

Freedom of Information

From: Nicki Middleton
Sent: Monday, 31 October 2022 9:35 AM
To: Ron Fogarty; Felicity Gouldthorp
Cc: s22
Subject: RE: Variation to Operating Agreement between ANU and Unilodge

Thanks very much Ron, let me get this up to Sally tonight first for approval before going to Mat. Just in case any changes our end.

From: Ron Fogarty <Ron.Fogarty@anu.edu.au>
Sent: Monday, 31 October 2022 11:32 AM
To: Nicki Middleton <Nicki.Middleton@anu.edu.au>; Felicity Gouldthorp <Felicity.Gouldthorp@anu.edu.au>
Cc: s22 @assuredsolutions.com.au>
Subject: FW: Variation to Operating Agreement between ANU and Unilodge
Importance: High

Hi Nicki,

Please see attached.

Could you please also confirm if you are happy for me to send this executable version to Matt Row?

Cheers,

Ron Fogarty

Head of Operations
Residential Experience Division
s47F
ron.fogarty@anu.edu.au

From: Amy McCudden <amy.mccudden@anu.edu.au>
Sent: Monday, 31 October 2022 8:24 AM
To: s22 @assuredsolutions.com.au>
Cc: Ron Fogarty <Ron.Fogarty@anu.edu.au>
Subject: RE: Variation to Operating Agreement between ANU and Unilodge

Hi s22 sorry for delay, I needed to come into the office to update the documents and was not able to on Friday.

Attached is the updated Schedule 1 with all references to 17 October updated to 8 November, and the Residence Schedule with Commencement Dates of 1 November 2022 changed to 8 November.

Let me know if you need me to compile a full execution version, or if you are ok to print and swap out these parts.

Regards,
Amy

Amy McCudden
Deputy General Counsel | University Legal Office

s47F
amy.mccudden@anu.edu.au | legal.office@anu.edu.au | <https://services.anu.edu.au/business-units/legal-office>
CRICOS Provider #00120C

From: s22 [redacted]@assuredsolutions.com.au>
Sent: Thursday, 27 October 2022 6:45 AM
To: Amy McCudden <amy.mccudden@anu.edu.au>
Cc: Ron Fogarty <Ron.Fogarty@anu.edu.au>
Subject: FW: Variation to Operating Agreement between ANU and Unilodge
Importance: High

Hi Amy,
Apologies if this request has already come to you but wondering if the commencement date can be updated to 8 November 2022 in the DOV5 to Unilodge?
Kind regards
s22 [redacted]

From: Nicki Middleton <Nicki.Middleton@anu.edu.au>
Date: Wednesday, 26 October 2022 at 8:35 pm
To: s22 [redacted]@assuredsolutions.com.au>, Ron Fogarty <Ron.Fogarty@anu.edu.au>
Cc: s22 [redacted]@assuredsolutions.com.au>
Subject: FW: Variation to Operating Agreement between ANU and Unilodge

Hi s22 [redacted]

Could someone send me in the morning an updated version with the new start date of 8 November in this variation please – I am ready to send to exec for sign-off. Still waiting for HR advice....am chasing....and so sorry.

N

From: s22 [redacted]@assuredsolutions.com.au>
Sent: Wednesday, 19 October 2022 12:45 PM
To: Nicki Middleton <Nicki.Middleton@anu.edu.au>
Cc: s22 [redacted]@assuredsolutions.com.au>; Ron Fogarty <Ron.Fogarty@anu.edu.au>
Subject: Variation to Operating Agreement between ANU and Unilodge
Importance: High

Hi Nicki,

Please see attached executable version of the Deed of Variation to the Operating Agreement between ANU and Unilodge. The document has been reviewed and updated by Amy (ANU Deputy General Counsel) and Matt Row (Unilodge Chief Operating Officer) with input from s22 [redacted] Ron s22 [redacted]

A summary of the Variation is as follows:

1. Inclusion of Burton and Garran (B&G) s22 [redacted]
s22 [redacted]
2. Commencement Date for B&G s22 [redacted] of 1 November 2022
3. Severance Date for B&G s22 [redacted] of 31 December 2023
4. Operator Services Fee for B&G = s47G [redacted]
5. s22 [redacted]
6. s22 [redacted]

The current portfolio \$ / bed / annum rate is = s47G [redacted]

The new portfolio \$ / bed / annum rate including B&G s22 would be = s47G

The Agreement can be signed in counterparts but will require a hard copy execution by the ANU (on page 5).

Please let me know if you have any questions or further requirements to progress execution of this document. Once ok to proceed, I will issue to Unilodge for executing their counterpart.

Many thanks

Kind regards

s22

s22

Assured Solutions (Victoria) Pty Ltd

E | s22 @assuredsolutions.com.au

s22



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Memo

SUBJECT UniLodge: contract variation and temporary appointment to s22 and Burton & Garran Halls

TO Professor Sally Wheeler, Deputy Vice-Chancellor (International and Corporate)

FROM Nicki Middleton, Chief Residential Services and Operating Officer

DATE 31 October 2022

CC Felicity Gouldthorp, Deputy Director, Residential
Richelle Hilton, Head of Corporate and Commercial Services
Ron Fogarty, Head of Operations

1. Background

There are currently 18 student residences on the Acton campus, providing accommodation for over 5,500 students. The management of these residences is varied – all ANU personnel, UniLodge and Affiliate Colleges.

Three of the residence s22 Burton & Garran s22 have management and staff that is all ANU personnel, with no support from external providers such as UniLodge – who would usually provide services in other residences such as front reception duties, student enquiries, facilities management, cleaning and in some instances, pastoral care. s22
s22

s22 Burton & Garran Halls have seen a significant turn-over of staff over the past 2-3 years, and there are many student complaints about the lack of staffing, and availability of staff, to meet with them. The People and Culture team has advised the following:

- From 1/01/2020 to present, there are 11 positions (excl casual positions) of which 4 are currently occupied, this has since reduced further to 3 occupied. There is a 64% occupancy rate based on the number of days the position has had an occupant. If casual positions are included the occupancy rate increases to 71%. (Occupancy rate is based on a 5 day working week and does not include public holidays or periods of leave or actual hours worked by casual staff).
- Since 01/01/2020, across these positions (ex casual positions) there have been:
 - 6 x separations
 - 6 x temporary transfers out (3 then lead to permanent transfer, plus 1 separation while on temp transfer)
 - 2 x permanent transfers out
 - 2 x suspensions
- Given the small number of employees and positions, this is a lot of churn. Since 1/01/2020, 19 individual staff have occupied these positions (excl casual) at some stage.

The churn rate is likely attributed to a number of factors:

- Relatively junior roles, with frequent opportunities for promotion across the University in other administrative related roles (ie the residential roles are ANU2/3 and ANU04).
- Impacts from front facing student roles in a residential setting during two years of COVID and multiple lockdowns.
- Uncertainty in management in the halls (high turnover of Heads of Halls)

Recent recruitment activities to date have been unsuccessful in filling all roles.

We are now at the point, where existing staff in s22 Burton & Garran Halls are carrying the additional workload from the staff vacancies, and this is not sustainable, particularly as both residences also have staff acting in the Head of Hall roles. s22

s22

2. Proposal

Given the tight recruitment market, and the need to provide continuous student services and support existing staff, UniLodge have agreed to temporarily step-in for the next 6 – 12 months to provide a hybrid operational arrangement in both s22 Burton and Garran residences. This will provide business continuity and allow some time to work through what the longer term operational arrangements may be.

UniLodge will provide staff resources (with appropriate management oversight) for the front desk operations, facilities management, room allocations (and departures), student enquiries, cleaning and day-to-day operations. The ANU will retain the Head of Hall and Residential Wellbeing (pastoral care) roles, s22

s22

It is important to note, that with this temporary arrangement, that no ANU personnel will be made redundant, nor is this solution for financial reduction reasons. It is to ensure business continuity to students, and support existing personnel in senior roles in the residences.

There are three ANU personnel that will be impacted by this arrangement:

s22

- Burton and Garran: Two individuals are ongoing in this residence – one x ANU04 and one x ANU2/3. Both individuals will be temporarily transferred within the Division to the Accommodation Services central team at level. This is the team responsible for first point of contact with students wishing to reside on campus. Both team members have existing skills and experience with accommodation reservation systems and their residence specific experience will be of benefit to this team. The Accommodation Services team currently has roles vacant for these individuals to move into.
- All other roles in both residences are vacant.

Initial discussions have been held with the NTEU and their only feedback was if this arrangement was being undertaken for financial reasons and what do UniLodge staff payments. We intend to advise back that this arrangement is for business continuity and that UniLodge staff salaries is a commercial in-confidence arrangement. This is supported by People and Culture.

Subject to your final agreement, our intention is to discuss this move internally with the individuals this Thursday 3 November, with a 1 – 2 week transition period. Mark Cook and Belinda Farrelly, People and Culture Division have been supporting myself and Felicity Gouldthorp with this arrangement, including the recent NTEU meeting.

Once the individuals have been advised of this new arrangement, the wider Division will be notified, along with senior residents in both s22 Burton and Garran Halls.

As UniLodge have an existing contract with the University, this contract will be varied to include this proposal. The contract variation has been updated by the University Legal Officer (Amy McCudden, Deputy General-Counsel) – refer Attachment A.

The costs to implement this arrangement are the similar to the existing vacant staff positions, and consistent with costs in the other residences:

s47G	s22	Burton and Garran Hall
[Redacted]	[Redacted]	[Redacted]

Recommendation

That you approve:

1. The proposed temporary arrangements for UniLodge to be appointed to s22 Burton and Garran Halls for the next 6-12 months.
2. That you note there are not staff reductions with this arrangement and that existing staff impacted, will be supported with a 1 – 2 week transition period.
3. That you sign the attached contract variation to appoint UniLodge, which has been amended by the University Legal Office.

Sincerely

Nicki Middleton

Professor Sally Wheeler Deputy Vice-Chancellor, International and Corporate	Approved / Please discuss	Signature Date
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Freedom of Information

s22

From: Felicity Gouldthorp <felicity.gouldthorp@anu.edu.au>
Sent: Tuesday, 1 November 2022 9:08 AM
To: s22 @assuredsolutions.com.au; Nicki Middleton <Nicki.Middleton@anu.edu.au>; Ron Fogarty <Ron.Fogarty@anu.edu.au>
Cc: Richelle Hilton <richelle.hilton@anu.edu.au>; Cathy Haberle <cathy.haberle@anu.edu.au>
Subject: Updated: Variation to Operating Agreement between ANU and Unilodge

Hi all

Attached revised version after discussion with Nicki on some final changes. Nicki

s47G

Thanks
Felicity

Felicity Gouldthorp
Deputy Director
Residential Services and Operations
s47F
[Chat with me on MS Teams!](#)

From: Felicity Gouldthorp <felicity.gouldthorp@anu.edu.au>
Date: Tuesday, 1 November 2022 at 8:49 am
To: s47G @assuredsolutions.com.au, Nicki Middleton <Nicki.Middleton@anu.edu.au>, Ron Fogarty <Ron.Fogarty@anu.edu.au>
Cc: Richelle Hilton <richelle.hilton@anu.edu.au>, Cathy Haberle <cathy.haberle@anu.edu.au>
Subject: Re: Variation to Operating Agreement between ANU and Unilodge

Thanks all

Have reviewed the memo (attached) and added in the fees as per below (haven't included the cleaning component as that isn't relevant to the costings in the memo around staffing). Just awaiting the contract to add in as the attachment and then will PDF ready for Cathy to do DocuSign.

Thanks
Felicity

Felicity Gouldthorp
Deputy Director
Residential Services and Operations
s47F
[Chat with me on MS Teams!](#)

From: s22 [redacted] <[redacted]@assuredsolutions.com.au>
Date: Tuesday, 1 November 2022 at 7:05 am
To: Nicki Middleton <Nicki.Middleton@anu.edu.au>, Ron Fogarty <Ron.Fogarty@anu.edu.au>, Felicity Gouldthorp <Felicity.Gouldthorp@anu.edu.au>
Cc: Richelle Hilton <richelle.hilton@anu.edu.au>, Cathy Haberle <cathy.haberle@anu.edu.au>
Subject: Re: Variation to Operating Agreement between ANU and Unilodge

Hi Nicki
I've asked Amy to consolidate the execution version and resend.

In relation to the costs for the memo, they are as follows:

1. Operator Services Fee for B&G = s47G [redacted]
2. s22 [redacted]

Kind regards

s22 [redacted]

From: Nicki Middleton <Nicki.Middleton@anu.edu.au>
Date: Monday, 31 October 2022 at 10:05 pm
To: Ron Fogarty <Ron.Fogarty@anu.edu.au>, Felicity Gouldthorp <Felicity.Gouldthorp@anu.edu.au>, s22 [redacted] <[redacted]@assuredsolutions.com.au>
Cc: Richelle Hilton <richelle.hilton@anu.edu.au>, Cathy Haberle <cathy.haberle@anu.edu.au>
Subject: FW: Variation to Operating Agreement between ANU and Unilodge

Hi all – this doesn't include all the schedules per the Deed of Variation (needs to have all schedules in it for Exec to sign a variation) – and I really need the final costs to go into the memo. @s22 [redacted] has these in the earlier versions I was reviewing?

I have attached the memo with the final part highlighted where I need the financial figures to go into – and the full contract to be attached. @Felicity – in the interests of time and my travel in the morning, can you please work with Ron to get the final contract/schedules and memo complete (please amend any grammar etc changes) and into Docusign for me (Cathy can do this) and then I should be ready to sign s22 [redacted]

Thanks
N

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Residential Experience Division

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Regards,
Amy

Amy McCudden

Deputy General Counsel | University Legal Office

s47F
amy.mccudden@anu.edu.au | legal.office@anu.edu.au | <https://services.anu.edu.au/business-units/legal-office>
CRICOS Provider #00120C

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s22
2. Commencement Date for B&G s22 f 1 November 2022
3. Severance Date for B&G s22
4. Operator Services Fee for B&G s47G
5. s22
6. Some additional minor amendments have been made to suit the current context as suggested by Amy

The current portfolio \$ / bed / annum rate is = s47G
The new portfolio \$ / bed / annum rate including B&G s22 would be = s47G

The Agreement can be signed in counterparts but will require a hard copy execution by the ANU (on page 5).

Please let me know if you have any questions or further requirements to progress execution of this document. Once ok to proceed, I will issue to Unilodge for executing their counterpart.

Many thanks

Kind regards

s22

s22

Assured Solutions (Victoria) Pty Ltd
E s22 <[s22@assuredsolutions.com.au">\[REDACTED\]@assuredsolutions.com.au](mailto:
M s22



NOTE: This email (including any attachments) is intended for use by the recipient. It may contain legally privileged and confidential information. If you are not the intended recipient, please notify the sender by return email and permanently delete the email from your system. We believe, but do not warrant, that this email is virus free. As information could be intercepted, corrupted, lost or contain viruses you should take full responsibility for virus checking.