



## BOARD OF TRUSTEES

**Minutes** of meeting 04/2 of the Board of Trustees of the University of Western Sydney, held at 9.00 am on **Wednesday, 14 April 2004**, in the Boardroom, Frogmore House, Werrington North.

**Present:** Mr John Phillips, AM (Chancellor)  
Professor Janice Reid, AM (Vice-Chancellor)  
Mr Barry Baillie  
Dr Anne Benjamin  
Hon Jan Burnswoods  
Ms Mary Foley  
Ms Gabrielle Kibble, AO  
Mr Angelo Kourtis  
Mr Colin La Flamme  
Associate Professor Valentina McInerney  
Ms Meg Oates  
Mr Geoffrey Roberson  
Professor Lesley Wilkes  
Mr Malcolm Wood  
Hon Kim Yeadon

**Apologies:** Ms Linda Burney  
Mr Glen Sanford

**In Attendance:** Mr Michael Antrum  
Professor Robert Coombes  
Ms Rhonda Hawkins (Secretary to the Board)  
Professor Chung-Tong Wu  
Ms Erica MacPhail (Minute secretary)  
Ms Marian Alleyn

Observers present in the Open Session included Ms Kathy Attree, Professor Nigel Bond, Mr Tony Geange, Ms Belinda Giblin, Mr Mick Houlahan, Mr Mikael Kjaerbye, Ms Jo Maguire, Mr Jason Markwick, Mr John McGuire, Mr Vijay Nellailingam, Ms Kirsty Phelps, Ms Mary Rady, Ms Sharon Rigney, Mr Wayne Savage, Mr Ravi Sikand, Mr Adam Sunderland, Ms Rosanne Travers, Professor Robin Woellner. Mr Kim Rossington, Mr Scott Stanton, Mr Ray Thiele, Mr Mike Webster attended for item 4.1 only.

## 0 ELECTION OF CHANCELLOR

Prior to the commencement of the meeting, the Vice-Chancellor called the meeting to order. The University Secretary spoke of the processes for the election of the Chancellor specified in the UWS Bylaw. Board members had been invited to submit nominations for the position of Chancellor for the next term of office from 1 January 2005 to 31 December 2008. One nomination had been received from the Nominations Committee. The Board was advised that members should express a wish to conduct an election at this meeting. This decision having been made it was resolved:

**that Mr John Phillips be elected to the position unopposed.**

Mr Phillips entered the Boardroom to a round of applause from the members. The Vice-Chancellor on behalf of the Board congratulated him on his re-appointment. She spoke of Mr Phillips' wise insight, his deftness in chairing the Board of Trustees, and guiding the University. The Chancellor then presided over the normal business of the Board.

## 1 OPENING AND PROCEDURAL MATTERS

### 1.1 Welcome

Members were welcomed to the meeting and advised that representatives of the NSW Audit Office would attend for item 4.1 and student Belinda Giblin would make a brief presentation in the closed session.

### 1.2 Apologies

Apologies as listed were **noted**.

### 1.3 Starring of Items

The following items were starred: 1.3, 1.4, 2.1, 2.3, 3.1, 3.4, 4, 5.1, 5.5, 6.1 and 7.1.

*It was resolved:*

**that all unstarred items be taken as considered and all recommendations in the attachments for them as adopted.**

### 1.4 Arrangement of Business

Items taken in closed session were item 4.3 Honorary Awards Committee and the presentation by Ms Giblin after which she left the closed session of the meeting.

### 1.5 Confirmation of Minutes

*It was resolved:*

**that the Minutes of the meeting of the Board of Trustees, held on 25 February 2004, be confirmed.**

## 2 BUSINESS ARISING

### 2.1 Structure of the Student Associations

Mr Roberson spoke to the report, outlining the progress made since the last meeting. He advised of the view of some students that *uwsconnect* should be 100% owned by the Student Association. As Chair of the Taskforce his view was different. He noted the need to work in cooperation/partnership with students and that this could not be achieved in the 100% ownership model. He also noted the issues about mismanagement of some of the predecessor student bodies. Other issues unresolved were the Student Constitution and the distribution of student association fees.

The Acting Manager of *uwsconnect* Mr Tony Geange gave a presentation on its objectives and 5 year plan and the services it would provide. The aim was for consistency of service across all six campuses, through a multi-campus service provider which was financially sustainable and in partnership with the University.

On behalf of the Student Steering Committee, Mr Jason Markwick gave a presentation on the UWS Students Association, the name which had been agreed for incorporation of the across campus association. The Constitution had been almost finalised, and incorporation was planned for later in April 2004. The presentation focused on the need to have the commercial services provided under the auspices of the UWS Student Association. He stated that a separate commercial services entity was potentially adversarial as it could create conflict with the UWSSA over space and facilities. There was also concern at the loss of financial support with the possible introduction of Voluntary Student Unionism.

The Chancellor advised that 50/50 ownership between the University and *uwsconnect* was his preferred option. The Chancellor would provide comments on the Constitution to Mr Markwick. Further discussions between the Taskforce and the Student Steering Committee would be held.

*It was resolved:*

**To delegate to the Board Executive the authority to recognise**

- *uwsconnect*
- PAUWS
- UWSSA

**subject to the entities meeting the requirements of Rule 10.1.4.**

To this end should it be required before the June meeting the Chancellor offered the opportunity for representatives of current student associations to meet with the Board Executive and Taskforce.

### 2.2 Capital Development and Campus Issues

The progress report was **noted**.

## 2.3 Higher Education Review

### 2.3.1 National Governance Protocols

The Chancellor reported on various changes to the National Governance Protocols and that the Chancellors' Conference and the Department/Minister had now reached agreement. The Protocols were now similar to what the Board had previously approved. A final version would be available soon.

The Federal Minister would allow transition funding for universities in 2005 to allow time for the State Legislation to be amended including the requirement that Parliament no longer appointed members of Councils/Boards. The Board noted that the University had been served well by its Parliamentary members since its inception in 1989, and under the new Protocols the University would be able to have as appointed members a member of the Parliament if it wished to do so.

UWS was at the forefront with its induction programs for Board members, and several members had also undertaken an Australian Institute of Company Directors course. The Chancellor advised that the Chancellors' Conference was developing a submission to DEST for funding for the professional development of governing bodies, which would include a) induction programs; b) courses on governance issues; c) contemporary matters; and d) an annual conference to exchange information.

An omnibus Act was likely for all universities in NSW, but UWS would need to be assured that its regional nature was enshrined.

### 2.3.2 HECS rates / undergraduate domestic fees

The table on the fee strategy adopted by other universities was **noted**.

## 2.4 Ministerial appointment

The University has enlisted the assistance of a board search firm to provide names of suitably qualified potential members for consideration by the Nominations Committee. The Board will be provided with a further report at the June meeting.

## 2.5 Commercial Activities Guidelines

The Minister's response to the draft guidelines is provided. *It was resolved:*

**that the Board authorise the Vice-Chancellor to ensure the necessary amendments are made to the draft Commercial Activities Guidelines, as advised by the Minister.**

## 3 NEW GENERAL BUSINESS – MATTERS FOR DISCUSSION / DECISION

### \*3.1 Academic Program Project

Professor Bond advised that the "green" paper had been revised and updated following the end of the consultation process. Some changes had been made but feedback was generally positive. Considerable

planning was required to implement the changes and the Library, Capital Works and Facilities and Information Technology would be involved. The “white” paper was due for release at the end of April.

The Graduate member noted his wish for careful consideration of the options surrounding Tourism and Hospitality including campus and college location.

### **3.2 Disability Support Centre**

The proposal for a Collaborative Project with the Spastic Centre to be located at Kingswood was approved without discussion.

*It was resolved:*

**that the Board approve the University entering into a long-term lease of twenty (20) years with The Spastic Centre, being four consecutive five year terms, in accordance with the Memorandum of Agreement and associated documents as approved by the Office of the University Legal Counsel.**

### **3.3 Addition to UWS Rules**

The Board noted without discussion the addition to the UWS Rules implemented by the Vice-Chancellor under the authority of the UWS Bylaw (Section 47 and 48). The addition prevents the University from accepting any form of support from tobacco companies.

### **3.4 Information Technology Services at UWS**

The report responding to the provision of various aspects of Information Technology Services at UWS was noted. The academic staff member praised the service provided by the IT staff.

The IT Director, Mr Houlahan responded regarding Callista and telephone service across campuses, advising that the new Enterprise Architecture would assist with overcoming these issues.

### **3.5 Television Sydney – a new era in community television (TVS)**

The paper on the new TV licence awarded to a group called Television Sydney Ltd (TVS) was noted. UWS is one of the founding members of TVS. The previous licence holder Community Television Sydney Ltd (CTS) has appealed against the decision to the Federal Court. An updated report and diagram of the relationship between the various groups would be provided to the next meeting.

The Board requested a diagram of the corporate governance structure also be provided.

### **3.6 Uses of the University Seal**

*It was resolved:*

**that the uses of the University Seal since 13 January 2004, as detailed in the attached paper, be approved.**

#### 4 REPORTS AND RECOMMENDATIONS FROM BOARD COMMITTEES AND COUNCILS

##### 4.1 Strategy and Resources Committee and Audit and Risk Management Committee

Professor Coombes gave a summary overview of the audited 2003 Annual Financial Statements and Notes from the joint meeting and tabled a paper with minor amendments made since the meeting.

Issues regarding student debt and long service leave would be dealt with in a more appropriate manner in future. An issue regarding a legal claim was likely to be reduced when finalised. An item was raised regarding guarantees for an entity, Cadre.

*It was resolved:*

**that the University guaranteed it would meet the liabilities of CADRE if required.**

Mr Scott Stanton and Mr Kim Rossington from the NSW Audit Office attended the Board meeting and confirmed that the University would receive an unqualified Audit Report, and they were satisfied with the responses to the comments they had raised, and with their access to the Chair of the Committees and Board.

The Vice-Chancellor, Chancellor and DVC (Academic & Services) signed the appropriate paperwork for the NSW Audit Office, after clause 3 was removed from the Vice-Chancellor's statement on the recommendation of the NSW Auditors.

*It was resolved:*

1. **that the statement of financial position (balance sheet) at 31 December 2003 and statement of financial performance (consolidated profit and loss statement) for the period 1 January to 31 December 2003 be received and approved;**
2. **that, in accordance with Section 41C (1B and 1C) of the Public Finance and Audit Act 1983 and the DEST requirements, the Board of Trustees of the University of Western Sydney states that:**

***"In the opinion of the members of the Board:***

1. ***The financial reports present a true and fair view of the financial position of the University at 31 December 2003, and the results of its operations and transactions for the year then ended;***
2. ***The financial reports have been prepared in accordance with the provisions of the New South Wales Public Finance and Audit Act 1983, the Public Finance and Audit Regulation 2000 and the Commonwealth Guidelines for the Preparation of Annual Financial Statements for the***

**2003 Reporting Period by Australian Higher Education institutions;**

3. **The financial reports have been prepared in accordance with applicable Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board and Consensus Views of the Urgent Issues Group; and,**
4. **As at the date of signing this statement, we are not aware of any circumstances that would render any particulars included in the financial reports to be misleading or inaccurate.**

and

3. **that the Chancellor and Vice-Chancellor be delegated to sign the statement by the Board of Trustees in accordance with the requirements of section 41 (c) of the Public Finance and Audit Act 1983 on behalf of the University of Western Sydney.**

**4.2 Capital Planning and Development Committee**

The Capital Planning and Development Committee's meeting scheduled for 6 April 2004 had been cancelled.

**4.3 Honorary Awards Committee**

This item was considered in the closed session.

**4.4 Academic Senate**

The report of the Academic Senate's meeting on 27 February 2004 was not discussed. The counting of votes for the position of Deputy Chair of Academic Senate would occur on 16 April.

*It was resolved:*

**that in view of the appointment of a Pro Vice-Chancellor (Quality), the Board of Trustees be requested to endorse a change in the membership of Senate to include as members of Senate all the Pro-Vice Chancellors, without specifying their titles.**

**4.5 UWS Regional Council**

Ms Kibble, as Acting Chair for the meeting on 19 February, spoke to the report of the UWS Regional Council meeting and drew particular attention to the excellent presentation given by academic Rosemary Suliman on the Schools / Parents Alliance with Arabic migrant groups, which appeared to be applicable for other non-English speaking areas. She also suggested that the University should consider how best to tap into the skills and expertise of the members of the UWS Regional Council so that their value to UWS is appreciated.

Professor Wu spoke of the recent weekend retreat of the Business and Industry Advisory Panel, a sub-group of the UWS Regional Council, which had been held at the instigation of the Panel members. The retreat was to clarify how the Panel can best interact with the University, and how to use their expertise in the research area. Several UWS researchers made presentations and interactions between the Panel and the researchers was continuing. A report of the outcomes was available and would be circulated to Board members.

#### **4.6 UWS Indigenous Advisory Council**

In the absence of the Chair, Ms Linda Burney, Professor Rob Coombes spoke to the report of the UWS Indigenous Advisory Council meeting. After the Report of the Review of Indigenous Education at UWS had been approved at the December Board meeting, it had been distributed widely and consultations with various groups had been held. Some changes to the recommendations in the report had been made as a result of these consultations and further consultations were planned for later in April.

Discussion of the recommendations focussed on recommendation 12.2, where it was suggested that the Research Studies Committee be added to the committees of Academic Senate with an Indigenous academic staff member; and on the feasibility of recommendation 4.3 to include Indigenous issues in units of study in *all* awards as part of the Graduate Attributes.

*It was resolved:*

**that the recommendations listed in Attachment 1 be endorsed, subject to any further revisions being approved by the UWS Executive and the Indigenous Advisory Council, and with the inclusion of "...Research Committee and Research Studies Committee...." in recommendation 12.2.**

The proposal of a way forward for students interested in being a member of the Council was considered.

*It was resolved:*

**that the student nominees form a Student Steering Group from which a student member and alternate would be determined to attend meetings in 2004 and 2005.**

### **5 BOARD MEMBER REPORTS**

#### **5.1 Report from the Postgraduate Student Member**

Mr LaFlamme advised that most matters he wished to raise had been covered in other items. PAUWS had held its AGM and an issue regarding stipends of directors which had been carried forward, was now withdrawn. Mr LaFlamme had chosen not to stand as a Councillor on PAUWS and was in the process of handing over.



**5.2 Report from the Undergraduate Student Member**

Mr Wood's report was noted.

**5.3 Report from the General Staff Member**

There was no report from Mr Kourtis.

**5.4 Report from the Academic Staff Member**

There was no report from Professor McInerney.

**5.5 Report from Graduate Member**

Mr Baillie advised that the Alumni Development Committee was to proceed and a mechanism for membership had been agreed in consultation with the University Secretary and the Alumni Development Manager.

**6 OTHER REPORTS AND ITEMS FOR INFORMATION**

**6.1 Vice-Chancellor's Report**

The Vice-Chancellor agreed to bring a paper for the Board's consideration at the next meeting on grievances and misconduct matters, particularly following the outcomes of the Bruce Hall case at UNSW.

**6.1.1 Occupational Health and Safety**

The Vice-Chancellor noted that the University was improving in the OH&S area and as a result there was a large reduction in its premium. Mr LaFlamme was advised to raise the issue of student safety on campus with the Vice-Chancellor. It was noted that the instances of psychological stress, while it would be preferable for them to be lower, were symptomatic and similar to those of any other large organisation.

Reports on the following matters were **noted**.

**6.1.2 Staffing and Update on Enterprise Bargaining**

**6.1.3 UWS Strategic Planning Process Next Steps 2004**

**6.1.4 Vice-Chancellor's activities and other matters**

**7 OTHER BUSINESS**

**7.1 UWS Medical School**

This item was considered in the closed session.

**8 NEXT MEETING AND CLOSURE**

The next meeting of the Board of Trustees is scheduled to be held at 9.00 am on **Wednesday, 23 June 2004**, in the Boardroom, Frogmore House, Werrington North Campus.

The meeting concluded at 1.00pm.

Confirmed by:

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Chair

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Date