

Views of the Government of the Federal Republic of Nigeria on the Visitation Report into the Affairs of the Federal University, Gusau

(2013 - 2015)

DECEMBER, 2022

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WHITE PAPER ON THE REPORTOFTHE VISITATION PANEL INTO THE AFFAIRS OF THE FEDERAL UNIVERSITY, GUSAU (2013–2015)



ARRANGEMENT OF PARAGRAPHS

Paragraph:

- 1. Publication of Federal Government White Paper on the Report of the Visitation Panel into the Affairs of the Federal University, Gusau (2013–2015).
- 2. Citation.

SCHEDULE

WHITEPAPERONTHEREPORTOFTHEVISITATIONPANELINTO THE AFFAIRS OF THE FEDERAL UNIVERSITY, GUSAU (2013–2015)

1. The Federal Government White Paper on the Report of the Visitation Panel to the Federal University, Gusau (2013-2015) as provided in the schedule to this Notice is hereby published in the Federal Government Gazette.

Publication of Federal Government White Paper on the Report of Special Visitation Panel to the Federal University, Gusau (2013– 2015).

2. This Notice may be cited as the "White Paper on the Report of the Visitation Panel to the Federal University, Gusau (2013-2015)".

Citation.

INTRODUCTION

1.0. The laws of the Federation of Nigeria establishing federal universities require a routine five-year stock taking of activities of the University by a panel of knowledgeable persons for purposes of improving the system for better service delivery. The main objective of visitation is to evaluate the performance of the Council, the Vice Chancellor and other Principal Officers of the University to determine the extent to which they have delivered on their mandates within the specified period. The Panel is expected to look into the financial management, administration, effectiveness of teaching, learning and research. This report covers the period of the year 2013 to 2015. This Panel was constituted and approved by the Visitor, President Muhammadu Buhari. The 7-man Panel to the Federal University Gusau was inaugurated on April 13, 2021 by the Permanent Secretary, Federal Ministry of Education, Arc. Sonny Echono on behalf of the Minister of Education, Mallam Adamu Adamu.

1.1. MEMBERS OF THE PANEL

Members of the Visitation Panel were as follows:

(1)	Engr. Prof. Isaac N. Itodo	University of Agriculture, Makurdi	Chairman
(ii')	Barr. Sogbeye C. Eli	Law Clinic, No. 3 I, Bekwere Wosu Str., D/Line, Port Harcourt	Member
(iii)	Arc. Abdullahi Yusuf Sada	Bayi - Sada & Associates, No. 23, Bashiru Dalhatu Road, Hotoro, Kano	Member
(iv)	Engr. Prof. Ademola K. Aremu	University of Ibadan	Member
(v)	Prof. Nathaniel C. Ohazurike	Imo State University, Owerri	Member
(vi)	Alha ji Zakari Sangari	No. LD 2, New Bado Quarters (Alu Muhammad Quarters), Sokoto	Member
(vii)	Mr.Adam Ibrahim Muhammad	National Universities Commission	Secretary

1.2. TERMS OF REFERENCE

The Terms of Reference (ToRs) of the Panel were to:

TOR	Terms of Reference
(i)	inquire into the level of implementation of the White Paper of the last visitation report;
(ii)	look into the leadership quality of the university in terms of the roles of the Governing Council, the Vice Chancellor and other Principal Officers;

TOR	Terms of Reference
(iii)	look into the financial management of the institution including statutory allocations and internally generated revenues over the recommended period, and determine whether it complies with appropriate regulations;
(iv)	investigate the application of funds, particularly the special grants and loans meant for specific projects in order to determine the status of such projects and their relevance for further funding;
(v)	examine the adequacy of the staff and staff development programmes of the university;
(vi)	determine the relationship between the university and the various statutory bodies it interacts with according to its law for the purposes of supervision, planning, finance, discipline, guidance and any other relationship (i.e. Governing Council, NUC and the FME));
(vii)	examine the law establishing the university including the relationship between the various internal organs, units and offices, and indicate the ways the law has been observed by the competent authorities, and also suggest any modifications to the law;
(viii)	trace the historical evolution of the university and take stock of its net achievements and problems as well as its style and direction;
(ix)	examine the general security in the university and how the university has dealt with it, and recommend appropriate measures; and
(x)	examine the processes and structures of discipline of staff and students in the university in line with due process of the rule of law.

- 1.3. Details of the Findings/Observations and Recommendations of the Visitation Panel, as well as the comments indicating recommendations accepted, noted or rejected by the Visitor are contained in a tabular format in sections 2 11 of this gazette. The highlights of the Visitor's directives include:
 - (i) the Governing Council must ensure that the University Management complies with approved establishment and financial procedures spelt out in the various financial regulations;
 - (ii) the University Management should bifurcate the Directorate of Physical Planning, Works and Maintenance into the Directorate of Physical Planning and Directorate of Works and Maintenance for improved efficiency;
 - (iii) the University Management should adopt a bottom-up budgeting process;
 - (iv) the University Management should put in place a proper Asset Register and Furniture Inventory Register;
 - (v) the University Management should ensure the completion of all uncompleted works;
 - (vi) the University Management should ensure compliance with extant financial regulations and circulars, especially on procurement;

- (vii) the University Management should employ a competent head of procurement and separate its functions from the Director of Works and Physical Planning;
- (viii) the University Management should deploy contemporary security measures; and
- (ix) the Governing Council should develop mechanisms for settling outstanding compensations.

TERM OF REFERENCE ONE

"To Inquire into the Level of Implementation of the White Paper on the Last Visitation Report."

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
2.1.		The university has never been visited by any Panel since it was established in 2013. Therefore, there was no White Paper to be inquire into the level of implementation.		Visitor notes that ToR 1 does not apply to the University since it was established in 2013.

TERM OF REFERENCE TWO

"Look into the Leadership Quality of each University in terms of the roles of the Governing Councils, the Vice-Chancellors and other Principal Officers."

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the V isitor
3.1.		1. Assessment of the leadership quality was for barely two (2) years. 2. The university was at its infancy. Academic activities commenced in 2015, while Management was in office for only two (2) years (2013-2015). The first Governing Council was inaugurated in 2015. 3. The Directorate of Physical Planning, Works and Maintenance is saddled with too many serious responsibilities.	, , , , , , , , , , , , , , , , , , , ,	Visitor notes these recommendations for update in subsequent visitation.

TERM OFREFERENCE3

"Look into the financial management of each institution including statutory allocations and internally generated revenues over the recommended period, and determine whether it complies with appropriate regulations."

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
4.0.		1. The total income that accrued to the university from 2014 to 2015 was two billion, three hundred million, four hundred and sixty-seven thousand, seven hundred and twelve Naira, seventy-seven Kobo (N2,300,467, 712.77). The income for the year 2014 and 2015 was N1,233,144,449.18 and N1,067,323,263.59 respectively. 2. The total expenditure of the university from 2014 to 2015 was one billion, six hundred and fifty-three million, seventy-two thousand, one hundred and eighty Naira, sixty-one Kobo (N1,653,072,180.61). The expenditure for the year 2014 and 2015 was N1,006,801,020.52 and N646,271,160.09 respectively.	(i) Management made effort to reverse the noncompliance with financial procedures and regulations at inception of the university, which was carried on by the subsequent Management (2016-2020). In particular was the effort to appoint a Director of Procurement to take up procurement roles being done by the Director, PPWM. The Director, PPWM should revert to his appointed roles. (ii) Management also faced difficulty in recruiting a Director of Procurement. In the interim, there should be advertisement for a lower cadre Procure-	by the Visitor Visitor notes these recom- mendations for update in sub- sequent visita- tion.
		3. The contribution of the various revenue sources to the income of the university shows that the allocation received for personnel was the highest (69 per cent). The IGR contributed 9 per cent to the income of the university. 4. The university operates six (6) different accounts domiciled in the	budgeting process is recommended for the university; this makes the budget much more realistic and easier to implement by Management since all the essential stakeholders are involved. (iv) A proper Asset Register and Fur-	

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S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
		Central Bank of Nigeria. The accounts are in two (2) categories. The GIFMIS category has the personnel cost, capital development fund and overhead accounts, while the Remita payment platform has the TETFund, NEEDS Assessment and IGR accounts.	ister should be provided. All university assets should be labelled and the inventory be appropriately placed in the various facilities.	
		5. The university employed a firm of Chartered National Accountants as External Auditors in the period of 2014 to 2015.		
		6. Audit reports indicated noncompliance by Management of the university with appropriate regulations such as the 2009 financial regulations, TETFund revised guidelines, Public Procurement Act of 2007 and the FGN/ASUU agreement of 2009.		
		7. The breaches as indicated by the audit reports include:		
		(a) on procurement: non-submission of pro- curement plan to the BPP, merging of Ten- ders Board with Pro- curement Planning Committee, wrong composition of the BMC, non-invitation of observers for bid open- ing and award of con- tracts to companies		

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
	***************************************	not on the database of the BPP.		
		(b) on financial procedures: lack of a fixed		
		asset register, espe- cially a TETFund asset register and furniture		
		inventory, payments to contractors without authorization from the		
		Internal Audit, non- posting of transactions		
		in and signing of the cash book, and over-		
		payment to contractors because of the non-re- covery of VAT from their payments.		
		8. The budgeting process does not involve the departments		
		and faculties, who are the main stakeholders of the institution.		

TERMOFREFERENCEFOUR

"Investigate the application of funds, particularly special grants and loans, for specific projects in order to determine the status ofisuch projects and their relevance for fi wither funding."

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
5.1	FUNDING OF THE UNIVERSITY	Construction projects and related consultancy services were joined together during the assessments under construction for effectiveness. Whereas procurement of furniture and equipment were lumped under Procurements. 1. A total of two billion, four hundred million, one hundred and seventy thousand, nine hundred and ninety-eight Naira, fifty-seven Kobo (N2,400,170,998.57) was earmarked for construction works at the take-off period between 2013 and 2015. Out of this amount, only two billion, seventy-nine million, fifteen thousand, thirty-six Naira, twenty Kobo (N2,079,015,036.20) (86.62 per cert) was paid. This is probably due to some unfinished works and/or lack of remittance by the funders. In the same vein, thirty-five (35) contracts were awarded, and only twenty-seven (27) were completed. The remainder were tagged as delayed or abandoned. The majority of which are from the Special Take-off Grant. 2. Projects awarded during this period were un-	(i) Modalities should be put in place to complete any uncompleted works; and (ii) Various auditors' reports have shown anomalies in the procurement process. Confirmation of the implementation of the auditors' reports should be taken up by Council and the new Management.	Visitor notes theserecommendations for update in subsequent visitation.
		mg this period were dir	1	1

S/No.	Item	Observations/Findings	Recommendations	Comments
		by the Visitation Panel	by the Visitation Panel	by the Visitor
		der five (5) categories, with two (2) having the majority of funding for the construction and consultancy supervisions and constituting 80 per cent of the works: the 2013 Tetfund Special Take-off Grants and the Normal Capital Appropriation. The two also make up the bulk of the uncompleted works.		
		3. Award of Procurement contracts to the tune of six hundred and fifty-one million, three hundred and eighty-two thousand, seven hundred and seventeen Naira, ninety-three Koho (N651,382,717.93) was made during the period and 97.79 per cent payments were released to contractors in the sum of six hundred and thirty-seven million, thirteen thousand, four hundred and two Naira, seventy-one Kobo (N637,013, 402.71).		
		4. Thirty-eight(38) Procurement contracts were awarded and 37 were successfully completed. Only a project was commenced and ahandoned. The University has since slated it for determination.		
		5. Most contracts were not finished on schedule: (a) Approved methodologies and proper		

S/No.	Item	Observations/Findings	Recommend ations	Comments
		by the Visitation Panel	by the Visitation Panel	by the V isitor
		procurement processes were followed in the various procurement exercises for award of contracts and appointment of consultants. (b) Instructions to the contractors were from the Director PPWM and requests from the contractor were addressed to the Vice Chancellor respectively. This should not be the case once Con-	by the Visitation Panel	by the V isitor
		sultants are engaged to run projects for pre and post contract phases. (c) There was a need for improved prudence.		
		(d) Absence of a Masterplan has a great adverse effect on prioritization of infrastructure to be provided within the financialmeans.		
		(e) Equipment pro- cured were satisfacto- rily delivered. How- ever, most of the Exter- nal Audit reports showed a disregard for financial regulations.		
		6. Consultancy services awarded were not always to the professionals registered by the Regulatory Bodies to supervise such works. Appointment of the wrong professionals were sighted for some procurement issues.		

TERM OFREFERENCE FIVE

"Examine the adequacy of staff and staff development programmes in each university."

S/No.	ltem	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the V isitor
6.1.		The University commenced academic activities in 2014/15 academic session and had just recruited her first set of staff (academic and non-academic). Staff development commenced in 2016 as recruitment of staff was ongoing during this period.		Visitor notes these findings.

TERM OF REFERENCE SIX

"Determine the relationship between the university and the various statutory bodies it interacts with according to its law for the purpose of supervision, planning finance, discipline, guidance and any other relationship (Governing Council, NUC and the FME)."

S/No. Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the V isitor
7.1.	1. The University has a good relationship with the Zamfara State Government: The ZMSG has also supported the university as follows: (i) construction of a large capacity classroom at the cost of eighty million, nine hundred and ninety thousand, three hundred and sixty Naira (N80,990,360.00) in 2014. (ii) donation of a Toyota Camry car and a Prado jeep in 2013. 2. The Federal Character Commission participates in all the recruitment of staff exercises of the University. 3. The University is in good standing with TETFund and the Office of the Accountant General of the Federation as they get their statutory interventions as and when due. 4. The University also has a good working relationship with the security agencies in the state: the Army, Police and DSS. 5. The Emir of Kotorkoshi Emirate	(i) The University is encouraged to deepen and sustain her good relationship with these government agencies and organizations so as to obtain more benefits. (ii) The University should deepen her relationship with the host community by: (a) appointing a member of the community into the Security Committee of the university; (b) appointing a member into a Council committee of the University - Host Community Relations; (c) providing more boreholes in the community for the students and other residents while maintaining existing ones; and (a) granting scholarship (tuition-free education) to areasonable number of students from the host community.	Visitor notes these recommendations for update in subsequent visitation.

Item	Observations/Findings	Recommendations	Comments
	by the Visitation Panel	by the Visitation Panel	by the Visitor
	where the University is located, Alha ji Ahmad Umar, expressed cordiality and satisfaction with the Management of the University and pledged support to the success of the University.		
	6. The University's host community of Sabon Gari, Gusau via a memorandum (M.1) demanded the following:		
	(a) special consideration to admittheir children into the University;		
	(b) recruitment as academic and non-academic senior staff;		
	(c) offerofa place in the University Gov- erning Council; and		
	(d) regularrepairand maintenance of the community's borehole, which the students accommodated there also use.		
	Item	where the University is located, Alha ji Ahmad Umar, expressed cordiality and satisfaction with the Management of the University and pledged support to the success of the University. 6. The University's host community of Sabon Gari, Gusau via a memorandum (M. I) demanded the following: (a) special consideration to admittheir children into the University; (b) recruitment as academic and nonacademic senior staff; (c) offerofa place in the University Governing Council; and (d) regularrepairand maintenance of the community's borehole, which the students accommodated there	by the Visitation Panel where the University is located, Alha ji Ahmad Umar, expressed cordiality and satisfaction with the Management of the University and pledged support to the success of the University. 6. The University's host community of Sabon Gari, Gusau via a memorandum (M. I) demanded the following: (a) special consideration to admittheir children into the University; (b) recruitment as academic and nonacademic senior staff; (c) offerofa place in the University Governing Council; and (d) regularrepairand maintenance of the community's borehole, which the students accommodated there

TERM OFREFERENCESEVEN

"Examine the law establishing the university including the relationship between the various internal organs, units and offices, and indicate the ways the law has been observed by the competent authorities, and also suggest any modifications to the law."

S/No. Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
8.1.	1. Founded in 2013 by the President Goodluck Jonathan Administration, the Federal University, Gusau has no establishment law to date. 2. In the absence of an Act establishing the University, operations at the Federal University, Gusau are managed by and with: (a) an Academic Brief detailing procedure for establishment of Faculties, Departments, Registry, Bursary, Physical planning, etc. and functions of Management, Council, Senate and Congregation. This document also provides for the promotion of Teaching, Research, community service and external linkages. (b) the Universities (Miscellaneous Provisions) (Amendment) Act, 2003: an amendment of the 1993 Act, this law made new provisions for the autonomy, management and reorganization of Universities in Nigeria. (c) the Universities (Miscellaneous Provisions) (Amendment)	(i) Action should be expedited at the National Assembly to secure the passage of the Bill for the enactment of an Establishment Act for Federal University, Gusau. (ii) In strict compliance with the Public Procurement Act, the University must employ a substantive Director of Procurement to separate that job function from the Director of Works and Physical Planning.	Visitor notes these recommendations for update in subsequent visitation.

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S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
		Act, 2012: This law is a further amendment of the 1993 Actto limit the tenure of Principal Officers to a single term of five years and increasing the retirementage of Staff in the professorial cadre and non-academic Staff in Nigerian Universities.		
		(d) the Public Service Rules by the Federal Government of Nigeria.		
		(e) the Terms and Conditions of Staff as approved by the Gov- erning Council of Fed- eral University, Gusau effective January 2015.		
		(f) National Universities Commission Guidelines detailing minimum standards for academic programmes, recruitment, promotion, quality control, etc.		
		(g) regular commu- nication of standards by the Federal Minis- try of Education.		
		3. The University has no appointed Director of Legal Services to drive the implementation and enforcement of the Regulations Governing the Terms and Conditions of Service of Staff approved by the Governing Council.		

TERMOFREFERENCEEIGHT

"Trace the historical evolution of the university and take stock of its net achievements and problems as well as its style and direction."

S/No.	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
9.1.	ACHIEVEMENTS OF THE UNIVERSITY	1. The University was at its formative years in 2014 and 2015, the period covered by this report. There were developments (buildings, roads and utilities) from the take-off grant, TETFund interventions, capital grants, interventions by high networth individuals and the Zamfara State Government.	(i) An act for establishment of the University should be enacted by the National Assembly. (ii) There should be a Master Plan to coordinate physical development.	Visitor notes these recommendations for update in subsequent visitation.
92.	PROBLEMS OF THE UNI- VERSITY	2. The University has no Master Plan, which is an essential document for the coordinated development of the University's physical infrastructures.		
9.3.	Style and direction of the University	3. The University has maintained a good relationship with government bodies she interacts with such as the OAGF, TETFund, NUC, FME and the NUC.		
		4. The University has set up essential standing committees for the active participation of the various stakeholders in line with the principles of collective decision making.		

TERMOFREFERENCENINE

"Examine the general security in the University, how the University has dealt with it, and recommend appropriate measures."

S/No. Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
10.1.	1. FUGUS was established in February, 2013. The Security Division came into operation in January, 2014 with only ten (10) men and was headed by an Acting Chief Security Officer who reports directly to the VC. 2. The Security Division of the University has five (5) sections: Intelligence, Administration/Investigation, Operations, Examinations Monitoring and Surveillance. These sections are coordinated by sectional heads who report directly to the ACSO. 3. The security personnel were recruited from the Host communities as a means of appeasing them for giving their land to the University; most of them were untrained. 4. There is a dearth of operational equipment and facilities. 5. The efforts of the University security personnel are complemented by those of the men of the NSCDC and the Nigeria Police Force.	(i) The building of a Police post with armed personnel is very desirable. (ii) There is urgent need for the provision of a perimeter fence with gates to reduce unauthorized access to the campus by undesirable elements. (iii) There is urgent need for the University to pay compensation to the land owners. (iv) The untrainable personnel should be replaced with competent ones.	Visitor notes these recommendations for update in subsequent visitation.

TERMOFREFERENCETEN

"Examine the processes and structures of discipline of staff and students in the University in line with due process of the rule of law."

S/No.	ltem	Observations/Findings by the V isitation Panel	Recommendations by the Visitation Panel	Comments by the V isitor
11.1.		1. The University's disciplinary structures consist of the Student Disciplinary Committee, Junior Staff Disciplinary Committee and Senior Staff Disciplinary Committee. 2. Each of these committees has a subcommittee that carries out investigation when there is an infraction on stipulated rules and regulations of the University as spelt out in both the staff and student information handbooks approved by the Governing Council. 3. The procedure of discipline is: (a) issuance of query to the accused; (b) he/she is given a period of time to answer the query; (c) the subcommittee receives the response to the query and the accused is invited and appears before her to defend himself/herself; (d) the subcommittee then sends its findings and recommendations to the main committee that is chaired by the VC or his appointed representative; and	(i) The unions should be included in the membership of the Disciplinary Committees; and (ii) The disciplinary structure should provide for a right of appeal before implementation of prescribed punishment.	(i) Visitor rejects recommendation (i). (ii) Visitor notes recommendation (ii) for update in subsequent visitation.

S/Na	Item	Observations/Findings by the Visitation Panel	Recommendations by the Visitation Panel	Comments by the Visitor
		(e) the main commit- tee takes the final de- cision and makes the pronouncement.		
	•	4. The disciplinary measures for staff inelude: verbal warning, formal written warning, query, defermentof salary increment, demotion in rank and suspension from office. Others are interdiction, dismissal from work, termination of appointment, reduction in salary, premature retirement and loss of pay.		
		5. The disciplinary measures for students include: rustication for a specified period, expulsion and written warning.		
		6. Staff and student unions were not ineluded in the membership of the disciplinary committees.		
		7. There was no evidence of right to appeal the decision of the Disciplinary committees.		

DATED at Abuja this 20th day of December, 2022.

