminal complaint, is referred to the courts, except in cases where emergency relief is sought.
- (g) The Visitor will not normally accept jurisdiction unless all other relevant University procedures have been exhausted.
- (h) In determining a dispute, the Visitor may be guided by, but is not bound by, the law of the jurisdiction of the country or countries in which the dispute has arisen.
- (i) Subject to any judicial review on administrative law grounds, the decision of the Visitor is to be final as between the University and the other party.

Also refer to the Ordinance Governing the Term of Office and Duties of the Visitor.

9 THE AUDITOR

9.1 Charter and Statutes

Statute 11 provides:

- (1) *The Council shall appoint a firm of auditors as the Auditor of the University for such period and on such conditions as the Council determines.*
- (2) *No firm shall be appointed as the Auditor if the firm, or any member of that firm engaged in the audit of the University, has a conflict of interest as defined in Statute 20(3):*
- (3) *If the office of the Auditor becomes vacant before the expiration of the term of office, the Council shall fill the vacancy as soon as practicable.*
- (4) *The Auditor may resign by writing addressed to the Council or may be removed by a resolution of the Council.*
- (5) *The Auditor shall be eligible for re-appointment.*
- (6) *The Auditor shall have the right of access at all reasonable times to such books, records, accounts and vouchers of the University and shall be entitled to require from the officers of the University such information and explanations as may be necessary for the performance of the auditor's duties.*

9.2 Procedure and Qualifications for Appointment

- (a) The University must from time to time appoint both an internal and external auditor. A single firm may not be appointed as both internal and external auditor.
- (b) Both the external and internal auditor are to be appointed by the Council for a fixed term, which will usually be a term of 3 years in line with the University's financial year.
- (c) In the year prior to the expiry of a current term of either the internal or external auditor, the Director of Finance must call for applications from international accounting firms operating in Fiji.
- (d) Applicants must set out details of relevant experience and key personnel to be involved and give full details of any potential conflict of interest they may have, in terms of Statutes 20(3) and 11(2).
- (e) The Audit Committee must assess the applications, interview short-listed candidates and present the Council with a report setting out its recommendations. The report must also contain a recommendation as to the fee to be paid to the external or internal auditors.

Appendix A: Criteria for Appointment and Rules of Procedure for a Joint Committee of Council and Senate to Appoint the Vice-Chancellor, Deputy Vice-Chancellor, Vice-President and Secretary to Council

Criteria for Appointment

Criteria for the position of the Vice-Chancellor, Deputy Vice-Chancellor, Vice-President and Secretary to Council to be advertised should include, but not be limited to:

VICE-CHANCELLOR AND PRESIDENT

1. Proven record of outstanding leadership and management performance in an academic or professional career.
2. Appropriate postgraduate qualifications and experience.
3. Considerable experience of educational and public policy issues affecting Pacific Island countries and a demonstrated commitment to the development needs and aspirations of Pacific Island peoples.
4. Relevant experience and diplomatic skills that will facilitate the maintenance of strong and mutually supportive relationships with member governments, aid donors and regional organisations.
5. A high level of financial astuteness and commercial competence demonstrated through successful management in a large educational or other relevant public sector or commercial organisation.
6. Vision and energy and capable of the highest quality performance under the most demanding circumstances.
7. A personal commitment to excellence and to academic values.
8. The capacity to inspire staff and students in pursuit of excellence in teaching, research and community service.
9. A commitment to high standards of personal integrity and high ethical standards in all interpersonal and business dealings.
10. Leadership qualities that have a strong focus on inclusiveness, recognition of difference and differing views, and an emphasis on collegial process.

DEPUTY VICE-CHANCELLOR OR VICE-PRESIDENT

1. Appropriate post-graduate qualifications and experience.
2. Good understanding of the higher education sector.
3. Proven record of outstanding leadership and management performance.
4. Excellent interpersonal skills, negotiating experience at inter-governmental level and with donor community.
5. A strategic thinker and leader.
6. Recognition as administrator/scholar.
7. Knowledge of the Pacific and keen awareness of and commitment to the regional role of the University.
8. Ability to represent the interests of the University effectively within the region and internationally.
9. Ability to promote excellence in teaching and research.
10. Ability to harness cultural diversity and a demonstrable commitment to equality.

SECRETARY TO COUNCIL

1. Appropriate post-graduate qualifications and experience.
2. Good understanding of the higher education sector.
3. Proven record of successful administration and management.
4. Excellent interpersonal and leadership skills.
5. Ability to think strategically.
6. Knowledge of the Pacific and commitment to the regional role of the University.
7. Ability to represent the interests of the University effectively.
8. Good understanding of the rules and regulations of the University and ability to provide sound advice to University management and sections.
9. Ability to harness cultural diversity and a demonstrable commitment to equality.