



## Governing Councils and Development of Tertiary Education in Nigeria

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### ABSTRACT

This paper discussed challenges militated against development of governing councils of tertiary institutions in Nigeria. Secondary data were employed in the paper. The secondary data were collected from print and online publications. The paper concluded that political instability, poor knowledge of tertiary institutions management, poor capacity building programme, strike actions and, lack of adequate research on governing council activities are challenges that militated against development of governing council of tertiary institutions in Nigeria. The paper, hereby recommended that; Federal and State government should always isolate governing councils' of tertiary institutions from dissolution whenever they think do that. Federal and State government should limit appointment of tertiary institutions governing council to only professionals in tertiary education management and administration. Governing Councils members of tertiary institutions should always be exposed to training and retraining programme on the affairs of tertiary institutions and on how to contribute to the development of the institutions. Government should address issues responsible for strike actions in the tertiary institutions. Tertiary institutions in Nigeria should research more on how to advance activities governing council to develop the tertiary institutions and specialized training institutions should be established to cater for the development of governing councils of tertiary institution.

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## Introduction

Tertiary education is an organized educational system that embraces teaching, researching and provision of community services with aims of producing skilled professionals that are required in the labour market. Tertiary education is an education that includes all organized teaching, learning and training programme or activities provided by an advanced institutions that specialized in teaching, researching and community services. According to the Federal Republic of Nigeria's National Policy on Education (NPE, 2013), described tertiary education as an education given after Post Basic Education in institutions such as Universities and Inter-University Centres which includes the Nigeria French Language Village, Nigeria Arabic Language Village, National Institute of Nigerian Languages, institutions such as Innovation Enterprise Institutions (IEIs), and Colleges of Education, Monotechnics, Polytechnics, and other specialized institutions such as Colleges of Agriculture, Schools of Health and Technology and the National Teachers' Institutes (NTI). Adeyemi in Opara (2023) stated that higher education is a system which embraces much of the country's research capacity and reproduces majority of the skilled professionals that are required in the labour market.

Ogunode, Edinoh and Odo (2023) viewed tertiary education as education designed for post-secondary education. Tertiary education is a social agents of progress and development in the society and that aids technological advancement. Tertiary education is designed to help in the development of nations by providing the high as well as the middle level manpower needed for the social, economic and political advancement through the programme of teaching, learning, research and community services (Ogunode, Iyabode & Olatunde-Aiyedun, 2022). This places tertiary education at the apex in the ranking of educational institutions and is designed to accommodate knowledge acquisition and production. Tertiary education are institutions of higher learning that provide facilities for teaching and research and are authorized to grant academic degrees such as bachelor, master and doctorate (Ogunode, Yiolokun, & Akeredolu, 2019; Ogunode, 2020; Ogunode & Jegede, 2021; Olatunde-Aiyedun, et al., 2021).

The goals of Tertiary Education (National Policy on Education FRN 2013) shall be to: Contribute to national development through high level manpower training; provide accessible and affordable quality learning opportunities in formal and informal education in response to the needs and interests of all Nigerians; provide high quality career counseling and lifelong learning programmes that prepare students with the knowledge and skills for self-reliance and the world of work; reduce skill shortages through the production of skilled manpower relevant to the needs of the labour market; promote and encourage scholarship, entrepreneurship and community service; forge and cement national unity; and promote national and international understanding and interaction.

Tertiary education in Nigeria according to Onyekachi and John (2023) includes universities, colleges of education and polytechniques. Tertiary education in Nigeria are grouped in two forms, private and public tertiary institutions. The public tertiary institutions are divided into two namely; state and federal tertiary institutions. The federal government established the following institutions to supervise and manage tertiary institutions in Nigeria; National Universities Commission, National Commission for Colleges of Education and National Board for Technical Education (Ogunode & Zalacro, 2023).

The realisation of objectives and goals of tertiary education in Nigeria hinged on effective leadership, effective administration and funding (Daniel-Kalioi, 2019; Ogunode & Abubakar, 2020; Ogunode, Ezema & Olugbenga, 2022; Ogonu & Oluloe, 2022). Tertiary institutions in Nigeria are structured to have different leadership structure but similar leadership model. The leadership structures of tertiary institutions in Nigeria using the university model as example include; The Visitor (Head of State); the

Governing Council, the Senate, the Deputy Vice-Chancellor, faculties and College, Congregation and the Student Affairs (Ogunode & Adah, 2022; Ogunode, & Ndayebom, 2022; Ogunode, Jegede, Adah, Audu & Ajape 2020). (Bain, 2004; Adekunle, 2017; Ahaotu & Ogunode, 2020) noted that leadership is key in the realization of university education goals.

The governing councils is regarded as the most crucial organ of the tertiary institutions because of its position in making the final decision in areas of governance in the institutions. The major functions of governing councils include setting policies, defining directions, reviewing, approving and monitoring the University budget and evaluating its performance as well as assessing the overall impact of its implementation.

It has been observed that activities and roles of the governing councils seem to have be poorly performed by the respective governing council members across Nigeria. This has manifested in the poor development of tertiary institutions in Nigeria. Development of tertiary institutions to an extent may likely be connected to the leadership quality of the various people appointed and selected to provide leadership in the institutions. Governing council is one of the most important organ of the tertiary institutions is linked to the development of tertiary institutions. It is imperative to examine the various challenges that has hampered the development of governing councils of tertiary institutions in Nigeria. Based on this, this paper examines challenges militating against development of governing councils of tertiary institutions in Nigeria.

### **Theoretical Framework**

This paper is anchored on system theory. The theory was developed by Bertainty in the mid-20th century and has since become a foundational framework for understanding complex systems and their interactions. The systems approach to management looks at education as a system in the same way. The theory assume that an organization is a series of systems and subsystems that interact with one another to create the overall organizational system. The systems theory of management asserts that any organization is a single, unified system of interrelated parts or subsystems. Each part of the overall system is dependent on the others and cannot function optimally without them. Therefore, if factors are present that adversely affect one subsystem within an organization, it's likely these factors may adversely affect other subsystems, too. This can result in impacts on the entire system to a certain extent. This framework presents an organization as a natural ecosystem, where each element is interdependent. The systems approach is another term for this framework.

The relevance of this theory to this paper is that tertiary institution can be seen as a system that has a goals to achieve with different sub-system or parts that relative with one another and need one and another to realize the system general goals. In tertiary institution, a system refers to a cohesive collection of educational resources in form of human and materials resources. The human resources are the Statutory Organs of tertiary institutions (universities) include Visitor (Head of State), the Governing Council, the Senate, the Deputy Vice-Chancellor, Faculties and College, Congregation and the Student Affairs. Various components of a system (Visitor (Head of State), the Governing Council, the Senate, the Deputy Vice-Chancellor, Faculties and College, Congregation and the Student Affairs) interact with each other regularly and need each other to realize the system objectives. Visitor (Head of State) must appoint the Governing Council before an effective administration can take place in the institutions. The Senate, the Deputy Vice-Chancellor, Faculties and College, Congregation and the Student Affairs need quality policies from the governing council to help the carry out their assignment.

## Concept of Governing Council of Tertiary Education

The governing council of tertiary institutions in Nigeria is the highest policy-making body in the institutions. Its membership is drawn from all over the stakeholders in the sector. The governing council of tertiary institutions can be seen as an organ of the tertiary education vested with the power to make the highest decision in the institutions. According to (Elitecollege 2019) the governing councils are responsible for the community budget, activity calendar, programming, and policies. (Peter, 2016) viewed governing council of tertiary institution as the governing and executive body of the tertiary institution and it regulates all the affairs of the institutions either by way of policy making or by executing the statutory powers given to it under the Act. Governing council of tertiary institutions are professionals appointed by the government with those appointed by the institutions according to the Act of the institutions that are saddled with responsibilities of making the final decision in the area of governance. The Governing Council is the highest administrative body in the university saddled with the task of general arrangement, supervision and control of the affairs, policy, assets and liabilities and funding of the university. The Chairman of the Governing Council is usually appointed by the visitor who could be a State Governor or the President depending on the ownership of the institution (Ogbomida, Obano, & Emmanuel, 2013). The Council is the supreme governing authority of the tertiary institutions responsible for those policy decisions which have financial implications, the general management of the affairs of the institutions, and, in particular, the control of the property and expenditure of the tertiary.

Lawal (2019) noted that the council is responsible for approving the financial guidelines of the universities; determining the terms and conditions of appointment of the vice-chancellors and principal officers of the universities as well as annually reviewing the universities' budget to monitor their performance and assess the overall impact of their implementation, among other responsibilities. Lawal furthered observed that the council has powers to do anything, which, in its opinion, is calculated to facilitate the development of the university, including the regulation of the constitution and conduct of the university. The pro-chancellor and the council that he leads play a critical role in the affairs of a university. Narrowing this specifically to the university, the statutory organs of the university are: the Visitor (Head of State), the Governing Council, the Senate, the Deputy Vice-Chancellor, faculties and College, congregation and the Student Affairs

The governing council is the supreme governing authority of the university. It is responsible for decision and policy making which could have financial implications. It is also responsible for the general management of the affairs of the university. It controls the expenditure of the university. The Council has power to do anything which in its opinion is calculated to facilitate the carrying on of the activities of the University. In some Universities like Lagos; Bayero; Ahmadu Bello; Sokoto; Ilorin; Calabar, the Council is also vested with the power over the University's public relations; a job which is generally performed by the Vice-Chancellor on behalf of Senate in most of the Nigerian Universities. The Council is vested with the power to call for reports from the Senate on any matter relating to instructions and teaching in the University; although this function is better performed by Senate since Senate is in charge of academic matters. Under this heading, Council might even insist on having a look at the curriculum vitae of all the teachers appointed in the University in order to ensure the appointment of good caliber teachers (NOUN, 2012; Ogunode & Musa, 2022; Ogunode, Ohunene & Olatunde-Aiyedun, 2022).

In term of membership composition of governing council, (NOUN 2012) submitted that many members of Council are drawn from the general public. The pro-chancellor is the chairman of the council. Its

membership is the Vice- Chancellor and Deputy Vice Chancellor as well as representatives of the university and the congregation. Most of the work of the Council is carried on by a number of standing committees. The federal government as specified by the university decree appoints the pro-chancellor and chairman of council, and outside members of council. The representatives of the university on the council are elected from the senate and congregation.

The composition of each Governing Council of Federal Universities, (Oshio Undated) submitted that under the Universities (Miscellaneous Provisions) (Amendment) Act, 2003 remains the same as in the Principal Act, Decree No.11 of 1993. Under both Acts the, Governing Council of a Federal University shall consist of:

- a. The Pro-Chancellor;
- b. The Vice-Chancellor;
- c. The Deputy Vice-Chancellors;
- d. One person from the Federal Ministry responsible for Education;
- e. Four persons representing a variety of interests and broadly representative of the whole:

Federation to be appointed by the National Council of Ministers;

- f. Four persons appointed by the Senate from among its members;
- g. Two persons appointed by the Congregation from among its members; and
- h. One person appointed by Convocation from among its members

This membership may be classified in two different ways as follows:

1. Ex-officio members and non-ex-officio members; and
2. ii. External members and internal members (Oshio Undated).

The ex-officio members consist of the Vice-Chancellor, Deputy Vice-Chancellors and one person from the Federal Ministry of Education. These are all members of the Council by virtue of their offices. All other members are non-ex- officio members. On the other hand, External members of Council consist of the Pro-Chancellor, the Representative of the Federal Ministry of Education and the four other members representing a variety of interests appointed by the National Council of Ministers. All other members of Council, including the Vice-Chancellor and Deputy Vice-Chancellors, are normally referred to as internal members of Council. These are members and representatives of the University Community in Council (Oshio Undated).

In term of qualifications, to qualify as a member of the Governing Council the person must:

- a. be of proven integrity and
- b. be knowledgeable and familiar with the affairs and tradition of the University.

Oshio (undated) noted that apart from the moral qualification in (a) above, the Act does not expressly specify any educational qualification for membership of the Council. However, the necessary implication to be gleaned from (b) above is that, for a person to be knowledgeable and familiar with the affairs and tradition of the University, he must at least have gone through the University system. In other words, it can safely be implied from this provision that a member of the Governing Council should be at least a graduate from any recognized University.

The Amendment Act contains a new provision of subsection (2) which spells out the qualifications of Council members. The subsection provides:

*“Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University”*

Thus, to qualify as a member of the Governing Council the person must:

a) be of proven integrity and b) be knowledgeable and familiar with the affairs and tradition of the University.

Apart from the moral qualification in (a) above, the Act does not expressly specify any educational qualification for membership of the Council. However, the necessary implication to be gleaned from (b) above is that, for a person to be knowledgeable and familiar with the affairs and tradition of the University, he must at least have gone through the University system. In other words, it can safely be implied from this provision that a member of the Governing Council should be at least a graduate from any recognized University (Oshio, undated).

In term of functions to the tertiary institutions; (Ogunode, 2020) identified policing making as a major function of the governing councils. The duties of the governing council include setting policies, defining directions, reviewing, approving and monitoring the University budget and evaluating its performance as well as assessing the overall impact of its implementation. (NUC 2022) noted that the role of the council is to support management in the implementation of policies and decisions of the Council In like manner, Sarkinfada & Simon (2023).insinuated that “In order to be relevant and effective institutions, the Governing Council are rather expected to be concerned with policy issues, adopting best practices, monitoring of institutions’ projects and attracting more funding outside regular Government allocation to improve the facilities and infrastructure that will promote Teaching, Research and Learning in the institutions.

Adam (2022) stated that:

*“The Council is expected to make deliberate efforts to diversify the sources of funding and support for the university. In these trying economic times and the government’s desire to bring in more private sector participation in our tertiary institutions, I want to charge you to come up with ideas that will generate more revenue, outside government allocations. To this end, the Councils should look outwards and enlist the support of philanthropic organisations and individuals for additional funding of projects in the institutions. In addition, the Council can explore other sources of revenue through endowments.”*

In addition, Afe-Babalola as cited by Tribune (2023) revealed that the following functions are common to University Governing Councils:

The Council of the University is responsible for the administration and management of the affairs of the university, including ensuring an effective system of internal control and is required to present consolidated audited financial statements each financial year.

1. The Council is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the university and to enable it to ensure that the financial statements are prepared in accordance with the university’s statutes;
2. Ensure that there are appropriate financial and management controls in place to safeguard public funds and funds from other sources;
3. Safeguard the assets of the university and to prevent and detect fraud; and
4. Secure the economical, efficient and effective management of the university’s resources and expenditure (Tribune, 2023).

The contributions of governing council to the development of tertiary institutions cannot be underestimated. (Ogunode, 2020) observed that as the policing making organ of tertiary institutions their policies have led to effective tertiary institution management. Governing council of each institutions have assisted the institutions in arriving at useful and meaningful decisions that can promote the growth and development of the institutions. Therefore, the Governing council have help to curtail corruption in many in many tertiary institutions this has led to prudent spending and reduction in waste. Governing council have served as catalysts for infrastructure facilities (Ogunode, Jegede, Olamoyegun, Akinjobi & Olatunde-Aiyedun, 2022) and intellectual growth in tertiary institutions in Nigeria. Governing council have helped to sustain peace and tranquility in many higher institutions across Nigeria. Governing council of some institutions have help to draw donation and grants to the institutions. Governing councils of many Nigerians' tertiary institutions have suggested and has helped to implement policies and programme that has led to increment in internally generated revenue of the institutions.

The Governing councils of tertiary institutions are very important component of the institutions that their roles and functions determines the development of the institutions. The Governing councils are the pillar of development of tertiary institutions through sound policies and decisions.

### **Challenges Facing Development of Governing Councils of Tertiary Institutions in Nigeria**

There are many challenges that has hampered development of governing council in Nigerian tertiary institutions. Some of these challenges includes; political instability, poor knowledge of tertiary institutions management, poor capacity building programme and strike actions, lack of research on governing council's activities and interferences with management.

#### **Political Instability**

Political instability is a major problem that has affected development of governing councils of tertiary institutions. Governing councils of tertiary institutions are been politicized according to Olayinka (2018); Ogunode and Musa (2022); Ogunode and Ibrahim (2023); Ogunode and Agyo (2022); Peter (2019); and Ogunode (2020) noted that the governing council are government representative who manage the affairs of the higher education. These representatives are selected and appointed by one government, and are subject to change by another new government. Ogunode (2020) maintained that Nigerian democratic practices is anchored on government changes every four years. The implication is that the new government that come to power comes with new policies and programme that only its political members can help them achieve them. History and fact available showed that most new government appointed their political party members into various boards of parastatals and agencies in the country and this include governing councils of tertiary institutions. History has it that most new government in Nigeria both at federal and states levels always dissolved boards of parastatals and agencies with the aims of replacing with their political associate. For instance, the Academic Staff Union of Universities as report by Premium time has faulted the decision of the federal government on the dissolution of the Governing Councils of all federal universities in the country. The union noted that the move was inimical and a major setback toward the growth and development of university education in Nigeria. Premium time reports that the National Universities Commission (NUC) had on June 22, announced the dissolution of governing councils of all federal universities and boards of other agencies and para-statals in the country. A Premium Time review of the presidential directive showed that universities, polytechnics and even the National Universities Commission (NUC) were among the educational institutions affected by the directive. ASUU condemned the move, insisted that such a trend if allowed to continue, would cripple the university system." The dissolution contravened the Act

establishing federal universities, adding that it will stagnate the progress of the institutions. “The recent dissolution of the governing councils of federal universities by the National Universities Commission does not conform to the Miscellaneous Act of 2003 as amended. The Act provided a statutory tenure of governing councils of universities and so they cannot be dissolved at will like other boards. “The governing council is the highest decision-making body of every university, and once it is dissolved without immediate replacement, it stalls every major decision in the university. So, we consider the dissolution as inimical to the progress of the university system and call on the federal government to rescind its decision,” he said (Premium time, 2023).

### **Poor Knowledge of Tertiary Institutions Management**

Another major problem confronting development of governing councils of tertiary institutions in Nigeria is that some of the member appointed as council members have poor knowledge of tertiary institutions management this makes many of them inactive in decision making and coming out with innovative ideas to develop the institutions (Ogunode & Sarkinfada,2023)

The council is highest decision making of the tertiary institutions (Adams, Zubair & Olatunde-Aiyedun, 2022). These positions required professionals in the tertiary education management and administrations. These positions required people with qualifications and experiences in tertiary education management and administrations. It is unfortunate that majorities of council member appointed by the government to occupy these positions are not experienced in the administration and management of the institutions. Udida, Basse, Udofia and Egbona (2009) noted that some individuals appointed as leaders of some university are weak, not competent and lack administrative potentials; such appointees must possess administrative qualities and must lead by example. The leader must have integrity, must be knowledgeable, and practice modern types of management leadership styles. He or she must be visionary and ready to adjust to situations in the system. Leaders in some universities are weak, uncoordinated and lack administrative skills. Some do not have administrative knowledge or skills. The issue of qualifications and experiences are not considered.

Yawe, Ivagher and Ijov (2015) also noted that the political interference in higher institutions of learning in Nigeria has degenerated so much that credibility is completely eroded, as principal officers of higher institutions such as vice-chancellors, deputy vice-chancellors, provosts, rectors and registrars among others are appointed on the basis of political affiliations, sectionalism, nepotism, tribalism as well as religious beliefs. The implication of qualification not been the yardstick for the appointment of such principal officers is that any Tom-Dick and Harry can be given such sensitive positions which may make the entire system ineffective and inefficient. This can affect the systems performance in that, workers can result to a non-chalant attitude toward work and hence no sustainability or continuity of good track records of performance in the system (Álvarez & Olatunde-Aiyedun, 2023). Nigerian Higher Educational System need leaders who can position it to an envying height of success and progress this contributing to society’s quest for self-reliance (Ujomu, 2001).

### **Poor Capacity Building Programme**

Poor capacity building programme for governing council members has also affected their performance in term of providing quality governance in the various institutions are overseeing. Though some were given seminars and training on councils affairs and management but the training were not enough to equip them with necessary skills and knowledge to participate fully on pressing issues facing the tertiary institutions in Nigeria (Ogunode & Aiyedun, 2020). The poor leadership at the top seem to have affected the development of councils and development of the tertiary institutions. Due to poor



knowledge and experiences in tertiary education management, former Minister of Education asked the members of the councils to refrain from interfering in the day-to-day running of the universities as their duties do not entail such. Noting a distinction between “university governance” and “university management”, the Minister of Education said the lack of respect for that distinction has led to friction between the governing council and other organs of the university (NUC, Bulletin, 2022).

### **Strike Actions**

Strike actions in the Nigerian tertiary institutions is another problem facing the activities of governing councils of tertiary institutions. The Nigerian tertiary institutions are known for continuous strike actions by different union groups in the various institutions ranging from polytechniques, college of education and universities. The continuous strike actions by these different union groups are frustrating the implementation of councils’ policies and programme for various institutions (Aiyedun, Olatunde-Aiyedun & Ogunode, 2021). Whenever there is strike actions, majorities of programme and activities in the tertiary institutions are suspended including council meeting. The reasons for the strike actions by different union groups include; underfunding of the public universities, inadequate infrastructural facilities, poor implementation of agreement reached with union groups and poor working condition (Okoli, Ogbondah & Ewor, 2016; Omotere, 2014). Most councils of tertiary institutions don’t meet during strike because their deliberations and activities will have no effects if the institutions are not in place to function (Okebukola, 2018; Ohiare, Ogunode, & Sarafadeen, 2021).

### **Lack of Adequate Research on Governing Council’s Activities**

Lack of research on governing council’s activities and programme in the tertiary institutions have also hampered the development of governing counsel of tertiary institutions in Nigeria. There are only few literatures on activities and programme of governing councils in Nigeria and no well -established institutions to handle training, and research on governing council of tertiary institutions in Nigeria. Sarkinfada & Simon (2023) Asserted that Poor research in many public and private institutions have led to poor development of ideas and solution to pressing problems. Institutions and organization are bound to have policies and programme problems. When these problems are researched upon. Solutions are expected to come up in form of recommendations. Academic research leads to development and this development can be in institutions such as the governing councils. Researches are conducted to help in solving problems conversional and non-conversional problems. When there are no constant research on policies and programme there will be no development because institutions and human being are dynamic.....observed that most institutional’ problems facing both private and public institutions in Nigeria persisted because of failure to seek and invest in research to solve them. Lack of organized research on different areas of governing council’s activities and programme in the tertiary institutions have led to poor development of governing counsel of tertiary institutions in Nigeria (Ogunode & Sarkinfada,2023)

### **Conclusion and Recommendations**

Governing council of tertiary institutions have been described as life-wire of the tertiary institutions because their roles in the development of tertiary institutions cannot be replaced. The governing councils’ roles are unique and professionally inclined. This paper looked at the challenges that has militated against development of governing councils of tertiary institutions in Nigeria. The paper concluded that political instability, poor knowledge of tertiary institutions management, poor capacity building programme, strike actions and, lack of adequate research on governing council activities are challenges that has militated against development of governing council of tertiary institutions in

Nigeria. The paper hereby recommended the following that; Federal and State government should always isolate governing councils' of tertiary institutions from dissolution whenever they think do that.

1. Federal and State government should limit appointment of tertiary institutions governing council to only professionals in tertiary education management and administration.
2. Governing Councils members of tertiary institutions should always be exposed to training and retraining programme on the affairs of tertiary institutions and on how to contribute to the development of the institutions. Governing Councils at all times should consult Management of various tertiary institutions to abreast them with the current Laws, Government policies, White papers, Circulars, Gazettes, and other relevant documents of their respective institutions. This will help in taking decisions that are implementable.
3. Government should address issues responsible for strike actions in the tertiary institutions.
4. Tertiary institutions in Nigeria should research more on how to advance activities governing council to develop the tertiary institutions and specialized training institutions should be established to cater for the development of governing councils of tertiary institution.

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