THE AUSTRALIAN NATIONAL UNIVERSITY

COUNCIL MINUTES

The 424th meeting of the Council was held at 1.30pm on Thursday, 19 February 2015, level 11, ANU House, 52 Collins Street, Melbourne

ANU Council:

Present:
The Chancellor, Professor Gareth Evans AC QC (in the Chair)
The Vice-Chancellor, Professor Ian Young AO
Pro-Chancellor Ms Robin Hughes AO
Dr Doug McTaggart
Mr David Miles AM
Mr Graeme Samuel AC
Professor Suzanne Cory AC
Professor Patrick Dodson
Ms Naomi Flutter
Professor Matthew Colless
Professor Tim Senden
Dr Karen Hussey
Mr Matthew King
Mr Ben Niles, PARSA
Mr Ben Gill, ANUSA

Apologies:

ANU Executive and Senior Management:
Pro-Vice Chancellor (Research and Research Training) – Professor Jenny Corbett
Pro-Vice Chancellor (Student Experience) – Professor Richard Baker
Executive Director, Administration and Planning – Mr Chris Grange
Alastair Sinton, Chief Finance Officer
Professor Nick Glasgow, Chair, Academic Board

Chancery staff:
Director, Corporate Governance and Risk Office - Kate Molloy
Manager, Corporate Governance and Policy – Andrew Heath
Governance Officer, Corporate Governance and Risk Office – Leslie McDonald

PART 1: PROCEDURAL ITEMS

1. ANNOUNCEMENTS

The Vice-Chancellor’s announcement on 4 February 2015 that he will not seek renewal of his term when it concludes on 29 February 2016, was noted.

The Chancellor recorded the Council’s unequivocal appreciation and thanks for Professor Young’s service to date: he had been an outstanding Vice-Chancellor, highly strategic, creative in his thinking, focused on operational delivery and well attuned to governance issues. His decision to return to research in his discipline field in climate-related research, where he could make a world-class contribution, was both understood and respected. The Chancellor expressed confidence that the year ahead will see the Vice-Chancellor continue to lead delivery of key strategic commitments and operational reform in a way that ensures a smooth transition under the helm of a new Vice-Chancellor in 2016.
In response, the Vice-Chancellor expressed his gratitude to Council as highly strategic, collegiate and supportive; and confirmed that he was fully committed to further developing and implementing strategic and operational priorities during the year ahead.

2. LEAVE OF ABSENCE

No leave of absence was granted for the meeting.

3. DISCLOSURE OF MATERIAL PERSONAL INTEREST

No member disclosed a material personal interest in any matter on the agenda.

4. ARRANGEMENT OF AGENDA

No additional agenda items were starred.

Unstarred items were approved on the motion of the Vice-Chancellor.

5. COUNCIL MINUTES

Council resolved to confirm the minutes of the meeting held on 5 December 2014, with two minor amendments (1381/2014).

PART 2: KEY BUSINESS ITEMS

6. VICE-CHANCELLOR’S REPORT

The Vice-Chancellor introduced his report, addressing the following issues:

6.1 Deregulation
Council noted the increasing challenges arising from the current legislative impasse, with numerous options on the table and alternate models canvassed as a way of engaging discussions with the cross-bench. The Vice-Chancellor surmised that the legislation is likely to be defeated if put to the Senate. Another review has been called for, by Independent Nick Xenophon. The funding consequences may be dire in respect of the future of the National Collaborative Research Infrastructure Strategy and the Future Fellowships Scheme if the Government continues to link their fate with the passage of the legislation.

6.2 Student enrolments
Domestic commencements for Undergraduate and Postgraduate are tracking strongly at 10% growth; International is still soft with a likely factor being the Chinese New Year resulting in late arrivals. Notwithstanding, early figures indicate a 3% - 4% increase. A strong pipeline is evident, however, and is expected to contribute to an overall International load increase of 10%. Total load at this early phase of student admissions is trending at 14%.

6.3 Indigenous items
The Vice-Chancellor informed Council that the University holds Indigenous skeletal remains from Lake Mungo and has an Agreement, with the traditional owners of the land, governing the use of the remains for research purposes.

The proposal is now to transfer the remains, at the request of the traditional owners, to the National Museum of Australia. The NSW and Australian Governments support this proposal.

Former ANU Anthropological research staff have raised concerns about the transfer on the basis of the research value of the remains. The prospect of incorporating a provision within the Agreement to enable the continuation of research may be further explored. Council noted the current status of this issue.

Council noted the report of the Vice-Chancellor.
7. CHANCELLORSHIP

Section 32 of the *Australian National University Act 1991* (ANU Act) provides that the Council must appoint the Chancellor, who must not be a student or employee of the University. Subject to the ANU Act and the *Chancellorship Statute 2012*, the Chancellor holds office for such period, and on such conditions, as the Council determines.

The Chancellorship Statute 2012 further provides at section 3 that “subject to retaining the confidence of the Council, the Chancellor holds office for a period of 3 years and is eligible for reappointment.”

The Chancellor and observers left the room and the Pro-Chancellor led Council discussions on the matter. At the conclusion of discussions, Council was unanimous in its decision.

Resolved:
That Council approve the reappointment of the Chancellor for a further term of 3 years, from 1 January 2016 to 31 December 2018.

8 COUNCIL SELF-EVALUATION

Council noted that Principle 6 of the *Voluntary Code of Best Practice for the Governance of Australian Universities* provides that “on a regular basis, at least once each two years, the governing body should assess its performance, the performance of its members and the performance of its committees. The Chancellor should have responsibility for organising the assessment process, drawing on external sources if required.”

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Resolved:
That Council continue with the Chancellor’s one-on-one discussions for the conduct of its self-evaluation and move to do so on an annual basis, with the 2015 report to be presented to the 4 December 2015 meeting.

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10 SELECTION OF A NEW VICE-CHANCELLOR

Pursuant to Section 34 (1) of the ANU Act 1991, Council appoints the Vice-Chancellor. A Council Selection Committee will be established and will recommend a preferred candidate for consideration at a special meeting of Council ****

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Resolved:
That Council:

(i) appoint a selection committee for the Vice-Chancellor’s position consisting of the following members:

- Professor Gareth Evans AC, Chancellor (Chair)
- Ms Robin Hughes AO, Pro Chancellor
- Professor Suzanne Cory AC (External member of Council)
- Dr Doug McTaggart (External member of Council)
- Professor Shirley Leitch (College Dean)
- Professor Tim Senden (Academic staff elected member of Council)
- Mr Matthew King (General staff elected member of Council)
- Mr Ben Niles (Student elected member of Council)

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PART 4: OTHER MATTERS FOR DECISION

12. HONORARY DEGREE NOMINATION

Council approved the award of the degree of Doctor of Science honoris causa to Professor Chintamani Nagesa Ramachandra Rao on the grounds of his outstanding contribution as a scholar.

13. VOLUNTARY CODE OF BEST PRACTICE FOR THE GOVERNANCE OF AUSTRALIAN UNIVERSITIES

Resolved:
That Council:

1. confirm that the University conforms with the Voluntary Code of Best Practice for the Governance of Australian Universities, noting that in respect of the application to student members of Principle 3, requiring each member being appointed or elected ad personam, the University will consider the recommendations arising from the review of the ANU Act 1991 as led by Emeritus Professor Walker and revise its practice as necessary
2. note that, to improve alignment with reporting cycles for the preparation of the annual report, Council will be asked to again consider conformance with the Voluntary Code at its 4 December meeting and
3. note, for future reporting periods, Council will be provided with evidence that demonstrates conformance with the requirements of the Australian National University Act 1991, or its successor, and the Public Governance, Performance & Accountability Act 2013 to enable the University to comprehensively attest in the annual report that it is meeting its stated governance requirements.

PART 5: OTHER MATTERS FOR NOTING

14. AUDIT AND RISK MANAGEMENT COMMITTEE – SUMMARY OF MAJOR ITEMS CONSIDERED

Council noted the summary of major items considered by the Audit & Risk Management Committee (ARMC) at its meeting held on 6 February 2015.

15. DIRECTORSHIPS AND OTHER INTERESTS

Council noted the list of directorships and other relevant interests disclosed by Council members (16/2015).

16. COUNCIL MEETINGS 2015 AND 2016

Council noted 2015 meeting dates and proposed site visits as already advised and approved 2016 meeting dates as being 19 February, 25 March, 27 May, 22 July, 30 September and 2 December 2016.

17. ANU EMERITUS FACULTY ANNUAL REPORT

Council noted the Emeritus Faculty Annual Report for 2014.
18. PRIZES AND SCHOLARSHIPS APPROVALS 2014

Council noted the Prizes and Scholarships approved for 2014 (18/2015).

19. 2015 STUDENT ADMISSIONS UPDATE

Council noted this report was incorporated into the report of the Vice-Chancellor under Agenda item 6.

20. ACADEMIC BOARD

Council noted the report from the meeting of the Academic Board held on 12 December 2014 (1097/2014).

21. POWER OF ATTORNEY

Council noted the transactions over which the Investment Manager exercised the Power of Attorney between 7 November 2014 and 16 January 2015.

22. UNIVERSITY SEAL REPORT

Council noted the documents to which the University Seal had been affixed since the meeting of Council held on 5 December 2014.

23. REPORT OF SIGNIFICANT VISITS AND EVENTS, GRANTS AND CONSULTANCIES

Council noted the report of significant visits and events, grants and consultancies.

24. LEGISLATION

Council:

1. Approved the following legislation:
   - Parking and Traffic Statute 2015

2. Noted legislation made by the Vice-Chancellor under subsection 9.5 of the Vice-Chancellorship Statute 2013:
   - Academic Board and Committees Rules 2014
   - Academic Board (Election of Members) Order (No. 2) 2014
   - Academic Board (Election of Members) Order 2014 (No. 3)
   - Academic Misconduct Rules 2014
   - Appeals Rules 2014
   - Assessment Rules 2014 (No. 3)
   - Discipline Rules 2014
   - Fees Rules 2014
   - Higher Doctorates Rules (No. 2) 2014
   - Tuition Fees Order 2014
   - Tuition Fees Order 2015

3. Noted legislation made by the Deputy Vice-Chancellor (Academic):
   - ANU Medical School Academic Progress Order 2014

and

1. Noted a further report on progress with the 2014 review of University legislation.
PART 6: OTHER BUSINESS

25. QUESTION TIME

There were no matters raised in Question Time.

26. OTHER BUSINESS

No other business was raised.

27. NEXT MEETING

Council noted that its next meeting will be held on 27 March 2015.

Date: ______________________

Professor the Hon Gareth Evans AC QC
Chancellor
The Australian National University

(**** indicates a removed item which is confidential to Council Members)