

F20/378**MINUTES
UWA SENATE****Held Monday, 31 August 2020 in the Senate Room commencing at 3.30 pm****MEMBERS OF THE UNIVERSITY SENATE:**

The Chancellor, as Chair: The Hon Robert French, AC
The Pro-Chancellor and Chair of Strategic Resources Committee: Mr Frank Cooper, AO
Vice-Chancellor: Professor Amit Chakma
Chair of Audit and Risk Committee: Ms Michele Dolin
Chair of Academic Board: Professor Raymond da Silva Rosa
Governor Appointees: Ms Joanne Farrell
Ms Sue Murphy, AO
Elected by Convocation: Mr Simon Dawkins
Adjunct Professor Warren Kerr, AM
Elected by Academic Staff: Dr Nin Kirkham
Elected by General Staff: Ms Jill Benn
Elected by Students: Ms Bre Shanahan: President, Student Guild
Mr Rahul Kumar MS: President, Postgraduate Student's Association
Co-opted members: Mr Michael Byrne
Dr Sue Gordon AM
Dr Bob Olivier
Mr Michael Byrne (via teleconference)

Apologies:

Nil

By Invitation:*For all agenda items (excluding Closed Senate)*

Acting Director, Governance and General Counsel, Mr Paul Shanahan

For agenda items 18 and 19

Chief Financial Officer (CFO), Ms Leona Marquand

For agenda items 20 and 21

Director, Campus Management, Mr Trevor Humphreys

For agenda items 20, 21 and 22

Senior Deputy Vice-Chancellor, Professor Simon Biggs

Secretariat:

University Secretary, Ms Sue Moore

Attendees (Open Senate):

Associate Professor Debra Judge

LATE DOCUMENTS:

The following documents were circulated after the release of the meeting agenda or at the meeting:

- Item 17: Amended Briefing Note: Application for Membership – Convocation
- Item 18: Finance Presentation August 2020
- Item 26: Updated Briefing Note: December 2020 Graduations

PART 1: INTRODUCTORY ITEMS

1. WELCOME AND APOLOGIES

The Chancellor as Chair welcomed all members, invitees and attendees.

2. DECLARATIONS OF INTEREST

No additional declarations were made.

3. CONFIRMATION OF MINUTES

RESOLVED – S R55/20

To confirm the following minutes as a true and accurate record:

- (a) Minutes of the Senate meeting held on 6 July 2020 (S 04/20) (Attachment A);***
- (b) Noting of Decision by the Senate Executive made on 22 July 2020 (S R51/20) (Attachment B);***
- (c) Noting of Decision by the Senate made on 4 August 2020 (S R 52/20) (Attachment C);***
- (d) Noting of Decision by the Senate made on 10 August 2020 (S R53/20) (Attachment D); and***
- (e) Noting of Decision by the Senate Executive Committee made on 12 August 2020 (S R54/20) (Attachment E).***

4. ACTIONS ARISING

- Item 1: Item 14 considered a Deed of Indemnity. This is one element to the Senate member induction process with details of other changes and improvements to follow.
- Item 2: Addressed at Items 20 and 21.
- Item 3: The annual Senate Work Program is under development
- Item 4: Addressed at Item 22 and to be considered at future meetings.
- Item 5: Addressed at Item 18.
- Item 6: Addressed at Item 13.
- Item 7: Considered at Items 20 and 21.

PART 1: ITEMS FOR COMMUNICATION TO BE TAKEN ‘EN BLOC’

5. 2020 SENATE MEETINGS

The remaining dates for meetings of the Senate were noted:

- Monday 19 October
- Monday 7 December

Members were also provided with a list of proposed dates for meetings of the Senate in 2021 and were requested to provide feedback on any issues with those dates to the University Secretary.

ACTION: Members to provide feedback on issued with 2021 Senate meeting dates to the University Secretary

6. APPOINTMENTS AND PROMOTIONS

The list of appointments and promotions circulated with the agenda in accordance with Senate Resolution 274/00 was noted.

7. CONFERRING OF DEGREES, DIPLOMAS AND CERTIFICATES

In accordance with Statute 14 clause (2)(2) made under the *University of Western Australia Act 1911*, the Vice-Chancellor conferred degrees, diplomas and graduate certificates on a number of students.

Senate noted:

- VC Approved *in absentia* conferrals on 27 July 2020;

8. MINUTES AND REPORTS OF SENATE STANDING COMMITTEES

The items arising from meetings of Senate Standing Committees were noted.

9. MEMBERSHIP OF SENATE STANDING COMMITTEES: AUDIT AND RISK COMMITTEE

Senate noted the appointment of Ms Michelle Dean, as a co-opted member of the Audit and Risk Committee.

10. MEMBERSHIP OF SENATE STANDING COMMITTEES: STRATEGIC RESOURCES COMMITTEE

Senate noted the appointment of Mr Matthew (Matt) Braysheer, as a co-opted member of the Strategic Resources Committee.

11. CAPITAL PROJECTS STATUS REPORT

Senate noted the Capital Project Status Report.

12. UWA HACKETT MEMORIAL BUILDINGS – 2020 AUSTRALIAN INSTITUTE OF ARCHITECTS WA CHAPTER ENDURING ARCHITECTURE AWARD

Mr Warren Kerr, AM presented to the Chancellor the Enduring Architecture Award certificate for the Hackett Memorial Buildings conferred by the WA Chapter of the Australian Institute of Architects as part of the 2020 West Australian architectural design awards program.

13. VICE-CHANCELLOR'S DELEGATIONS

The Vice-Chancellor's current delegations detailed in Attachments A, C, D and E to this item were noted.

14. DEED OF ACCESS INSURANCE AND INDEMNITY

The Senate noted the revised Senator – Deed of Access Insurance and Indemnity and the Senate Committee Members – Deed of Access Insurance and Indemnity as at Attachments A and B to the item.

The deeds will now be issued to members as relevant.

ACTION: Secretary to arrange for execution of deeds as relevant.

PART 2: ITEMS FOR DECISION 'EN BLOC'

15. AWARD OF EMERITUS PROFESSOR TITLE

RESOLVED S R56/20

The Senate approved conferral of the title of Emeritus Professor upon Professors Sarah Dunlop, Graeme Martin, Stephen Powles, Jane Balme and Lyn Parker following the date of their retirement from the University.

16. RESCISSION OF COURSEWORK COURSES AND AWARD

RESOLVED S R57/20

The Senate approve the rescission of the Graduate Diploma in School Psychology (30360) effective from 2021.

17. APPLICATION FOR MEMBERSHIP OF CONVOCATION FROM NON-UWA GRADUATE DR ROBERT PEARCE AM RFD CStJ CitWA OM(Fr)

An updated paper was circulated to members at the commencement of the meeting.

RESOLVED S R58/20

The Senate approved Dr Robert Pearce AM RFD CStJ CitWA OM(Fr) being appointed as a member of Convocation.

PART 3: ITEMS FOR DISCUSSION/DECISION

18. FINANCE REPORT: JUNE 2020

The report was taken as read.

The CFO circulated a finance presentation detailing updates to the June Finance Report, including Census 2 data:

- A preliminary favourable variance to unrestricted funds of \$36m
- The variance includes delays or deferral of expenditure;
- Semester 2 enrolments have recovered. Modelling will now commence on 2021 student load;
- Improvements mean the liquidity risk remains but its impact will now likely shift to Q3/Q4 2021;
- Improvements in international student enrolment will be key to the University's success;
- Audits and investigations into unpaid employee benefits are continuing.
- Key risks to be managed include leave provisioning and debt borrowings.
- The policy addressing the University's Debt Coverage ratio will be provided to the Senate for review in October.

The Vice-Chancellor detailed his intention to review the distribution of research funding and the application of costs related to research activity through a 'performance lens' with the view to providing increased clarity and granularity in reporting.

The CFO responded to a query on the decision to freeze access to 'fund 63' accounts being funds generated by consultancy activities noting the University was not in a position to allow the spend down of these funds. Work will be undertaken to clarify carry-forward balances and, as appropriate, make funds accessible in future.

19. 2021/22 BUDGET PARAMETERS

The CFO detailed the proposed budget funding principles:

- Operating budget be set within no reliance on revenue growth or funding support from borrowings or asset divestment;
- Plans to remove costs must be sustainable and acknowledge the removal or change in activity and/or workload;
- Debt borrowings to be maintained within Senate approved limits;
- COVID-19 budget response to be separately identifiable to the structural budget deficit; and
- Strategic and capital investment may be supported by once off investment funding and/or distributions from assets, subject to a clearly defined business case and compliance with legislative and contractual requirements.

In response to a query, the CFO noted whilst efforts to respond to COVID-19 had been favourable to date, the University's underpinning financial position was not sustainable and an additional \$150m per annum is required to address the structural deficit and future financial sustainability.

The Vice-Chancellor noted the addition of new courses had resulted in positive domestic enrolments.

On behalf of the Senate, the Chair thanked the Executive for the concise and compelling paper and the motion which represented a major cultural shift to address the University's unsustainable financial position.

RESOLVED S R59/20

The Senate noted:

- a) **Deferral of formal approval of the 2021/22 Budget Parameters to the October meeting, enabling:**
 - (i) **The Vice Chancellor to lead a strategic planning review; and**
 - (ii) **Define the University budget parameters in response to the review outcomes and within the following funding principles:**
 - a. **The University 2021/22 operating budget be set with no reliance on either unrealised revenue growth or funding support from borrowings or asset divestment;**
 - b. **Plans to remove costs must be sustainable and acknowledge the removal or change in activity and/or workload;**
 - c. **Debt borrowings to be maintained within Senate approved limits;**
 - d. **COVID-19 budget response to be separately identifiable to the structural budget deficit; and**
 - e. **Strategic and capital investment may be supported by once off investment funding and/or distributions from assets, subject to a clearly defined business case and compliance with legislative and contractual requirements.**
- b) **Supports the Vice Chancellor to take the necessary actions to ensure the financial structural deficit of the University is addressed as the key strategic priority.**

Ms Marquand left the meeting.

20. UWA 2020 CRAWLEY CAMPUS MASTERPLAN

Senior Deputy Vice-Chancellor, Professor Simon Biggs and the Director, Campus Management, Mr Trevor Humphreys joined the meeting.

Professor Biggs noted the Masterplan detailed the University's intentions to rationalize the estate and facilitate better management of the Crawley campus i.e., the 'core estate', by the implementation of a Sustainability Roadmap. He noted Senate's approval of the Masterplan would effect it as a public document detailing the University's intentions and ambitions to the broader community and would allow future proposals to be tested against the plan.

In response to concerns expressed by members, the Chair clarified that any resolution to approve the Campus Masterplan did not extend to approval of those documents identified at 9.0 *Supporting Documents* within Attachment A.

It was noted the Masterplan was the high-level 'capstone' document that established the principles and aspirations of the University while strategies and plans would serve as 'living documents' likely requiring ongoing review and amendment to facilitate the implementation of the Masterplan.

Senate requested the Vice-Chancellor to oversee the development of an implementation protocol in relation to the application of the Masterplan and, in relation to particular works from time to time, to recommend these to the Senate via the Strategic Resources Committee.

It was agreed that the Senate should annually review the status of the Campus Masterplan implementation.

On behalf of the Senate, the Chair commended the team involved in the development of the Campus Masterplan.

RESOLVED S R60/20

The Senate:

- (a) Approved the Campus Masterplan at Attachment A;***
- (b) Note the draft Land Asset and Development and Divestment Plan (formerly the Asset Realisation Strategy) at Attachment 2; and***
- (c) Note the Campus Masterplan communications strategy***

ACTION:

- Vice-Chancellor to oversee the development of an Campus Masterplan implementation protocol;
- University Secretary to ensure the Senate Work Program includes an annual review of the Campus Masterplan implementation.

21. ASSET SALES – FAIRWAY PROPERTIES

Introducing the item, the Senior Deputy Vice-Chancellor noted this paper represented the commencement of the process of consolidation of the University's property portfolio.

In response to a query, it was noted the University may, in future, consider alternative property retention or management strategies including 50-year land lease arrangements, as appropriate.

RESOLVED S R61/20

The Senate approved Approve management seeking proposals from suitable real estate agents to bring the following properties to market in 2020/21:

- (a) 41 and 43 Broadway, Crawley***
- (b) 55 and 57 Fairway, Crawley***
- (c) 65, 69, 71 and 73 Fairway, Crawley***

Mr Humphreys departed the meeting.

22. UWA SAFETY AND HEALTH QUARTERLY REPORT – Q2, 2020

The Senior Deputy Vice-Chancellor provided additional background and responded to member queries on the serious near-miss incident detailed within the report. He noted compulsory health and safety training will be undertaken by University executives and senior leaders in Q3.

In response to member concerns that the University should demonstrate a health and safety culture, a culture of compliance and have appropriate induction, training and reporting processes and systems related to occupational health and safety in place, the Vice-Chancellor undertook to ensure that those issues are addressed.

It was noted a risk management framework is under development that will identify the University's responsibilities and obligations, including that of the Senate, under relevant legislative and regulatory instruments as well as specific penalties that may apply. This will come to the Senate via the Audit and Risk Committee. It was recommended that Senate review the framework on an annual basis.

ACTION: University Secretary to ensure the Senate Work Program includes an annual review of the risk management framework.

The Senior Deputy Vice-Chancellor departed the meeting.

23. TEQSA RE-REGISTRATION

The Vice-Chancellor introduced the item noting the University has commenced the process of addressing the gaps identified in its preparedness for the periodic TEQSA re-registration exercise. A TEQSA Steering Committee has been established and will monitor and report on matters related to the re-registration with the primary focus on monitoring and data collection to inform UWA's submission.

The Senate was advised that the Chancellor's Committee has commenced the process to engage an independent reviewer to undertake the review of Senate and academic governance processes required under the Threshold Standards. It is anticipated the final report will be provided to the Senate at its meeting on 4 March 2021 or a special meeting thereafter, if required.

In response to a concern that the Senate required improved education on its responsibilities under the Higher Education Standards, the University Secretary undertook to provide materials for consideration at the October meeting.

ACTION: University Secretary to facilitate provision of materials on the Higher Education Standards for Senate members.

24. UWA'S RESPONSE TO THE MODEL CODE

The Chair noted the intention of the establishment of the Working Group was to consider the extent to which the Model Code should be adapted and/or adopted by the University and to make any recommendations to the Senate in that respect.

RESOLVED S R62/20

(a) That the Senate establish a Working Group to report to Senate with recommendations as to UWA's response to the Model Code proposed in the Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers.

- (b) *That the membership of the Group comprise:*
- (i) *The Chancellor*
 - (ii) *Professor Ray da Silva Rosa (Chair of the Academic Board)*
 - (iii) *Professor Robyn Carroll (Deputy Chair of the Academic Board)*
 - (iv) *Jill Benn*
 - (v) *Joanne Farrell*
 - (vi) *Simon Dawkins*
 - (vii) *Brehany Shanahan, (Guild President)*

Mr Paul Shanahan, General Counsel, be a standing invitee to assist the Working Group.

- (c) *The University Secretary, or nominee, to act as Secretary to the Working Group.*

25. UPDATED POWER OF ATTORNEY – STATUTE NO. 2 – SEAL OF THE UNIVERSITY

RESOLVED S R63/20

The Senate:

- (a) *Authorise the Vice-Chancellor to affix the Common Seal of the University to the Deed of Revocation of Power of Attorney N854372 (Attachment A) granted pursuant to Senate Resolution 56 of 2017.*
- (b) *That the Vice-Chancellor be authorised to affix the Common Seal of the University to the Power of Attorney (Attachment B) and made in favour of any two persons being one of each of classes A and B specified in the attached Power of Attorney and to thereby permit the signing under that Power of Attorney of all documents otherwise required to be sealed.*
- (c) *Subject to paragraph (f) below, that in all cases where commercial documents are required to be executed but there is no legal requirement for execution to be under seal so that it is not therefore appropriate to execute such documents pursuant to the Power of Attorney, then any one of Amitabha Chakma, Vice-Chancellor; Simon Richard Biggs, Senior Deputy Vice-Chancellor, David Sadler, Deputy Vice-Chancellor (Education); Timothy David Colmer, Deputy Vice-Chancellor (Research); Tayyeb Daud Shah, Deputy Vice-Chancellor (Global Partnerships); Leona June Marquand, Chief Financial Officer and Paul Richard Shanahan, General Counsel, are authorised to sign on behalf of the University.*
- (d) *That where documents are executed pursuant to the Power of Attorney referred to in paragraph (b) the University Secretary be required to enter in a register, details of those documents similar to the details required under Statute No. 2 Section 4 for documents executed under the Common Seal of the University.*
- (e) *That in all cases documents executed on behalf of the University be copied and appropriately filed.*
- (f) *That the Vice-Chancellor may direct that certain classes of commercial documents, other than those required to be executed under seal, be only executed by particular officers taken from amongst the class of officers referred to in paragraph (c) and subject to such limitations and conditions as the Vice-Chancellor requires.*

26. DECEMBER 2020 GRADUATIONS

Members were referred to the updated paper circulated on Friday, 28 August 2020.

Following extended discussion the Senate agreed to the postponement of the December 2020 graduation ceremonies given the uncertainty related to COVID-19 restrictions.

The Vice-Chancellor was requested to explore methods of enhancing the virtual graduation experience unless and until the University can address COVID-19 restrictions.

RESOLVED S R64/20

The Senate:

- (a) ***Approved the postponement of December 2020 Graduation ceremonies, due to the reputational risk associated with a shorter delivery timeline and increased financial and staffing cost of delivering a higher quantity of smaller ceremonies;***
- (b) ***Approved students being given the option to graduate in absentia in December and ceremonies to be rescheduled to March 2021 (dates as specified in Attachment A).***
- (c) ***Noted the Faculty of Health and Medical Sciences will consider, separate to graduations, options for a dedication celebration in December 2020 (either virtual or face to face) for their Medicine, Dentistry, Pharmacy and Podiatry cohorts to swear the modern version of the Hippocratic Oath; and***
- (d) ***Determined to defer its decision on the additional items addressed within the briefing paper to a later meeting.***

ACTION: The Vice-Chancellor to explore methods of enhancing the virtual graduation experience.

27. VICE-CHANCELLOR'S REPORT TO SENATE

The Australian Medical Council has advised that the first submission required under the re-accreditation process for the UWA MD degree program has substantially met requirements. The Senate formally acknowledged the Head of the Medical School, Dr Brendan McQuillan, the Chair of the Medical Practice Committee, Dr Helen Wilcox and other Medical School staff for their significant work and commitment in responding to the requirements of reaccreditation.

The Chair suggested that a change to the University's policy on Award of the Title of Emeritus Professor should be progressed to the Senate via the Academic Board to allow, in the case of a female recipient, the use award of the title 'Emerita Professor'.

The Academic Board Chair advised that he will work to reinstate the provision of a regular report to the Senate on the Board's decisions and activities.

Mr Paul Shanahan and Associate Professor Debra Judge departed the meeting.

CLOSE: 6.37 pm

Confirmed (Sign)

Date