



# ST JOHN'S COLLEGE

11 September 2017

Dear Members of the St John's Community

## **Nominations for the Independent Representative Interim Committee (IRIC)**

At the town hall meeting held on 2 August 2017 a proposal was made to form an Independent Representative Interim Committee (IRIC) to address issues of racism, transformation, diversity and relevant governance within the St John's College community. This proposal was accepted by Council and draft Terms of Reference (TOR) for the IRIC were circulated for comment on 25 August. In total, more than 600 submissions were received. Thank you for all of these. The thoughtfulness taken by you in responding is humbling and indicative of the care you have for St John's College, for which we are deeply grateful.

The vast majority of responses indicated support for the establishment of the IRIC and its overall purpose. A number of submissions made specific suggestions on the TOR. These have been addressed to the extent possible taking into account the objectives of the IRIC, the context in which it arose and the Constitution of St John's College. The final integrated TOR for the IRIC are attached.

### **Composition of IRIC and nomination process**

The IRIC will be comprised of a chair and an additional twenty (20) members, ten (10) of whom will be nominated by the existing SJC Council and ten (10) of whom will be representative of the stakeholders of SJC as follows:

- **Three parent representatives;**
- **Two staff representatives;**
- **Two Old Johannian representatives; and**
- **Three College student representatives.**

Anyone interested in forming part of the IRIC is hereby invited to submit a nomination according to the nomination form attached. Selection of nominees will be made independently by the Anglican Bishop of Johannesburg (the Visitor) taking into account the selection criteria, the required number of representatives from each stakeholder group and the requirement that the IRIC should be representative in terms of race, gender and skills. Nominations should reach [townhall@stjohnscollege.co.za](mailto:townhall@stjohnscollege.co.za) by midnight on 17 September 2017.

The Council nominees to be submitted to the Visitor for consideration are:

- **Ven. Oupaki Moruthane (Bishop's representative)**
- **Mr Paul Edey (College Headmaster)**
- **Mr Patrick Lees (Preparatory School Headmaster)**
- **Dr Colleen Henning (Staff representative on Council)**
- **Mr John Chew (Parents' Association representative on Council)**

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### **ANGLICAN DIOCESAN COLLEGE OF JOHANNESBURG**

Headmaster: Paul Edey BA HDE (Wits) Hons (SA) FDE (RAU) PMD (GIBS)  
Visitor: The Rt Revd Dr Steve Moreo MA (UP) PhD (UP)

- **Mr Damian Boyce (Chairman of Old Johannian Association)**
- **Mrs Cleo Socikwa**
- **Mr Melvyn Lubega**
- **Mr Steve Raney**
- **Mrs Claire Hock**

The Visitor is in the process of securing an independent chair for the IRIC. This person will be a respected and trusted South Africa leader with an undisputed track record as an expert facilitator, a clear communicator with a passion for education, an objective decision maker and independent strategic thinker. This role will involve building consensus, nurturing positive working relationships with all stakeholders, and ensuring that the TORs are adhered to so the decisions of the IRIC are made in the best interests of the school and are properly communicated.

Yours sincerely

A handwritten signature in cursive script that reads "Patricios".

**Dr Jon Patricios**  
**Chairman of Council**

**TERMS OF REFERENCE  
FOR THE ESTABLISHMENT OF  
AN INDEPENDENT AND  
APPROPRIATELY REPRESENTATIVE INTERIM  
COMMITTEE  
FOR ST JOHN'S COLLEGE FOCUSING ON ANTI-  
RACISM, TRANSFORMATION AND A REVIEW OF  
RELEVANT GOVERNANCE STRUCTURES**

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## 1. INTRODUCTION

St John's College ("SJC") has been the subject of a racial discrimination matter involving a Geography teacher ("the Incident"). The Incident and the manner in which it was handled by SJC and the resultant sanction imposed by the independent Senior Counsel drew condemnation from a number of students, parents, Old Johannians and other stakeholders.

The Incident has identified that there is a need for a process to review and appropriately address issues of racism, transformation, diversity and relevant governance within the SJC community, which process would also have as its objective, the re-building of trust and bridging divisions between the various SJC stakeholders in order for SJC to achieve its objective of being an inclusive and diverse world class Christian school in and for Africa.

In order to achieve the above objective, the Council of SJC resolved on 1 August 2017, inter alia, to take the following steps to address the issues set out above:

1. Initiate a structured engagement with the broader school community;
2. Initiate a rigorous transformation and diversity process, including a review of the policies and procedures within the college, particularly pertaining to racism, sexism, homophobia and misogyny, and how those policies are implemented to protect everyone, but most particularly students;
3. Ensure an unequivocal rejection of all forms of racism, sexism, homophobia and misogyny in SJC; and
4. Conduct a critical analysis of the relevant governance structures within the school to ensure that they are fit for purpose and that the necessary capacity and resources are in place to address the issues that have been identified.

In order to achieve the above objectives, it has been agreed with the various SJC stakeholders that an Independent and appropriately Representative Interim Committee should be formed.

## **2. ESTABLISHMENT OF INDEPENDENT AND APPROPRIATELY REPRESENTATIVE INTERIM COMMITTEE**

An Independent and Representative Interim Committee (“IRIC”) shall be formed under the auspices of section 4.2.7.3 of the Constitution of SJC. Section 4.2.7.3 states:

*“4.2.7.3 The Council may appoint such Sub-committees as it deems fit to carry out certain of its functions, such sub-committees having the power to co-opt persons who are not Members of Council, subject to the conditions that each such sub-committee shall be obliged to report to the Council regularly and that the decisions thereof shall require the ratification of the Council;*

The decisions and recommendations of the IRIC shall not be unreasonably rejected by the SJC Council and where necessary shall be forwarded to the Bishop of the Anglican Church, Diocese of Johannesburg, as the ultimate head of the school (the “Visitor”) for his approval.

The responsibilities of the SJC Council, as set out in the SJC Constitution will continue.

The IRIC will, relevant to these terms of reference, draw up a scope of work, timetables and a related budget in accordance with good practice and will receive from SJC, on approval from the SJC Council, the necessary financial and human resources to conduct its work efficiently and in a timely manner. Members of the IRIC shall render their services on a pro bono basis.

## **3. PURPOSE OF THE IRIC**

The IRIC shall be responsible and accountable, with reference to the incident, for the following activities and areas of work:

### **3.1 Anti-Racism Policy**

The review and further development of a statement and policy on anti-racism and all forms of discrimination. The terminology and title of this policy to be determined by IRIC and IRIC will draw on work already done in this regard.

## **3.2 Governance**

To assess and review all relevant governance structures of SJC with a particular focus on transformation and diversity in order to achieve the objective of being an inclusive and diverse world class Christian school in and for Africa. This shall include a review of the constitutions, composition and functioning of the following structures:

3.2.1 The Council (including Executive Committee and sub-committees); and

3.2.2 The current Transformation and Diversity Committee and its functioning. This shall include a review of the work of the Committee to date and, where necessary, the identification of changes and the development of recommendations for:

3.2.2.1 Staff, in or outsourced – recruitment, development and advancement;

3.2.2.2 Students – admissions and continuing education concerning inclusiveness and racism;

3.2.2.3 Culture, symbols and community ethos;

3.2.2.4 Community engagement;

3.2.2.5 Parent community;

3.2.2.6 Relevant curriculum.

## **3.3 Policies**

To assess and review all policies of SJC to ensure that they are fair, appropriate and aligned to the values espoused by SJC. In particular, the IRIC should focus on policies and procedures to ensure the elimination of all forms of bigotry and prejudice in the school.

Policies pertaining to grievance and disciplinary procedures should be assessed and reviewed.

A comprehensive and effective complaints procedure for students to report allegations of racism, bullying or harassment should be developed. An interim complaints procedure to be implemented before end September 2017.

### **3.4 Stakeholder Survey**

The IRIC shall receive the results of an independent and professionally conducted survey of all stakeholders in the SJC community commissioned by Council.

The survey shall include the following stakeholders:

1. Students;
2. Staff;
3. Current and past parents;
4. Old Johannians;
5. The Anglican Church.
6. Council and former Council members

The survey shall be conducted electronically and should also disaggregate groupings in terms of race and gender in order to ensure that the views of all stakeholders are obtained. The survey will guarantee anonymity.

The results of this survey will be communicated to all stakeholders that participated in the survey and may provide input into the work of the IRIC. Additional submissions may be called for by the IRIC.

## **4. TERM AND DURATION OF THE IRIC**

The nomination and appointment of the members of the IRIC shall commence on 6 September 2017 and be concluded by not later than 17 September 2017.

The IRIC shall commence functioning once the appointment of the members of the IRIC has concluded and will continue until the end of 2017 unless terminated earlier by a vote by the members of the IRIC or by the SJC Council. If the work of the IRIC is not completed by the end of 2017 its term may be extended by the SJC Council until the end of the Easter term of 2018.

## **5. COMPOSITION OF THE IRIC**

- 5.1 The IRIC will be comprised of a chair and an additional twenty (20) members, ten (10) of whom will be nominated by the existing SJC Council and ten (10) of whom will be representative of the stakeholders of SJC, and will be drawn in consultation with the Parents Association, Concerned Group Of Parents (“CGOP”), staff, Old Johannian Association, Black OJs, #Open St Johns and College students:
- 5.1.1 Parents (three representatives);
  - 5.1.2 Staff (two representatives);
  - 5.1.3 Old Johannians (two representatives); and
  - 5.1.4 College students (three representative).
- 5.2 Nominations for membership of IRIC shall be invited from the stakeholders listed in 5.1 above. Representatives may nominate themselves. Each nomination shall include a short motivation in the form of Annexure A. The Visitor shall select all members of IRIC according to the numbers listed in 5.1, the criteria set out in Annexure A and the overall composition described in 5.3.
- 5.3 The composition of the IRIC will be representative in terms of race and gender and shall also ensure representation of the necessary experience and skills required for its effective functioning.
- 5.4 The Chairperson of the IRIC shall be appointed by the Visitor.
- 5.5 The IRIC shall have the power to co-opt additional members to the IRIC for a limited period to fulfil specific functions in terms of the needs of the IRIC.
- 5.6 The IRIC may establish such working groups or sub-committees as it deems necessary to enhance the functioning of the IRIC including for comparative research purposes. The IRIC members shall nominate representatives to working groups or sub-committees and ensure that the working groups or sub-committees have the necessary support and resources.
- 5.7 The working groups or sub-committees will operate under clear terms of reference, but will have no binding decision-making authority. The working groups or sub-committees shall make recommendations to the IRIC.

## **6. PRINCIPLES OF ENGAGEMENT**

The members of the IRIC acknowledge and accept that the deliberations of the IRIC shall be governed by the following principles:

- Integrity
- Trust;
- Respect;
- Honesty;
- Openness;
- Non-violence;
- Commitment;
- Accountability;
- Transparency; and
- Confidentiality

## **7. MEETINGS OF THE IRIC**

The meetings of the IRIC shall be chaired by the Chairperson nominated by the Visitor. In the absence of the Chairperson of the IRIC, the meeting will appoint an acting Chairperson in accordance with the provisions set out below.

The number and duration of meetings to be held will be decided by the IRIC.

### **7.1 Quorum**

A meeting quorum will be fourteen (14) members of the IRIC, at least seven of which shall be SJC Council members and seven of which shall be other nominees as set out in 5.1 above.

### **7.2 Decisions**

The objective of the IRIC shall be to achieve agreement by consensus. In the absence of consensus decisions of the IRIC will be made by simple majority in a meeting of all IRIC members.

The Chairperson of the IRIC shall not have voting rights. The Chairperson shall however seek to resolve any deadlock and failing which may call on expert mediators / facilitators to assist.

### **7.3 IRIC Secretariat**

A Secretariat for the IRIC shall be constituted and properly resourced. The responsibility of the Secretariat shall include, but not be limited to the following:

- 7.3.1 Ensuring that all communications and information are provided to all IRIC members in a coherent and structured manner;
- 7.3.2 Ensuring that all decisions of the IRIC and documentation relating thereto are conveyed to all members of the IRIC;
- 7.3.3 Preparing agendas and supporting papers for IRIC meetings, including report-back meetings to stakeholders;
- 7.3.4 Disseminating communications approved by the IRIC to stakeholders;
- 7.3.5 Arranging meeting logistics.
- 7.3.6 Disseminating minutes to all stakeholders;
- 7.3.7 Circulating Agendas and supporting documentation at least seven days prior to meetings.

### **7.4 Notice of meetings**

- 7.4.1 Meetings will be convened by written notice and communication to all members at least seven (7) days prior to the holding of the meeting.
- 7.4.2 The notice of a meeting must be in writing, and must include the date, time and place for the meeting, the agenda and the general purpose of the meeting, and any specific purpose, if applicable;

## **7.5 Minutes of meetings**

The minutes of meetings will record outcomes, but not the submissions of parties, nor the debate that takes place on issues. The minutes will be sent to all parties by the Secretariat for comment and then confirmed by the Secretariat. Comments on the minutes should be received within five (5) working days. Thereafter, the Secretariat should respond and incorporate the comments and the minutes should be circulated to the IRIC members within seven (7) days thereof.

## **7.6 Distribution of Documents**

Documents that need to be exchanged by IRIC members will be done through the Secretariat. The Secretariat will distribute documents via email and other electronic means, unless agreed otherwise.

## **8. CONDUCT IN THE IRIC ENGAGEMENT**

8.1 The IRIC members commit to engage with each other in good faith.

8.2 To give practical effect to the concept of good faith throughout the engagement, the IRIC members will:

- prepare well;
- act professionally towards each other;
- treat each other with respect;
- refrain from tactics which have the effect of undermining confidence in the engagement;
- demonstrate consistency and reliability in their approach;
- listen carefully to each others' submissions;
- refrain from repeating points already made;

- endeavour to understand and, in so far as they are able, to provide for each other's interests;
- avoid personality issues influencing discussions and behaviour;
- adopt a problem-solving, solution orientated approach to the issues;
- identify priorities;
- communicate honestly and accurately to principals/constituencies;
- demonstrate leadership in dealing with principals/constituencies;
- subject to clause 9 exercise proper judgment when dealing with the media; and
- treat all matters with utmost confidentiality, recognizing the highly sensitive nature of the working and deliberations of the IRIC until such time as relevant communications are agreed and issued.

## **9. COMMUNICATION**

A communication platform will be established to afford all members of the SJC community an opportunity to contribute, and to be regularly apprised of developments. It is expected that representatives participating in the IRIC will keep their constituencies fully informed, with due regard to the confidentiality provisions set out below.

The IRIC shall be required to make periodic reports to the SJC Council and present its final recommendations to SJC Council for approval on or before the end of November 2017. The frequency of the periodic reports will be decided by the IRIC at the first meeting.

IRIC members are subject to the confidentiality requirements as set out in these terms of reference.

Communication with the media about IRIC matters, deliberations and decisions will be issued agreed in terms of a protocol to be established by the IRIC.

All agreed communications with the media will be distributed through the formal school media channels and the members of the IRIC and SJC Council shall not be entitled to communicate with the media other than through the formal school media channels.

## **10. AMENDMENT OR VARIATION OF SCOPE OF WORK**

The IRIC may amend or vary its scope of work by agreement between the IRIC members.



