



UNIVERSITY OF CANBERRA, AUSTRALIA

## Minutes of Council Meeting No. 106

commencing at 4.30 pm on Wednesday, 7 June 2006

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**PRESENT:** Professor I Moses (Chancellor)

Adjunct Professor M Bryce

Mr I Davis

Professor R Dean

Ms A De Salis

Mr M Emerson

Mr J Hanratty

Ms A Holmes

Mr J Kalokerinos

Mr A Matthews

Dr L Moore

Ms J Newman

Mr B Prosser (by telephone)

Ms M Reilly

Ms A Trimmer

Mr P Urban

Ms J Coggins (Secretary)

**APOLOGIES:** Ms S Durrell

Mr B Hoff

Associate Professor C McDonald

<b>IN ATTENDANCE:</b>	Professor S Bell	Ms C O'Meara
	Professor A Cheetham	Professor D Ralston
	Mr G Foran	Professor S Thomas
	Associate Professor R Foxwell	Mr P Hill (Minutes Secretary)
	Ms J Godfrey	
	Professor P Putnis	

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### ***Opening and Apologies***

The apologies noted above were received.

The Chancellor welcomed Professor Sharon Bell, Deputy Vice-Chancellor to her first meeting of Council. The Chancellor reported on a number of meetings she had held with the ACT Chief Minister and the Minister for Education and Training. See agenda items 2.1, 14.1, 14.2 and 14.3.

### ***Confirmation of Agenda***

Council confirmed the order of the agenda noting that members wished to discuss the confidential item tabled at the meeting.

### ***Disclosure of Conflicts of Interest***

No declarations were made. Mr Prosser advised that he would outline the role of his employer in the new student residences project when that matter was discussed (see Item 6.1 below).

## **Item 1: Confirmation of Minutes of the Previous Meeting**

Council received the [minutes of Meeting No.105](#) held on Friday, 17 February 2006.

### ***Resolution C106/1***

Council accepted the minutes of Meeting No. 105 as a true record of proceedings with the following amendments.

- Item 4.1.3, Ratio of Academic Staff to General Staff, the final sentence should read - 'The University aimed to achieve a ratio of 1:1 in terms of cost.'
- Item 4.3.2, University of Brisbane Campus, the final sentence should read - 'The Vice-Chancellor reported that he considered the result to be satisfactory.'

Amendments to the confidential minutes of meeting No. 105 are dealt with in the confidential minutes for this meeting.

## **Item 2: Matters Arising from the Minutes**

### **2.1 Review of Governance Structure of Council (Item 5, Meeting No. 105)**

The Chancellor advised that she had conveyed Council's views on the proposal to alter the membership of Council in writing to the ACT Chief Minister and had met with him on 24 May 2006 to discuss the matter.

The Chancellor reported that Mr Stanhope had agreed to put to the Legislative Assembly a proposal to decrease Council membership from twenty-two to fourteen. Under this proposal there would be four additional members of Council, over that recommended in the Costello report; permitting a further elected member of staff, another elected student and a further two external appointees. While this would not maintain an elected graduate member of Council, the University would draw upon graduates in the nomination of external members.

It was expected that the legislation necessary to give effect to these changes would be introduced into the Spring 2006 sittings of the Legislative Assembly.

The Chancellor advised that she had invited Mr Stanhope to address Council at its August 2006 meeting.

*[Secretary's note: Mr Stanhope would be unable to attend the August meeting, but would be able to attend the October 2006 meeting.]*

## **Item 3: Enhancement of Strategic Focus: Research, Innovation and Enterprise**

Council received two tabled papers - a copy of the presentation made to members by Professor Cheetham and the booklet *Research Impact 2004*.

Professor Andrew Cheetham, Pro Vice-Chancellor (Research and Information Management), provided Council with a review of the key objectives of the Strategic Plan in relation to research, innovation and enterprise. A copy of the presentation is attached.

The following points were raised in discussion.

- The University had a small number of very successful research centres. The overall research performance of the University was improving, but further improvement could be achieved. The current Research Strategy had succeeded in putting in place the structure in which research could be carried out and more focus could now be placed on the research itself.
- Action was underway to ensure compliance with the Research Quality Framework once it had been decided upon.
- The support provided for research needed to be balanced between the University's areas of high performance and the need to maintain and support the research efforts of individual members of staff.
- There had been some significant increases in publications over the past twelve months. Further analysis of the data was required to obtain a complete picture of what was occurring. It was likely that some increases could be attributed to increased reporting rates.
- Similar to most New Generation Universities, UC was prominent in the area of applied research. This type of research tended to be contractual in nature and conducted in collaboration with an external body. The University needed to increase its level of research collaboration with non-government agencies.
- The commercialisation of research was measured by the take-up of technology and the number of patents issued. The Institute for Applied Ecology was an area with potential for commercial success for the University.

Members were invited to contact Professor Cheetham if they wished to receive any further information concerning the presentation.

#### **Item 4: Vice-Chancellor's Report**

Professor Dean welcomed Professor Sharon Bell, Deputy Vice-Chancellor, to her first meeting of Council.

The Vice-Chancellor informed Council that Professor Putnis had indicated that he wished to return to his research activities at the completion of his appointment as Pro Vice-Chancellor for the Division of Communication and Education at the end of 2006. The position had been advertised and Professor Putnis would remain at the University as a professor with particular research strengths.

The Vice-Chancellor reported on the following matters.

##### **4.1 Commonwealth Budget 2006**

The Commonwealth Budget had provided for a boost in capital development funding, an increase in funding for the National Health and Medical Research Council and an increase in the cap for FEE-HELP students, but no indexation of funding grants.

##### **4.2 Allocation of Additional Commonwealth Supported Places**

The Federal Minister for Education, Science and Training had invited Universities to apply for new Commonwealth supported places in the area of health to commence in 2007. The University had applied for fifteen clinical psychology places. Additional nursing places had not been sought at this time due to the difficulty of securing clinical student placements and because we already have a 'pipeline' of 90 new places. The Chancellor advised that some States were now guaranteeing clinical places when a University made a bid for more places in response to workplace shortages.

##### **4.3 Higher Education Workplace Relations Requirements**

The University had submitted an application entitled '*University of Canberra Systems and Structural Improvement Initiative*' under the Federal Workplace Productivity Programme.

The University had completed negotiations for a new workplace agreement for senior executive staff. Discussions were progressing about the union-supported workplace agreement for other staff which was being negotiated by a representative group comprising elected staff, selected University appointees and union appointees.

#### **4.4 Voluntary Student Unionism**

The University had taken over funding of health and counselling and the costs of developing and maintaining the sports ovals. The University had written to the University of Canberra Students' Association (UCSA) indicating that it would be willing to provide funding for advocacy services and the support of clubs and societies to be run through the UCSA. Negotiations were underway to find an appropriate mechanism to achieve this.

#### **4.5 Discipline Clusters and Enrolment Targets**

In 2005 there had been an overachievement in Commonwealth Supported Student Load (EFTSL). This had been discussed with DEST who had accepted that the University should receive funding for the additional places taught. However, the University was unlikely to achieve the same result in 2006. While there had been some growth in total student numbers, EFTSL would be lower as students had opted to undertake a lower load than in the past. The impact of this would be felt in the 2007 through a possible reduction in Commonwealth funding. Preparations for this were underway. The 2006 Budget was being recast to reduce expenditure in Semester 2. An increased marketing push would also be made to try to increase the number of students commencing in Semester 2, 2006.

#### **4.6 University Communication Strategy and Staff Consultation**

In response to the Employer of Choice Staff Surveys an internal University of Canberra Communication Strategy had been implemented to involve staff in decision making and to provide a mechanism to enable them to do their work efficiently and effectively. An external consultant would be appointed to undertake this task under the direction of the Executive Director Development and International.

All members of staff had been invited to participate in a one day consultative workshop to identify specific issues relating to internal communication. An *ad hoc* Communication Reference Group with representation from across the University had been formed to assist with this process.

### **Item 5: Recommendations from Academic Board**

#### **5.1 Changes to Courses: Determinations of Course Particulars - Juris Doctor**

Council discussed the proposal to alter the course requirements for the masters degree course in the Juris Doctor to enable the introduction of elective units jointly taught with undergraduate students. In discussion, the following points were noted.

- Enrolments in the degree were improving after some initial reluctance.
- An increasing number of Australian universities were now offering this type of course.
- The ACT Supreme Court recognised the qualification.
- The restructure of the academic program had provided undergraduate students with a greater choice of elective subjects. Students in the Juris Doctor had requested access to these units. They could not currently be offered to them as combined teaching was not permitted and the cost of running units for small numbers of students was prohibitive.
- Academic Board had discussed a number of concerns about the proposal and was assured that the changes should not undermine the academic integrity of the course; in particular, that units would be offered without any combined teaching with undergraduate students even though this was permissible under the University's policy provided certain conditions were met.

Council endorsed the proposed changes to the masters degree course in Juris Doctor to allow combined teaching in the course in a manner consistent with University policy.

### **Resolution C106/2**

Council noted that Academic Board had resolved to exercise its authority, under Rule 6 and Rule 7 of the *Course and Awards (Courses of Study) Rules 2005*, and approved the revised course requirements (Determination of Course Particulars) for the following course (to be implemented for Semester 2, 2006 for both new and continuing students):

Division of Business, Law & Information Sciences

- master's degree course in Juris Doctor [852AA] (leading to the existing award of Juris Doctor)

### **Resolution C106/3**

Council endorsed the change to the master degree course in Juris Doctor, which would allow combined teaching in the masters course.

## **5.2 Granting of Awards - Doctor of Philosophy**

### **Resolution C106/4**

Council exercised its authority under Rule 7(2) of the *Conferring of Awards Rules 1995* and admitted the following students to the award of Doctor of Philosophy:

AL-MAWALI, Nasser (115660)

RATTANAJARANA, Sahattaya (105850)

## **5.3 Course Group Review - Public Administration & Policy**

### **Resolution C106/5**

Council noted that Academic Board had approved the *Response to the Recommendations* (based on the recommendations from the *Report of the Review of the Public Administration & Policy Course Group*) provided by the School of Business & Government.

## **Item 6: Recommendations from Council Committees**

### **6.1 Investment and Development**

Mr Davis advised that the recommendations agreed to by the Investment and Development Committee with respect to the new student residences proposal would be provided to the August 2006 meeting for consideration. Presentation of this matter had been delayed by the need to prepare accompanying documentation. Some minor changes to the recommendations were also noted.

Mr Prosser advised that his employer, Price Waterhouse Coopers, was acting as a financial advisor to the new student residences project. However, he was not directly involved with the project, nor would he discuss it with any of his colleagues who were. Council agreed that this did not constitute a conflict of interest.

### **6.2 Audit and Risk Management**

#### **6.2.1 Governance Arrangements for the Proposed new UCU Ltd**

Council received a tabled paper providing a revised set of recommendations from the Audit and Risk Committee (ARMC) regarding the governance arrangements for UCU Ltd - a company limited by guarantee to be formed as the successor to UCU Inc as a result of the introduction of voluntary student unionism.

Ms Reilly advised that the recommendations agreed to by the ARMC at the meeting held on 29 May 2006 had been amended following the receipt of advice from the University's lawyers concerning the appointment process for directors of the proposed company. That advice was that the appointment process would represent a high risk strategy for the University as it would have liability and responsibility for the company, but limited control over the appointment of directors. It was also noted that the second recommendation provided in the revised paper should read 'seven directors ...' not three as stated in the paper.

Council was advised that the changes to the recommendations made in the paper had been discussed by the Audit and Risk Management Committee (ARMC) by email prior to this meeting. It had not been possible to contact all of the members of the committee in the time available, or the members of Council who had attended the ARMC meetings to discuss the proposed changes to the recommendations. However, a majority of members had agreed to the changes.

In discussion of the appointment process for directors, Council noted that the agreement achieved at the 29 May meeting of the ARMC was based on an appointment process recommended by KPMG in which the four external members of the Board would be unanimously chosen by an elected student member, an elected staff member and a UC appointed member. This was significantly different from the revised recommendation presented to Council.

Council agreed that it was important to try and achieve agreement with respect to the appointment process for the proposed board and that further consideration of this matter should be deferred to the August 2006 meeting to allow for further consultation to proceed.

### ***Resolution C106/6***

Council requested that the Audit and Risk Management Committee consider the advantages and disadvantages of the options for the structure of the proposed board and prepare a recommendation for consideration at the 2 August 2006 meeting of Council.

## **6.2.2 Appointment of a Committee Member**

### ***Resolution C106/7***

Council appointed Ms Anne De Salis to the Audit and Risk Management Committee until 4 October 2007.

## **6.3 Remuneration and Senior Appointments**

Professor Moses advised that the Remuneration and Senior Appointments Committee (RSAC) had coopted Mr Prosser as a member of the committee for the purpose of considering the process to be followed for the selection of the new Vice-Chancellor. RSAC was also recommending that Mr Prosser be formally appointed to the Committee.

Council noted that RSAC had considered whether a search company should be engaged to assist in the appointment process and had agreed that the use of a search firm would benefit the process by providing access to greater range of candidates, particularly those who may not wish to be seen to be 'applying' for the position. The Human Resources office also lacked the capacity at present to provide high level support to the process. The Vice-Chancellor would not participate in the selection of his successor.

It was proposed that the selection committee for the appointment of the new Vice-Chancellor should consist of the following members of RSAC - the Chancellor; Deputy Chancellor; Mr Brand Hoff; Mr Bob Prosser - and Associate Professor Craig McDonald. Associate Professor McDonald would act as the staff representative on the selection committee.

Some members of Council questioned if RSAC was the appropriate body to act as the selection committee for this process. Opinion was divided about whether the elected senior academic staff member of Council should be a

member of the selection committee or whether an election should be held for the position. It was suggested that a short list of candidates should be made available to the staff of the University and for those candidates to make presentations to the University community. However, Council noted that current accepted practice was not to release the names of potential candidates for the position of vice-chancellor. It was generally considered that most candidates would expect a confidential process and many would not apply if it were not.

A motion seeking to have RSAC (without the participation of the Vice-Chancellor) act as the selection committee for the appointment of a new Vice-Chancellor was passed. Mr Hanratty and Mr Urban requested that their dissent from this decision be recorded.

A motion seeking to have Associate Professor Craig McDonald appointed as the staff representative on the selection committee for the appointment of a new Vice-Chancellor was passed. Mr Hanratty requested that it be recorded that he would have preferred for this position to have been filled by election.

### **Resolution C106/8**

Council:

1)	noted the action taken by the Remuneration and Senior Appointments Committee to engage an executive search firm to assist with the appointment of a vice-chancellor and endorsed the proposed selection process;
2)	agreed that the Remuneration and Senior Appointments Committee should act as the selection committee for the appointment of a new Vice-Chancellor without the participation of the Vice-Chancellor;
3)	appointed Bob Prosser to the vacant position on the Remuneration and Senior Appointments Committee until 4 October 2007; and
4)	appointed the senior academic staff member of Council, Associate Professor Craig McDonald, to the selection committee for the appointment of a new Vice-Chancellor.

## **Item 7: Periodic Financial /Performance Reports**

### **7.1 Periodic Financial Performance Reports**

Council received further copies of 2006 Budget Book.

Professor Dean advised that salaries were currently better than of budget, and that the budget was currently in surplus. However, as lower than expected enrolments and enrolment patterns would impact on EFTSL for the year, adjustments would need to be made to the 2006 budget. It was noted that the items of expenditure listed for the Brisbane campus included the payment of termination benefits to staff and the termination of the agreement with Dynamic Marketing Group.

Council requested that it be informed of the main areas that will be affected by the reduction in revenue forecast for 2006 and that the recast budget be brought to the August meeting for consideration.

### **Resolution C106/9**

Council:

a)	noted that improvements to the financial reporting processes were being adopted with the implementation of the new financial management information system;



b)	received and noted the Period 4, Financial Report; and
c)	requested that the recast budget be presented for consideration by Council at its next meeting on 2 August 2006.

## Item 8: Reports from Associated Entities

### 8.1 Australian Mathematics Trust

#### **Resolution C106/10**

Council received and noted the audited financial statements of the Australian Mathematics Trust and its trustee AMTT Ltd for the year ended 31 December 2005.

### 8.2 UCU Inc.

#### **Resolution C106/11**

Council received and noted the audited financial statements of the University of Canberra Union Inc for the year ended 31 December 2005.

## Item 9: Appointment of University Moderator

#### **Resolution C106/12**

Council reappointed Mr Ric Lucas as University Moderator for a two year period commencing from 9 June 2006.

## Item 10: Compliance with National Governance Protocols 2006

Council received and noted a report on the University's progress towards compliance with the National Governance Protocols for 2006.

## Item 11: Report of Meeting of Chairs of Council Committees

Council received and noted a progress report on the review of the terms of reference for committees.

## Item 12: Professorial and other senior appointments; other matters

Council received a tabled paper providing a minor amendment to the report on the appointment of adjunct professors.

Council received and noted a report on the appointment of professors and adjunct professors of the University.

#### Appointment of Professors

<i>Family Name</i>	<i>Given Name</i>	<i>Professor of</i>	<i>Period</i>
Bartos	Stephen	Governance	till 31/12/07
Anson	Judith	Health Sciences	till 31 December 2008

#### Appointment of Adjunct Professors

<i>Family Name</i>	<i>Given Name</i>	<i>Adjunct Professor of</i>	<i>Period</i>
Cripps	Allan	Health Sciences	6/6/06 - 6/6/09
Kanaley	Trevor	Urban Management	21/3/06 - 20/3/09
Agostino	Katerina	Qualitative Research Methods, Knowledge Management	3/4/06 - 31/3/09
Reaby	Linda	Nursing	1/4/06 - 1/4/09

### **Item 13: Reports and Minutes of Council Committees**

Council received and noted two tabled papers providing the minutes of the 25 May 2006 meeting of the Investment and Development Committee and the 18 May 2006 meeting of the Environment Committee.

### **Item 14: Other Business**

#### **14.1 Welfare Concerns for International Students**

The Chancellor reported that the welfare of international students had been raised in the meeting with the ACT Chief Minister on 24 May 2006. Mr Stanhope had indicated that the Government was formulating a proposal to provide additional safeguards for international students following the death that occurred in 2004.

#### **14.2 Teacher Accreditation in the ACT**

The Chancellor reported that that she had met with the ACT Minister for Education and Training, Mr Andrew Barr MLA, and his advisor Mr Matt Lawrence. Council noted that Mr Lawrence had previously been employed as a Research Officer for the University of Canberra Students' Association. She had been advised that the introduction of a teacher accreditation scheme was currently under consideration by the ACT Government. The Government was aware that this could impact on the teacher education offered by the University and Professor Goodrum, Head of School Education and Community Studies, was on the committee developing the accreditation process.

#### **14.3 Meeting with the Minister for Education, Science and Training**

Professor Moses reported that University Chancellors had met with the Minister for Education, Science and Training - the Hon. Julie Bishop MP. The Minister indicated that reform of the tertiary education sector would continue but that it may be possible to reduce the level of reporting required of universities and to simplify the administration of the reform programs. The Government was still concerned about the size and composition of university councils and would like to see more control over universities vested with the Commonwealth. Concern was also expressed about the number of universities in Australia, but no indication had been given that action would be taken to merge universities.

Other matters raised were the distribution of the fund established to ease the transition to voluntary student unionism (VSU) and the Bologna process. Funds would only be made available to programs that were in existence before the introduction of VSU and preference would be given to sport and recreation. The Bologna process aligns degrees into a 3+2+3 structure and was similar to the Australian model. It would not be too difficult to conform with this model if the University wishes to increase opportunities for European students. The University of Melbourne had already decided to move in this direction and make the initial years of undergraduate training more generic with specialisation occurring at postgraduate level.

The Vice-Chancellor reported that the Minister had indicated to the Australian Vice-Chancellors' Committee that she was concerned about the number of universities in Australia and that, at the very least, the Government would like to see more collaboration within the sector. The Government had also indicated that it may be willing to allow universities to keep any funding surplus attained through the underachievement of enrolment targets if the money was used for infrastructure development.

## Item 15: Confidential Matters

The minutes for the following items are recorded in the confidential minutes book.

### 15.1 Directorship of a Public Company

### 15.2 Confidential Minutes

The meeting was closed at 7.40 pm.

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