



THE AUSTRALIAN NATIONAL UNIVERSITY

COUNCIL MINUTES

The 441st meeting of the Council was held at 9:15am on Friday 21 July 2017, in the R C Mills Room, Level 4, Chancelry Building, ANU campus, Canberra.

Present:

The Chancellor, Professor Gareth Evans AC QC (in the Chair)
The Vice-Chancellor, Professor Brian P. Schmidt AC
The Pro-Chancellor, Ms Naomi Flutter
Mr Graeme Samuel AC
Dr Doug McTaggart
Professor Suzanne Cory AC
Mr Peter Yu
Ms Natasha Stott Despoja AM
Ms Anne-Marie Schwirtlich AM
Professor Catherine Waldby
Professor Tim Senden
Professor Jan Provis
Ms Deborah Veness
Ms Alyssa Shaw
Mr James Connolly

In attendance:

Deputy Vice-Chancellor (Research and Innovation) – Professor Margaret Harding
Deputy Vice-Chancellor (Academic) – Professor Marnie Hughes-Warrington
Pro-Vice Chancellor (Innovation) – Professor Michael Cardew-Hall
Pro-Vice Chancellor (University Experience) – Professor Richard Baker
Chief Operating Officer – Mr Chris Grange
Incoming A/g Chief Operating Officer (from 24 July) – Ms Karen Hill
Chair, Academic Board – Professor Jacqueline Lo
Chief Financial Officer – Mr Alastair Sinton

Chancelry staff:

Director, Corporate Governance and Risk Office – Mr Chris Reid
Associate Director, Corporate Governance and Policy – Mr Andrew Heath
Senior Governance Officer, Corporate Governance and Risk Office – Ms Leslie McDonald
Senior Governance Officer, Corporate Governance and Risk Office – Ms Louise Gell
Director, Office of the Vice-Chancellor – Dr Chris Price

PART 1: PROCEDURAL ITEMS

1. ANNOUNCEMENTS

Council welcomed new Council member, Ms Anne-Marie Schwirtlich AM, who commenced her term on 1 July 2017. It also welcomed Mr Chris Reid who recently joined the University as Director, Corporate Governance and Risk Office, in which role he serves as secretary to the Council.

2. LEAVE OF ABSENCE

Mr Doug McTaggart advised that he required leave for the next meeting.
No other member sought leave of absence.

3. DISCLOSURE OF MATERIAL PERSONAL INTEREST

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

4. ARRANGEMENT OF AGENDA

Agenda item 24, Naming Proposal – Violet McKenzie Chair was starred in order to clarify the correct title of the new Chair.

The Council noted that Agenda Item 16, Amendment to Terms of Reference for Campus Development Committee, would not be proceeded with to allow further consultation to occur on the proposal.

No other items were declared confidential, nor were further items starred or unstarred.

No member foreshadowed other matters to be raised under Agenda Item 39, Other Business.

Resolved

On the motion of the Vice-Chancellor, the Council approved all unstarred items being dealt with as proposed in the agenda.

5. MINUTES

Resolved

The Council confirmed the minutes of the meeting held on 26 May 2017 (159/2017) to be a true and accurate record.

PART 2: KEY BUSINESS ITEMS

6. VICE-CHANCELLOR'S REPORT

The Vice-Chancellor highlighted the following:

- Senior Management Group (SMG) retreat in Bowral on 18-19 July. It considered, among other things:
 - Strategic vision for Engineering and Computer Science, and Health and Medicine
 - Budget setting process
 - New Reconciliation Action Plan.
- As part of the executive restructure, a standing deputy will be appointed in support of, and report to, either a Deputy Vice-Chancellor or the Chief Operating Officer. Standing deputies will become members of the SMG.
- A range of senior interim and ongoing appointments, and recruitment activity, across the University. As part of this item, the Vice-Chancellor noted the impending departure of the Chief Financial Officer, Mr Alastair Sinton, and thanked Mr Sinton for his outstanding financial management, advice, reporting and leadership over the past three years.
- Higher Education reform package. It remains before the Parliament, and is still widely opposed by the university sector.

- Respectful Relationships:
 - New campaign was launched in July
 - New partnership has commenced with the Canberra Rape Crisis Centre, including the provision of on-campus counselling to victims of sexual assaults/harassment
 - Promotion of the 'Consent Matters' training module; and
 - Promotion of the *ANU OK* safety and wellbeing 'app'.

The Vice-Chancellor acknowledged and thanked Council student members, Ms Alyssa Shaw and Mr James Connolly, for their leadership in this area.

Council members were reminded that the outcomes of the Australian Human Rights Commission's survey into sexual assault and sexual harassment at Australian universities were to be published on 1 August 2017.

- Other matters:
 - Union Court update
 - Government investment of \$129 million over the next 10 years with the European Southern Observatory in Chile. This will provide Australian astronomers with access to more observatories over the next decade
 - Pop-up village opened on 12 July, proving popular with students, staff and, increasingly, the general public
 - Graduations for over 2400 students were held in July, with Honorary Degrees conferred upon Ms Matilda House and the Hon Dr Brendan Nelson; and
 - Tuckwell Scholarships for 2018 have been awarded to 25 recipients from across Australia.

The following points were also made in discussion:

- The Chancellor and Council members also expressed their gratitude and well wishes to Mr Sinton prior to his departure in September.

Resolved

The Council noted the Vice-Chancellor's report.

7. ANU EXECUTIVE AND COLLEGE STRATEGIC PRIORITIES

The Vice-Chancellor provided an overview of the Executive Plans and College Strategic Priorities as outlined in the papers presented to Council members.

Council acknowledged the whole-of-university consultation approach taken in preparing the documents.

Council also discussed the following:

- A progress report with respect to Executive Plans (but not College Strategic Priorities) will be provided to Council at six monthly intervals.
- Content and evolution of the Executive Plans are expected to closely involve the Provost, once appointed.
- Academic Plan (A13) – *Admissions*. A university-wide integrated approach to admissions, accommodation and scholarships, plus the possibility of including specific Key Performance Indicators concerning equity and diversity, was considered. Further work may be undertaken in this regard with an update to be provided at a later Council meeting.
- University Experience Plan (UE5 and UE6) – *Achieving Equity*. The possibility of expanding *equity* to be more broadly defined was explored. Council agreed that the Pro Vice-Chancellor (University Experience) would consult further and amend the document as appropriate, and provide a verbal report at a future Council meeting.
- Resources (RES19) – *Risk Management*. The University should always have an acceptable risk appetite, supported by a risk mitigation plan, to help secure its financial position. Risk Management will continue to be a matter listed for consideration at future Council meetings, including at its strategic planning days next February.
- A suggestion was made to invite the Minister for Education and Training to meet the Council and key University staff.
- Engagement with Northern Australia. While not specifically featuring in the Executive Plans, engaging with Northern Australia forms part of the University's national scope, especially where public policy is concerned.

Resolved

The Council:

1. Endorsed the six Executive Plans and six College Strategic Priorities documents; and
2. Noted the Progress Reports summarising Executive Plan progress to date.

8. EXPANSION OF THE UNIVERSITY'S PRESENCE IN ENGINEERING AND COMPUTER SCIENCE

Resolved

The Council:

1. Endorsed the recommendation that the University announce an intention to invest in building its capacity and capability in the disciplines of engineering and computer science; and
2. Noted that the Vice-Chancellor will prepare further details of the business case for consideration and approval by the Finance Committee and Council.

9. CAPITAL MANAGEMENT PLAN – CAPITAL BIDS 2017

The Chief Operating Officer provided an overview of the 2017 academic capital project bids for inclusion in the Capital Management Plan, as outlined in the papers presented to Council members.

Resolved

The Council approved the recommended 2017 academic capital works proposals as recommended by the Campus Planning Committee *****

PART 3: STRATEGIC ISSUES

11. SOCIETAL TRANSFORMATION

The Vice-Chancellor presented the University's Societal Transformation Plan, as outlined in the papers provided to Council members.

The following key points were made in discussion:

- The University's responsibility to lead the public policy debate nationally.
- The need to focus on transforming society via policy engagement with government, partnerships with industry and with Indigenous Australia.
- The need to focus also on ANU's particular strength in building capacity in the Asia-Pacific region.
- The need to provide appropriate academic rewards for effective 'knowledge exchange'.
- The need for the proposed new Policy and Societal Impact Hub to increasingly align ANU research to public policy priorities, build capability and provide an intellectually stimulating environment for students and staff, and drive the accessibility and usefulness of cross-disciplinary research for policymakers, media and society.
- The need for policy-focused academics to engage with students, ANU alumni, the Australian National Internships Program and government agencies.

Resolved

The Council noted Vice-Chancellor's presentation.

PART 4: OTHER MATTERS FOR DECISION**12. COUNCIL COMMITTEE MEMBERSHIP****Resolved**

The Council approved the replacement of Ms Naomi Flutter with Ms Anne-Marie Schwirtlich AM, as a member of the Audit and Risk Management Committee, for the period 21 July 2017 until 30 June 2019.

13. TUITION FEE BANDS AND FEE ADJUSTMENT BANDS FOR ANU PROGRAMS FOR 2018 AND 2019**Resolved**

The Council approved:

1. The fee bands, rates, and Domestic Fee Adjustment Bands for 2018 fees as outlined at Tables 1, 2, and 3 in the Council meeting papers (232/2017).
2. A proposed indicative increase of 5% (on 2018 rates) for 2019, with further review in May 2018.
3. Rounding up all per unit fees to the next \$10 increment.
4. Other tuition fees detailed in Table 4 in the Council meeting papers (232/2017).
5. That fees for unique Legal Practice courses increase by 2.6% on 2017 fees.
6. Note that fees for New Zealand citizens and Permanent Residents are currently under review following announcements in the federal budget, and further information on associated fees will follow.

14. COURSEWORK TUITION FEES FOR 2018 SCHEDULE 2 PROGRAMS AND COURSES DELIVERED BY ANU COLLEGE**Resolved**

The Council approved:

1. The 2018 fees outlined at Table 1 in the Council meeting papers (232/2017).
2. That the following principles for Schedule 2 programs and courses fee-setting be continued:
 - That fees are proposed in EFTSL rather than by New Student Enrolment (NSE); and
 - That schedule 2 programs and courses will be reviewed annually based on comparative competitor data.
3. That an indicative increase of 5% (on 2018 rates) is proposed for 2019, with further review based on the principles above in May 2018; and
4. That ANU and Study Group discuss potential scholarship opportunities that may promote international student diversity.

15. KIOLOA COASTAL CAMPUS MASTER PLAN

The Chief Operating Officer provided the Council with an overview of the proposed Kioloa Coastal Campus Master Plan, as outlined in the papers presented to Council members.

Resolved

The Council approved the Kioloa Coastal Campus Master Plan.

16. AMENDMENT TO TERMS OF REFERENCE FOR CAMPUS DEVELOPMENT COMMITTEE

The Council was advised at the commencement of the meeting (see item 4) that this agenda item would not be proceeded with to allow further consultation to occur on the proposal.

17. ANU COUNCIL CHARTER

The Chancellor provided the Council with an overview of the proposed ANU Council Charter. The Charter is intended (in one consolidated document) to clearly define the respective roles, responsibilities and authorities of the Council, its members (both individually and collectively), and senior management, in setting the direction, management and control of the University. It also sets out arrangements for the operation of the Council.

In developing the Charter, the Corporate Governance and Risk Office has drawn on examples from other universities and from major Australian public companies. The development process has also incorporated past decisions, as well as existing practice and conventions of the Council.

It is envisaged that the Council Charter will serve a number of important functions. As the top level policy document it will:

- Serve as a reminder for the Council of the legal framework within which it operates.
- Document the decisions of the Council made in order to meet its governance responsibilities as set out in legislation.
- Assist the University's leadership in delivering good governance.
- Facilitate communication of the Council's decisions and expectations to management.
- Provide guidance and comfort to government and other key stakeholders that the Council has implemented robust governance processes.
- Serve as a point of reference for disputes, where uncertainty on Council's expectations emerges.

The Charter is written to comply with the *Australian National University Act 1991* and in such a way that only relatively minor amendments will be required in transition if/when the new Australian National University Act commences.

The following points were made in discussion:

- This was a valuable document that clearly defined the respective roles, responsibilities and authority of the Council and University management.
- One word change to the document was suggested and agreed: substitute 'periodic' for 'ongoing' (p2, *Functions and reserved powers*).

Resolved

The Council adopted the proposed Charter, as amended (307/2017).

18. ANU GOVERNANCE STATUTE

The Chancellor provided the Council with an overview of the draft *Australian National University (Governance) Statute 2017*.

The Governance Statute has been prepared in order to establish governance arrangements that the Bill for the new Australian National University Act will permit the Council to determine, and to give effect to the recommendations of the Walker Review (which Council accepted in February 2015). In broad terms, it covers the organisation of the University, Council powers and functions, and membership.

The new Governance Statute also presents an opportunity to consolidate a large number of existing governance statutes into one single coherent statute. Adoption of the statute (and a related repeal statute) will replace 28 existing legislative instruments.

To complement this work, the Corporate Governance and Risk Office is also reviewing all other legislative instruments (over the next 12 months), to ensure they comply with the new ANU Act, and have an ongoing purpose (see Agenda Item 19, University Legislation Policy and Procedure). As a consequence of this work, it is expected that Council will be able to make changes that will enable a substantial improvement in the quality and cohesiveness of University legislation and, in the process, achieve around a 50 per cent reduction in the number of instruments on the University's books.

Council was asked to note the draft Governance Statute, and offer any feedback it may have on specific provisions. Subject to the fate of the Bill for the new ANU Act, it is expected that Council will be asked to formally approve the *Australian National University (Governance) Statute 2017*, in its final form. In the event that the Bill for the new ANU Act does not pass the Parliament, much of the draft Governance Statute can still be used, and it would be recommended that Council proceed with it (in a form compliant with the current ANU Act).

Resolved

That Council noted the draft *Australian National University (Governance) Statute 2017* and commended the secretariat for its ongoing work on this project.

19. UNIVERSITY LEGISLATION POLICY AND PROCEDURE

The University Legislation Policy and Procedure has been developed as part of a broader project known as the *ANU Legislation Review Project*. The Project is being pursued to establish a clear framework for the use and design of the University's legislative instruments, and to review all existing legislative instruments of the University according to that framework. The University currently has a large suite of legislative instruments. These cover a broad range of topics, from programs and awards to matters such as student conduct, Council governance, parking and traffic and University House. In total, the University currently has 25 statutes, 22 rules and 5 orders (52 in total).

The University's suite of legislation has evolved over time and needs periodic review to ensure that it remains up-to-date, relevant and of a high quality. The current suite is dated and complex.

To address these issues, it was proposed the Council establish a policy framework to govern into the future, the use, content and management of University legislation, both individually and as part of the overall suite of legislation. The proposed University Legislation Policy provides governing principles for University legislation, in particular, when legislation should be used, and when it should not be used (and the exceptions to this); quality standards of the statute book as a whole, and what matters should be dealt with by statute, rule or order. The policy will be supported by a procedure which reflects some existing processes, but also draws on practices established in the *Policy Governance Framework*, to ensure high quality legislation is being developed and drafted.

Resolved

The Council approved the University Legislation Policy and Procedure, and commended the secretariat for its work on this project.

20. ANU COLLEGE GOVERNANCE STATUTE AND INTERPRETATION STATUTE

The Vice-Chancellor, in his written report to Council (see Agenda Item 6), reported on the progress being made to create two new science based Colleges to replace the ANU College of Physical and Mathematical Sciences, and the ANU College of Medicine, Biology and the Environment. The implementation date was set at 18 August 2017 to coincide with the appointment of a new or interim College Dean for the new science colleges.

In order to implement the new structure for the science colleges, it was considered necessary to amend the two current statutes that name the ANU Colleges to reflect these new arrangements, those being *ANU College Governance Statute 2013* and the *Interpretation Statute (No. 2) 2013*.

Resolved

The Council made the *Australian National University (ANU College Governance) Statute 2017* and the *Australian National University (Interpretation) Statute 2017*, under section 50 of the *Australian National University Act 1991*.

21. ETHICS COMMITTEES 2016 ANNUAL REPORTS

Resolved

The Council approved the following 2016 Annual Reports:

1. Animal Experimentation Ethics Committee (257/2017).
2. Human Research Ethics Committee (258/2017); and
3. Recombinant DNA Monitoring Committee (259/2017).

22. ANU STUDENTS' ASSOCIATION INCORPORATED CONSTITUTIONAL AMENDMENTS

Resolved

The Council approved the changes to the ANU Students' Association constitution, as adopted at the Ordinary General Meeting held on 29 March 2017.

23. ANU FRAUD CONTROL FRAMEWORK

Resolved

The Council approved the University's revised fraud control package, comprising the:

- Revised Fraud Control Framework
- New University Fraud Control Plan
- New Fraud and Corruption Control policy
- Revised Fraud Control procedure; and
- Fraud risk assessment template.

24. NAMING PROPOSAL – VIOLET MCKENZIE CHAIR

The Chancellor clarified that the full name of the new Chair will be the Florence Violet McKenzie Chair.

Resolved

The Council approved the naming proposal for the Florence Violet McKenzie Chair.

25. CHANGE OF NAMES FOR RESEARCH SCHOOLS, ANU COLLEGE OF LAW

Resolved

The Council approved the renaming of the Law School to the ANU Law School and the ANU Legal Workshop to the ANU School of Legal Practice (261/2017).

PART 5: OTHER MATTERS FOR NOTING

26. UNION COURT REDEVELOPMENT UPDATE

The Chief Operating Officer presented an update on the Union Court redevelopment, as outlined in the papers provided to Council members.

Resolved

The Council noted the status of progress generally *****

27. CRAWFORD AUSTRALIAN LEADERSHIP FORUM (CALF) 2017 – CHANCELLOR'S REPORT

The Chancellor briefed Council on the fourth annual Forum, held on 18-20 June 2017. He also drew attention to the Directors' Report and a detailed participants' evaluation provided to Council members.

The following points were made in discussion:

- CALF is the flagship annual event for the University and its public policy school.

- The invitation-only model has successfully brought together 150 of Australia's top leaders from business, the public sector and politics, and the research and advocacy community.
- The Forum was very well received by participants and the media, being generally regarded as the most successful to date.
- Dates for the next CALF are expected to be 24-26 June 2018.

Resolved

The Council noted the report from the Chancellor and the outcomes of the 2017 Crawford Australian Leadership Forum.

28. STUDENT ACCOMMODATION (SA6) UPDATE

Resolved

The Council noted the general update report on the SA6 project.

29. CAP CASS GOVERNANCE PROJECT REPORT (JANUARY-JUNE 2017)

The Dean of the ANU College of Arts and Social Sciences, Professor Raelene Frances, presented an update on the CAP CASS Governance Project.

The following points were made as part of the presentation and in discussion concerning progress made to date:

- Additional opportunities have been identified for joint marketing and student recruitment campaigns.
- Significant progress has been made in removing barriers for students studying across the Colleges, as follows:
 - A continuing program of collaboration and knowledge exchange between the CAP Education Services Team and CASS Student and Education Office

Resolved

The Council:

1. Noted the report and supporting materials from the CAP CASS Governance Project;

30. WORK, HEALTH AND SAFETY (WHS) PERFORMANCE REPORT 1 JANUARY 2017 TO 31 MAY 2017

The Chief Operating Officer provided an overview of the WHS statistics, including injury management and rehabilitation, for the period 1 January – 31 May 2017, as outlined in the papers provided to Council members.

The Pro Vice-Chancellor (University Experience) also provided an overview of the student safety report for the period 1 May 2017 to 30 June 2017.

The following points were made in discussion:

- Most instances of compromised student safety involved alcohol.
- Report requires more historical data and context, rather than simply a two month snap-shot.
- Australian Human Rights Commission's survey into sexual assault and sexual harassment at Australian universities, and the University's response, will be an agenda item for the September Council meeting.

Resolved

The Council noted the WHS safety performance report for staff and the student safety report for the period 1 May to 30 June 2017.

31. AUDIT AND RISK MANAGEMENT COMMITTEE – EXECUTIVE SUMMARY

The Chancellor invited questions and comments about the executive summary of the Audit and Risk Management Committee meeting held on 5 July 2017.

Resolved

The Council noted the summary of major items considered by the Audit and Risk Management Committee at its meeting held on 5 July 2017.

32. FINANCE COMMITTEE – EXECUTIVE SUMMARY

The Chancellor invited questions and comments about the executive summary of the Finance Committee meeting held on 7 July 2017.

Resolved

The Council noted the summary of major items considered by the Finance Committee at its meeting held on 7 July 2017.

33. CAMPUS PLANNING COMMITTEE – EXECUTIVE SUMMARY

The Chancellor invited questions and comments about the executive summary of the Campus Planning Committee meetings held on 19 May and 3 July 2017.

Resolved

The Council noted the summary of major items considered by the Campus Planning Committee at its meetings held on 19 May and 3 July 2017.

34. ACADEMIC BOARD REPORT

Resolved

The Council noted the report from the meeting of Academic Board held on 20 June 2017 (546/2017).

35. POWER OF ATTORNEY

Resolved

The Council noted that no documents have been executed under Power of Attorney since the 26 May 2017 meeting of Council.

36. UNIVERSITY SEAL REPORT

Resolved

The Council noted there had been no documents to which the University Seal had been affixed since its last meeting held on 26 May 2017.

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

Resolved

The Council noted the report of significant visits and events, grants and consultancies (264/2017).

PART 6: OTHER BUSINESS

38. QUESTION TIME

No questions were raised during Question Time.

39. OTHER BUSINESS

No other business was raised.

40. NEXT MEETING

Council noted that its next meeting will be held on Friday 29 September 2017.

The meeting closed at 12.34pm

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

Date: _____

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