

Present:

Mr James Harris, <i>Chancellor & Chair</i>	Mr Phil Hess
Ms Jan McClelland AM, <i>Deputy Chancellor</i>	Mr Col Murray
Prof. Brigid Heywood, <i>Vice-Chancellor & CEO</i>	Mrs Jane Schmude
Prof. Robyn Bartel, <i>Chair of Academic Board</i>	Ms Meredith Symons
Mr Russell Evans	Ms Emma Wellham
A/Prof. Melanie Fillios	Mr David van Aanholt

Official Attendees:

Prof. Peter Creamer, <i>Chief Operating Officer</i>	Mrs Gabrielle Price, <i>Director Governance and University Secretary</i>
Prof. Heiko Daniel, <i>Deputy VC (Research)</i>	Pamela Neil, <i>Specialist University Secretariat</i>
Prof. Simon Evans, <i>Deputy VC</i>	
Ms Meg McKechnie, <i>Acting Chief Financial Officer</i> – joined at 09:00 am	

Approved Observers

Dr Joe Fraser – Pro Vice-Chancellor Indigenous
Mr Daniel Gooch
Mr Anthony Smith
Mr Bryn Griffiths
Ms Elizabeth Taylor

1. * MEETING OPENING

The Chair welcomed members and attendees to the first open meeting for 2022, including the new Pro Vice-Chancellor Indigenous, Dr Joe Fraser and those observing at the meeting. The Chancellor congratulated the Vice-Chancellor & CEO, Prof. Brigid Heywood on becoming an Australian citizen and Prof. Robyn Bartel following promotion to Professor.

1.1 * Reconciliation Action Plan - Acknowledgement of Country

The University of New England respects and acknowledges that its people, programs and facilities are built on land, and surrounded by a sense of belonging, both ancient and contemporary, of the world's oldest living culture. In doing so, UNE values and respects Indigenous knowledge systems as a vital part of the knowledge capital of Australia. We acknowledge the Traditional Owners of the land we call New England and pay our respects to the Traditional Custodians of the lands on which this meeting takes place.

1.2 * Apologies

No apologies were received.

1.3 * Quoracy

The Chair declared the meeting quorate.

1.4 * Conflict of Interest Declaration and Disclosed Register of Interest

Members were asked to disclose any material interest, consistent with Schedule 2A Clause 5 of the University of New England 1993 Act (NSW). None were disclosed.

Members were also reminded to update their Disclosed Register of Interest with the Secretariat as required.

1.5 * Order of Business

Council ACCEPTED the order of business and ADOPTED non-starred items.

1.6 * Introduction: Deputy Vice-Chancellor

The Deputy Vice-Chancellor, Prof. Simon Evans gave a brief summary of his experience, most recently at La Trobe University, Melbourne, VIC and academic background in constitutional law and mathematics.

2. MINUTES OF PREVIOUS MEETING

2.1 Confirmation of Minutes

Minutes of the Open Council meeting held on 26 November 2021 were approved as a true and correct record on 25 January 2022. A signed copy of the minutes is available in the Convene Document Library.

2.2 * Action Items

The Chair referred to the outstanding action items and noted that they had been completed.

Action	Due Date	Assigned To	Status
3.2 Vice-Chancellor & CEO's Report #21051 Anthony Smith, Executive Principal Brand, Partnerships and Business Development and Shelley Kinash, Executive Principal, Student Experience to provide a report on student retention to Council on 28 January 2021 including to consider opportunities for process changes to enable future students marketing teams and student experience to work in parallel for improved experience for students and conversion from offers to enrollment. Response provided by Anthony Smith in slide pack titled, Prospective Student	28 Jan 2022	Anthony Smith & Shelley Kinash	Outstanding

Action	Due Date	Assigned To	Status
Conversion - Attachment 6 of VC & CEO Confidential Report #22025			
5.2 WHS Due Diligence Obligations #21081 Chief Operating Officer to include in the next report detail of those hazards which might fall into the 'other' category. Details of those hazards which might fall into the 'other' category have been included in the Due Diligence WHS report #22073 in the list 'Hazard by Type' for the Council meeting on 28 January 2022	28 Jan 2022	Peter Creamer, Tracey Lye, Elizabeth Taylor, Lisa Burr	Completed

3. CHANCELLOR’S REPORT

3.1 * Chancellor’s OPEN Report to Council #22055

The Chancellor took his report as read.

Council members noted the Chancellor’s meeting with Ewan Evans, Director, Education Quality ahead of his departure in January 2022, and acknowledged his service and contribution to the Education Quality Team.

Council NOTED the Chancellor’s OPEN Report to Council #22055.

4. MANAGEMENT REPORTS

4.1 * Vice-Chancellor & CEO's OPEN Report #22061

The Vice-Chancellor & CEO introduced the report and highlighted key points including:

- A NSW Minister for Science, Industry and Innovation had been appointed and a shift in state government policy was underway with opportunity for the regions;
- Approval had been given to Universities including UNE to offer Undergraduate Certificates;
- A trailblazer bid had been submitted in collaboration with Charles Stuart University and a number of agency / industry partners. The Vice-Chancellor & CEO congratulated the Deputy Vice-Chancellor Research, Prof. Heiko Daniel for the work undertaken;
- UNE is now part of the NSW University Consortium developing the workforce capability for AUKUS;
- Recovery from the Supercell event damage is ongoing between UNE and the insurers. A consolidated valuation as to the compensation UNE will be offered is due. A discussion will

take place on whether the funds would be put into a building renewal program or a master building program for the whole university;

- Collaboration between School of Environmental and Rural Science, Estate and Built Environment (EBE) teams and the arborist assisting with tree clearance work on campus have seen the installation of wildlife hollows, designed to reinstate wild life on campus in existing trees;
- Success with vaccination drop-in clinics continues, with booster shots and vaccinations for 5-11 year olds being held;
- Support is being provided to the workers from Tonga residing in a UNE college who have been impacted by the breakdown in communication capability due to the Tonga volcano eruption and earthquake; and
- The slow but steady improvement from the work undertaken in 2020-2021 on student retention. The strategic structures developed through the academic portfolio are adding value.

Council members discussed:

- Timing of the appointment of the new Chief Financial Officer.
 - The Vice-Chancellor & CEO confirmed the incoming Chief Financial Officer Peter Prest will join UNE on 4 March 2022.
- Support for Indigenous students studying at UNE.
 - It was noted that a significant majority of UNE's Indigenous students study as external candidates. The Vice-Chancellor & CEO suggested that the challenge for UNE is providing support to these students that is fit for purpose including cultural engagement, place based support, home community requirements, and appropriate study programs.
- The UNE mentoring / buddy program for minority student groups.
 - The Vice-Chancellor & CEO mentioned UNE had outreach activities designed to support and develop the knowledge base of the community supporting the student and the student's aspirations. The University was developing a Virtual College model to provide support on all student matters while the student was at UNE.

The Chair thanked the Vice-Chancellor & CEO for the report.

Council NOTED the Vice-Chancellor & CEO's Confidential report #22061

5. SPECIAL PRESENTATIONS / PROGRAMS

Nil

6. COMMITTEES OF COUNCIL – CHAIR REPORTS

6.1 * Chair's Report – Academic Board Report #22001

The Chair of Academic Board, Prof. Robyn Bartel introduced the report and matters which had occurred since the report had been prepared including:

- Amendments to the Higher Education Standards Framework (HESF);
- Recommendations for change from external and internal reviews; and
- Sector concerns re some Government decisions re research funding.
- Membership updates including
 - the vacant position for Aboriginal or Torres Strait Islander Academic staff member on the Teaching and Learning Committee (TLC) has recently been filled;
 - the currently vacant position for Chair Research Committee will shortly be filled; and
 - recruitment to fill roles at Academic A, B and C level on Academic Board and Committees of Board will be undertaken;
- An academic calendar bridging plan for 2023 was in place which will see a similar academic calendar as that for 2022 to be rolled over if the updated academic calendar is not ready for implementation;
- Discussions at Academic Board regarding Academic Freedom related policy changes, including that Academic Board had formally noted the policy changes at the December meeting but not endorsed them at that time and that a discussion presaged to progress the suite was outstanding; and
- Students will be welcomed on campus on 21 February 2022.

The Chair of Academic Board thanked A/Prof Robyn Cox for undertaking the role of Acting Chair of Academic Board from 13 December 2021 to 26 January 2022.

The Chancellor thanked the Chair of Academic Board for the report.

Council:

- 1) APPROVED amendments to the Terms of Reference (Council Approved) – Research Committee;
- 2) NOTED the appointment of Deputy Chair, Associate Professor Robyn Cox, as Acting Chair of Academic Board from 13 December 2021 to 26 January 2022 pursuant to cl 42 of the Terms of Reference (Council Approved) – Academic Board;
- 3) NOTED the 2022 Academic Board and Committee meeting dates as approved 6 December 2021; and
- 4) NOTED the Chair of Academic Board's report to Council, report #22001.

7. ASSURANCE REPORTS

7.1 * Due Diligence Obligations (WHS) Report #22073

The Chief Operating Officer, Prof. Peter Creamer introduced the report and highlighted key points including:

- Confirmed the purpose of the report was to support Council’s oversight of WHS matters consistent with their obligations and covered hazards and incidents in addition to COVID which have occurred since the last Council meeting in November 2021;
- Noted vaccinations clinics for 5 – 11 years of age being held at the UNE Medical Centre, Armidale, on the last weekend in January 2022;
- Rapid Antigen Testing (RAT) at UNE and the limited stock of tests available (currently <1k on site, 5k due to arrive and 10k ordered) currently being managed by UNE Life;
- Fire drills undertaken recently at Yarm Gwanga, Booloominbah, and Sport UNE. Additional drills being scheduled across campus;
- Some matters recorded related to legacy issues associated with the removal of hazardous substances from the UNE site; and
- The growing use and improvement in reporting from the Employee Assistance Program (Benestar).

Committee members discussed:

- The seemingly high number of trips and falls at UNE, whether this rate of incidents was in line with other similar sized educational organisations; whether these matters were considered in maintenance programs and whether or not any workers compensation claims had been lodged;
 - The Chief Operating Officer suggested that reporting levels were good and most matters were minor so there was not a significant impact on the number of claims made.
 - The Vice-Chancellor & CEO mentioned, that for the purpose of benchmarking UNE against other similar universities, trips and falls from sports activities at Sport UNE would need to be factored in.
- Standards/codes to be followed if rebuilding at UNE was required following the Super Cell event;
 - The Vice-Chancellor suggested, that as a result of any rebuilding program, all steps and uneven surfaces around campus would be replaced with ramps or something similar. Disability access at UNE generally was challenging. Increased engagement with reporting had been implemented at UNE.
- The number of mental health incidents (psychological stress) and what measures were being put in place to address the root causes of these incidents which may not simply be Covid related;
 - The Vice-Chancellor suggested Benestar had provided staff with the opportunity to raise concerns in a confidential way.
 - The Vice-Chancellor confirmed work was being undertaken to address equity of workload, fair treatment and transparency in 2022. In particular developing team based models for sharing and caring of staff.
 - A review of grievances had recently been completed, showing 247 grievances across UNE of which 40 were complex and remained outstanding.

- The Chief Operating Officer suggested that the large number of grievances was due in part to poor practices in formally closing grievances. The new interim Director, People & Culture was developing a formal procedure for closing grievances.
- Electrical hazards data for 2021 and where this data would now be found in the report.
 - The Chief Operating Officer confirmed that the newly appointed Electrical Engineer had been methodically reviewing all electrical hazards with the view to resolving and closing them. Regular audits were being undertaken of all electrical devices in each building on campus to check and tag and ensure compliance.
 - The Chief Operating Officer suggested, that because the number of incidents was currently zero, that may explain why the information had not appeared in the graph.

ACTION: The Chief Operating Officer to confirm where in the WHS report data Electrical Hazards would ordinarily be reported (or to confirm if it was not included as incidents are zero).

- The level of stress experienced by staff, the absence of this data in Benestar and the need to focus on staff wellbeing.
 - The Chief Operating Officer confirmed there was now a greater focus on staff wellbeing as an outcome of COVID. It was suggested, that appropriate workloads were the responsibility of individual managers and that if staff are reduced then overall work-loads should be commensurately reduced.
- Trend reporting for the long standing grievances currently unresolved (40) e.g. staff/student split, themes, complexity of grievance, impact on individual and university, grievance themes, etc.

ACTION: The Chief Operating Officer to report to Council data on trends relating to the long standing, complex unresolved grievances.

The Chair thanked the Chief Operating Officer for the report.

Council NOTED the Due Diligence Obligations (WHS) Report #22073

8. COUNCIL OPERATIONS

8.1 * Council Policies Report #22067

The Director Governance & University Secretary, Mrs Gabrielle Price introduced the report and highlighted key points including acknowledgement of the Chair of Academic Board's comments and agreed that discussions with the Academic Board Academic Freedom Working Group have not concluded. Differences, outlined in the report #22067, remain to be resolved. In particular the amendments to the Code of Conduct referred to in the Sally Walker Review were outstanding.

The Director of Governance & University Secretary acknowledged that the Academic Board Academic Freedom Working Group had driven important and positive discussions.

Council members discussed:

- The proposed Governance Framework Rule and the changes implemented which had broadened the focus to cover the breadth of the governance framework;
- The Chair, Academic Board acknowledged the work undertaken and requested evidence of the process and lineage for the suite, in particular the Governance Framework, given the absence of a covering memorandum as per 6.1 and flagged potential amendments to the Governance Framework, including to Table 11, and queried the last part of cl 5.(a). (page 147 of Convene & 2/12 of the report). The Director of Governance agreed that a separate sentence should be created for the end of 5.(a). and the word 'rule' amended.
 - The Director Governance & University Secretary confirmed that early reviews of these policies had been considered in 2020 and had been released for consultation and submitted to Council in mid-2021.
 - The Chair, Academic Board requested that the Governance Framework and Academic Freedom Related policies be considered by Academic Board.
- Changes to the Code of Conduct policy which included:
 - An intention to clarify academic freedom as being a paramount value for the University;
 - An acknowledgment of culture which had been made.
 - The policy had been out for consultation to the Academic Board Academic Freedom Working Group and through the Joint Consultative Committee a number of times.
 - The University would undertake training designed to hold people to behaviour in adherence to the policy.
 - The Academic Board Academic Freedom Working Group had focused on ensuring tensions did not exist between the three instruments related to Academic Freedom listed in the report, and that they were mutually supportive.
 - Council members responsibility for ensuring that the cultural change aspirations expressed in the Code of Conduct as a primary instrument were adhered to as lived behaviour by Council members demonstrating their commitment to the code.
 - The Code of Conduct could form part of a Governance Induction process for all Council and Committee members and staff.

The Chair of the Academic Board suggested that an action item from the Academic Board meeting, that a meeting be held over the summer 2021/22, remained outstanding. It was agreed that there was opportunity for further consideration of the Code of Conduct and Academic Freedom instruments by Academic Board and with regard to the Academic Board Academic Freedom Working Group's recommendations including to incorporate Clause 4. Of the Operation section of

the Model Code (UCC version), noting that a modified version of the Model Code has been developed for the UNE context rather than being adopted in toto.

The Director Governance and University Secretary suggested for these policies to be included in the Academic Board meeting in February 2022.

ACTION: The Director Governance and University Secretary is to provide the Academic Board with the opportunity to comment on those policies NOT APPROVED at this meeting, and report the outcome to Council by March 2022, including:

- Proposed Governance Framework Rule;
- Amendments to Code of Conduct;
- Amendments to Freedom of Speech and Academic Freedom Statement; and
- Amendments Freedom of Speech and Academic Freedom Guidelines.

ACTION: Academic Freedom Working Group reports to be provided in the Council Reading Room on Convene.

The Chair thanked the Director of Governance & University Secretary for the report.

Council:

- 1) APPROVED the following policies:
 - a) Delegations Guidelines
 - b) Governance Integrity and Standards Policy
- 2) NOTED the discussion and further action regarding the following policies:
 - c) Proposed Governance Framework Rule
 - d) Code of Conduct
 - e) Freedom of Speech and Academic Freedom Statement
 - f) Freedom of Speech and Academic Freedom Guidelines
- 3) NOTED the report on Council Policies, report #22067

8.2 * Council Induction Update #22079

The Director Governance & University Secretary, Mrs. Gabrielle Price introduced the report and highlighted key points including, background information on the new online induction resource. The induction process was developed in the first instance as a service for new council members. It had now been developed as a modularised service meeting the needs of staff, students and committee members generally.

A consultation process will be undertaken on the content before the resource was launched online and a pilot module would be launched in mid-February 2022. Data on engagement with the induction resource would be reported regularly to Council.

Council NOTED the Council Induction Update #22079.

9. GENERAL BUSINESS

10. MEETING FINALISATION

10.1 * Next Meeting and Close

The Chancellor and Chair thanked everyone for their attendance and contributions. The date of the next meeting scheduled for 31 March 2022 was noted. With there being no further business, The Chancellor declared the confidential session closed at 10:20.

Signed by Chair:



Mr James Harris, Chancellor

Date: 28 March 2022