

Cape Town, 25 May 2020

Dear Sipho and Shirley,

Request for an urgent feedback meeting between the Chair and Deputy-Chair of Council with the DVCs and COO

We are highly appreciative of the considerable time that you have both put into working towards a well-functioning executive at UCT. However, we do need to express our disappointment with the current process as we find ourselves in a situation which shows no potential for a facilitated and successful resolution. We are particularly disappointed that the onus to resolve the current conflict was placed in the hands of the VC without any feedback to the DVCs and COO.

Our request for an urgent meeting with you stems from the nature of the interactions we had with the VC at the end of last week when she communicated the outcome of the Council's process from her perspective. In requesting us to work with her to achieve her personal goals we experienced the same patterns of behaviour that have brought us to the current situation.

We are committed to co-create a future working environment that is psychologically safe for all the members of the Executive team but we believe this cannot happen by leaving the initiative solely with the VC.

We were looking forward to receiving direct feedback from you on the process undertaken and the potential solutions for the route forward. We expected this feedback session to be followed by a joint engagement with you and the VC in which there would be both verbal and written communication on the way forward. We believe that before we proceed any further with the Vice-Chancellor's individual and group meetings, we need this session with you.

We all understand how important it is to develop a well-functioning executive and to place us on a path along which the VC can do her internal work on "the how", as she puts it. Our commitment is to create a working space which provides psychological safety for and mutual respect in the team for the benefit of the University.

Besides our request for a meeting between the DVCs, COO and the Chairperson and Deputy Chairperson of Council, we would like to propose the following way forward:

I I. Meeting between the Chair and Vice-Chair of Council with the VC, DVCs and the COO to address all the relevant matters and agree on the interventions needed and the monitoring and evaluation system to be implemented over the next 12-18 months. This will need to be recorded in writing for everyone's records.

II II. The VC should be offered a personal coach and/or mentor. An agreed feedback system should be instituted with this coach in order to create an environment that is psychologically safe for honest feedback that holds the VC, the DVC's and the COO accountable for our individual conduct and for developing respectful interpersonal relationships. All members of the Executive should also have the opportunity to engage a coach and/or mentor if so desired

I III. Council is requested to appoint a senior coach who will be required to be present in all the Executive meetings for the next 6-9 months. The coach must have the knowledge, skills and experience to be able to intervene in the moment with an individual member of the executive or with the group in addressing behaviour that threatens the psychological safety of the meeting environment. It is expected

that the coach/facilitator will be able to state the problematic behaviour or make their observation, explore in the moment the individual and/or group behaviour, and facilitate open and non-threatening discussions with the individual and/or group to find the solution(s)

II IV. Chair and Vice-Chair of Council are requested to schedule regular engagement with the members of the Executive both individually and jointly as a mechanism to ensure open and transparent feedback. Council thus takes full accountability for the oversight of the all the contentious issues that have been raised during the current series of engagements.

We hold that with a well-defined route forward, including buy-in of the team and well-placed interventions, we may be able to achieve a well-functioning executive team over a reasonable period of time. Such a team requires the contributions of all members to be valued and considered and requires all members to be treated with respect. Most importantly, it requires acknowledgement that the running of Africa's top university is a team process, requiring the diverse skills and expertise of the team to be brought to bear jointly on the job. The leadership of the VC is recognized as critical to facilitate the well-functioning team, rather than to be the sole decision maker.

We do hope you will receive this communication in the spirit that it was written – in commitment to work in the best interest of UCT.

Yours sincerely,

Prof Loretta Feris

Prof Sue Harrison

A/Prof Lis Lange

Dr Reno Morar

From: Sipho Pityana <siphopityana@gmail.com>
Sent: Monday, May 25, 2020 18:06
To: Royston Pillay <royston.pillay@uct.ac.za>
Cc: szinn <szinn@iafrica.com>
Subject: Re: Confidential Letter to Chair and Deputy Chair of Council

CAUTION: This email originated outside the UCT network. Do not click any links or open attachments unless you know and trust the source.

Dear Royston

Thank you for bringing the attached email to our attention. We've since reflected on it. We certainly consider the letter and its tone to be totally inappropriate and therefore unacceptable. Council in its wisdom directed that we deal with this matter and advise it. The thought that one or other of the parties to this matter should dictate how we should undertake our work and what conclusions we should come to is most disrespectful and offensive. We received a similar request for a meeting from the VC which we have declined.

There seems to be an undertone in your letter that presumes this to be an inquiry into the conduct of the VC, we have to make it clear that it is not, but one that seeks to appreciate the obviously strained relations amongst you. In our interactions with each one of you, we asked you a very specific question, whether you believe the breakdown in your relationship with the VC is irretrievable. You have all advised us, including the VC that it is not. We've now requested the VC to engage you in bilateral and collective conversation in order to advise us how you think these relationships may be resolved. We will take this feedback into consideration in deciding how we proceed with our work.

Your cooperation in this regard will be highly appreciated

Best wishes

Sipho

Sent from my iPad

On 25 May 2020, at 14:22, Royston Pillay <royston.pillay@uct.ac.za> wrote:

Dear Chair and Deputy

Letter attached from the DVCs and COO, for your attention.

Royston

Response to the Report by the Chair and Deputy Chair of Council dated 10 June 2020

17 June 2020

This is a response to the draft report by the Chair and Deputy Chair of Council (the Report) that flows from the UCT Special Council Meeting of 24 April 2020 which deliberated on the UCT Annual Ombud's Report for 2019, and matters arising therefrom. The Report notes that Council was concerned about "an undercurrent of tensions in the senior leadership team which threatened good governance and institutional stability". Council resolved that the Chair and Deputy Chair engage the VC, DVCs and COO in this regard and advise Council accordingly.

We see this as a key document, given that from July 2020 a new Council will govern the University. The new Council will need to see through the 'bedding down' of improved relationships within the Executive to ensure a robust leadership team. To that end, we offer our insight into it and suggestions to clarify the current position. The Report separates out matters related to the VC and those related to the 'collective' of the three DVC'S and the COO. It is thus appropriate that, once again, we reply to it as the three DVC's and COO, separately from the VC. It is our intention to work together with the VC to establish a well-functioning Executive, underpinned by mutual agreement of our modes of interaction.

On reviewing the report, we would like to address two items, in particular:

- To re-frame the actions that have resulted in the three DVCs and COO being perceived by the VC as potential insubordinate and defiant, and to frame this in a manner fitting for collegial interactions at the senior leadership level; and
- To address the perceived "caucusing and clubbing" of the three DVCs and COO and its perceived divisive outcome.

Page three of the Report makes the following statement:

Notwithstanding the need for collegiality and support for each other; we are deeply concerned that tendency of the DVCs and the COO to club and caucus positions prior to management engagements may be divisive, unhealthy and potentially insubordinate. It erodes trust and it makes it difficult to have open minded honest dialogues. It makes the position of any leader untenable. This is a serious threat to the authority of the VC and the effective leadership of the university.

We respond to the Report because the statement casts doubt on us professionally and on our integrity both individually and as a 'collective'. We have chosen to respond collectively because we are referred to as a collective, despite the fact that this may reinforce the belief that we "act" as a collective.

We are concerned about the use of the word "insubordinate". The dictionary definition describes this as a defiance of authority or a refusal to obey orders. We respectfully submit that we have not in any way acted in defiance of authority. We also submit that we do understand our role in terms of governance and executive functioning. We believe that it is not our role as members of the executive, entrusted with the strategic functioning of the university at an executive level to be obeying orders. Respectfully, that is not what we have been appointed to do. Council has entrusted us to be members of a team, with a team leader (the VC). We make decisions in respect of our respective portfolios and in consultation with team members in the best interest and welfare of the university. 2

Furthermore, on page 3 of the Report one of the problematic leadership styles of the VC identified is that of an “authoritarian leadership style”. Its problematisation suggests that it is not in fact a leadership style that Council supports. It is curious therefore, that any potential defiance of the VC’s exercise of authority by the DVCs and COO is noted as a problem. We nevertheless reject the notion that we are insubordinate or divisive. We respect the VC as the leader of the university and of the team. This does not mean that as individuals we slavishly agree with the VC’s opinions nor do we club together as a collective in opposition to the VC’s opinions. As individual members of the team, we have consistently raised our individual opinions which may differ from the VC or from each other’s as we are all members of the executive. We fundamentally believe that a strong team must create a space in which one must raise differing opinions and we must do so in a robust and respectful manner.

We are concerned about the allegation in the above statement that the DVCs and COO have a “tendency to club and caucus positions prior to management engagements”. We reject this allegation in the strongest terms. The notion of caucusing suggests an intention to undermine the position of the VC or worse. Neither of the two instances quoted in the Report can be used as examples of our caucusing positions. In respect of the content and context of the Ombud Report, we believe that our stated opinion still holds and that the argument we put across was validated by the legal opinion solicited by the Chairperson of Council.

In respect of the engagement with the Chair and Deputy Chair in the current process, our email communication of 25 May 2020 directed to the Chair and Deputy Chair outlines our motivation for requesting an urgent feedback meeting between the Chair and Deputy-Chair of Council with the DVCs and COO. It was a reasonable expectation after the conversations that each member of the executive had with the Chair and Deputy Chair of Council that all of us would be given feedback as a group. Instead we were told to meet with the VC to give us feedback. This created an unnecessarily difficult playing field on which to re-build our relationships. Our joint letter to the Chairperson and Deputy Chairperson requesting the expected feedback prior to us meeting with the VC, does not amount to defiance of the authority of the VC nor the caucusing of opinions in opposition to the VC.

Nothing in the work that we have done to date, whether in our respective portfolios or in our joint decision-making, stands as proof of this allegation. In fact, over the last two years and the last three months in particular, we have supported the VC and served this university to the best of our ability, despite difficult working conditions. We do engage with and check in on each other in order to provide support and ensure the mutual wellbeing of all the members of the team in recognition of the extremely difficult working conditions we found ourselves in. Providing a stable platform of internal support is important amidst the senior leadership team taking UCT through the unprecedented times of the COVID-19 pandemic during which good governance and leadership were imperative, regardless of the fractured and strained relationships that have been documented in the various Reports.

Finally, we cannot but note that the statement above does not acknowledge how in the context of the Report’s own characterisation of leadership style of the VC, it is difficult to understand that the second layer of leadership in the executive may need at times a safe environment in which to support each other and to decide on the best way to tackle some of the problems we experience.

Given the background to the events cited, it is not accurate to paint the DVCs and COO in the Report to Council as a potentially insubordinate, and a defiant caucus group. This does not reflect either our spirit or our actions and has a substantial chance of being mis-interpreted by the incoming Council to mar our working relationship with them at the outset. Our actions have been driven strongly by a 3

dedication to UCT, respecting that Professor Phakeng is the VC and Chief Executive Officer leading the Executive team, and that we all must contribute to overcoming the difficulties in our leadership space in the best interest of the university.

In view of the above, we respectfully request that the Report be amended, and the above statement be removed. In the alternative, we request that our response be submitted to the full Council as we understand that we will not be present at Council when this matter will be discussed and, in the absence of our presence, this response will ensure fairness and adherence to the principle of *audi alterem partem*.

In closing, we welcome the initiative to build a well-functioning Executive team at UCT. We each acknowledge the importance of putting UCT first through this. We are committed to work directly with the new Chairperson and Deputy Chairperson, believing the proposed targeted approach will be more valuable.

Response submitted by

Reno Morar, COO

Sue Harrison, DVC Research and Internationalisation

Lis Lange, DVC Teaching and Learning

Loretta Feris, DVC Transformation

Draft Agreement between VC Phakeng and DVC Lis Lange

We are in positions of VC and DVC by virtue of the trust and confidence placed in us by Council on behalf of the university. Our principal allegiance is to the university, its mission and its values.

Our relationship of mutual trust and respect is an affirmation of our regard, not only for the Council and its authority, but also the university community that it represents.

Advisably, we are appointed in our respective roles, and may be removed from those by Council, in the expectation that we have capacity to lead in our assigned roles with competence and excellence.

The university has a duty to afford us an affirming, supportive and enabling environment to do so. In turn we acknowledge our responsibility to deliver on its strategy and long-term objectives without fail.

We recognise that our relationship is important in setting that tone. I as the Vice chancellor, fully appreciate the leadership of Associate Professor Lis Lange in her designated area of Teaching and Learning and commit to rely and defer to her counsel and advice. On behalf of Council, I recognise my duty to hold her accountable and ensure the delivery of the Council's strategy.

I undertake to provide her with all the necessary support, an enabling environment and affirm her at all times. Where I may hold a different view from her, I will communicate it with respect and seek to persuade her to my point of view in the expectation that our common objective of realising excellence is shared.

I Lis Lange as the Deputy Vice Chancellor: Teaching and Learning recognise Prof Mamokgethi Phakeng as the Vice Chancellor and overall leader of the institution and that in her capacity she is ultimately accountable for all executive functions that are so delegated by Council or prescribed in law; including those that may be delegated to me.

I undertake to provide her all the necessary support; an honest and candid counsel at all times. In recognition of her role, I will endeavour to keep her informed and solicit her counsel and input on all matters of strategic importance. We may from time to time engage together or separately with my team in the context of a relationship of mutual trust and respect and in a manner that seeks to reinforce our team efforts in the interests of the university.

We will seek to ensure safe spaces for differences of opinion beyond the two of us where this might be beneficial. These may include interactions that include the two of us and one or other of my direct reports where issues are raised for the first time with either of us, Executive meetings where colleagues should be capable of commenting on each other's programmes in light of our breadth of experience. Such differences may not be personalised, but be on principle. Deferring to each other can only engender collegiality and team building.

There must be an investment on the part of all those in leadership to ensure a decorum of mutual respect and never to undermine each other's authority and standing to subordinates and colleagues. Never to humiliate or put each other down in any fora. We commit to a leadership that is characterised by mutual respect and affirmation

While conferring on important matters as executives is an indispensable part of professional collegiality and clarification of thoughts, we commit to never use such engagements in a manner that may be divisive and result in rifts and disharmony. We also undertake to not use such relationships to undermine the authority of the VC.

Draft Agreement between VC Phakeng and DVC Sue Harrison

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The university has a duty to afford us an affirming, supportive and enabling environment to do so. In turn we acknowledge our responsibility to deliver on its strategy and long term objectives without fail.

We recognise that our relationship is important in setting that tone. I Mamokgethi Phakeng as the Vice chancellor, fully appreciate the leadership of Prof Sue Harrison in her designated area of Research and Internationalisation and commit to rely and defer to her counsel and advice. On behalf of Council, I recognise my duty to hold her accountable and ensure delivery of the Council's strategy.

I undertake to provide her with all the necessary support, an enabling environment and affirm her at all times. Where I may hold a different view from her, I will communicate it with respect and seek to persuade her to my point of view in the expectation that our common objective of realising excellence is shared.

I as the Deputy Vice Chancellor: Research and Internationalisation recognise Prof Mamokgethi Phakeng as the Vice Chancellor and overall leader of the institution and that in her capacity she is ultimately accountable for all executive functions that are so delegated by Council or prescribed in law; including those that may be delegated to me.

I undertake to provide her all the necessary support; an honest and candid counsel at all times. In recognition of her role, I will endeavour to keep her informed and solicit her counsel and input on all matters of strategic importance. We may from time to time engage together or separately with my team in the context of a relationship of mutual trust and respect and in a manner that seeks to reinforce our team efforts in the interests of the university.

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We recognise that this has been a hard and long journey that Council has walked with us and that a breach of this agreement may constitute a basis for a review of our tenure in our executive roles and possibly result in role termination, demotion and or any other appropriate sanction that council might deem appropriate

Draft Agreement between VC Phakeng and DVC Loretta Feris

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The university has a duty to afford us an affirming, supportive and enabling environment to do so. In turn we acknowledge our responsibility to deliver on its strategy and long term objectives without fail.

We recognise that our relationship is important in setting that tone. I **Mamokgethi Phakeng** as the Vice chancellor, fully appreciate the leadership of Prof Loretta Feris in her designated area of Transformation, Student Affairs and Social responsiveness and commit to rely and defer to her counsel and advice. On behalf of Council, I recognise my duty to hold her accountable and ensure delivery of the Council's strategy.

I undertake to provide her with all the necessary support, an enabling environment and affirm her at all times. Where I may hold a different view from her, I will communicate it with respect and seek to persuade her to my point of view in the expectation that our common objective of realising excellence is shared.

I as the Deputy Vice Chancellor: Transformation recognise Prof Mamokgethi Phakeng as the Vice Chancellor and overall leader of the institution and that in her capacity she is ultimately accountable for all executive functions that are so delegated by Council or prescribed in law; including those that may be delegated to me.

I undertake to provide her all the necessary support; an honest and candid counsel at all times. In recognition of her role, I will endeavour to keep her informed and solicit her counsel and input on all matters of strategic importance. We may from time to time engage together or separately with my team in the context of a relationship of mutual trust and respect and in a manner that seeks to reinforce our team efforts in the interests of the university.

We will seek to ensure safe spaces for differences of opinion beyond the two of us where this might be beneficial. These may include interactions that include the two of us and one or other of my direct reports where issues are raised for the first time with either of us, Executive meetings where colleagues should be capable of commenting on each other's programmes in light of our breadth of experience. Such differences may not be personalised but be on principle. Deferring to each other can only engender collegiality and team work.

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Draft Agreement between VC Phakeng and COO, Dr Reno Morar

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The university has a duty to afford us an affirming, supportive and enabling environment to do so. In turn we acknowledge our responsibility to deliver on its strategy and long-term objectives without fail.

We recognise that our relationship is important in setting that tone. I Mamokgethi Phakeng as the Vice chancellor, fully appreciate the leadership of Dr Reno Morar in his designated area of operations and commit to rely and defer to him counsel and advice. On behalf of Council, I recognise my duty to hold him accountable and ensure delivery of the Council's strategy.

I undertake to provide him with all the necessary support, an enabling environment and affirm his at all times. Where I may hold a different view from his, I will communicate it with respect and seek to persuade him to my point of view in the expectation that our common objective of realising excellence is shared.

I as the Deputy Vice Chancellor: Research and Internationalisation recognise Prof Mamokgethi Phakeng as the Vice Chancellor and overall leader of the institution and that in his capacity he is ultimately accountable for all executive functions that are so delegated by Council or prescribed in law; including those that may be delegated to me.

I undertake to provide him all the necessary support; an honest and candid counsel at all times. In recognition of his role, I will endeavour to keep him informed and solicit his counsel and input on all matters of strategic importance. We may from time to time engage together or separately with my team in the context of a relationship of mutual trust and respect and in a manner that seeks to reinforce our team efforts in the interests of the university.

We will seek to ensure safe spaces for differences of opinion beyond the two of us where this might be beneficial. These may include interactions that include the two of us and one or other of my direct reports where issues are raised for the first time with either of us, Executive meetings where colleagues should be capable of commenting on each other's programmes in light of our breadth of experience. Such differences may not be personalised but be on principle. Deferring to each other can only engender collegiality and team work.

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