

# **GUIDELINES FOR POLICY FORMULATION, DEVELOPMENT AND REVIEW: UNIVERSITY OF THE FREE STATE**

## **1. PREAMBLE**

- 1.1 The objective of this document is to provide guidelines and recommendations for the formulation, development and review of policies and institutional policies of the University of the Free State (“**the UFS**”). The recommendations and guidelines contained herein should be viewed as providing general direction, rather than specific prescriptions for action, except if otherwise provided herein or in so far as specific actions are required by existing policies, institutional policies and regulations.
- 1.2 In this document a distinction is drawn between the concepts “policy” and “institutional policy” as indicated in the definition section hereof. Where reference is made to a policy, this shall include an institutional policy, except where the context indicates otherwise.
- 1.2 An appropriate amount of planning and effort should go into the development and review of a policy before it is presented for approval. The goal is to ensure that policies are consistent with the vision, mission and values of the UFS and are developed and maintained in a logical and consistent manner.
- 1.3 It is thus essential that the development and periodic review of policies should originate in the responsible line function, faculty, school or “owner” departments, as they are the most knowledgeable about their related requirements, needs and processes. Sometimes more than one line function, faculty, school or department has significant responsibility in respect of a given policy topic. In such cases, departments must work together to draft a comprehensive policy.

## **2. THE PURPOSE OF POLICIES WITHIN THE UFS**

- 2.1 The implementation of new policies and revision of existing policies have an important role to play in any organisation, as well constructed policies assist in channelling actions, behaviour, decisions and practices in directions that promote good strategy execution.
- 2.2 Institutional and other policies communicate the guiding and governing principles on which the activities of the particular organisation, in this case the UFS, are based. Any policy is intended to support the vision and mission of the UFS and should be applied with flexibility and judgment consistent with the goals, obligations and strategic priorities of the UFS.
- 2.2 Policies assist in -
  - 2.2.1 providing guidance with regard to the execution of actions and provide persons working in the organisation with a framework as to the manner in which actions are to be executed;
  - 2.2.2 promoting efficiency within the organisation in that ideas do not continually have to be deliberated;
  - 2.2.3 ensuring consistency in the performance of activities especially in cases where operating units are geographically or strategically scattered;
  - 2.2.4 ensuring compliance with legal and other requirements of the organisation and it also serves as a tool for quality improvement within the organisation.

### 3. CLARIFICATION OF TERMS

In this document, the following words shall have the following meanings:

**“Institutional policies, procedures and guidelines”** are those that have general applicability throughout the UFS. Policies, procedures and guidelines that are unique to one particular part of the UFS, e.g. faculty, school, department, committee, administrative office, etc. have separate approval processes as delegated to the aforementioned.

**“Policies”** are written statements or sets of statements that describe principles, requirements, and limitations and are characterised by indicating “what” needs to be done rather than how to do it. Such statements have the force of establishing rights, requirements and responsibilities.

**“Procedures”** are written documents providing specific “how to” information and will normally be developed by the office responsible for the administration of a policy. In cases where procedures establish rights, requirements and responsibilities, they will normally be developed through a process similar to the institutional policy approval process.

**“Guidelines”** are written documents that further explain policies/procedures and are characterised by narrative descriptions and examples that serve as aids in interpreting and applying them. Unless otherwise stated, guidelines normally do not have the force of establishing rights, requirements and responsibilities.

### 4. CONSIDERATIONS IN THE DRAFTING [AND REVISING] OF POLICIES OF THE UFS

#### 4.1 General

4.1.1 In the selection of a policy instrument, very careful consideration has to be given to the context within which the particular policy will operate.. Consequently, it is virtually impossible to have a uniform model of policy formulation and implementation in so far as different faculties, schools, departments, committees and administrative offices within the UFS require different approaches enabling the achievement of their respective values and objectives.

4.1.2 Notwithstanding the aforementioned, certain guidelines and prescriptions, stipulating at least the minimum requirements to be contained in any policy within the UFS, will be prescribed herein, in order to ensure a greater degree of consistency and uniformity in all policies.

#### 4.2. Recommended steps in the development of policies

4.2.1 When embarking on the development of a new policy or the review of an existing policy, it is recommended that that the following steps be taken:

##### 4.2.1.1 Identification of the issue/problem to be addressed

The issue or problem to be addressed should first be assessed and then it must be ascertained to whom the issue or problem should be presented.

##### 4.2.1.2 Necessity for a new policy

In consultation with the appropriate individuals, consider whether a new policy is required to address the issue or problem. Consider whether the issue or problem can be addressed in other ways, for example by

establishing clearer communication channels in terms of existing policies or by developing a policy or procedure at a lower level.

#### **4.2.1.3 Consultation with the appropriate line manager**

If after consultation with the appropriate individuals, it is established that a new policy or policy revision is required, consult with the appropriate line manager to determine which structure within the UFS will have jurisdiction over the proposed policy development or revision, and what levels of approval are required for its development, revision and dissemination.

#### **4.2.1.4 Determination of assistance required**

It should now be determined who will be affected by the proposed policy or revision and who should assist in the development of the proposed policy or revision. It is also important that those who will be affected by the proposed policy or revision should be consulted throughout the drafting process and their inputs and comments obtained.

#### **4.2.1.5 Collect information from other institutions or internal functional units regarding their related policies.**

Other tertiary institutions and even private institutions can be approached in order to obtain ideas and insights into the manner in which they have addressed the problem or a specific portion of the problem in a policy. However, one should guard against an entire policy being merely duplicated but should rather ensure that it is drafted to accommodate those whose needs it is intended to address.

#### **4.2.1.6 Draft the policy in accordance with the guiding principles and proposed format contained herein.**

As stated before, no hard and fast rules can be prescribed for the drafting of a policy. It is, however, recommended that the policy should contain at least the minimum requirements as set out and should be presented in accordance with the format contained herein.

#### **4.2.1.7 Distribute the policy draft/revision to the appropriate groups.**

The proposed policy should be presented to the appropriate groups or individuals to be affected by the proposed policy or review. It is important that feedback, comments and suggestions should be obtained from such individuals or groups and that these, if appropriate, should be accommodated in the proposed policy by means of changes and revisions. The policy should then be redistributed to such individuals or groups, as appropriate, for final comment/review.

#### **4.2.1.8 Submit the proposed policy or revision to appropriate line manager.**

Upon final amendment of the policy and acceptance thereof by the appropriate groups or individuals, the proposed policy or revision should be submitted to the appropriate line manager for submission to the appropriate approval structures.

#### **4.2.1.9 Distribution and implementation of the approved policy**

After final approval by the appropriate structures, the next step will be to plan and implement broad communication and distribution of the new policy.

### 4.3 Guiding principles in the drafting of a policy

- 4.3.1 In drafting any policy, the following important guiding principles must be adhered to:
- 4.3.1.1 Any policy should be structured, drafted and presented in a way that makes the policy **understandable** and easy to read and interpret.
- 4.3.1.2 The content of a policy should be **concise, to the point; action-orientated** and should have a logical and coherent structure. The structure of a policy can be tested by asking whether it is simple to locate topics or subjects in the text and move from one topic to another. Organisation within a policy can be achieved by putting related material together, by putting the most important ideas first and the less important ideas, for example, unusual cases and procedural detail, later.
- 4.3.1.3 **Plain language** must be used that can be readily understood by the intended audience. A policy that is easy to understand is less likely to result in dispute and also assists those involved in administering the policy. However, the policy should not be simplified to the point that it becomes legally uncertain. Thus the objective should be to produce a policy that is both easily read and understood and legally and practically effective in achieving the desired policy objectives. There are many ways in which a policy can simply, accurately and unambiguously expose its intent, namely by means of purpose clauses, clauses stating key or basic concepts and definitions, explanatory provisions and examples.
- 4.3.1.4 In a policy, content and language should be used in ways that **promote effective communication**. This can be achieved by using clear, concise text, by ensuring that internal consistency regarding the use of language is achieved and by avoiding ambiguity in the policy. It is also suggested that the active instead of the passive voice and everyday words should be used.
- 4.3.1.5 In drafting the policy it must be made clear whether any matter or action prescribed in the policy is **mandatory or discretionary** by using the words "*must*" or "*may*".
- 4.3.1.6 **Gender-neutral language** should be used, for example: "*chairperson*" rather than "*chairman*".
- 4.3.1.7 Policies should be written in the **present active tense** for example: "*the UFS believes that*" .. "*the UFS therefore does this*".
- 4.3.1.8 In a policy the **presentation or layout** should be used to promote effective communication. Presentation techniques include the use of headings, tables of provisions, page headers, white space and typefaces that help readability.
- 4.3.1.9 The **format of policies** of the UFS should be the same and drafted in the same style, font and font size. It is suggested that all policies of the UFS should be drafted in Arial 10 with single line spacing in essentially the format contained in paragraph 5 hereof.
- 4.3.1.9 Provisions in a policy should be **numbered numerically**.
- 4.3.1.10 **Figures** should be used in the numbering of divisions and sub-divisions and the following sequence is recommended:

Roman numerals	: I, II, III, IV, V, etc.
ALPHA	: A,B,C,D,E, etc.
Arabic	: 1,2,3,4,5, etc.
Alpha	: a,b,c,d,e, etc.

4.3.1.11 Letters may be added to figures if a **revised policy** inserts a new paragraph between existing paragraphs that use figures, e.g. between paragraph 19 and paragraph 20, the paragraph inserted will be paragraph 19(a).

4.3.1.12 Policies should be drafted in **English, as well as Afrikaans**.

#### 4.4 Scope of the policy

4.4.1 Each policy should state the UFS's position, course or general plan of action on a particular issue and should include procedures for compliance.

4.4.2 Institutional policies will:

4.4.2.1 state the UFS's position on issues which have university-wide application;

4.4.2.2 embody the UFS's governing principles that mandate and constrain actions, helping to ensure compliance with applicable laws and regulations;

4.4.2.3 promote operational efficiency within the UFS;

4.4.2.4 enhance the UFS's mission or reduce institutional risk;

4.4.2.5 provide decision makers with limits, alternatives and guidelines;

4.4.2.6 change infrequently, and set a course for the foreseeable future;

4.4.2.7 be approved by the appropriate management structure.

#### 4.5 Elements of the policy

4.5.1 A policy of the UFS must contain the elements and conform to the proposed format as set out in clause 5.

4.5.2 A policy may also contain the following optional elements:

4.5.2.1 Reference to other relevant policies and procedures

4.5.2.2 Examples to illustrate the working of the policy

4.5.2.3 Where in the policy "hierarchy" the policy fits, i.e. how it interacts with other policies

4.5.2.4. Enforcement mechanism and appeal process (if applicable)

4.2.5.5 Exceptions to and exemptions from the working of the policy

## 5. PROPOSED FORMAT OF INSTITUTIONAL POLICIES OF THE UFS<sup>1</sup>

### 5.1 Cover page:

To assure the effective management of the policy, the following information should introduce the policy:

 <b>UNIVERSITY OF THE FREE STATE</b> <b>POLICY/PROCEDURE<sup>2</sup></b>	
<b>Document number</b>	
<b>Document name</b>	
<b>Co-ordinating Exco member</b>	
<b>Contact</b>	
<b>Status</b>	
<b>Approved by<sup>3</sup></b>	
<b>Date approved<sup>3</sup></b>	
<b>Date last amended<sup>3</sup></b>	
<b>Date for next review<sup>3</sup></b>	
<b>Related policies</b>	

### 5.2 Policy

#### 5.2.1 Title

5.2.1.1 A policy should be given a title to reflect its subject matter. The title of the policy should be written in plain language that would be understandable to the uninformed reader.

Examples include *“Employment Equity Policy”*; *“Intellectual Property Policy”*, *“Occupational Health and Safety Policy”*.

#### 5.2.2 Preamble/Background

5.2.2.1 A preamble or background can be provided to give the reader insight into the existing situation necessitating the development and implementation of the policy. It can also be utilised to provide information on the development process of the policy and why the policy is structured as it is.

<sup>1</sup> This proposed format is only applicable to new policies.

<sup>2</sup> Delete the unnecessary information.

<sup>3</sup> Review date will be determined after approval.

An example of a preamble or background taken from the UFS's proposed Employment Equity Policy is:

"1.1 *The employment equity policy of the UFS respects, and is founded on, the UFS's vision and commitment to quality and equity, its mission as a university and an academic institution; its values; its socio-political, cultural and geographical environment; its statute and its legislative environment, as stipulated in the sections that follow.*"

### **5.2.3 Purpose**

5.2.3.1 The purpose section of the policy must contain an exposition of the reason why the policy is required and the need it seeks to address.

An example of a purpose taken from the UFS' proposed Intellectual Property Policy is:

*"The purpose of this document is to present a fundamental Intellectual Property Policy which can serve as a guideline for the compiling of operational policy documents for addressing the ownership of intellectual property developed by students and employees of the University of the Free State (UFS) in their capacity as such. The document proposes a number of changes regarding the regulation of ownership of intellectual property developed by students and employees of the UFS. Once these changes have been implemented, the policy must be amended and moulded into a final policy document."*

### **5.2.4 Scope**

5.2.4.1 This section should indicate to whom the policy will apply. In the context of the UFS, applicability of a policy could be to the UFS as a whole, or a specified department, school, faculty or research centre within the UFS. A policy could also apply to specific persons, for example, disabled students or academic employees.

**An example of the scope of application taken from the UFS's proposed Intellectual Property Policy:**

**"The proposals contained in this policy document are aimed at introducing sufficient measures for the protection of the ownership rights of the UFS with regard to intellectual property created by employees and certain students of the UFS, in order to enable the UFS to patent and/or exploit and commercialise such intellectual property to the advantage of the UFS, the creator, the local community and the country as a whole."**

### **5.2.5 Definitions and terms**

5.2.5.1 A definition is a provision giving a meaning to a word or expression or limiting or extending the meaning of a word or expression. Include here any definitions of jargon used in the policy that are not otherwise fully explained in the text of the policy or to which a specific meaning is to be attached.

The following format might be useful:

“For purposes of this policy, unless otherwise stated, the following definitions shall apply:

[Term]:	[term definition, including reference if there is a separate authoritative source of the definition]”
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## **5.2.6 Policy content and guidelines**

5.2.6.1 This section should contain the actual policy and may include the optional elements contemplated in clause 4.5.2. This section should not contain the procedures for the implementation of the policy. The guidelines for the drafting of a policy contained in paragraph 4.3 hereof should be applied here.

## **5.2.7. The designated structure which has the authority to approve, adjust and review the policy**

5.2.7.1 A section indicating who is responsible for the approval, adjustment and review of the policy must be included and, if applicable, must also indicate how this body or person derives its/his/her authority, whether by delegation or otherwise.

## **5.2.8 Administration of the policy**

5.2.8.1 A section should be included assigning the function of administration and enforcement of the policy to a person, body or committee. This should not be the same body responsible for the approval, adjustment and review of the policy.

## **5.2.9 Effective date of the policy**

5.2.8.1 It should be clear from the policy when it will come into effect and whether it will have retroactive effect

## **5.2.10 Procedure**

5.2.10.1 The procedures to be followed to ensure that the policy is adhered to and to guide the necessary actions/activities should be identified here. Each specific item should be framed in terms of

5.2.10.1.1 what the specific issue is to which the policy applies;

5.2.10.1.2 what the UFS's position/behaviour/action is in response to the issue; and

5.2.10.1.3 what standards (i.e., minimum acceptable requirements) apply (if appropriate).

**5.2.11 Appendices**

5.2.11.1 Policies are often supported by documented procedures or guidelines. However, these are not normally included in policy documentation. If there are documents that support the implementation of the policy, they can be named here.

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