

4. CHAIR REPORT

4.1. * Chair Report - Academic Board #22003

Council is asked to:

1) APPROVE amendment to the:

a. Freedom of Speech Principles and Academic Freedom Statement; and

b. Freedom of Speech and Academic Freedom Guidelines.

2) ENDORSE and RECOMMEND to the Vice-Chancellor (FOR APPROVAL) amendment to the Code of Conduct (including a mandatory 12-month review); and

3) NOTE the Chair of Academic Board's report to Council, report #22003

For Endorsement

Presented by Robyn Bartel



Authority	COUNCIL OPEN	Date	27 May 2022
Report Ref	#22003	Item No	4.1
Proposer	Professor Robyn Bartel, Chair Academic Board		
Developed with	-		
Authorised by	Mr James Harris, UNE Chancellor		

#22003 – Chair Report – Academic Board

Report Purpose & Origin

Purpose	<p>To advise the Council regarding key academic matters approved or considered by the Academic Board since the last Council meeting, including:</p> <ul style="list-style-type: none"> • strategic academic matters (such as new academic developments, priorities, and policy-related issues) and any recommendations; • the quality and delivery of academic programs, including teaching and learning and research, including risks or significant issues, major developments, and key changes; • progress against academic quality initiatives, including performance against agreed academic quality measures; assurance regarding compliance with Higher Education Standards Framework (HESF) and Education Services for Overseas Students (ESOS) regulatory frameworks; and details of any risks or significant issues identified and their proposed treatments; • updates re: key academic partnerships; • details of Academic Board’s use of the authorities delegated to it by the Council, such as some academic policy approvals; and • other significant academic matters impacting the sector or University relevant to the functions of the Council.
Origin	Standing Item
Governance focus	<p>Council Policy: Oversee and monitor the academic activities of the University. TEQSA Act 2011 Ref: 6. Governance and Accountability: 6.2.1f (Corporate Monitoring and Accountability), 6.3 (Academic Governance).</p>
Accountability	UNE Council

Resolution

Council is asked to:

- 1) APPROVE *{subject to Academic Board Standing Committee endorsement}* amendment to the:
 - a. Freedom of Speech Principles and Academic Freedom Statement;
 - b. Freedom of Speech and Academic Freedom Guidelines;
- 2) ENDORSE *{subject to Academic Board Standing Committee endorsement}* and RECOMMEND to the Vice-Chancellor (FOR APPROVAL) amendment to the Code of Conduct (including a mandatory 12-month review);
- 3) NOTE the Chair of Academic Board’s report to Council, report #22003.

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Executive Summary

This report provides, for the consideration of Council, relevant updates of the business and general affairs of Academic Board, Committees and Working Groups, including both urgent and routine matters as well as emerging issues, and advising Council, as befitting of requirements (see *UNE By-Law 2005*), of all developments and initiatives relating to and affecting the University's teaching and research activities and its educational programs.

Proposed revisions to the Academic Freedom policies and Code of Conduct as described below are presented for Council's consideration, endorsement and approval *{subject to Academic Board Standing Committee endorsement}*.

The majority balance of this report concentrates on matters of import brought before the Academic Board and Committees of Board since 31 March 2022, i.e. since the last Chair's report to Council, that have been categorised as relating to either Compliance, Risk and Strategic areas, and are presented using the 'mini-table' (rather than prose) format below:

- Compliance matters arising from Ethics Committees (Research Committee);
- Risk matters presented in the Academic Risk Register;
- Strategic matters: Retention and Engagement Plan and Job Ready Graduates plan.

The Autumn Graduation season has concluded, a highlight of the academic calendar, and the forthcoming graduation review (also profiled in a mini-table below) will ensure continuous improvement in graduation list integrity.

The report concludes with membership matters and an activity diary for the Chair. Summary coverage of all matters progressed via Committees and Board is provided in the **Annexure**.

Key Information

Academic Freedom and Code of Conduct *{subject to Academic Board Standing Committee endorsement}*

The Academic Freedom and Code of Conduct policies have undergone a period of extensive consultation and review throughout 2021, in order to ensure, *inter alia*, consistency with the Model Code of Freedom of Speech and Academic Freedom (UCC version).

At its meeting of 21 February 2022, the Academic Board endorsed several recommendations made by the Academic Board Academic Freedom Working Group (#AB22062) in response to amendments proposed to the Code of Conduct ("COC"), Freedom of Speech Principles, and Academic Freedom Statement ("Principles/Statement") and the Freedom of Speech and Academic Freedom Guidelines (Guidelines) (versions contained in #AB22056).

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The recommendations of the Academic Freedom Working Group were made in light, *inter alia* of the Walker (2020) and French (2019) reviews, and the previous recommendations made by the Working Group (see #AB20086; #AB20346; #AB21219; #AB21286; #AB21505; and #AB21510).

The following recommendations were endorsed by Academic Board (#AB22062):

- That a mirror statement be provided in the Principles/Statement (cl 20) consistent with that in cl 17 of the proposed Code of Conduct, and following similar wording to cl 4 Operations of the Model Code (UCC Version); and
- That the glossary definition for academic freedom reflect more closely the wording of Principle 2 and cl 11 and cl 12 of the Principles/Statement.
- That a mandatory 12 mth review by undertaken of the Code of Conduct, based on the Academic Board Academic Freedom Working Group’s recommendations (#AB22062) re expression in cl 1, Principle 1, cl 5 and cl 9 of the Code of Conduct.

Clarifications regarding intellectual freedom and academic freedom were also progressed.

Fully revised policy documents, including the revisions as recommended to, and endorsed by, Academic Board, were subsequently endorsed and recommended to Council for approval/endorsement by Standing Committee on 28 March 2022 (versions contained in #ABSC22430).

Minor revisions to the versions contained in #ABSC22430 have since also been proposed. These have been considered by the Academic Freedom Working Group, and subsequently endorsed and recommended to Council for approval/endorsement by Standing Committee on 23 May 2022 (#ABSC22429).

These versions, provided in **Attachment 1**, include the following revisions, in addition to the amendments previously endorsed by Standing Committee in March:

- Principles/Statement: Clause 20 "This Statement prevails, to the extent of any inconsistency, over any non-statutory policy or rule of the University".
- Code of Conduct: Clause 17 "To the extent of any inconsistency between this Code and UNE’s Freedom of Speech Principles and Academic Freedom Statement, the Statement prevails."
- An updated definition of academic freedom in the glossary will refer to Schedule 1 of the *HESA Act 2003 (Cth)* (i.e. the legislative definition) and provide that " Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents".

The documents are included in **Attachment 1**, for Council’s consideration, approval and endorsement as detailed in the resolution above.

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Compliance, Risk and Strategic matters

Compliance

AREA	OVERVIEW				COMMENTS
Human Research Ethics Committee	<i>Functional Alignment</i>				The May meeting endorsed actions in response to the external audit of the Human Research Ethics Committee, noting that acceptance of all 22 recommendations will require additional staff and resourcing to ensure compliance. Staffing issues were also raised in the Animal Ethics Committee report, again with additional staff and resourcing required to ensure compliance.
Research	TOR	HESF	Future Fit	Risk Register	
Date: 12 May 2022	4, 14	4, 5, 6	1	1, 2, 4	
Report #RC22337	<i>Quality Assurance and Progress Status</i>				
Provenance: HREC /DVCR	Activity	Responsibility	Destiny		
Motion/Resolution: NOTED and actions ENDORSED	External audit delivered 22 recommendations based on a reflective practice and beyond compliance approach acknowledging legacy issues of unactioned recommendations from previous (2018) audit, and current beneath compliance profile, particularly out-of-date or non-existent policy, processes and procedures, and highlighting much-needed reforms that provide reference to, and requiring observance of and conformance to, national requirements.	Deputy Vice-Chancellor Research, HREC	Committee endorsed advice from Chair through governance and regular monitoring and review via HREC reporting to Research Committee.		

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Risk

AREA	OVERVIEW				COMMENTS
Academic Risk Register	<i>Functional Alignment</i>				<p>The overall risk profile is increasing since last presented to Academic Board in October 2021.</p> <p>High risks remain unchanged include:</p> <ul style="list-style-type: none"> • Risk 7 National and International Collaborative Partnerships. <p>The following risk trends changes have been identified:</p> <ul style="list-style-type: none"> • Risk 1 Research Excellence - Medium Risk - trend increased • Risk 2 Research Culture and Integrity - Medium Risk – trend increased • Risk 4 Academic Governance and Reporting - Medium Risk – trend reduced* • Risk 5 Engagement, Retention and Progression - High Risk - trend increased • Risk 6 Policies and Delegations - High Risk – trend increased • Risk 9 Academic Integrity - Medium Risk – trend increased
Academic Board	TOR	HESF	Future Fit	Risk Register	
Date: 26 April 2022	27, 28b. iv.	5, 6	1, 2, 3	R1 - 10	
Report #AB22070	Quality Assurance and Progress Status				
Provenance: EQD/DVC	Activity	Responsibility	Destiny		
Motion/Resolution: NOTED	Updated risk register since October 2021, identifying significance and treatments for top ten risks and status update.	Deputy Vice-Chancellor, Director, Education Quality Directorate (various owners for individual treatments)	Format of reporting is in transition to Riskware.		

* The Academic Risk Register has been circulated to all recent meetings of Academic Board and Committees. Discussion at Research Committee focussed on additional treatments for Risk 1 Research Excellence and Risk 2 Research Culture and Integrity. All meetings have highlighted Risk 4 Academic Governance and Reporting, revisiting the risk status and direction to recognise that it is increasing rather than decreasing due to absence of Secretariat support as a consequence of staffing arrangements and leave. Currently there is no support for BAU preparation of minutes and business papers, and workplans remain undeveloped. Chairs are preparing reports *de novo* and one of the Committee Chairs has no specific workload allocation or recognition. It is understood that staff recruitment will assist in remedying the situation in the medium term.

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Strategic (growth-related)

AREA	OVERVIEW				COMMENTS
Retention and Engagement Plan	<i>Functional Alignment</i>				Power BI has retention data up to and including 2020. Attrition remains high, as compared nationally and internationally, there are also indications of improvements, particularly in regard to commencing students. In 2020, crude attrition of commencing students was 31%, down from 34% in 2019, 36% in 2018, and nearly 40% in 2017. Despite the downward trend, attrition remains a concern as nearly one-third of commencing UNE students do not continue into their second year. Of those students who continue beyond their commencing year, attrition is more stable at 20% in 2020, 21% in 2019, 20% in 2018 and 20% in 2017. Aligned evaluation data and reporting is required to link trends with the treatments outlined in the Plan.
Academic Board	TOR	HESF	Future Fit	Risk Register	
Date: 26 April 2022	26, 27, 28(a)(i,iv), 28(b)(vi-viii), 30	1.3, 6.3	1	R5	
Report #AB22080	<i>Quality Assurance and Progress Status</i>				
Provenance: EPSE	Activity	Responsibility	Destiny		
Motion/Resolution: NOTED	The Retention and Engagement Plan was launched in April 2021 with following principles: 1. Retention and engagement activities aligned with transition and progression; sense of belonging; teaching, learning and assessment quality. 2. Retention and engagement is adistributed responsibility. 3. Projects are tailored, responsive, and evidence-based. 4. Projects are sustainable, with good governance and measures of success embedded in all projects.	EPSE	Actions include 1. Articulate specific goals, outcomes and targets. 2. Move from a project-based approach to cohesive strategy. 3. Conduct evaluation. 4. Enact a formal partnership and co-creation model with the Student Consultative Committee. 5. Improve data use. 6. Align HEPPP initiatives with strategy. 7. Define student metrics in operational and measurable ways.		

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Strategic (growth-related)

AREA	OVERVIEW				COMMENTS
Job Ready Graduates	<i>Functional Alignment</i>				Changes to policy and documents, and consultation to inform this work is being managed through the established University processes and by the Governance team, including Records, Policy and Governance.
Academic Board	TOR	HESF	Future Fit	Risk Register	
Date: 26 April 2022	4, 15	1.3, 6.3	1	R5	
Report #AB22081	<i>Quality Assurance and Progress Status</i>				
Provenance: EPSE	Activity	Responsibility	Destiny		
Motion/Resolution: NOTED	JRG amendments came into effect for any student who commenced or changed courses as of Trimester 1, 2022. Commencing students, and continuing students going forward, are required to (in brief) pass 50% of units - which poses additional challenges for student retention.	EPSE	Updates to University-wide practices have been made in three main areas to support student success: <ul style="list-style-type: none"> • Recording and monitoring of student progress • Student alerts and triggers to activate outreach supports to students-at-risk • Outreach support, personalised to the needs of students. 		

Graduation review

AREA	OVERVIEW				COMMENTS
Graduation	<i>Functional Alignment</i>				Report forthcoming to AB.
Curriculum Committee	TOR	HESF	Future Fit	Risk Register	
Date: 7 April 2022	18	1, 5, 6, 7	1	R10	
Report #CC22170	<i>Quality Assurance and Progress Status</i>				
Provenance: EPSE	Activity	Responsibility	Destiny		
Motion/Resolution: NOTED	The Graduation Review is designed to address all aspects of Graduation including: (a)	EPSE	Recommendations: a) process formalized to team-based guide stored and available online as a formal UNE record.		

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	Academic Matters such as student progressions and graduation-eligibility checking; and (b) Ceremonies and other associated events.		<p>b) process description is externally evaluated.</p> <p>c) graduation-eligibility checking and veracity of graduate lists benchmarked against other universities.</p> <p>d) course rules to be simplified and more clearly communicated.</p> <p>e) automated approaches to graduation eligibility checking.</p> <p>f) limit second-level graduation-eligibility checks.</p> <p>g) amend wording of the assurance statement.</p>	
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Note: A summary report of recent Board and Committee business is provided as **Attachment 2** (Chair Academic Board Standing Committee Report) and see also **Annexure** to this report.

Membership Matters:

Board and Committees have recently welcomed the following new members:

Academic Board

HASSE Faculty representative: Dr Xiang Gao (HASSE)

SABL Faculty representatives: Dr Subrata Chakraborty (S&T); Dr Siew Chong (S&T)

Research Committee

Faculty representatives: Associate Professor Melissa Parson (HASSE); Dr Tanveer Hussain (SABL); Professor Myfanwy Maple (M&H)

Teaching and Learning Committee

M&H Junior Faculty representative: Dr Sally Bristow

Student representatives: Mr James Ruben, Mrs Vicki Tuchtan, and Mrs Claire Learned

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Curriculum Committee

M&H Faculty representative: Ms Anthea Fagan

Student representatives: Ms Adele Geddes, Mr Mick Searle, Mr Josh Mountford, Ms Enya Xu

Standing Committee

Student representative: Ms Cassie Benson

Nominations for the SABL Academic Representative to Standing Committee have been extended to at 5 PM AEST, Monday 16 May 2022.

New members in *ex officio* positions/roles have also been welcomed as follows:

Academic Board

DVCR (Interim): Professor Mike Wilson

HASSE Acting Dean: Professor Jane Edwards

Director EQD: Professor Brenda Wolodko

Research Committee

Director, Research Services: Dr Faraz Hasan

Director, Graduate Research (observer): Professor Brian Wilson

The Chair's activity diary for major events concludes the key information and summary coverage of all major matters considered since 31 March.

Activity Diary for Chair Robyn Bartel

Chair Activity Diary	MAJOR SCHEDULED MEETINGS
15 March 2022	<i>Last day of previous Diary Window reported</i>
17 March 2022	Research Committee
17 March 2022	DGUS/HRPG Academic Freedom policies meeting
17 March 2022	DVCR meeting
17 March 2022	Academic Board Academic Freedom Working Group meeting
18 March 2022	Academic Board Chairs and Secretariat Workplan and TOR planning meeting
18 March 2022	HRPG Workplan meeting
18 March 2022	VC meeting
21 March 2022	Academic Board Executive meeting
21 March 2022	Academic Board member meeting
23 March 2022	Cultural Connections Training
24 March 2022	Joint Audit & Risk and Finance & Infrastructure meeting
24 March 2022	Academic Risk Register update meeting
24 March 2022	Research Committee planning meeting
25 March 2022	Academic Board Chairs and Secretariat Workplan and TOR planning meeting
28 March 2022	Academic Board Executive meeting
28 March 2022	Academic Board Standing Committee meeting
28 March 2022	Academic Board Presentation preparation

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30 March 2022	GIA Training
31 March 2022	Council meetings – Open and Confidential
04 April 2022	Academic Board Executive meeting
04 April 2022	Teaching and Learning Committee meeting
04 April 2022	EPSE meeting
05 April 2022	Allyship training
06 April 2022	GIA Training
07 April 2022	Leadership Monthly Meeting
07 April 2022	Curriculum Committee meeting
07 April 2022	DVC meeting
11 April 2022	Curriculum mapper training
11 April 2022	Allyship training
13 April 2022	GIA Training
20 April 2022	GIA Training
21 April 2022	DVCR meeting
26 April 2022	Academic Board meeting
26 April 2022	Academic Board Executive meeting
26 April 2022	Research Committee planning meeting
27 April 2022	GIA Training
28 April 2022	Audit & Risk Committee meeting
28 April 2022	Finance & Infrastructure Committee meeting
28 April 2022	HDTT Committee meeting
28 April 2022	DVCR meeting
29 April 2022	Autumn Graduation Ceremonies
30 April 2022	Autumn Graduation Ceremonies
01 May 2022	Autumn Graduation Ceremonies
02 May 2022	Quality Enhancement Taskforce
04 May 2022	GIA Training
05 May 2022	Leadership Monthly Meeting
05 May 2022	Curriculum Committee meeting
09 May 2022	Academic Board Executive meeting
09 May 2022	Academic Board Induction
09 May 2022	VC meeting
10 May 2022	DVC meeting
12 May 2022	Research Committee meeting
12 May 2022	DGUS/HRPG Academic Freedom policies meeting
13 May 2022	<i>End date for this activity window</i>

Future Fit Alignment

Contribution of this initiative

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<input checked="" type="checkbox"/> Goal 1: Crafting, adapting, and supporting learning journeys that are distinctive in their accessibility and flexibility.	<p>AB is responsible for leading academic governance at UNE and contributes in particular to quality definition and enhancement as well as assurance, continuous improvement, and strategic leadership of good academic governance for the benefit of students and the public good. See further cl 26, 27, and 28 of AB TOR.</p>
<input checked="" type="checkbox"/> Goal 2: Creating and sharing knowledge to make a difference locally, regionally, and globally.	<p>AB is responsible for leading academic governance at UNE and contributes in particular to quality definition and enhancement as well as assurance, continuous improvement, and strategic leadership of good academic governance for the purpose of sharing knowledge with students, including for the benefit of local, regional and global communities. See further cl 26, 27, and 28 of AB TOR.</p>
<input checked="" type="checkbox"/> Goal 3: Committing to environmental, social, and financial resilience for the University, our staff, our students, and our communities.	<p>AB is responsible for leading academic governance at UNE and contributes in particular to quality definition and enhancement as well as assurance, continuous improvement, and strategic leadership of good academic governance including building the sustainability and resilience of the university, its staff, students, communities, and the public good. See further cl 26, 27, and 28 of AB TOR.</p>

<h3>Financials</h3>
<p>The 2022 Academic Board budget has not yet been confirmed. Pending Director Governance and University Confirmation.</p>

<h3>Key Risks</h3>
<p>None specific to this report, general comment is that without adequate academic governance, quality assurance, and oversight, as well as strategic leadership of good academic governance, the university will be unable to deliver public benefit and thus may also risk its institutional status and sustainability.</p>

Appendices / Supporting Documentation

ATTACHMENTS: Policy Amendments re: Academic Freedom, and Code of Conduct

- Attachment 1a: Code of Conduct proposed;
- Attachment 1b: Code of Conduct tracked changes;
- Attachment 1c: Freedom of Speech Principles and Academic Freedom Statement proposed;
- Attachment 1d: Freedom of Speech Principles and Academic Freedom Statement tracked changes;
- Attachment 1e: Freedom of Speech and Academic Freedom Guidelines proposed; and
- Attachment 1f: Freedom of Speech and Academic Freedom Guidelines tracked changes.



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CONVENE DOCUMENT LIBRARY: (Council and Council Committees > OPEN > 2022 May)

1. Chair Academic Board Standing Committee Report #ABSC22401
2. Annexure - Academic Governance Matters and Monitoring Table



Code of Conduct

Section 1 - Overview and scope

- (1) The Code of Conduct (the Code) for the University of New England establishes principles to be applied by UNE Representatives in their activities and behaviour. As the University is a public sector entity, UNE Representatives are expected to serve the public interest, including through showing leadership and contributing to the public good, promoting academic freedom and a supportive, respectful, safe and healthy environment for our staff and students and engaging in ethical business practices with our partners, aligned with our values as in our strategic plan.
- (2) In applying the Code, the University of New England is committed to reconciliation and inclusivity by building collaborative, meaningful relationships of reciprocity. Our vision is to ensure our institution is a culturally safe and culturally aware workplace that recognises the value of improving outcomes for Aboriginal and Torres Strait Islander people. Our inaugural Reconciliation Action Plan outlines our Reconciliation journey, which is inclusive of staff and students with a commitment to Relationships, Respect and Opportunities. We will continue to provide an environment that respects Aboriginal and Torres Strait Islander peoples, histories, cultures and connections to country by encouraging staff, Students and communities to unify in our journey of Reconciliation.
- (3) This Code is a University Rule and applies to all UNE Representatives.

Section 2 - Rule

Principles

- (4) The six principles outlined below align with our values, and are supported by the University's Policies, Procedures and Guidelines which provide the detail to inform our activities and behaviours.

Principle 1 - We treat others with respect, value difference and opinions.

- (5) We observe this principle by:
 - a. treating all people we deal with through our work at the University with courtesy, dignity and respect and maintaining a cooperative and collaborative approach to working relationships;
 - b. never discriminating, harassing, or bullying any person we deal with through our work at the University within the meaning of the relevant laws;
 - c. our commitment to open inquiry and academic debate as stated in the [Freedom of Speech Principles and Academic Freedom Statement \(the Statement\)](#);
 - d. exercising freedom of speech and academic freedom in a manner consistent with the principles in [the Statement](#); and
 - e. making decisions based on merit, and not on attributes that are irrelevant to performance, employment, admission or other engagements with the University.

Principle 2 — In the performance of our duties, we serve the public good, including through our promotion of academic freedom and thereby also support the values and best interest of the University.

(6) We observe this principle by:

- a. promoting the exercise of academic freedom, intellectual freedom, free inquiry and free intellectual inquiry;
- b. undertaking our duties with care, diligence, and in alignment with the best interest of the University (not private interest);
- c. being accountable for the decisions we make and the actions we take;
- d. exercising our authorities responsibly and within our delegated limits;
- e. behaving in a way that takes into account our impact on the broader community and the environment in both the short and long term; and
- f. never wilfully, intentionally or negligently behaving in a way that may damage the University's reputation, whilst representing the University (noting that this is not a limitation of academic freedom or Principle 3).

Principle 3 - We act with honesty and integrity, transparency and openness.

(7) We observe this principle by:

- a. not making improper use of the information acquired to gain, directly or indirectly an advantage for ourselves or another, or to cause detriment to the University;
- b. being honest in all our communications and dealings with the University and its communities;
- c. acting lawfully, honestly and exercising due care and diligence in carrying out our duties;
- d. ensuring all dealings with UNE Representatives, students, suppliers and third parties are properly recorded and transparent;
- e. ensuring efficient use and management of University resources for University purposes and ensuring at all times resources are not misappropriated;
- f. reporting any suspicions of fraud, corruption, maladministration, theft or other dishonest behaviour;
- g. identifying, disclosing and managing conflicts of interest pertaining to ourselves and/or others; and
- h. behaving ethically and taking action to prevent unethical practices, including via public interest disclosure.

Principle 4 - We respect privacy and maintain confidentiality.

(8) We observe this principle by:

- a. keeping information secure and not disclosing personal or confidential information with anyone unless authorised to do so;
- b. taking all reasonable precautions to prevent unauthorised access to, or misuse of University records and information; and
- c. accessing and using information and information systems only for authorised purposes.

Principle 5 - We promote best practice in workplace health and safety.

(9) We observe this principle by:

- a. promoting a safe working environment, including taking responsibility for our health and safety and the health and safety of others, and reporting any issues as soon as practicable;
- b. complying with all applicable laws, policies, procedures, guidelines, protocols and standards relating to work, health and safety including University Rules, Policies and Guidelines; and
- c. cooperating with the University to ensure compliance with all relevant work, health and safety laws.

Principle 6 - We comply with all applicable laws, industrial instruments, University Rules, Policies and Guidelines.

(10) We observe this principle by:

- a. completing all required training and education programs, and building and maintaining our awareness and understanding of relevant laws (including by reference to UNE’s Compliance Register, enterprise (collective) agreements, Rules, Policies, Guidelines, Procedures and practices;
- b. seeking guidance about the interpretation of a particular law, enterprise (collective) agreement, Rule, Policy, Procedure, Guideline or practice from the appropriate UNE Representative; and
- c. honestly reporting all actual or suspected breaches of this Code, the law, enterprise (collective) agreement, or University's Rules, Policies and Procedures immediately to the relevant UNE Representative.

Section 3 - Authority and compliance

Authority

(11) The Council, pursuant to Section 29 of the [University of New England Act](#), makes this University Rule.

(12) This Rule operates as and from the Effective Date.

(13) The Rule Custodian, the Vice-Chancellor and Chief Executive Officer, is authorised to make Procedures and Guidelines for the operation of this University Rule. The Procedures and Guidelines must be compatible with the provisions of this Rule.

(14) The previous Code of Conduct Rule is replaced and has no further operation from the Effective Date of this Rule.

(15) Notwithstanding the other provisions of this University Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

Compliance

(16) All UNE Representatives must comply with this Rule. A failure to comply with this Rule may amount to misconduct/serious misconduct and/or unsatisfactory performance.

(17) To the extent of any inconsistency between this Code and UNE’s Freedom of Speech Principles and Academic Freedom Statement, the Statement prevails.

Status and Details

Status	Current
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	Vice-Chancellor and Chief Executive Officer
Approval Date	To Be Advised
Expiry Date	To Be Advised

Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vadministration@une.edu.au
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

"Intellectual Freedom" - Intellectual Freedom has a meaning corresponding with academic freedom.

"University" - University of New England



Code of Conduct

Section 1 - Overview and scope

(1) The Code of Conduct (the Code) for the University of New England establishes principles to be applied by ~~all~~ UNE Representatives in their activities and behaviour. As the University is a public sector entity, UNE Representatives are expected to serve the public interest ~~and promote our organisational culture which is founded on our University values, outlined, including through showing leadership and contributing to the public good, promoting academic freedom and a supportive, respectful, safe and healthy environment for our staff and students and engaging in ethical business practices with our partners, aligned with our values as~~ in our strategic plan.

~~(1) All UNE Representatives must be aware of and comply with the Code. The Code does not seek to identify common or statutory law requirements, and reference must be made to the University of New England Act 1993 (NSW), the University Compliance Register, University policies and procedures, and other sources for such guidance.~~

~~Section 2 - Scope~~

~~(2) In applying the Code, the University of New England is committed to reconciliation and inclusivity by building collaborative, meaningful relationships of reciprocity. Our vision is to ensure our institution is a culturally safe and culturally aware workplace that recognises the value of improving outcomes for Aboriginal and Torres Strait Islander people. Our inaugural Reconciliation Action Plan outlines our Reconciliation journey, which is inclusive of staff and students with a commitment to Relationships, Respect and Opportunities. We will continue to provide an environment that respects Aboriginal and Torres Strait Islander peoples, histories, cultures and connections to country by encouraging staff, Students and communities to unify in our journey of Reconciliation.~~

~~(2)(3) This Code is a University Rule and applies to all UNE Representatives.~~

Section ~~3~~2 - Rule

Principles

(4) The ~~five~~six principles outlined below align with our values, and are supported by the University's ~~policies, procedures~~Policies, Procedures and ~~guidelines~~Guidelines which provide the detail to inform our activities and behaviours.

Principle 1 - We treat others with respect, value difference and opinions. ~~We seek to maintain a safe working environment.~~

(5) We observe this principle by:

- a. treating all people we deal with through our work at the University with courtesy, dignity and respect and maintaining a cooperative and collaborative approach to working relationships;

~~b. Nevernever~~ discriminating, harassing, ~~or bullying or treating less favourably~~ any person we deal with through our work at the University. ~~Acting appropriately includes being aware that some behaviour may be acceptable to each within the meaning of us, but not the relevant laws;~~

~~b-c. our commitment to others;~~ open inquiry and academic debate as stated in the Freedom of Speech Principles and Making Academic Freedom Statement (the Statement);

~~d. exercising freedom of speech and academic freedom in a manner consistent with the principles in the Statement; and~~

~~e-e. making~~ decisions based on merit, and not on attributes that are irrelevant to performance, employment, admission or other engagements with the University; ~~and.~~

~~a. Promoting a safe working environment, including taking responsibility for our health and safety and the health and safety of others, and reporting any issues as soon as possible.~~

Principle 2 — In the performance of our duties, we ~~will act to~~ insure the public good, including through our promotion of academic freedom and thereby also support the values and best interest of the University ~~and value the University's reputation.~~

(6) We observe this principle by:

~~a. Undertaking~~ promoting the exercise of academic freedom, intellectual freedom, free inquiry and free intellectual inquiry;

~~a-b. undertaking~~ our duties with care, diligence, and in alignment with the best interest of the University (not private interest);

~~b-c. Being~~ being accountable for the decisions we make and the actions we take;

~~e-d. Exercising~~ exercising our authorities responsibly and within our delegated limits;

~~e-e. Behaving~~ behaving in a way that takes into account our impact on the broader community and the environment in both the short and long term; and

~~e-f. Nevernever wilfully, intentionally or negligently~~ behaving in a way that may damage the University's reputation, whilst representing the University. (noting that this is not a limitation of academic freedom or Principle 3).

Principle 3 - We act with honesty and integrity, transparency and openness.

(7) We observe this principle by:

a. ~~Notnot~~ making improper use of the information acquired to gain, directly or indirectly an advantage for ~~yourself~~ ourselves or another, or to cause detriment to the University;

b. ~~Being~~ being honest in all our communications and dealings with the University and its communities;

~~c. Ensuring~~ acting lawfully, honestly and exercising due care and diligence in carrying out our duties;

~~e-d. ensuring~~ all dealings with ~~University~~ UNE Representatives, students, suppliers and third parties are properly recorded and transparent;

~~e-e. Ensuring~~ ensuring efficient use and management of University resources for University purposes and ensuring at all times resources are not misappropriated;

~~e-f. Reporting~~ reporting any suspicions of fraud, corruption, maladministration, theft or other dishonest behaviour;

~~f-g. Identifying~~ identifying, disclosing and managing conflicts of interest pertaining to ourselves and/or others; and

~~g-h. Behaving~~ behaving ethically and taking action to prevent unethical practices, including via public interest disclosure.

Principle 4 - We respect privacy and maintain confidentiality.

(8) We observe this principle by:

D22/50664 – ATTACHMENT 1B.

- a. ~~Keeping~~keeping information secure and not disclosing personal or confidential information with anyone unless authorised to do so;

~~Principle 5 – We comply with the UNE Act, relevant laws and their obligations, relevant enterprise (collective) agreements and UNE policies and procedures.~~

- b. taking all reasonable precautions to prevent unauthorised access to, or misuse of University records and information; and
- c. accessing and using information and information systems only for authorised purposes.

Principle 5 - We promote best practice in workplace health and safety.

(9) We observe this principle by:

- a. ~~Completing~~promoting a safe working environment, including taking responsibility for our health and safety and the health and safety of others, and reporting any issues as soon as practicable;
- b. complying with all applicable laws, policies, procedures, guidelines, protocols and standards relating to work, health and safety including University Rules, Policies and Guidelines; and
- c. cooperating with the University to ensure compliance with all relevant work, health and safety laws.

Principle 6 - We comply with all applicable laws, industrial instruments, University Rules, Policies and Guidelines.

(10) We observe this principle by:

- a. ~~completing~~ all required training and education programs ~~to build~~, and ~~maintain~~building and maintaining our awareness and understanding of relevant laws (including by reference to UNE's Compliance Register, enterprise (collective) ~~agreement, policies, procedures~~agreements, Rules, Policies, Guidelines, Procedures and practices;
- b. ~~Seeking~~seeking guidance about the interpretation of a particular law, enterprise (collective) agreement, ~~policy, procedure~~Rule, Policy, Procedure, Guideline or practice from the appropriate UNE Representative; and
- b-c. ~~Honestly~~honestly reporting all actual or suspected breaches of this Code, the law, enterprise (collective) agreement, or University's ~~policies~~Rules, Policies and ~~procedures~~Procedures immediately to the relevant ~~University~~UNE Representative.

Section 3 - Authority and ~~compliance~~ **Compliance**

Authority

(11) The Council, pursuant to Section 29 of the University of New England Act, makes this University Rule.

~~(10) All UNE Representatives must comply with this Rule. A failure to comply with this rule may amount to misconduct/serious misconduct and/or unsatisfactory performance.~~

~~(11) The Rule Administrator, the Vice-Chancellor and Chief Executive Officer, is authorised to make procedures and guidelines for the operation of this University Rule. The procedures and guidelines must be compatible with the provisions of this Rule.~~

(12) This Rule operates as and from the Effective Date.

~~(13) Previous~~The Rule Custodian, the Vice-Chancellor and Chief Executive Officer, is authorised to make Procedures and Guidelines for the operation of this University Rule. The Procedures and Guidelines must be compatible with the provisions of this Rule.

~~(13)(14)~~ The previous Code of Conduct ~~Rules/Policies and related documents are~~ Rule is replaced and ~~have~~has no further operation from the Effective Date of this ~~new rule~~Rule.

~~(14)(15)~~ Notwithstanding the other provisions of this University Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

Compliance ~~Section 4 – Definitions~~

~~(16) Policies include – rules, policies, and protocols.~~

(16) All UNE Representatives must comply with this Rule. A failure to comply with this Rule may amount to misconduct/serious misconduct and/or unsatisfactory performance.

(17) To the extent of any inconsistency between this Code and UNE’s Freedom of Speech Principles and Academic Freedom Statement, the Statement prevails.

Status and Details

Status	Current
Effective Date	31st July 2015 <u>To Be Advised</u>
Review Date	24th July 2018 <u>To Be Advised</u>
Approval Authority	Vice-Chancellor and Chief Executive Officer
Approval Date	24th July 2015 <u>To Be Advised</u>
Expiry Date	To Be Advised
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"**Effective Date**" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents. Academic Freedom comprises: the freedom of the University (as an institution) to make decisions regarding academic programs and research priorities and for autonomy and self-governance; and the freedom and autonomy of individual staff and students to: pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including participation in disciplinary and professional communities, academic governance, engagement in free and open inquiry; and participate in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own.

"Intellectual Freedom" - Intellectual Freedom is has a meaning corresponding with academic freedom the freedom to conduct research, teach, learn, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.

"**University**" - University of New England



Freedom of Speech Principles and Academic Freedom Statement

Section 1 - Objective and scope

- (1) The University of New England affirms freedom of speech and academic freedom as core UNE values demonstrating UNE's commitment to, within the law and duty of care:
 - a. support a person's right to freedom of speech;
 - b. establish as a paramount value and to promote, develop and maintain supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry; and
 - c. affirm the importance of UNE's institutional autonomy under law in the regulation of its affairs including in the protection of freedom of speech and academic freedom.
- (2) These Principles apply to all UNE Representatives including representatives of UNE's Controlled Entities, students, external visiting speakers and invited visiting speakers and should be read in conjunction with UNE's [Freedom of Speech and Academic Freedom Guidelines](#).
- (3) Within these Principles:
 - a. Part A outlines UNE's freedom of speech principles and how they are supported; and
 - b. Part B states UNE's commitment to academic freedom and attendant considerations to uphold these freedoms within the University context.

Part A - Freedom of speech principles

Principles

Principle 1 – The University values freedom of speech.

- (4) The University values freedom of speech:
 - a. for its own sake (encouraging individual and institutional autonomy, speech and expression); and
 - b. for its contribution to the broader public good, democracy and civil society.

Principle 2 - The University upholds the right of all persons to speak publicly on any issue in their private capacity.

- (5) The University upholds the right of all persons to speak publicly on any issue, including in relation to UNE and to lawfully and freely express their opinions in their private capacity as an individual member of society subject only to the constraints imposed by:
 - a. the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities;

- b. the right and freedom of all to express themselves and to hear and receive information and opinions;
- c. the reasonable and proportionate regulation of conduct to enable the University to fulfill its duty to foster the wellbeing of staff and students;
- d. UNE Representatives should ensure when exercising lawful freedom of speech that they do not represent themselves as spokespersons for the University unless they are authorised to do so; and
- e. University academic staff should ensure when exercising lawful freedom of speech in relation to academic matters that UNE's Academic Freedom Statement is considered.

Principle 3 - The University actively promotes freedom of lawful speech.

(6) The University actively promotes freedom of speech by:

- a. establishing, promoting, developing and maintaining supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry;
- b. committing to openness of conduct of the University, including through openness of governance, open access of documentation, encouragement of internally produced free media, and the encouragement of civil, robust and rigorous debate; and
- c. encouraging participation from all members in UNE decision-making bodies and the expression of diverse views and perspectives to inform resolutions.

Principle 4 - The University retains the right and responsibility to determine the terms and conditions of the use of University facilities for speech.

(7) The University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on university land and use university facilities.

Part B - Academic freedom statement

Principles

Principle 1 – Academic Freedom is a fundamental principle that is foundational to the University's existence and purpose.

(8) The ultimate aim of the University is the common good which is served by academic freedom through the pursuit of truth, the advancement of learning and the sharing of knowledge for both its own sake and for the betterment of all in society both specifically and generally, and in particular to address social and environmental challenges, and current and historic injustices and silences.

(9) The University upholds academic freedom as a fundamental principle, reflecting the University's appreciation of academic freedom as essential to the conduct of a free and democratic society and to the quest for intellectual, moral and material advancement through informed comment and debate.

Principle 2 – Academic Freedom is a composite principle comprising institutional and collective autonomy, academic and self-governance of the University and of the academy, as well as the freedom and autonomy of individual staff and students.

(10) All members of the academy, and broader collegiate, are free to learn, pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including through participation in disciplinary and professional communities, student societies and associations, academic and institutional governance, engagement in free and open inquiry and public debate, and in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own, without interference or constraint, censorship or penalty, wherever the search for truth and understanding may lead.

(11) As a composite principle academic freedom is both a shared freedom and a shared responsibility. Both the academy and the institution have freedom and responsibility regarding research and teaching and in decision-making about research and teaching, as well as in administration and governance of the university.

Principle 3 – Academic Freedom requires the active support of the State, the institution, and the academy.

(12) It is the responsibility of the University and of all staff and students to exercise, and maximise academic freedom. Academic Freedom should be given the fullest expression possible in order to ensure maximum benefit to present and future communities and environments, including for peace and sustainability, through encouragement and support of creative and critical thinking, diversity and plurality of thought and perspectives, robust and rigorous reasoning and debate, challenging of ideas and accepted tenets, and open communication, collegiality and collaboration, that are all essential for the maximization of the benefits of academic freedom.

(13) Academic Freedom is supported by diversity in representation, transparency and accountability, and by research ethics requirements and observation of basic norms of civil conduct and a nurturing learning environment that enables the fullest and proper exercise of academic freedom.

(14) It is recognised that the role of the State is to advance and promote academic freedom to the fullest extent possible in order including by the provision of sufficient support to the University to enable full autonomy.

Section 2 - Authority and compliance

Compliance

(15) The freedoms expressed in this Statement are consistent with the [University of New England Act 1993 \(NSW\)](#) and its references within UNE's object and principal functions, including:

- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
- b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).

(16) [The Higher Education Support Act 2003](#) (Cth) (as amended) requires all higher education providers to have policy material that upholds freedom of speech and academic freedom.

(17) [Higher Education Standards Framework \(Threshold Standards\) 2021](#) provides that for a higher education provider to satisfy the requirements of the B1.3 'Australian University Category' that the criteria for the 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has clearly articulated higher education purpose that includes a commitment to free intellectual inquiry, and offers at least on accredited course of study.

(18) The [UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022](#) and the [UNE Professional Staff Enterprise Agreement 2019-2022](#) recognises and supports intellectual freedom for staff.

(19) These values are supported:

- a. as part of UNE's overarching [Code of Conduct](#) for all UNE Representatives; and
- b. within other Policies and Guidelines of the University including the [Freedom of Speech and Academic Freedom Guidelines](#).

(20) This Statement prevails, to the extent of any inconsistency, over any non-statutory policy or rules of the University

Authority

(20) This Statement is made by the Council, pursuant to Section 29 of the [University of New England Act](#) and has the effect of a Rule.

(21) UNE students, UNE Representatives and Controlled Entities must observe this Statement in relation to University matters.

(22) The Policy Custodian of this Statement is the Vice-Chancellor and Chief Executive Officer who is authorised to make attendant protocols or associated information compatible with the provisions of this Statement.

(23) This Statement operates from the Effective Date.

(24) Previous statements/Rules regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date of this Rule.

Status and Details

Status	Current
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	
Approval Date	To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vcadministration@une.edu.au
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"Research" - Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. (Defined by the Australian Research Council)

"Controlled Entity" - Means a person, group of persons or body of which the University or Council has control within the meaning of a standard referred to in Section 39(1A) or 45A(1A) of the Public Finance and Audit Act 1983.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;

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- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

"Intellectual Freedom" - Intellectual freedom has a meaning corresponding with academic freedom.

"Speech" - (Freedom of Speech and Academic Freedom) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.

"External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.

"Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.

"University" - University of New England



Freedom of Speech Principles and Academic Freedom Statement

Section 1 - Objective and ~~scope~~ scope

- (1) The University of New England affirms ~~Freedom~~freedom of ~~Speech~~speech and ~~Academic Freedom~~academic freedom as core UNE values demonstrating UNE's commitment to, within the law and duty of care:
 - a. support a person's right to freedom of speech ~~to the broadest extent possible, and consistent with the core values and functioning of the University; and;~~
 - b. establish, as a paramount value and to promote, develop and maintain supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry; and
 - c. affirm the importance of UNE's institutional autonomy under law in the regulation of its affairs including in the protection of freedom of speech and academic freedom.
- (2) These Principles apply to ~~and are to be observed by~~ all UNE Representatives including representatives of UNE's Controlled Entities, students, external visiting speakers and ~~internal~~invited visiting speakers. and should be read in conjunction with UNE's Freedom of Speech and Academic Freedom Guidelines.
- (3) Within these Principles:
 - a. Part A outlines UNE's ~~Freedom~~freedom of ~~Speech~~speech principles and how they are supported; and
 - b. Part B states UNE's commitment to ~~Academic Freedom~~academic freedom and attendant considerations to uphold these freedoms within the University context.

Part A - Freedom of ~~Speech Principles~~ speech principles

Principles

Principle 1 – The University values freedom of speech.

- (4) The University values freedom of speech:
 - a. for its own sake (encouraging individual and institutional autonomy, speech and expression); and
 - b. for its contribution to the broader public good, democracy and civil society.

Principle 2 - The University upholds the right of all persons to speak publicly on any issue in their private capacity.

- (5) The University upholds the right of all persons to speak publicly on any issue, including in relation to UNE and to lawfully and freely express their opinions in their private capacity as an individual member of society. subject only to the constraints imposed by:

- a. ~~Persons who are University~~ the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities;
- b. the right and freedom of all to express themselves and to hear and receive information and opinions;
- c. the reasonable and proportionate regulation of conduct to enable to University to fulfill its duty to foster the wellbeing of staff and students;
- a-d. UNE Representatives should ensure when exercising lawful freedom of speech that they do not represent themselves as spokespersons for the University unless they are authorised to do so, ~~consistent with the Code of Conduct and the UNE Media Policy;~~ and
- b-e. University Academic ~~academic~~ staff should ensure when exercising lawful freedom of speech in relation to academic matters that UNE's Academic Freedom Statement is considered.

Principle 3 - The University actively promotes freedom of lawful speech.

- (6) The University actively promotes freedom of speech by:
- a. establishing, promoting, developing and maintaining supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry;
 - b. committing to openness of conduct of the University, including through openness of governance, open access of documentation, encouragement of internally produced free media, and the encouragement of civil, robust and rigorous debate; and
 - c. encouraging participation from all members in UNE decision-making bodies and the expression of diverse views and perspectives to inform resolutions.

Principle 4 - The University retains the right and responsibility to determine the terms of conditions of the use of University facilities for speech.

- (7) ~~On notification of a request for public events and discourse, the~~ The University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on university land and use university facilities.

Part B - Academic ~~Freedom Statement~~ freedom statement

Principles

Principle 1 – Academic Freedom is a fundamental principle that is foundational to the ~~University's~~ University's existence and purpose.

(8) The ultimate aim of the University is the common good which is served by academic freedom through the pursuit of truth, the advancement of learning and the sharing of knowledge for both its own sake and for the betterment of all in society both specifically and generally, and in particular to address social and environmental challenges, and current and historic injustices and silences.

(9) The University upholds academic freedom as a fundamental principle, reflecting the University's appreciation of academic freedom as essential to the conduct of a free and democratic society and to the quest for intellectual, moral and material advancement through informed comment and debate.

Principle 2 – Academic Freedom is a composite principle comprising institutional and collective autonomy, academic and self-governance of the ~~university~~ University and of the academy, as well as the freedom and autonomy of individual staff and students.

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(10) All members of the academy, and broader collegiate, are free to learn, pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including through participation in disciplinary and professional communities, [student societies and associations](#), academic and institutional governance, engagement in free and open inquiry and public debate, and in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own, without interference or constraint, censorship or penalty, wherever the search for truth and understanding may lead.

(11) As a composite principle academic freedom is both a shared freedom and a shared responsibility. Both the academy and the institution have freedom and responsibility regarding research and teaching and in decision-making about research and teaching, as well as in administration and governance of the university.

Principle 3 – Academic Freedom requires the active support of the State, the institution, and the academy.

~~(8)~~—It is the responsibility of the University and of all staff and students to exercise, and maximise, academic ~~(12)~~ freedom, ~~and to do so according to the appropriate scholarly standards.~~ Academic ~~freedom~~Freedom should be given the fullest expression possible in order to ensure maximum benefit to present and future communities and environments, including for peace and sustainability, through encouragement and support of creative and critical thinking, diversity and plurality of thought and perspectives, robust and rigorous reasoning and debate, challenging of ideas and accepted tenets, and open communication, collegiality and collaboration, that are all essential for the maximization of the benefits of academic freedom.

~~(12)~~~~(13)~~ Academic ~~freedom~~Freedom is supported by diversity in representation, transparency and accountability, and by research ethics requirements and observation of basic norms of civil conduct and a nurturing learning environment that enables the fullest and proper exercise of academic freedom.

~~(13)~~~~(14)~~ It is recognised that the role of the State is to advance and promote academic freedom to the fullest extent possible in order including by the provision of sufficient support to the University to enable full autonomy.

Section 2 - Authority and ~~Compliance~~ compliance

Compliance

(15) The freedoms expressed in this ~~policy~~Statement are consistent with the [University of New England Act 1993 \(NSW\) \(NSW\)](#) and its references within UNE's object and principal functions, including:

- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
- b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).

(16) [The Higher Education Support Act 2003](#) (Cth) (as amended) requires all higher education providers to have policy material that ~~upholds~~upholds freedom of speech and academic ~~freedom~~ (Section 19-115)-freedom.

~~(14)~~ [The Higher Education Standards Framework \(Threshold Standards\) 2015](#) requires [Higher Education Standards Framework \(Threshold Standards\) 2021](#) provides that ~~(Part B, B1.1 “Higher Education Provider” Category):~~

- a. ~~The for a~~ higher education provider ~~has to~~ satisfy the requirements of the B1.3 'Australian University Category' that the criteria for the 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has clearly articulated higher education purpose that includes a commitment to ~~and support for~~ free intellectual inquiry ~~in its academic endeavours.~~
- b. ~~The higher education provider delivers teaching and learning that engage with advanced knowledge and inquiry.~~
- (17) ~~The higher education provider's academic staff are active in scholarship that informs their teaching, and are active in research when engaged in research student supervision, and offers at least on accredited course of study.~~
- (18) The UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022 and the UNE Professional Staff Enterprise Agreement 2019-2022 (clause 5.2(d)) states 'The University and its Employees are committed to therecognises and supports intellectual freedom for staff.
- c. ~~protection and promotion of intellectual freedom within the University where Employees are able to:~~
- i. ~~participate in public debates relating to decision making processes and express opinions about issues and ideas related to their discipline area or areas of professional expertise and about higher education issues more generally;~~
 - ii. ~~express opinions or comment outside their discipline or areas of professional expertise as long as they do so on their own behalf and do not claim to represent the University;~~
 - iii. ~~pursue critical and open academic inquiry and to freely discuss, publish and research;~~
 - iv. ~~express unpopular or controversial views which do not defame, harass, vilify or intimidate; and~~
 - v. ~~participate in professional and representative bodies, including Unions, and engage in community service without harassment, intimidation or unfair treatment.~~
- (19) These values are supported:
- a. as part of UNE's overarching Code of Conduct for all University/UNE Representatives; and ~~within other policies and guidelines of the University.~~
 - b. within other Policies and Guidelines of the University including the Freedom of Speech and Academic Freedom Guidelines.

(20) This Statement prevails, to the extent of any inconsistency, over any non-statutory policy or rules of the University.

Authority

- (21) ~~These Principles and This~~ Statement ~~are is~~ made by the Council, pursuant to Section 29 of the University of New England Act ~~and have and has~~ the effect of a Rule.
- (22) UNE students, UNE Representatives and Controlled Entities must observe ~~these Principles and this~~ Statement in relation to University matters.
- (23) The Policy Custodian of ~~these Principles and this~~ Statement is the Vice-Chancellor and Chief Executive Officer who is authorised to make attendant protocols or associated information compatible with the provisions of ~~these Principles and this~~ Statement.
- (24) ~~These Principles and This~~ Statement ~~operate operates~~ from the Effective Date.
- (25) Previous statements/Rules regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date of this ~~new~~ Rule.

Section 3—Definitions (specific to these Guidelines)

~~{24}— Intellectual Freedom is the freedom to conduct research, teach, learn, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.~~

~~{25}— Scholarly Standards are the University's expectation of academic quality and integrity and may consider factors including~~

- ~~a. academic and research ethics;~~
- ~~b. scientific and disciplinary specific methods and knowledge;~~
- ~~c. evidence or reasoning at an appropriate advanced level to demonstrate academic merit;~~
- ~~d. observation of norms of lawful and public dialogue; and~~
- ~~e. professional conduct acting in good faith.~~

~~{26}— Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.~~

~~{27}— External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.~~

~~{28}— Invited Visiting Speaker is any person who has been invited by the University or by a student society or association or group of students or representative body or by a member or members of the academic staff of the university to speak on the university's land or facilities.~~

Status and Details

Status	Current
Effective Date	18th December 2020 To Be Advised
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Approval Authority	
Approval Date	9th December 2020 To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vcadministration@une.edu.au
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Enquiries Contact	Lisa McMahon Senior Manager (Policy) policies@une.edu.au Policies Team

Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - [Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.](#)

"Research" - [Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. \(Defined by the Australian Research Council\)](#)

"Controlled Entity" - Means a person, group of persons or body of which the University or Council has control within the meaning of a standard referred to in Section 39(1A) or 45A(1A) of the Public Finance and Audit Act 1983.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

~~**"University Representative"**— University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.~~

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

"Intellectual Freedom" - Intellectual freedom has a meaning corresponding with academic freedom.

~~Academic Freedom comprises: the freedom of the University (as an institution) to make decisions regarding academic programs and research priorities and for autonomy and self-governance; and the freedom and autonomy of individual staff and students to: pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including participation in disciplinary and professional communities, academic governance, engagement in free and open inquiry; and participate in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own.~~

"Speech" - (Freedom of Speech and Academic Freedom) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.

"External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.

"Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.

"University" - University of New England



Freedom of Speech and Academic Freedom Guidelines

Section 1 - Objective and scope

- (1) These Guidelines provide guidance to UNE Representatives and students on the application of the [Freedom of Speech Principles and Academic Freedom Statement](#).
- (2) These Guidelines apply to and are to be observed by all UNE Representatives including representatives of UNE Controlled Entities, students, external visiting speakers and invited visiting speakers.
- (3) Within these Guidelines:
 - a. Part A provides guidance on the application of the [Freedom of Speech Principles](#); and
 - b. Part B provides guidance on the application of the [Academic Freedom Statement](#).

Part A - Freedom of speech

- (4) The University actively promotes freedom of speech through:
 - a. encouraging and planning opportunities for speech and discourse, including:
 - i. promoting events, debates, discourse, conversation and other speaking chances at UNE, maximising wherever possible opportunities for access and varied methods of participation and engagement.
 - b. supporting the right of students and UNE Representatives for freedom of assembly and association, including:
 - i. ensuring there is no retribution nor unreasonable withholding of permission to participate in lawful speech, peaceful protests and advocacy; and
 - ii. providing reasonable support for University staff and student unions, associations, clubs and organisations engaged in lawful activities.
 - c. communicating and encouraging an understanding of the need for speakers to ensure their speech:
 - i. does not inhibit UNE from fulfilling its duty to foster the wellbeing of staff and students;
 - ii. does not inhibit UNE from reasonable and proportionate regulation of conduct necessary to discharge the University's teaching and research activities; iii. is not unauthorised disclosure of content classified as commercial-in-confidence or associated with an officer's lawful duties or clinical or legal privilege (e.g. Council member duties; information accepted via a public interest disclosure or privileged content etc);
 - iv. does not disclose personal, health or sensitive information that under privacy laws is subject to consent or other conditions for collection, storage, access, use or disclosure requirements that have not been met; and
 - v. is appropriately attributed to others in regard to authorship and/or copyright where applicable.
 - d. providing opportunities which support and encourage University staff to test and develop skills and experience relating to free speech.

- (5) On notification of a request for public events and discourse, the University has the right and responsibility to determine the terms and conditions that it shall permit external visiting speakers and invited visiting speakers to speak on university land and use university facilities and in so doing may:
- a. require the person or persons organising the event to comply with the University's booking procedures and to provide information relevant to the conduct of any event, and any public safety and security issues;
 - b. distinguish between an invited visiting speaker and external visiting speaker in framing any such requirements and conditions;
 - c. refuse permission to an external visiting speaker to speak on University land or at University facilities where the content of the speech is or is likely to be:
 - i. unlawful (including unlawful discrimination);
 - ii. prejudice the fulfillment by the University of its duty to foster the wellbeing of staff and students; and/or
 - iii. involve the advancement of theories or propositions which purport to be based on scholarship or research but which fall below scholarly standards to such an extent as to be detrimental to the University's character as an institution of higher learning.
 - d. require a person or persons seeking permission for the use of university land or facilities for any visiting speaker to contribute in whole or in part to the cost of providing security and other measures in the interests of public safety and order in connection with the event at which the visitor is to speak.
- (6) The University will not unreasonably restrict or withhold permission of access or use of the University's land or facilities for external visiting speakers or invited visiting speakers, where such access or use is for the purposes of lawful speech (noting the University may require reasonable terms and conditions for visitors and use of land and facilities be followed).

Part B - Academic freedom statement

- (7) The University actively promotes academic freedom through:
- a. corporate governance of the University and its Controlled Entities ensuring stewardship of UNE's object and of 'free inquiry', oversight of development and delivery of academic programs, and monitoring of academic performance and compliance and of Controlled Entities;
 - b. academic governance upholding academic quality and integrity including academic freedom;
 - c. policies, ethics processes and other academic practices upholding academic freedom as a core value and outlining scholarly standards to guide the design and conduct of research, teaching and learning and outreach programs;
 - d. academic leadership structures which aid the furthering of academic freedom principles, including
 - i. the promotion of opportunities for participation in academic events and public discourse, peer review and academic quality and integrity;
 - ii. protection of academic freedom in legal/research/collaboration agreements; and
 - iii. protection or support of staff and students against unfair attack as a result of the pursuit of academic freedom.
 - e. providing staff and students the genuine opportunity to participate in governance and decision making and building their capacity to engage actively in decision making within a collegial environment;
 - f. building the capacity of established and emerging researchers to engage in research in accordance with principles of academic freedom, including encouraging novel research in accordance with scholarly standards;
 - g. protection of academic staff against unfair restrictions on their freedom to direct their own research;
 - h. building the teaching and learning capacity of teaching staff in accordance with principles of academic freedom and in accordance with scholarly standards; and

- i. cultivating a culture of academic freedom in accordance with scholarly standards.
- (8) UNE staff and students are afforded academic freedom, while noting that this right carries with it:
- a. the responsibility to maximise academic freedom; and
 - b. the responsibility to exercise academic freedom in accordance with scholarly standards.
- (9) UNE staff and students in exercising academic freedom are free to make informed comment on societal behaviours and practice and in challenging held beliefs, policies and structures.
- (10) The exercise by staff or students of academic freedom, in accordance with these Guidelines and the [Freedom of Speech and Academic Freedom Statement](#), shall be free from institutional censorship or sanction.

Section 2 - Authority and compliance

Compliance

- (11) The freedoms expressed in these Guidelines are consistent with the [University of New England Act 1993 \(NSW\)](#) and its references within UNE's object and principal functions, including:
- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
 - b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).
- (12) The [Higher Education Support Act 2003](#)(Cth) (as amended) requires all higher education providers to have policy material that 'upholds freedom of speech and academic freedom'.
- (13) The [Higher Education Standards Framework \(Threshold Standards\) 2021](#) provides that for a higher education provider to satisfy the requirements of Part b, B1.3 'Australian University' category that the criteria for 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has clearly articulated higher education purpose that includes a commitment to free intellectual inquiry, and offers at least one accredited course of study.
- (14) The [UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022](#) & the [UNE Professional Staff Enterprise Agreement 2019-2022](#) recognises and supports intellectual freedom for staff.
- (15) These values are supported:
- a. as part of UNE's overarching [Code of Conduct](#) for all UNE Representatives; and
 - b. other Rules, Policies, Procedures and Guidelines of the University.

Authority

- (16) These Guidelines are made by the Vice-Chancellor and Chief Executive Officer, pursuant to the [Vice-Chancellor Functions Rule](#).

- (17) UNE students, UNE Representatives and Controlled Entities must observe these Guidelines in relation to University matters.
- (18) The Policy Custodian of these Guidelines is the Vice-Chancellor and Chief Executive Officer.
- (19) These Guidelines operate from the Effective Dates.
- (20) Previous Guidelines regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date.

Section 3 - Definitions

- (21) 'duty to foster the wellbeing of staff and students':
- a. includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised at law including race, gender, sexuality, religion and political belief;
 - b. includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have said or proposed to say in exercising their freedom of speech;
 - c. supports reasonable and proportionate measures to prevent any person from using lawful speech which a reasonable person would regard, in the circumstances, as likely to humiliate or intimidate other persons and is intended to have either or both of those effects;
 - d. does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.

Status and Details

Status	Current
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	Council
Approval Date	To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vcadministration@une.edu.au
Author	Gabrielle Price 61 2 6773 3445
Enquiries Contact	Lisa McMahon Senior Manager (Policy) policies@une.edu.au <hr/> Policies Team

Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

"Scholarly Standards" - Scholarly Standards are the University's expectation of academic quality and integrity and may consider factors including: a. academic and research ethics; b. scientific and disciplinary specific methods and knowledge; c. evidence or reasoning at an appropriate advanced level to demonstrate academic merit; d. observation of norms of lawful and public dialogue; and e. professional conduct acting in good faith.

"Speech" - (Freedom of Speech and Academic Freedom) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.

"External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.

"Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.

"University" - University of New England



Freedom of Speech and Academic Freedom Guidelines

Section 1 - Objective and Scopescope

- (1) These Guidelines provide guidance to UNE Representatives and students on the application of the [Freedom of Speech Principles and Academic Freedom Statement](#).
- (2) These Guidelines apply to and are to be observed by all ~~students and~~ UNE Representatives including representatives of UNE Controlled Entities, [students](#), external visiting speakers and invited visiting speakers.
- (3) Within these Guidelines:
 - a. Part A provides guidance on the application of the [Freedom of Speech Principles](#); and
 - b. Part B provides guidance on the application of the [Academic Freedom Statement](#).

Part A - Freedom of Speechspeech

- (4) The University actively promotes freedom of speech through:
 - a. encouraging and planning opportunities for speech and discourse, including:
 - i. promoting events, debates, discourse, conversation and other speaking chances at UNE, maximising wherever possible opportunities for access and varied methods of participation and engagement.
 - b. supporting the right of students and UNE Representatives for freedom of assembly and association, including:
 - i. ensuring there is no retribution nor unreasonable withholding of permission to participate in lawful speech, peaceful protests and advocacy; [and](#)
 - ii. providing reasonable support for University staff and student unions, associations, clubs and organisations engaged in lawful activities; ~~and~~
 - c. communicating and encouraging an understanding of the need for speakers to ensure their speech:
 - i. does not inhibit UNE from fulfilling its duty to foster the wellbeing of staff and students;
 - ii. [does not inhibit UNE from reasonable and proportionate regulation of conduct necessary to discharge the University's teaching and research activities](#); iii. is not unauthorised disclosure of content classified as commercial-in-confidence or associated with an officer's lawful duties or clinical or legal privilege (e.g. Council member duties; information accepted via a public interest disclosure or privileged content etc);
 - iv. does not disclose personal, health or sensitive information that under privacy laws is subject to consent or other conditions for collection, storage, access, use or disclosure requirements that have not been met; and
 - v. is appropriately attributed to others in regard to authorship and/or copyright where applicable.
 - d. providing opportunities which support and encourage University staff to test and develop skills and experience relating to free speech.

- (5) On notification of a request for public events and discourse, the University has the right and responsibility to determine the terms and conditions ~~upon which~~that it shall permit ~~External Visiting Speaker~~external visiting speakers and ~~Invited Visiting Speakers~~invited visiting speakers to speak on university land and use university facilities and in so doing may:
- a. require the person or persons organising the event to comply with the University's booking procedures and to provide information relevant to the conduct of any event, and any public safety and security issues;
 - b. distinguish between an ~~Invited Visiting Speaker and External Visiting Speaker~~invited visiting speaker and external visiting speaker in framing any such requirements and conditions;
 - c. refuse permission to an ~~External Visiting Speaker~~external visiting speaker to speak on University land or at University facilities where the content of the speech is or is likely to be:
 - i. ~~be~~unlawful, (including unlawful discrimination);
 - ii. prejudice the fulfillment by the University of its duty to foster the wellbeing of staff and students; and/or
 - iii. involve the advancement of theories or propositions which purport to be based on scholarship or research but which fall below scholarly standards to such an extent as to be detrimental to the University's character as an institution of higher learning.
 - d. require a person or persons seeking permission for the use of ~~University~~university land or facilities for any visiting speaker to contribute in whole or in part to the cost of providing security and other measures in the interests of public safety and order in connection with the event at which the visitor is to speak.
- (6) The University will not unreasonably restrict or withhold permission of access or use of the University's land or facilities for external visiting speakers or invited visiting speakers, where such access or use is for the purposes of lawful speech (noting the University may require reasonable terms and conditions for visitors and use of land and facilities be followed).

Part B - Academic ~~Freedom Statement~~freedom statement

- (7) The University actively promotes academic freedom through:
- a. corporate governance of the University and its Controlled Entities ensuring stewardship of UNE's object and of 'free inquiry', oversight of development and delivery of academic programs, and monitoring of academic performance and compliance and ~~of controlled entities~~Controlled Entities;
 - ~~a. staff and students have opportunity to participate in governance and decision making;~~
 - b. academic governance upholding academic quality and integrity including academic freedom;
 - c. policies, ethics processes and other academic practices upholding academic freedom as a core value and outlining scholarly standards to guide the design and conduct of research, teaching and learning and outreach programs; ~~and~~
 - d. academic leadership structures which aid the furthering of academic freedom principles, including
 - i. the promotion of opportunities for participation in academic events and public discourse, peer review and academic quality and integrity;
 - ii. protection ~~for~~of academic freedom in legal/~~funding~~research/collaboration agreements; and
 - iii. protection or support of staff and students against unfair attack as a result of the pursuit of ~~free inquiry~~academic freedom.
 - e. providing staff and students the genuine opportunity to participate in governance and decision making and building their capacity to engage actively in decision making within a collegial environment;
 - f. building the capacity of established and emerging researchers to engage in research in accordance with principles of academic freedom, including encouraging novel research in accordance with scholarly standards;
 - g. protection of academic staff against unfair restrictions on their freedom to direct their own research;

- h. [building the teaching and learning capacity of teaching staff in accordance with principles of academic freedom and in accordance with scholarly standards; and](#)
- i. [cultivating a culture of academic freedom in accordance with scholarly standards.](#)

- (8) UNE staff and students are afforded academic freedom, while noting that this right carries with it:
- a. the responsibility to maximise academic freedom; and
 - b. the responsibility to exercise academic freedom in accordance with scholarly standards.
- (9) UNE staff and students in exercising academic freedom are free to make informed comment on societal behaviours and practice and in challenging held beliefs, policies and structures.
- (10) The exercise by staff or students of academic freedom, ~~subject to the above limitations, shall not constitute misconduct nor attract any penalty or other adverse action~~ [in accordance with these Guidelines and the Freedom of Speech and Academic Freedom Statement, shall be free from institutional censorship or sanction.](#)

Section 2 - Authority and ~~Compliance~~ compliance

Compliance

- (11) The freedoms expressed in these Guidelines are consistent with the [University of New England Act 1993 \(NSW\)](#) ~~(NSW)~~ and its references within UNE's object and principal functions, including:
- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
 - b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).
- (12) The [Higher Education Support Act 2003](#) (Cth) (as amended) requires all higher education providers to have policy material that 'upholds freedom of speech, ~~academic freedom and free intellectual inquiry in relation to learning, teaching and research~~ [\(Section 19-115\), and academic freedom](#)'.
- ~~(11)~~ The [Higher Education Standards Framework \(Threshold Standards\) 2015](#) ~~requires~~ [Higher Education Standards Framework \(Threshold Standards\) 2021](#) ~~provides~~ that ~~(Part B, B1.1 "Higher Education Provider" Category):~~
- ~~a.~~ ~~The~~ ~~for~~ a higher education provider ~~has to~~ ~~satisfy~~ the requirements of Part b, B1.3 'Australian University' category that the ~~criteria for 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has~~ clearly articulated higher education purpose that includes a commitment to ~~and support for~~ free intellectual inquiry ~~in its academic endeavours.~~
 - ~~b.~~ ~~The~~ higher education provider ~~delivers teaching and learning that engage with advanced knowledge and inquiry.~~
- (13) ~~The higher education provider's academic staff are active in scholarship that informs their teaching, and are active in research when engaged in research student supervision, and offers at least one accredited course of study.~~

~~(12)~~ The [UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022](#) & the [UNE Professional](#)

(14) ~~Staff Enterprise Agreement 2019-2022 (clause 5.2(d)) state 'The University and its Employees are committed to the~~recognises and supports intellectual freedom for staff.

- ~~a. protection and promotion of intellectual freedom within the University where Employees are able to:~~
- ~~i. express unpopular or controversial views which do not defame, harass, vilify or intimidate; and~~
 - ~~ii. pursue critical and open academic inquiry and to freely discuss, publish and research;~~
 - ~~iii. express opinions or comment outside their discipline or areas of professional expertise as long as they do so on their own behalf and do not claim to represent the University;~~
 - ~~iv. participate in public debates relating to decision making processes and express opinions about issues and ideas related to their discipline area or areas of professional expertise and about higher education issues more generally;~~
 - ~~v. participate in professional and representative bodies, including Unions, and engage in community service without harassment, intimidation or unfair treatment.~~

(15) These values are supported:

- a. as part of UNE's overarching ~~Code of Conduct~~Code of Conduct for all ~~University~~UNE Representatives; and
- b. ~~within other policies~~Rules, Policies, Procedures and ~~guidelines~~Guidelines of the University.

Authority

(16) These Guidelines are made by the Vice-Chancellor and Chief Executive Officer, pursuant to the Vice-Chancellor Functions Rule.

(17) UNE students, UniversityUNE Representatives and Controlled Entities must observe these Guidelines in relation to University matters.

(18) The Policy Custodian of these Guidelines is the Vice-Chancellor and Chief Executive Officer.

(19) These Guidelines operate from the Effective ~~Date~~Dates.

(20) Previous Guidelines regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date.

Section 3 - Definitions ~~(specific to this document)~~

(21) 'duty to foster the wellbeing of staff and students':

- a. includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination ~~by reason of their inherent attributes~~on any basis recognised at law including race, gender, sexuality, religion and political belief;
- b. includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have said or proposed to say in in exercising their freedom of speech;
- c. supports reasonable and proportionate measures to prevent any person from using lawful speech which ~~is intended to insult, humiliate or intimidate other persons and which~~ a reasonable person would regard, in the circumstances, as likely to humiliate or intimidate other persons and is intended to have ~~one~~either or ~~more~~both of those effects;
- d. does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.

Status and Details

Status	Current
Effective Date	18th December 2020 To Be Advised
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Approval Authority	Council
Approval Date	9th December 2020 To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vadministration@une.edu.au
Author	Gabrielle Price 61 2 6773 3445
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

~~**"Code of Conduct"** - A document (variously referred to as a 'Code of Ethics', 'Code of Behaviour' and various other titles) broadly communicated within the entity setting out the entity's expected standards of behaviour.~~

~~**"University Representative"** - University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.~~

~~**"Effective Date"** - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.~~

"Academic Freedom" -

Academic Freedom comprises:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
- the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
- the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;

- the freedom of academic staff to participate in professional or representative academic bodies;
- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

~~Academic Freedom comprises: the freedom of the University (as an institution) to make decisions regarding academic programs and research priorities and for autonomy and self-governance; and the freedom and autonomy of individual staff and students to: pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including participation in disciplinary and professional communities, academic governance, engagement in free and open inquiry; and participate in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own.~~

"Scholarly Standards" - Scholarly Standards are the University's expectation of academic quality and integrity and may consider factors including: a. academic and research ethics; b. scientific and disciplinary specific methods and knowledge; c. evidence or reasoning at an appropriate advanced level to demonstrate academic merit; d. observation of norms of lawful and public dialogue; and e. professional conduct acting in good faith.

"Speech" - (Freedom of Speech and Academic Freedom) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.

"External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.

"Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.

"University" - University of New England

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Attachment 1 c (clean copy - note update to Academic Freedom Definition (second last page- insert Academic Freedom "includes" replacing "comprises")



Freedom of Speech Principles and Academic Freedom Statement

Section 1 - Objective and scope

- (1) The University of New England affirms freedom of speech and academic freedom as core UNE values demonstrating UNE's commitment to, within the law and duty of care:
 - a. support a person's right to freedom of speech;
 - b. establish as a paramount value and to promote, develop and maintain supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry; and
 - c. affirm the importance of UNE's institutional autonomy under law in the regulation of its affairs including in the protection of freedom of speech and academic freedom.
- (2) These Principles apply to all UNE Representatives including representatives of UNE's Controlled Entities, students, external visiting speakers and invited visiting speakers and should be read in conjunction with UNE's [Freedom of Speech and Academic Freedom Guidelines](#).
- (3) Within these Principles:
 - a. Part A outlines UNE's freedom of speech principles and how they are supported; and
 - b. Part B states UNE's commitment to academic freedom and attendant considerations to uphold these freedoms within the University context.

Part A - Freedom of speech principles

Principles

Principle 1 – The University values freedom of speech.

- (4) The University values freedom of speech:
 - a. for its own sake (encouraging individual and institutional autonomy, speech and expression); and
 - b. for its contribution to the broader public good, democracy and civil society.

Principle 2 - The University upholds the right of all persons to speak publicly on any issue in their private capacity.

- (5) The University upholds the right of all persons to speak publicly on any issue, including in relation to UNE and to lawfully and freely express their opinions in their private capacity as an individual member of society subject only to the constraints imposed by:
 - a. the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities;

- b. the right and freedom of all to express themselves and to hear and receive information and opinions;
- c. the reasonable and proportionate regulation of conduct to enable to University to fulfill its duty to foster the wellbeing of staff and students;
- d. UNE Representatives should ensure when exercising lawful freedom of speech that they do not represent themselves as spokespersons for the University unless they are authorised to do so; and
- e. University academic staff should ensure when exercising lawful freedom of speech in relation to academic matters that UNE's Academic Freedom Statement is considered.

Principle 3 - The University actively promotes freedom of lawful speech.

(6) The University actively promotes freedom of speech by:

- a. establishing, promoting, developing and maintaining supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry;
- b. committing to openness of conduct of the University, including through openness of governance, open access of documentation, encouragement of internally produced free media, and the encouragement of civil, robust and rigorous debate; and
- c. encouraging participation from all members in UNE decision-making bodies and the expression of diverse views and perspectives to inform resolutions.

Principle 4 - The University retains the right and responsibility to determine the terms of conditions of the use of University facilities for speech.

(7) The University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on university land and use university facilities.

Part B - Academic freedom statement

Principles

Principle 1 – Academic Freedom is a fundamental principle that is foundational to the University's existence and purpose.

(8) The ultimate aim of the University is the common good which is served by academic freedom through the pursuit of truth, the advancement of learning and the sharing of knowledge for both its own sake and for the betterment of all in society both specifically and generally, and in particular to address social and environmental challenges, and current and historic injustices and silences.

(9) The University upholds academic freedom as a fundamental principle, reflecting the University's appreciation of academic freedom as essential to the conduct of a free and democratic society and to the quest for intellectual, moral and material advancement through informed comment and debate.

Principle 2 – Academic Freedom is a composite principle comprising institutional and collective autonomy, academic and self-governance of the University and of the academy, as well as the freedom and autonomy of individual staff and students.

(10) All members of the academy, and broader collegiate, are free to learn, pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including through participation in disciplinary and professional communities, student societies and associations, academic and institutional governance, engagement in free and open inquiry and public debate, and in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own, without interference or constraint, censorship or penalty, wherever the search for truth and understanding may lead.

(11) As a composite principle academic freedom is both a shared freedom and a shared responsibility. Both the academy and the institution have freedom and responsibility regarding research and teaching and in decision-making about research and teaching, as well as in administration and governance of the university.

Principle 3 – Academic Freedom requires the active support of the State, the institution, and the academy.

(12) It is the responsibility of the University and of all staff and students to exercise, and maximise academic freedom. Academic Freedom should be given the fullest expression possible in order to ensure maximum benefit to present and future communities and environments, including for peace and sustainability, through encouragement and support of creative and critical thinking, diversity and plurality of thought and perspectives, robust and rigorous reasoning and debate, challenging of ideas and accepted tenets, and open communication, collegiality and collaboration, that are all essential for the maximization of the benefits of academic freedom.

(13) Academic Freedom is supported by diversity in representation, transparency and accountability, and by research ethics requirements and observation of basic norms of civil conduct and a nurturing learning environment that enables the fullest and proper exercise of academic freedom.

(14) It is recognised that the role of the State is to advance and promote academic freedom to the fullest extent possible in order including by the provision of sufficient support to the University to enable full autonomy.

Section 2 - Authority and compliance

Compliance

(15) The freedoms expressed in this Statement are consistent with the [University of New England Act 1993 \(NSW\)](#) and its references within UNE's object and principal functions, including:

- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
- b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).

(16) [The Higher Education Support Act 2003](#) (Cth) (as amended) requires all higher education providers to have policy material that upholds freedom of speech and academic freedom.

(17) [Higher Education Standards Framework \(Threshold Standards\) 2021](#) provides that for a higher education provider to satisfy the requirements of the B1.3 'Australian University Category' that the criteria for the 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has clearly articulated higher education purpose that includes a commitment to free intellectual inquiry, and offers at least on accredited course of study.

(18) The [UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022](#) and the [UNE Professional Staff Enterprise Agreement 2019-2022](#) recognises and supports intellectual freedom for staff.

(19) These values are supported:

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- a. as part of UNE's overarching [Code of Conduct](#) for all UNE Representatives; and
- b. within other Policies and Guidelines of the University including the [Freedom of Speech and Academic Freedom Guidelines](#).

(20) This Statement prevails, to the extent of any inconsistency, over any non-statutory policy or rules of the University

Authority

(20) This Statement is made by the Council, pursuant to Section 29 of the [University of New England Act](#) and has the effect of a Rule.

(21) UNE students, UNE Representatives and Controlled Entities must observe this Statement in relation to University matters.

(22) The Policy Custodian of this Statement is the Vice-Chancellor and Chief Executive Officer who is authorised to make attendant protocols or associated information compatible with the provisions of this Statement.

(23) This Statement operates from the Effective Date.

(24) Previous statements/Rules regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date of this Rule.

Status and Details

Status	Current
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	
Approval Date	To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vcadministration@une.edu.au
Author	Gabrielle Price 61 2 6773 3445
Enquiries Contact	Lisa McMahon Senior Manager (Policy) policies@une.edu.au Policies Team

Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"Research" - Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. (Defined by the Australian Research Council)

"Controlled Entity" - Means a person, group of persons or body of which the University or Council has control within the meaning of a standard referred to in Section 39(1A) or 45A(1A) of the Public Finance and Audit Act 1983.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

"Academic Freedom" -

Academic Freedom includes:

- the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;
 - the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;
 - the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;
 - the freedom of academic staff to participate in professional or representative academic bodies;
-

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- the freedom of students to participate in student societies and associations;
- the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.

"Intellectual Freedom" - Intellectual freedom has a meaning corresponding with academic freedom.

"Speech" - (Freedom of Speech and Academic Freedom) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.

"External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.

"Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.

"University" - University of New England

Freedom of Speech Principles and Academic Freedom Statement

Section 1 - Objective and ~~scope~~scope

- (1) The University of New England affirms ~~Freedom~~freedom of ~~Speech~~speech and ~~Academic Freedom~~academic freedom as core UNE values demonstrating UNE's commitment to, within the law and duty of care:
 - a. support a person's right to freedom of speech ~~to the broadest extent possible, and consistent with the core values and functioning of the University; and;~~
 - b. establish, as a paramount value and to promote, develop and maintain supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry; and
 - c. affirm the importance of UNE's institutional autonomy under law in the regulation of its affairs including in the protection of freedom of speech and academic freedom.
- (2) These Principles apply to ~~and are to be observed by~~ all UNE Representatives including representatives of UNE's Controlled Entities, students, external visiting speakers and ~~internal~~invited visiting speakers; and should be read in conjunction with UNE's Freedom of Speech and Academic Freedom Guidelines.
- (3) Within these Principles:
 - a. Part A outlines UNE's ~~Freedom~~freedom of ~~Speech~~speech principles and how they are supported; and
 - b. Part B states UNE's commitment to ~~Academic Freedom~~academic freedom and attendant considerations to uphold these freedoms within the University context.

Part A - Freedom of ~~Speech Principles~~speech principles

Principles

Principle 1 – The University values freedom of speech.

- (4) The University values freedom of speech:
 - a. for its own sake (encouraging individual and institutional autonomy, speech and expression); and
 - b. for its contribution to the broader public good, democracy and civil society.

Principle 2 - The University upholds the right of all persons to speak publicly on any issue in their private capacity.

- (5) The University upholds the right of all persons to speak publicly on any issue, including in relation to UNE and to lawfully and freely express their opinions in their private capacity as an individual member of society; subject only to the constraints imposed by:
 - a. Persons who are University the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities;

Freedom of Speech Principles and Academic Freedom Statement

Section 1 - Objective and ~~scope~~ scope

- (1) The University of New England affirms ~~Freedom~~freedom of ~~Speech~~speech and ~~Academic Freedom~~academic freedom as core UNE values demonstrating UNE's commitment to, within the law and duty of care:
 - a. support a person's right to freedom of speech ~~to the broadest extent possible, and consistent with the core values and functioning of the University; and;~~
 - b. establish, as a paramount value and to promote, develop and maintain supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry; and
 - c. affirm the importance of UNE's institutional autonomy under law in the regulation of its affairs including in the protection of freedom of speech and academic freedom.
- (2) These Principles apply to ~~and are to be observed by~~ all UNE Representatives including representatives of UNE's Controlled Entities, students, external visiting speakers and ~~internal~~invited visiting speakers; and should be read in conjunction with UNE's Freedom of Speech and Academic Freedom Guidelines.
- (3) Within these Principles:
 - a. Part A outlines UNE's ~~Freedom~~freedom of ~~Speech~~speech principles and how they are supported; and
 - b. Part B states UNE's commitment to ~~Academic Freedom~~academic freedom and attendant considerations to uphold these freedoms within the University context.

Part A - Freedom of ~~Speech Principles~~ speech principles

Principles

Principle 1 – The University values freedom of speech.

- (4) The University values freedom of speech:
 - a. for its own sake (encouraging individual and institutional autonomy, speech and expression); and
 - b. for its contribution to the broader public good, democracy and civil society.

Principle 2 - The University upholds the right of all persons to speak publicly on any issue in their private capacity.

- (5) The University upholds the right of all persons to speak publicly on any issue, including in relation to UNE and to lawfully and freely express their opinions in their private capacity as an individual member of society; subject only to the constraints imposed by:
 - a. Persons who are University the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities;

[b. the right and freedom of all to express themselves and to hear and receive information and opinions;](#)

[c. the reasonable and proportionate regulation of conduct to enable to University to fulfill its duty to foster the wellbeing of staff and students;](#)

[a-d. UNE](#) Representatives should ensure when exercising lawful freedom of speech that they do not represent themselves as spokespersons for the University unless they are authorised to do so, ~~consistent with the~~ [Code of Conduct and the UNE Media Policy](#); and

[b-e.](#) University ~~Academic~~ [academic](#) staff should ensure when exercising lawful freedom of speech in relation to academic matters that UNE's Academic Freedom Statement is considered.

Principle 3 - The University actively promotes freedom of lawful speech.

(6) The University actively promotes freedom of speech by:

- a. establishing, promoting, developing and maintaining supports and avenues for the fullest exercise of freedom of speech, academic freedom and free intellectual inquiry;
- b. committing to openness of conduct of the University, including through openness of governance, open access of documentation, encouragement of internally produced free media, and the encouragement of civil, robust and rigorous debate; and
- c. encouraging participation from all members in UNE decision-making bodies and the expression of diverse views and perspectives to inform resolutions.

Principle 4 - The University retains the right and responsibility to determine the terms of conditions of the use of University facilities for speech.

(7) ~~On notification of a request for public events and discourse, the~~ [The](#) University has the right and responsibility to determine the terms and conditions upon which it shall permit external visitors and invited visitors to speak on university land and use university facilities.

Part B - Academic ~~Freedom Statement~~ [freedom statement](#)

Principles

Principle 1 – Academic Freedom is a fundamental principle that is foundational to the ~~University's~~ [University's](#) existence and purpose.

(8) The ultimate aim of the University is the common good which is served by academic freedom through the pursuit of truth, the advancement of learning and the sharing of knowledge for both its own sake and for the betterment of all in society both specifically and generally, and in particular to address social and environmental challenges, and current and historic injustices and silences.

(9) The University upholds academic freedom as a fundamental principle, reflecting the University's appreciation of academic freedom as essential to the conduct of a free and democratic society and to the quest for intellectual, moral and material advancement through informed comment and debate.

Principle 2 – Academic Freedom is a composite principle comprising institutional and collective autonomy, academic and self-governance of the ~~university~~ [University](#) and of the academy, as well as the freedom and autonomy of individual staff and students.

(10) All members of the academy, and broader collegiate, are free to learn, pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including through participation in disciplinary and professional communities, [student societies and associations](#), academic and institutional governance, engagement in free and open inquiry and

public debate, and in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own, without interference or constraint, censorship or penalty, wherever the search for truth and understanding may lead.

(11) As a composite principle academic freedom is both a shared freedom and a shared responsibility. Both the academy and the institution have freedom and responsibility regarding research and teaching and in decision-making about research and teaching, as well as in administration and governance of the university.

Principle 3 – Academic Freedom requires the active support of the State, the institution, and the academy.

~~(12) It is the responsibility of the University and of all staff and students to exercise, and maximise, academic~~
~~(12) freedom, and to do so according to the appropriate scholarly standards.~~ Academic ~~freedom~~Freedom should be given the fullest expression possible in order to ensure maximum benefit to present and future communities and environments, including for peace and sustainability, through encouragement and support of creative and critical thinking, diversity and plurality of thought and perspectives, robust and rigorous reasoning and debate, challenging of ideas and accepted tenets, and open communication, collegiality and collaboration, that are all essential for the maximization of the benefits of academic freedom.

(13) Academic ~~freedom~~Freedom is supported by diversity in representation, transparency and accountability, and by research ethics requirements and observation of basic norms of civil conduct and a nurturing learning environment that enables the fullest and proper exercise of academic freedom.

(14) It is recognised that the role of the State is to advance and promote academic freedom to the fullest extent possible in order including by the provision of sufficient support to the University to enable full autonomy.

Section 2 - Authority and ~~Compliance~~compliance

Compliance

(15) The freedoms expressed in this ~~policy~~Statement are consistent with the University of New England Act 1993 (NSW) (NSW) and its references within UNE's object and principal functions, including:

- a. UNE's object, which is: 'the promotion, within the limits of the University's resources, of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence'.
- b. UNE's principal functions including:
 - i. the encouragement of the dissemination, advancement, development and application of knowledge informed by free inquiry (Section 6(2)(b));
 - ii. the participation in public discourse (Section 6(2)(d)); and
 - iii. the provision of teaching and learning that engage with advanced knowledge and inquiry (Section 6(2)(f)).

(16) The Higher Education Support Act 2003 (Cth) (as amended) requires all higher education providers to have policy material that ~~'upholds~~upholds freedom of speech and academic ~~freedom'~~(Section 19-115)-freedom.

~~(17) The Higher Education Standards Framework (Threshold Standards) 2015 requires~~Higher Education Standards Framework (Threshold Standards) 2021 provides that ~~(Part B, B1.1 "Higher Education Provider" Category):~~

~~—Thefor a higher education provider has to satisfy the requirements of the B1.3 'Australian University Category' that the criteria for the 'Institute of Higher Education' category must be satisfied, which includes the following requirement: The higher education provider meets the requirements of Part A, has~~ clearly articulated higher education purpose that includes a commitment to ~~and support for~~ free intellectual inquiry ~~in its academic endeavours.~~

~~—The higher education provider delivers teaching and learning that engage with advanced knowledge and inquiry.~~

~~(20)(17) The higher education provider's academic staff are active in scholarship that informs their teaching, and are active in research when engaged in research student supervision, and offers at least on accredited course of study.~~

~~(21)(18) The [UNE Academic and English Language Teaching Staff Enterprise Agreement 2020-2022](#) and the [UNE Professional Staff Enterprise Agreement 2019-2022](#) (clause 5.2(d)) states 'The University and its Employees are committed to therecognises and supports intellectual freedom for staff.~~

- ~~— protection and promotion of intellectual freedom within the University where Employees are able to:~~
 - ~~i. participate in public debates relating to decision making processes and express opinions about issues and ideas related to their discipline area or areas of professional expertise and about higher education issues more generally;~~
 - ~~ii. express opinions or comment outside their discipline or areas of professional expertise as long as they do so on their own behalf and do not claim to represent the University;~~
- ~~— pursue critical and open academic inquiry and to freely discuss, publish and research;~~
- ~~— express unpopular or controversial views which do not defame, harass, vilify or intimidate; and~~
- ~~— participate in professional and representative bodies, including Unions, and engage in community service without harassment, intimidation or unfair treatment.~~

~~(27)(19) These values are supported:~~

- ~~a. as part of UNE's overarching [Code of Conduct](#) for all [University/UNE](#) Representatives; and
[within other policies and guidelines of the University.](#)~~
- ~~b. [within other Policies and Guidelines of the University including the Freedom of Speech and Academic Freedom Guidelines.](#)~~

~~(20) This Statement prevails, to the extent of any inconsistency, over any non-statutory policy or rules of the University.~~

Authority

(21) ~~These Principles and This~~ Statement ~~are~~ made by the Council, pursuant to Section 29 of the [University of New England Act](#) ~~and have and has~~ the effect of a Rule.

(22) UNE students, UNE Representatives and Controlled Entities must observe ~~these Principles and this~~ Statement in relation to University matters.

(23) The [Policy](#) Custodian of ~~these Principles and this~~ Statement is the Vice-Chancellor and Chief Executive Officer who is authorised to make attendant protocols or associated information compatible with the provisions of ~~these Principles and this~~ Statement.

(24) ~~These Principles and This~~ Statement ~~operate~~ from the Effective Date.

(25) Previous statements/Rules regarding intellectual or academic freedom are replaced and have no further operation from the Effective Date of this ~~new~~ Rule.

Section 3—Definitions (specific to these Guidelines)

~~{24}— Intellectual Freedom is the freedom to conduct research, teach, learn, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.~~

~~{25}— Scholarly Standards are the University's expectation of academic quality and integrity and may consider factors including~~

- ~~a.— academic and research ethics;~~
- ~~b.— scientific and disciplinary specific methods and knowledge;~~
- ~~c.— evidence or reasoning at an appropriate advanced level to demonstrate academic merit;~~
- ~~d.— observation of norms of lawful and public dialogue; and~~
- ~~e.— professional conduct acting in good faith.~~

~~{26}— Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.~~

~~{27}— External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.~~

~~{28}— Invited Visiting Speaker is any person who has been invited by the University or by a student society or association or group of students or representative body or by a member or members of the academic staff of the university to speak on the university's land or facilities.~~

Status and Details

Status	Current
Effective Date	18th December 2020 To Be Advised
Review Date	31st July 2021 To Be Advised
Approval Authority	
Approval Date	9th December 2020 To Be Advised
Expiry Date	To Be Advised
Unit Head	Brigid Heywood Vice-Chancellor and Chief Executive Officer vadministration@une.edu.au
Author	Gabrielle Price Director Governance and University Secretary 61 2 6773 3445
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Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - [Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.](#)

"Research" - [Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. \(Defined by the Australian Research Council\)](#)

"Controlled Entity" - Means a person, group of persons or body of which the University or Council has control within the meaning of a standard referred to in Section 39(1A) or 45A(1A) of the Public Finance and Audit Act 1983.

"Effective Date" - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

~~**"University Representative"**— University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.~~

"Academic Freedom" -

~~[Academic Freedom includes comprises:](#)~~

~~[the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;](#)~~

- [the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;](#)
- [the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;](#)
- [the freedom of academic staff to participate in professional or representative academic bodies;](#)
- [the freedom of students to participate in student societies and associations;](#)
- [the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.](#)

[Academic freedom is supported at UNE by the Freedom of Speech Principles and Academic Freedom Statement and Guidelines, and this definition should be read in conjunction with those documents.](#)

["Intellectual Freedom" - Intellectual freedom has a meaning corresponding with academic freedom.](#)

[Academic Freedom comprises: the freedom of the University \(as an institution\) to make decisions regarding academic programs and research priorities and for autonomy and self-governance; and the freedom and autonomy of individual staff and students to: pursue, create, critique and contribute knowledge through research, education, publication and dissemination, including participation in disciplinary and professional communities, academic governance, engagement in free and open inquiry; and participate in the development, evolution and questioning of standards and practices of scholarship and of governance, including criticism of higher education institutions, and systems, including their own.](#)

["Speech" - \(Freedom of Speech and Academic Freedom\) Speech extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity; the word 'speak' has a corresponding meaning.](#)

["External Visiting Speaker" - External Visiting Speaker is any person who is not an invited visiting speaker and for whom permission is sought to speak on the university's land or facilities.](#)

["Invited Visiting Speaker" - Invited Visiting Speaker is any person who has been invited by the University or by a student society.](#)

["University" - University of New England](#)

5. ASSURANCE REPORTS

5.1. * Due Diligence Obligations (WHS) Report #22075

Council is asked to NOTE the Due
Diligence Obligations (WHS) Report
#22075

For Noting

Presented by Peter Creamer



Authority	COUNCIL OPEN	Date	27 May 2022
Report Ref	#22075	Item No	5.1
Proposer	Professor Peter Creamer, Chief Operating Officer		
Developed with	Ms Diana Chambers, Work Health and Safety Manager		
Authorised by	Mr James Harris, UNE Chancellor		

#22074 – Due Diligence Obligations (WHS)

Report Purpose & Origin

Purpose	To provide the Council with details on WHS Due Diligence Obligations.
Origin	Scheduled item
Governance focus	<p>Council Policy: Oversee and monitor risk management and risk assessment across the University. Approve and monitor systems of control and accountability for the University.</p> <p>TEQSA Act 2011 Ref: 6. Governance and Accountability: 6.1.4 (Corporate Governance), 6.2.1a,e (Corporate Monitoring and Accountability).</p>
Accountability	UNE Council

Resolution

Council is asked to NOTE the WHS Due Diligence Obligations, report #22074.

Executive Summary

Due Diligence obligations require an Officer of a Person Conducting a Business or Undertaking (PCBU) – The University of New England - to take reasonable steps:

1. To acquire and keep up to date knowledge of work health and safety matters
2. Gain an understanding of the nature of the operations of the University and the hazards and risks associated with those operations
3. Ensure appropriate resources and processes are undertaken to eliminate and minimize risks to health and safety as a result of the University’s operations
4. Ensure there are appropriate processes for receiving and considering information regarding incidents, hazards, risks and responding in a timely way to that information
5. Ensure there are processes for complying with any WHS duty or obligation
6. To verify the provision and use of resources and processes related to in element three and five

This period has observed implementation of COVID Safe measures to support a return to campus operations including teaching, learning and events. Some additional refinements to the approach have been made in March and April with a distributed model of management now embedded.

<i>Authority</i>	COUNCIL OPEN	<i>Date</i>	27 May 2022
<i>Report title</i>	Due Diligence Obligations (WHS)	<i>Report Ref</i>	#22074

Incident / Hazard Reporting & Investigation

During the period April 2022 reported incidents & hazards have significantly decreased from March.

	March 2021	March 2022	April 2021	April 2022
Hazards	36	172	24	57
Incidents	19	42	13	13

Hazard and Incident Trends:

	January 2022	February 2022	March 2022	April 2022
COVID Hazards*	49	24	132	23
COVID Incidents	20	6	14	6

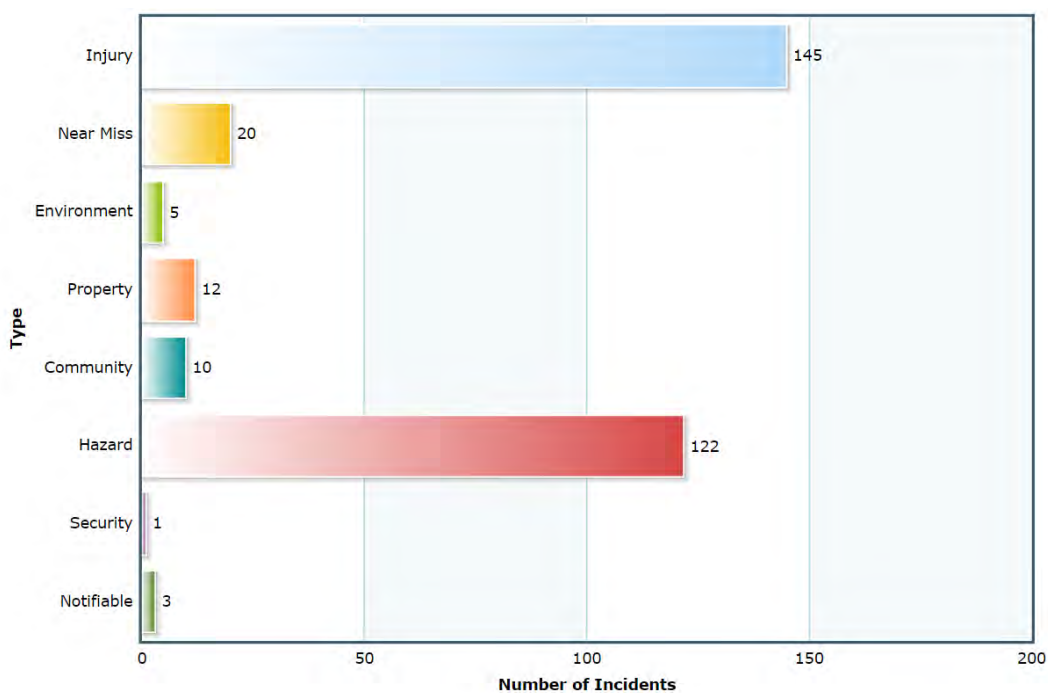
* Hazards also include incident reports

The decrease in reported COVID-19 episodes on campus in April coincided with school holidays and the mid-trimester break.

Two of the incidents in April relate to staff working with and around livestock (Incident #1080 & #1083). Both these incidents are currently being investigated by WHS in conjunction with the relevant School.

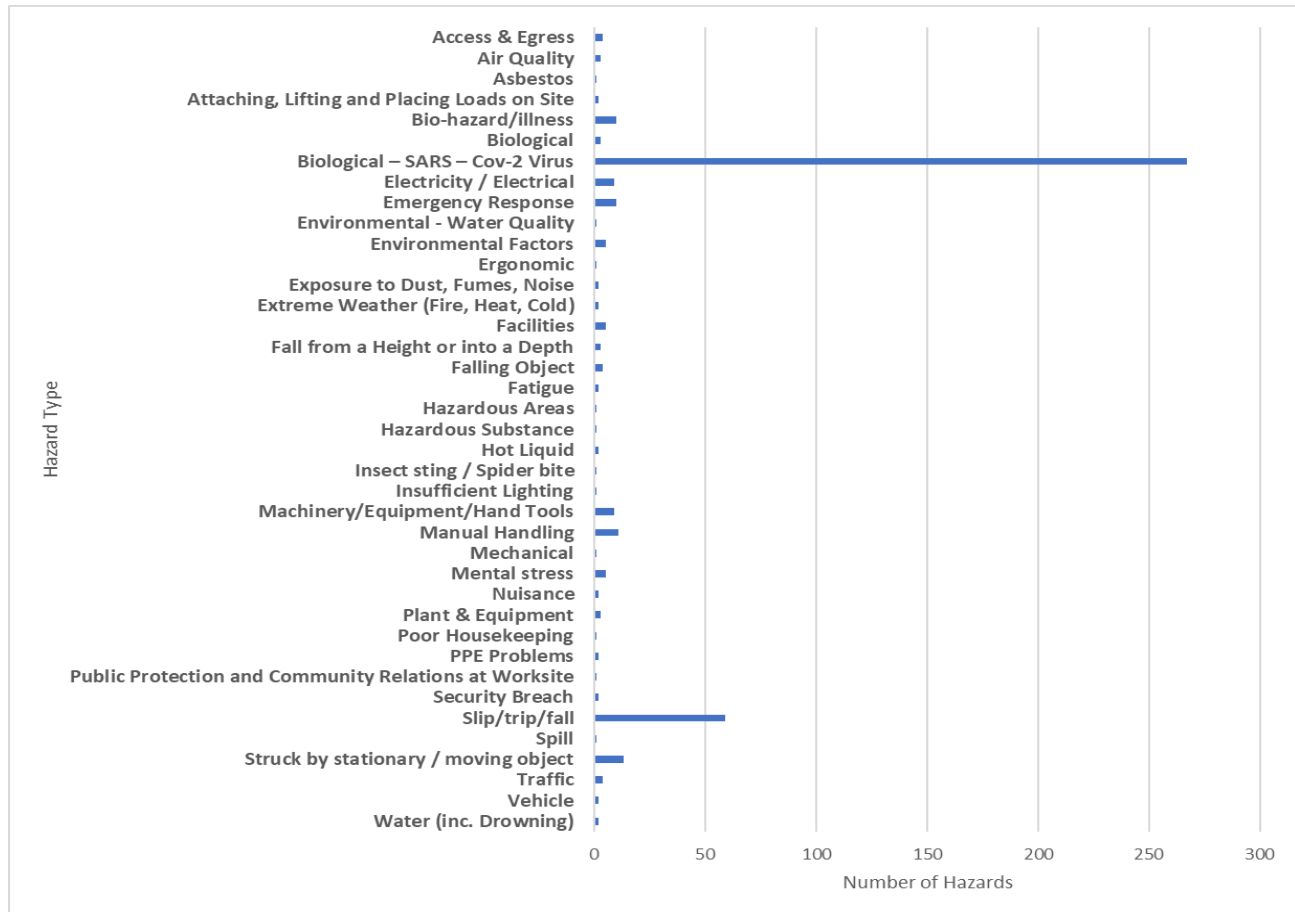
Of the 34 hazards, not COVID related, 9 remain open in relation to slip-trip-falls, manual handling & ergonomics. An increase in slip/trip/fall is associated with sporting activity.

Incidents by Type (12 months rolling) 01/5/2021 – 30/04/2022



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Hazards by Type (12 months rolling)



Notable Hazards and Incidents

Heritage Centre

Three hazards are lodged for the Heritage Centre which Safework NSW are investigating following a complaint by the worker. They relate to Psychosocial and Physical Hazards including manual handling. Findings of the investigation will direct corrective and preventative action.

Workload

A Workers Compensation Claim lodged from a technical staff member in S&T is being assessed for the relationship with work by the insurer. A review of T1 intensive roster in S&T identified that this hazard still existed for technical staff in April and corrective guidance was provided to the relevant manager and school. A sustainable and longer term approach is undergoing additional risk assessment and consultation targeting fatigue related issues with intensive school planning.

Child Safety

A behaviour of concern was reported to the Armidale Police and the Office of the Children’s Guardian after an observation of potential misconduct at the UNE Aquatic Centre which is now subject to police investigation. UNE staff have assisted with enquiries.

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Mental Health

UNE was advised of a member of staff’s passing that is being investigated for potential suicide. Armidale Police are investigating with a report to be made to the Coroner. UNE have notified Safework NSW and icare as a precaution should there be any connection made with work. Both entities will undertake their respective assessments. Staff in the immediate work area have been provided with support through the Benestar critical incident response process with on-site counselling arranged.

Health and Wellbeing

Injuries and Premiums

UNE has 9 Worker’s Compensation claims open with five new claims lodged in 2022. Four claims are historical; two claims of the new claims have experienced wage loss; two claims are due to close. The five new claims relate to:

- Cattle handling – two
- Manual handling – two - soil corer and child care
- Mental health – workload

Safety and Wellbeing Initiatives and Improvement

Staff Check-in Survey

Draft submitted for feedback and approval prior to build and May release.

‘Taking time out for you’ initiative

‘Taking time out for you’ initiative will occur once a month coordinated with Workforce Strategy and Development. These will range from creative activities to physical activities for all staff to attend and are to be promoted regularly via the People and Culture newsletter.

Mental Health First Aid and EBE

Assistance was provided to EBE to facilitate Mental Health First Aid training for the directorate; as a shared initiative between TradeMutt and Mental Health First Aid - [TradeMutt](#) shirts were also provided to all EBE Trade Staff, with the purpose of starting conversations about mental health among the trades sector.



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Flu Vaccination Program 2022

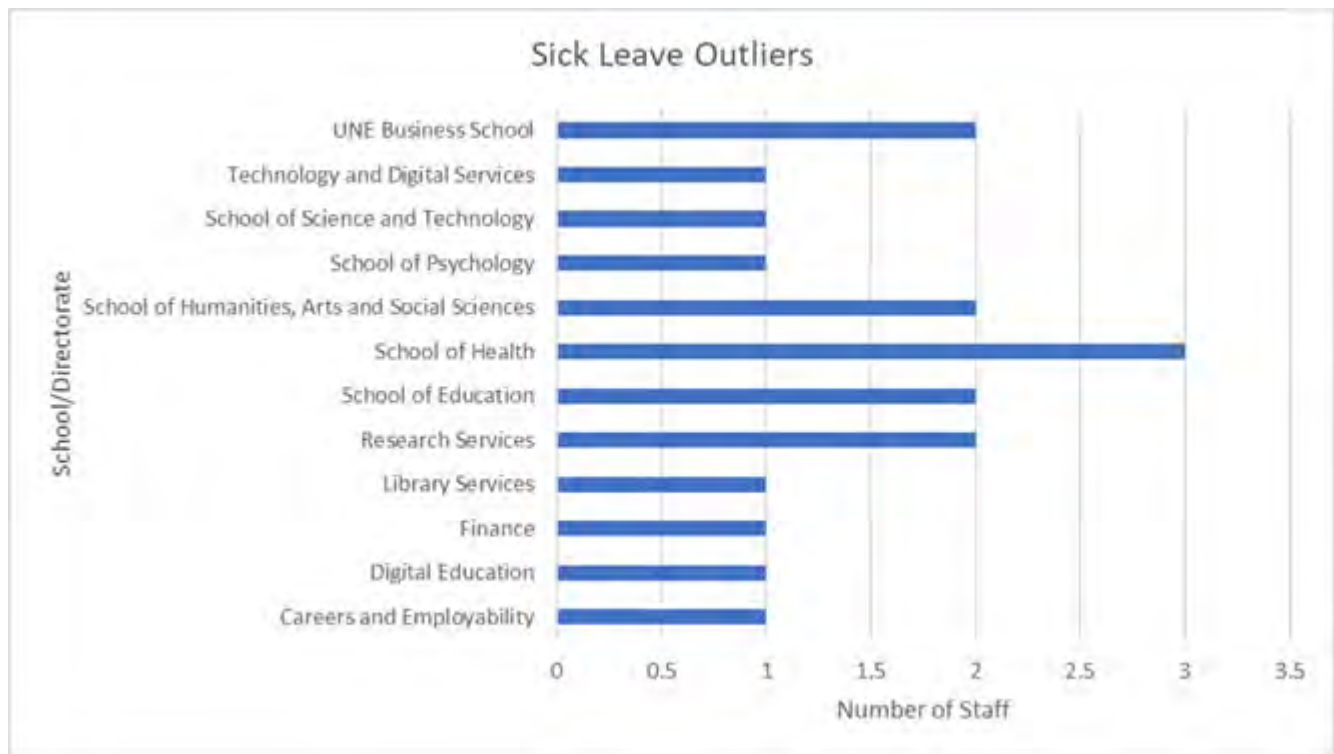
The annual Flu Vaccination program will launch on 7 and 14 May supported by UNE Life – Medical Centre. Additional clinics can be scheduled subject to demand.

UNE Hazard Register

A draft UNE site wide Hazard Registry has been finalised. A consultation plan has been developed to ensure representation from respective Heads of School and Directors.

Sick Leave Outlier Data

There were 18 staff who accrued more than 25 days sick leave within their 12 month anniversary date. This timeline is referred to within the enterprise agreements that may prompt a medical review of the employee’s medical capacity to undertake their role. Distribution is reflected below. General thematic trend incorporate significant health issues necessitating extended periods away from work including surgery, treatment for cancer or significant cardiac conditions and compassionate leave for family circumstances.



COVID-19

The *Service Now COVID-19 Survey* was open to all staff and students in March for two weeks to gauge UNE Community resilience to COVID-19 via declaration of recent infection and vaccination status. There was a response from 549 staff and 229 students

- staff reporting 88.52% up to date vaccination and
- students reporting 65.94% up to date vaccination.

The NSW vaccination rate (up to date vaccinations) is 62.7%.

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Working arrangements of staff were surveyed with 56.47% working on UNE campus, 23.86% working in a hybrid mode and 19.67% working from home/remotely.

The recently updated *COVIDSafe Plan* and supporting processes are bedded down with initial evidence of good implementation across the University sites as Trimester 1 resumed.

In March minor changes were adopted following consultation including:

- progression to a risk based and symptomatic testing schedule (RAT) and
- adoption of close contact exemptions where required and under controlled conditions.

A review of *International Travel* conditions and insurance suggest that there is now sufficient risk mitigation to support a conditional return to International Travel.

Induction Reviews

The review of the UNE Staff general induction has been reviewed and edited where required. These changes are now live. Contractor induction is currently being reviewed and updated.

This review has highlighted the need to support implementation of UNE risk management tools. A separate UNE Risk Review training module is now being developed to ensure that the UNE requirements are understood and completed. This training module will be rolled out to identified contractors and staff.

Hazardous substances

Campus wide legacy chemical waste collection and disposal is now complete.

There is ongoing liaison and research to find a compliant solution and proposal to remove and dispose of 85 legacy gas bottles of various sizes and contents.

WHS is working with the relevant technical staff and EBE to develop an electronic request process plus relevant risk assessments and JSA's for chemical waste collection and transfer. An interim solution has been developed and deployed.

NSW Fire has attended UNE to inspect chemical storage facilities on site. The goal of the visit was to share information and enhance responses in a hazmat scenario. Various improvement opportunities were identified including NSW Fire's update of their Pre Incident Plans (PIP's).

Review of and hierarchy flow presentation on relevant procedures applicable to chemical spills is in progress.

Emerging issues requiring technical support to the Super-Cell response have included:

- Managing newly discovered non-friable exposed asbestos at E011
- Access to areas affected by mould and associated remediation strategies (law library and Drummond Smith college)

Emergency Management

Fire Drills

A full fire drill schedule for 2022 implementation is continuing across the academic campus. This drill and training includes a fire panel demonstration, live fire drill and practical warden training per building. In March, a live fire



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drill was conducted on all of the occupied Central precinct buildings. Emergency wardens had a demonstration of the fire panel with 61 staff completing the practical training and deemed competent wardens.

Drills have been scheduled throughout the year to occur outside intensive and holiday periods, with the next set of warden training & drills to occur in May.

As of 28 April 2022:

- 378 staff are listed as having successfully completed the Part A online warden training in 2021-2022. This does not include the Residential Leaders in the Colleges.
- Warden training is complete for 35% of the buildings on the academic campus.

An additional 29 buildings will be completed by 17th May 2022. By the end of September 2022 all drills on the academic campus should be complete.

First Aid Training

First Aid training courses are offered to staff & students every month throughout the year. In

- March 29 staff
- April 19 staff

undertook the First Aid and CPR courses.

Child Safety Project

The Child Protection Portfolio transitioned to the WHS team in February this year. Project Management is well underway building on in-depth needs analysis conducted throughout 2021.

The following documents are now finalised:

- The child/vulnerable people safety implementation sprint plan;
- The Working with Children and Vulnerable Adults draft policy has undergone legal review and will commence consultation in May. Related procedures are presently in development.
- The child/vulnerable people safety communication plan is complete.
- A survey to be administered to relevant Schools and Directorates with responsibilities is in draft and undergoing review with Privacy and Governance.

Safe Communities

The Vice Chancellor shared the results of the repeated NSSS Survey during UNE in Conversation. The results for UNE indicate further improvements can be made upon our previous commitment to mitigation of sexual assault and sexual harassment through the Respect Now Always program. A review and framework developed in 2021 will be implemented with the support of a Program Manager which is an ongoing position undergoing recruitment. Planning has commenced for student summit through the Student Experience Portfolio.

Appendices / Supporting Documentation

Attachment 1: WHS Dashboard April 2022

Attachment 2: COVID Safe Governance Update February 2022



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6. SPECIAL PRESENTATIONS / PROGRAMS

7. OPERATION REPORTS

7.1. * Council Policies Report #22069

Council is asked to:

- 1) APPROVE the Policy Framework Policy (attachment 2)
- 2) NOTE the draft Associated Information – Policy Themes which will be made by the Director Governance and University Secretary following further discussion with academic governance committees;
- 3) NOTE that on confirmation of the approval of the Policy Framework Policy, administrative changes to the policy instruments in Appendix 1 are proposed to be updated from current status as “Guideline” (or its plural) to “Policy” or its plural, consistent with the new Policy Framework Policy. These changes will be progressed under delegation held by Director Governance and University Secretary for Council policies and with VC approval for Vice-Chancellor approved policies; and
- 4) NOTE the Council Policies Report #22069.

For Approval

Presented by Gabrielle Price



Authority	COUNCIL OPEN	Date	27 May 2022
Report Ref	#22069	Item No	7.1
Proposer	Mrs Gabrielle Price, Director Governance and University Secretary		
Developed with	Head of Records Policy and Governance		
Authorised by	Mr James Harris, UNE Chancellor		

#22069 – Council Policies

Report Purpose & Origin

Purpose	To provide Council with an opportunity to review and approve governance policies.
Origin	Standing item
Governance focus	Council Policy : Establish policies and procedural principles for the University consistent with legal requirements and community expectations. TEQSA Act 2011 Ref: 6. Governance and Accountability: 6.1 (Corporate Governance).
Accountability	UNE Council

Resolution

Council is asked to:

- 1) APPROVE the Policy Framework Policy (attachment 2)
- 2) NOTE the draft Associated Information – Policy Themes which will be made by the Director Governance and University Secretary following further discussion with academic governance committees;
- 3) NOTE that on confirmation of the approval of the Policy Framework Policy, administrative changes to the policy instruments in Appendix 1 are proposed to be updated from current status as “Guideline” (or its plural) to “Policy” or its plural, consistent with the new Policy Framework Policy. These changes will be progressed under delegation held by Director Governance and University Secretary for Council policies and with VC approval for Vice-Chancellor approved policies; and
- 4) NOTE the Council Policies Report #22069.

Executive Summary

The draft Policy Framework Policy, which is consistent with the proposed Policy Hierarchy (Attachment 1) provided to Council at the 31 March meeting, has since been released on the Policy bulletin board for feedback and there are no significant changes. Council is requested to

- approve the proposed policy (provided as Attachment 2); and
- note the initial list of policies proposed for administrative changes to those new policy instruments listed in Appendix 1.

There is further discussion to be had with management and academic governance committees to finalise the Policy Thematic area descriptions proposed as ‘Associated Information’ to the Policy



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Framework Policy (see Attachment 3) particularly as the themes relate to research and research candidates. This document is provided here for noting and will be confirmed by the Director Governance and University Secretary with the Executive Team following further consultation.

Future Fit Alignment	Contribution of this initiative
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<input checked="" type="checkbox"/> Goal 3: Committing to environmental, social and financial resilience for the University, our staff, our students and our communities.	
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Appendices / Supporting Documentation

Appendix 1 – Current policy instruments to be subject to administrative change – Update references to “Guideline”(or plurals) to “Policy” (or plurals):

- Attachment 1: Policy Framework Hierarchy (for noting)
- Attachment 2: Policy Framework Policy (for approval)
- Attachment 3: DRAFT Policy Thematic Areas - Associated Information to the Policy Framework Policy (for noting)

Authority	COUNCIL OPEN	Date	27 May 2022
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Appendix 1 – Current policy instruments to be subject to administrative change – Update references to “Guidelines” to “Policies”

Policy	Proposed Administrative Change
1. <u>(00472) Aboriginal and Torres Strait Islander Cultural Material and Intellectual Property Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
2. <u>(00225) Academic Quality Assurance Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
3. <u>(00488) Academic Quality Assurance Guidelines - Annexure - Education Quality Activities</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
4. <u>(00477) Academic Quality Assurance Guidelines - Annexure - Third Party Education Provider Agreement Procedures</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
5. <u>(00281) Admission, Credit and Enrolment Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
6. <u>(00079) Advancement Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
7. <u>(00078) Advancement Principles</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
8. <u>(00199) Assessment Appeals Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
9. <u>(00290) Assessment Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
10. <u>(00484) Complaints Guidelines - UNE Representatives not covered by Enterprise Agreements</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
11. <u>(00347) Course and Unit Design and Approval Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
12. <u>(00073) Financial Delegations Rule</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
13. <u>(00467) Financial Management Guidelines</u>	Replace Guidelines with Policy in title and within document
14. <u>(00074) Financial Management Principles</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
15. <u>(00125) Digital Signatures Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
16. <u>(00468) Freedom of Speech and Academic Freedom Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
17. <u>(00283) Freedom of Speech Principles and Academic Freedom Statement</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
18. <u>(00364) Graduation Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
19. <u>(00329) Graduation Rule</u>	Update Standard clause “authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines

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Policy	Proposed Administrative Change
	policies and associated information must be compatible with the provisions of this Rule.
20. <u>(00474) Project Management Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
21. <u>(00101) Public Interest Disclosure and Whistleblower Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
22. <u>(00086) Risk Management Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
23. <u>(00348) Risk Management Guidelines - Annexure 1 - Risk Approach and Terminology</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
24. <u>(00473) Position Description Naming Convention Guidelines - Professional and Common Law Contract staff</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
25. <u>(00081) University Collections Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
26. <u>(00459) University Collections Principles</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
27. <u>(00097) Principal Dates Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
28. <u>(00130) Privacy Management Plan</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
29. <u>(00441) Privacy Management Plan - Annexure 1 - Data Breach Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
30. <u>(00213) General Rules</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
31. <u>(00003) Gifts and Benefits Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
32. <u>(00331) HDR - Higher Degree Research Candidature Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
33. <u>(00301) Honorary Titles and Awards Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines

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Policy	Proposed Administrative Change
	policies and associated information must be compatible with the provisions of this Rule.
34. <u>(00059) Information and Communication Technology Facilities and Services Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
35. <u>(00142) Leave Management Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
36. <u>(00292) Prizes and Scholarships Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
37. <u>(00113) Research UNE Deposit, Collection and Access Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
38. <u>(00138) Sexual Harm and Harassment Prevention and Response Guidelines</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
39. <u>(00167) Staff Recruitment Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
40. <u>(00257) Student Coursework Academic Misconduct Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
41. <u>(00243) Student International Mobility Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines

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Policy	Proposed Administrative Change
	policies and associated information must be compatible with the provisions of this Rule.
42. <u>(00098) UNE Council Charter</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
43. <u>(00088) UNE Council Charter - Annexure 2 - Appointment of Chancellor and Deputy Chancellor</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
44. <u>(00458) UNE Delegations Framework Rule</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
45. <u>(00485) UNE Governance, Integrity and Standards Policy</u>	Replace Guideline (or plurals) with Policy (or plurals) in title and within document
46. <u>(00148) Work Health and Safety (WHS) Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
47. <u>(00249) Work Integrated Learning Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
48. <u>(00024) Academic Dress Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
49. <u>(00006) Academic Promotion Procedures</u>	No Change: (32) More specific details regarding Academic Promotions Committee and their processes are provided as Academic Promotion Committees Guidelines. These are available on the People and Culture website.
50. <u>(00005) Academic Promotion Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
51. <u>(00022) Academic Qualifications Issuance Policy</u>	No change (18)The format and content of the UNE AHEGS will accord with guidelines issued by the Commonwealth. From 2012 the AHEGS will include information on TEQSA and the new AQF and, from



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Policy	Proposed Administrative Change
	the end of 2013, must, if required, carry the AQF logo on AQF-accredited UNE qualifications. The design of the UNE AHEGS is coordinated with the other universities of the Callista student management system consortium. Accordingly, while UNE may apply changes to the 'standard' consortium design, those changes may be limited.
52. <u>(00276) Asset Management Financial Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
53. <u>(00295) Closed Circuit Television (CCTV) Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
54. <u>(00140) Code of Conduct</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
55. <u>(00106) Code of Conduct for Research Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
56. <u>(00030) Collaborative Research Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
57. <u>(00071) Commercial Activities Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
58. <u>(00016) Compliance Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated



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Policy	Proposed Administrative Change
	information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
59. <u>(00303) Constitution of Council Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
60. <u>(00293) Course Progression Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.
61. <u>(00054) Cyber and Information Security Rule</u>	<u>Update Standard clause</u> "authorised to make procedures and guidelines policies and associated information for to support the operation of this University Rule. The procedures and guidelines policies and associated information must be compatible with the provisions of this Rule.

Policy & Compliance Environment

External Policy & Compliance Documents

Legislation, Regulations, Standards & Codes

Level 1: Legislation, Regulation, Standards & Codes

Laws and standards to be followed – expectations set externally.

UNE Policy Documents

Level 2: Rules

Express the objectives and intent of the University Governance bodies and/or management

Govern and guide conduct and decision making.

Are university-wide, compliance is required.

Level 3: Policy

Have the effect of a Policy.

Express the accountability and responsibilities of the University.

Define operational criteria for meeting standards.

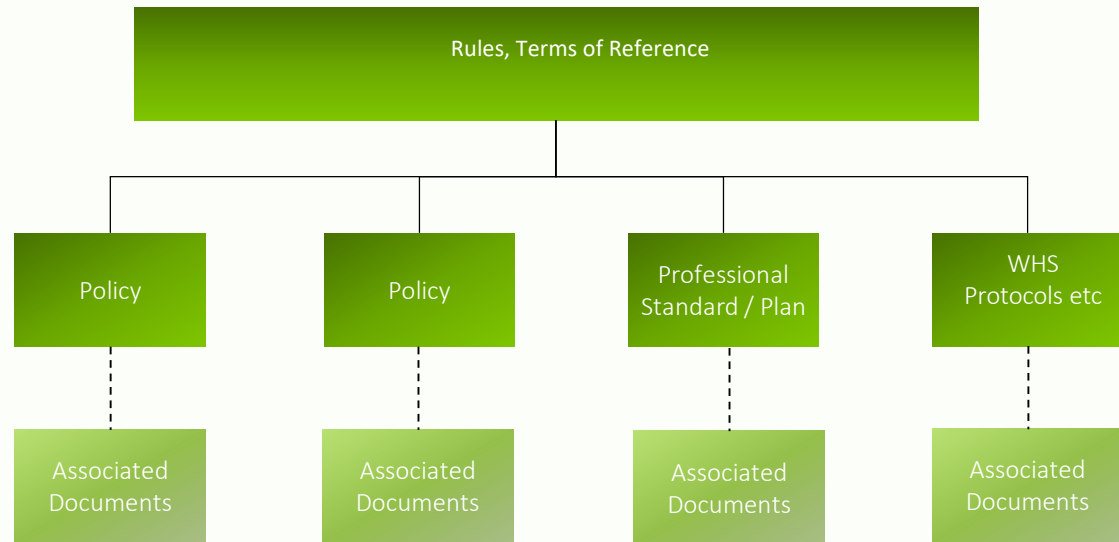
Are university-wide, compliance is required.

Level 4: Associated Documents

Augment the application of policies in greater detail.

Are university-wide, compliance is mandatory.

Includes documents such as Forms, Checklists, Procedures that are referenced in policy or support the implementation of the policy.



Associated Operational Documents & Tools





Policy Framework Policy

Section 1 - Overview and Scope

(1) This policy defines the policy management framework that enables a standardised approach to the development, review and retirement of policy at the University of New England (UNE).

(2) Within this policy:

- a. Part A - states the UNE policy principles;
- b. Part B - outlines the UNE policy framework and authorities; and
- c. Part C - provides an overview of the policy lifecycle, key roles and responsibilities.

Part A - Principles and key requirements

Table 1 - Policy principles

Principle	UNE policies are:
<p>Principle 1 - UNE’s polices promote equity and a culture of excellence through articulation and adherence to common standards, and are responsive to the environment in which the University operates.</p>	<ul style="list-style-type: none"> • Principles based. • Enablers of behaviours and practices aligned with the University objective and values, driving consistency and quality across University activities. • Enablers of compliance with relevant legislation, regulations, standards and codes. • Adaptive to the evolving needs of the University, reflecting processes that support efficient and effective operations and outcomes. • Aligned with the strategic plan, relevant and transparent.
<p>Principle 2 - UNE policies promote compliance and risk mitigation, through open assignment of key roles and responsibilities.</p>	<ul style="list-style-type: none"> • Open and transparent with assigned policy custodians and approvers. • Accurate, relevant and maintained through regular policy reviews, reflecting process continuous improvement. • Clear in the assignment of roles, responsibilities and delegations in each policy. • Delegated authorities are also reflected in the UNE Delegations Framework. • Accountability is assigned, supporting decision making processes.
<p>Principle 3 - UNE policy is accessible and usable.</p>	<ul style="list-style-type: none"> • Accessible on the policy register webpage, categorised into thematic areas and searchable. • Supports the way people carry out their functions and duties. • Written concisely, in plain language using simple concept structures. • Designed for ease of content navigation and meet accessibility standards. • Culturally appropriate and inclusive, support inclusion and diversity, and are equitable and fair. • Implemented, published and communicated, to support updates and change to practice and assist users in the application of the policy

Part B - UNE Policy Framework

(3) The UNE Policy Framework encompasses the hierarchy, authority, categorisation of policy, the policies and delegations register, the nomenclature and expectations in terms of UNE Representative compliance with requirements to enable effective and efficient governance and management of the University.

(4) The UNE Policy Framework is applied university-wide, across all UNE locations and functions, including controlled entities (unless they are specifically exempted).

(5) University Representatives should be aware that compliance with the Policy Framework is required unless an exemption approved by the Council or by the Vice-Chancellor and Chief Executive Officer or other authorised officer is in place. Authorisation of exemption must be in writing by the Council or Vice-Chancellor and Chief Executive Officer.

Policy hierarchy & authorities

(6) An outline of the policy hierarchy and associated authority is outlined in Table 2.

Table 2 - UNE policy hierarchy and authorities

Level	Type	UNE application and nomenclature	Authority
1	Legislation, Regulations, Standards and Codes	Sets obligations or threshold standards which the University is expected to meet when performing its functions.	Local, State, Territory or Federal Governments. Professional Associations Statutory Authorities.
2	UNE Rule	These documents have the effect of a Rule as defined in the Act . These policy instruments state the key principles and standards for decision-making and the conduct of UNE operations or activities. Policies define roles, responsibilities and delegations. Document naming conventions: Rule, Charter, Code.	UNE Rules may be made by: <ul style="list-style-type: none"> • Council and where Council has confirmed a delegated authority for individual functions, by: <ul style="list-style-type: none"> • specified Council Committees; or • Vice-Chancellor and Chief Executive Officer.
3	UNE Policy	Supporting a Rule, these policy instruments provide further direction and guidance for the application of rules. Document naming conventions: Policy, Terms of Reference	UNE Policies may be made by: <ul style="list-style-type: none"> • Council and where Council has established a delegated authority then in relation to specific functions: <ul style="list-style-type: none"> • the identified Council delegate (role or Committee of Council); • the Vice-Chancellor and Chief Executive Officer or their delegate and where the Vice-Chancellor and Chief Executive Officer has approved a Rule/confirmed a delegate for specific roles/responsibilities, then: <ul style="list-style-type: none"> • the relevant VC&CEO or Management Committee; or • the Vice-Chancellor's delegate.

Level	Type	UNE application and nomenclature	Authority
4	UNE Supporting Documents	<p>UNE Supporting Documents are associated information to enable implementation of policy into practice.</p> <p>Note: Local operating procedures Local protocols, work instructions or similar information maintained by an organisational unit may be developed to assist with the implementation and application of a policy if consistent with relevant documents in the policy framework.</p>	<p>UNE Supporting Documents may be made by:</p> <ul style="list-style-type: none"> • Council (usually for Council related policy documents); or • Vice-Chancellor & CEO or delegate; or • specified Policy Steward. <p>Local operating procedures:</p> <ul style="list-style-type: none"> • approved by the Policy Steward or other position identified in the relevant policy. • stored with associated meta data in the UNE Policy Register.

Policy categories and themes

(7) Policies are assigned a category and a theme to enable reporting and to support understanding of related policy advice. Refer to Associated Information for categories and themes.

Policy and Delegations registers

(8) The UNE Policy Register (www.une.edu.au/policies) is the centralised policy content management system for UNE. In support of UNE's obligations under [Government Information and Public Access \(GIPA\) Act](#), all UNE policies are displayed in this register either as public or internal documents (the latter requires a UNE login to access).

(9) The UNE Delegations Register (delegations.une.edu.au/) tracks the authorities assigned in policies to roles or functions at UNE. It assists UNE Representatives to search and find details of their roles and responsibilities and those of others.

Part C - Policy lifecycle

(10) The UNE Policy Lifecycle supports the effective management of policies at UNE. The Policy Lifecycle is outlined in Table 3 below.

Table 3 - Policy Lifecycle

Lifecycle stage	Objective	Actions
1. Define and Scope	Define the need for the policy and identify the required controls and integration with the current and future compliance and operational environment.	All new policy proposals and proposed policy amendments must be notified to the Policies team via policies@une.edu.au as soon as possible. This stage involves consideration and review of policy category and thematic alignment.

Lifecycle stage	Objective	Actions
2. Develop and Approve	The development and approval of a policy that meets the needs of the university and provides adequate compliance controls and authority. Approve that a policy be rescinded or disestablished when it is replaced or no longer required.	This stage involves consideration of key stakeholders (Policy Steward, roles impacted by this policy, business system owners etc), alignment with strategy and values, delegation and consideration of risk. Key stakeholders are consulted and contribute expertise, feedback and process information to inform policy development. The Policies team guides policy development in a manner consistent with policy standards. Advice includes but is not limited to relationship with other policies, language, format, quality assurance, authorities and standards/compliance considerations. Following development and consultation the policy is proposed for approval to the delegated authority. A new policy version may be created when a policy is updated (historic versions are available), or a policy may be expired or replaced by another policy when no longer required. Policy rescission will be done at the request of the Approval Authority defined in the policy.
3. Implement and Use	Ensure the policy is accessible, current and effectively implemented.	Implementation will involve updating delegations register and review of related policies, supporting documents and/or systems procedures as well as any required change management, including communication and training. Use of the policy may be supported by induction/training and by inclusion of links to relevant policies in related guides and information.
4. Review and Manage	Ensure the policy is fit-for-purpose and continues to meet the current and future needs of the university	UNE values the input of all UNE Representatives and students in the policy process - this may be provided at any time, and/or during formal consultation process via policies@une.edu.au , or through the Policy Register Bulletin Board . Policy reviews seek to simplify and streamline UNE policy, to support University Representatives, students, and other policy users to meet policy requirements. A policy's review schedule and review criteria are defined in the Policy Register, and based on a matrix assessment of policy type, risk and complexity. The Policy Steward is accountable for the completion of policy assessment and review prior to the review date using the standardised process.

More information: available in associated documents and on the [policy website](#)

- policy lifecycle diagram, templates and tools
- policy assurance standards and supporting guides

Help: Comments or suggestions regarding policies or policy implementation can be made by using the Feedback option in the Policy Register at any time.

Roles and responsibilities

(11) Key roles and responsibilities relating to policy at UNE are outlined in Table 4.

Table 4: Summary of key policy roles and responsibilities

Role / Function	Responsibility
Policy Approval Authority Council & Committees Vice-Chancellor and Chief Executive Officer	Responsible for policy approvals or endorsements as per delegated authority. Responsible for monitoring the implementation of the policy framework to meet university needs and ensure consistency with the law, University strategy and values.
Policy Steward	The senior executive or senior manager assigned to a policy, is responsible for ensuring those policies and associated documents are: <ul style="list-style-type: none"> • developed, approved and implemented in accordance with the policy framework; and • current and accurately meet the university's needs, consistent with the university strategy and values.
Director Governance and University Secretary	Accountable for the: <ul style="list-style-type: none"> • review of the effective application of the policy framework and lifecycle; • administrative changes to policy (reporting obligation regarding such changes); and • oversight of the Policy Register.
Head Records Policy and Governance	Responsible for: <ul style="list-style-type: none"> defining policy quality standards and quality assurance; • reporting to committees and management on progress of policy reviews, currency and development; and • defining the policy review criteria and timeframes.
Policy Team	Responsible for the: <ul style="list-style-type: none"> • development and maintenance of tools, information and services to support policy users; • effective implementation of the policy framework and lifecycle including quality assurance of policy and maintenance of the policy register; and • supporting and advising Policy Stewards in meeting their policy obligations and responsibilities.
UNE Representatives and Students	Providing feedback on current and future policy and identifying opportunities for policy improvement. Complying with university policy.

More information: Detailed Policy Lifecycle roles and responsibilities are defined in the associated documents and Policy website.

Section 2 - Authority and Compliance

Authority

(12) The UNE Council may make rules and policies consistent with the [University of New England Act 1993](#) and may delegate authority to the Vice-Chancellor and Chief Executive Officer committees or other officers of the University (as defined in the [UNE Delegations Framework Rule](#) and associated schedules) to approve the establishment, amendment and rescinding of a policy.

(13) The Council, pursuant to Section 29 of the [University of New England Act 1993](#), makes this University policy.

(14) The Policy Steward, the Director Governance and University Secretary, is authorised to make associated documents that are consistent with this policy.

(15) Notwithstanding the other provisions of this University policy, the Vice-Chancellor and Chief Executive Officer may approve an exception to this policy where it is determined that the application of the policy would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

Compliance

(16) This policy operates as and from the Effective Date. Previous Policy Framework Procedures and any associated documents are replaced and have no further operation from the Effective Date of this policy.

(17) UNE Representatives and students must observe this policy in relation to policy. Matters of non-compliance may be a breach of the Code of Conduct and may be addressed under the disciplinary provisions of the relevant Enterprise Agreement, [Student Misconduct Rules](#) or [HDR- Higher Degree Research Student Responsible Conduct of Research Conduct Policy](#).

Section 3 - Quality Assurance

(18) The implementation of this policy will be supported and measured by the quality assurance activities outlined in Table 5.

Table 5: Quality Assurance Mechanisms

QA Mechanism	QA Activity / Reporting / Measure
Annual Compliance Reporting	Evaluation of the compliance with this policy and recommendations for improvement.
Policy Register	UNE's Policy Register is complete (all University policies are expressed via the register), maintained and up to date. Policies are reviewed and accessible to policy audiences. UNE policies will generally be available to all website users though some specific policies may require a staff or student login to access.
Policy Stewards and stakeholders	Policy Stewards are supported in their roles and stakeholders have opportunity to provide feedback on the Policy Lifecycle and identify opportunities for continuous improvement.

Section 4 - Definitions

(19) Compliance - the University meeting its compliance obligations by adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical standards.

(20) Compliance Obligation — means the requirement defined in specified by laws, regulations, codes or organisational standards.

(21) Compliance Requirements — means a requirement that the University has to comply with. This includes: laws and regulations; permits and licences; regulator guidance; court judgements; treaties and conventions; etc. Compliance Requirements are known as Compliance Drivers in the Compliance Register System.

(22) Managers - A person responsible for controlling or administering a group of employees.

(23) Policy Document - "Policy" or "Policy Document" describes any document made by UNE Council, or Vice-Chancellor & CEO, or delegate (as outlined in Clause 6 of the Policy Framework Policy) direct the activities of the University as provided for in the UNE Act. Policies are published on the UNE Policy Register.

(24) Relevant Stakeholders — means those parties immediately affected by the policy or compliance obligation.

(25) Policy Steward — means the University officer who has received delegated authority from the Vice-Chancellor/Council for the development, implementation and review of policy established in the University's Policy Register.

(26) UNE Policy Framework - The Policy framework outlines the University's principles and standards for its business practices. The framework and its components underpin and give authority to the decisions made by University Representatives on a day-to-day basis.

(27) Compliance risk - the potential for financial loss or reputational damage if the University fails to be aware of and implement legislative or regulatory requirements that could impact operations, results in a breach of compliance, or through action or inaction gives rise to potential litigation against the organisation, its staff or students.

(28) Local protocol - operational-level procedures or practices that apply within an organisational unit that must be consistent with all policy documents above them in the policy hierarchy.

(29) Approving Authority - the Council, committee, responsible Executive member or responsible University officer with prescribed delegated authority to approve, amend or rescind a policy document.

Status and Details

Status	Not Yet Approved
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	
Approval Date	To Be Advised
Expiry Date	To Be Advised
Unit Head	Alicia Zikan Advisor (Privacy and Compliance) +61267735190
Author	Lisa McMahon policies@une.edu.au
Enquiries Contact	Policies Team

Glossary Terms and Definitions

"UNE Representative" - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Student" - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

"UNE Act" - Is the University of New England Act 1993 (NSW).

"Compliance Requirements" - Means a requirement that the University has to comply with. This includes: laws and regulations; permits and licences; regulator guidance; court judgements; treaties and conventions; etc. Compliance Requirements are known as Compliance Drivers in the Compliance Register System.

"Compliance Obligation" - Means a requirement that the University chooses to comply with which includes University rules and policies; principles or codes of practice; contractual obligations; agreements; environmental commitments; industry standards; etc

"Code of Conduct" - A document (variously referred to as a 'Code of Ethics', 'Code of Behaviour' and various other titles) broadly communicated within the entity setting out the entity's expected standards of behaviour.

"University Representative" - University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

"Compliance risk" - The potential for financial loss or reputational damage if the University fails to be aware of and implement legislative or regulatory requirements that could impact operations, results in a breach of compliance, or through action or inaction gives rise to potential litigation against the organisation, its staff or students.

"Compliance" - the University meeting its compliance obligations by adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical

standards.

"Manager" - A person responsible for controlling or administering a group of employees.

Associated Information [This will be created this as a Supporting Document – Steward DGUS]

- a. Policy categories:
 - i. Academic - Policies that support the integrity, delivery and quality of education, research training and research at UNE. This includes academic governance expectations, responsibilities and functions for programs and courses, student administration and support. These policies move through academic governance bodies.
 - ii. Governance - Policies that drive the UNE compliance with legislative and regulatory obligations. These policies support Council to exercise oversight and control, delegations of authority, and ensuring effective overall management of the University.
 - iii. Operational – Policies that support the effective management and operation of the UNE defining mandatory practice and decision-making principles for areas of University business and operations;
 - b. Policy Themes
 - i. **UNE identity values and goals (Governance):**
 - Defines what it is to be UNE —how we see ourselves and what we stand for.
 - Includes policy on UNE corporate identity and goals, UNE culture and values, alumni, advertising, branding and marketing, UNE in the community.
 - ii. **Governance Integrity and Standards (Governance)**
 - Defines how UNE is true to objective, meets relevant laws, regulations and stakeholder expectations.
 - Include governance framework, structures and responsibilities, controlled entities, quality assurance, regulatory reporting, privacy, policy and compliance, records keeping, public interest disclosure, delegations, committee terms of reference.
 - iii. **Student Journey (Academic)**
 - Defines the student and researcher experience at UNE.
 - Includes learning and teaching experience, research experience, course design, place-based learning, ethics, conduct and behaviour, academic and research integrity, admissions and candidature, assessment and progression, support and wellbeing, graduation.
 - iv. **Scholarship (Academic)**
 - Guides the collection of knowledge obtained through scholarship at UNE.
 - Includes policy on UNE academy achievement, library, art and artefact collections, open access and publications, copyright.
 - v. **Organisational Development (Operational)**
 - Defines the UNE staff experience.
 - Includes professional and career development, employment conditions, industrial relations, organisational design, remuneration, reward and recognition, recruitment, ethical conduct, performance management.
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vi. Organisation Capacity and Planning (Operational)

- Guides our capability to deliver education and research that meet current and future needs.
- Includes risk management, organisational resilience, knowledge management, contract management, legal and commercial, financial management, procurement, organisational planning and budgeting, equity and diversity.

vii. UNE Environment Facilities and Spaces (Operational)

- Defines how our physical and technology resources and services are capable of meet current and future needs.
- Includes information technology & communications, information management, security systems, facilities management & operation, environment and sustainability, spaces and resources, campus planning.

viii. UNE Safe (Operational)

- Guides how we ensure student, employee and visitor health and safety.
- Includes include policy on personal safety and security, safe working and learning environment, work health and safety, emergencies and critical incidents.

8. GENERAL BUSINESS

Presented by James Harris

8.1. * Other Business

9. MEETING FINALISTION

9.1. * Next Meeting and Close

The next Council meeting is scheduled for
Friday 29 July 2022.

Presented by James Harris