

MINUTES

UWA SENATE

Held Monday, 9 March 2020 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 Dawn Freshwater

Chair of Audit and Risk Committee: Ms Michele Dolin (via teleconference)

Chair of Academic Board: Professor Raymond da Silva Rosa

Governor Appointees: Dr Lynton Hayes

Ms Joanne Farrell

Elected by Convocation: Mr Simon Dawkins

Elected by Academic Staff: Dr Nin Kirkham

Elected by General Staff: Ms Jill Benn

Elected by Students: Ms Bre Shanahan: Guild President

Mr Rahul Kumar MS: President, Postgraduate Student's Association

Co-opted members: Mr Michael Byrne (via teleconference)

Dr Bob Olivier

Apologies:

Dr Sue Gordon AM

Adjunct Professor Warren Kerr AM

Ms Sue Murphy AO

By Invitation:

For all agenda items (excluding Closed Senate)

Acting Director, Governance and General Counsel, Mr Paul Shanahan

For all agenda items (excluding items 19-21)

Chief Operating Officer, Mr Robert Webster

For agenda item 14

Chief Financial Officer, Ms Leona Marquand

For agenda item 16

Deputy Vice-Chancellor, Research, Professor Tim Colmer

Professor Andrew Page, Chair, Animal Ethics Committee (Green)

For agenda item 22

Deputy Vice-Chancellor, Global Partnerships, Mr Tayyeb Shah

Secretariat:

University Secretary, Ms Sue Moore

Attendees (Open Senate):

Associate Professor Debra Judge

TABLED DOCUMENTS:

Late Item: Appointment of Pro-Chancellor Briefing Note

Item 14: Annual Report (Draft) hard copy

Annual Report 2019 Finance Presentation

[Secretary's Note: The late item: Appointment of Pro-Chancellor was considered immediately following item 1. Senate received an update from Executive members on COVID-19 immediately prior to consideration of item 14. To maintain the link between the agenda and minutes these items have been identified but not numbered.]

INTRODUCTORY ITEMS

1. WELCOME AND APOLOGIES

The Chancellor welcomed all members to the meeting including Dr Nin Kirkham, the new member of the University's academic staff member elected to the Senate, and Ms Jill Benn, the new member of the general staff elected to the Senate, to their first meeting.

In accordance with Regulation 13(12) of the Senate Regulations, the Chancellor declared:

- a) Dr Nin Kirkham elected for a three year term of office effective 1 March 2020 to 28 February 2023; and
- b) Ms Jill Benn elected for a three year term of office effective 4 March 2020 to 3 March 2023

The Chair noted this was the final meeting Senate meeting for the Vice-Chancellor and for Senate member, Dr Lynton Hayes.

APPOINTMENT OF PRO-CHANCELLOR

Mr Frank Cooper, AO departed the meeting.

The Chair drew members' attention to the tabled briefing note highlighting the oversight in the extension of Mr Cooper's term on the Senate which should have coincided with Senate's consideration of his re-appointment as Pro-Chancellor. The Chair noted that in line with Section 16(1) of the [Senate Regulations](#), Mr Cooper had confirmed his eligibility and willingness to be re-appointed to the role of Pro-Chancellor.

RESOLVED – S R03/20

In line with Section (16(1)(a) of the [Senate Regulations](#), that Senate approve the re-appointment of Mr Frank Cooper, AO as Pro-Chancellor of the University of Western Australia effective 9 March 2020 for the balance of his term being 27 February 2023.

Mr Cooper re-joined the meeting.

2. DECLARATIONS OF INTEREST

The Chair advised that, in addition to the interests declared by members detailed in the Register of Interests at Attachment A to agenda item 2, members, prior to the meeting, had declared the following potential/perceived conflicts of interest:

- Dr Nin Kirkham is the President of the UWA Academic Staff Association and Vice President (Academic) of the UWA Branch of the NTEU.
- Ms Jill Benn is Chair, Council of Australian University Librarians; Faculty Member of the Council of Australasian Information Technology Directors Leadership Institute; Council Member on the Research Data Alliance; Board Member of the International Association of University Libraries and Member of the JSTOR Library Advisory Group

Ms Joanne Farrell advised she has joined the Board of Trustees for WA Museums and the National Board of the Australia China Business Council as a Non-Executive Director.

In relation to specific agenda items the following declarations had been made ahead of the meeting:

- Item 9: Ms Jill Benn declared she is nominated to participate on the Staff Panel for Boards of Discipline;
- Item 17: Ms Jill Benn declared that the Library is leading the response to the sale of the Coop Bookshop to Booktopia.com, the resulting close of the UWA branch of the Coop Bookshop and in her role as University Librarian, she contributed to and reviewed the submission to the agenda paper provided to Senate.
- Item 22: Dr Nin Kirkham declared her sister, Alex Allan, facilitated the UWA Publishing design workshop on 4 March 2020. Ms Jill Benn declared that, as University Librarian, she had

participated in the workshop.

3. CONFIRMATION OF MINUTES

RESOLVED – S R04/20

That the Minutes of the Senate meeting held on 9 December 2019 and the Noting of Decision made by Senate by way of circular on 20 December 2019 be confirmed.

PART 1: ITEMS FOR COMMUNICATION

4. 2020 SENATE MEETING DATES

The remaining dates for meetings of the Senate in 2020 were noted as follows:

- Monday 20 April
- Monday 6 July
- Monday 31 August
- Monday 19 October
- Monday 7 December
- Strategic Seminar – date to be determined

All meetings will commence at 3.30pm in the Senate Room.

5. APPOINTMENTS AND PROMOTIONS

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

6. 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 on 17 February 2020 and 26 February 2020.

The following were noted by Senate:

- Amendment of Awards conferred in December 2019;
- VC Approved in absentia conferral lists; and
- VC Approved Retrospective Conferral lists.

7. MINUTES OF SENATE STANDING COMMITTEES AND WORKING GROUP

Minutes of the Senate Standing Committees and items arising from those minutes for consideration/approval by Senate were included in Part 3 or Part 4 of the agenda, as appropriate.

PART 2: ITEMS FOR DECISION ‘EN BLOC’

The Chair had advised members item 8 had been incorrectly listed under Part 1 Items for Communication and should be considered under Part 2: Items for Decision ‘En Bloc’.

8. SENATE COMMITTEES – CONSTITUTIONS AND MEMBERSHIP

8.1 Audit and Risk Committee Constitution

RESOLVED – S R05/20

to approve the revised Constitution of the Audit and Risk Committee as at Attachment A in the agenda for this meeting.

8.2 Audit and Risk Committee Membership

RESOLVED – S R06/20

to appoint Michael Byrne as an external member of Senate the Audit and Risk Committee effective 16 March 2020 to 31 December 2021, coinciding with his term on Senate.

9. BOARDS OF DISCIPLINE – APPOINTMENT FOR 2020 - REF F20/550

9.1. Appointment of Panel from which Chair can be selected

Under Regulation 15(1)(a) of the *Regulations for Student Conduct and Discipline* pursuant to Statute No. 17 (Student Discipline), Senate is required annually to appoint a panel comprising members of the Senate or senior members of academic staff from which the Chair of a particular Board of Discipline could be selected by the Chancellor.

RESOLVED – S R07/20

that the Panel from which Chairs of Boards of Discipline are selected for the period to 1 December 2020 comprise:

- *Professor Matthew Tonts*
- *Professor Tanya Fitzgerald*
- *Professor Tony O'Donnell*
- *Professor Romola Bucks*
- *Professor John Dell*
- *Associate Professor Dianne Hesterman*
- *Professor Jon Watson*
- *Professor Daniella Ulgiati*
- *Professor Peter Dean*
- *Professor Graham Brown*

9.2 Appointment of Panel of Staff

Under Regulation 15(1)(d) of the *Regulations for Student Conduct and Discipline* Senate is required annually to appoint, on the recommendation of the Deputy Vice-Chancellor (Education), a panel of staff from which one member could be selected by the Chair of the Academic Board to serve on a particular Board of Discipline.

RESOLVED – S R08/20

that the staff Panel for Boards of Discipline for the period to 1 December 2020 comprise:

- *Ms Jill Benn*
- *Associate Professor Tanya Dalziell*
- *Dr Mark Dixon*
- *Associate Professor Joanna Elfving-Hwang*
- *Ms Jacqueline Flowers*
- *Ms Sophie Giles*
- *Ms Di Regan-Roots*
- *Associate Professor Natalie Skead*
- *Professor Adam Wittek*
- *Mr Tamas Zegrean*
- *Professor Tim Ackland*

9.3 Appointment of Student Panel

Under Regulation 15(1)(e) of the *Regulations for Student Conduct and Discipline* Senate is required annually to appoint, on the recommendation of the President of the Guild, a panel of students from which one member might be selected by the President of the Guild to serve on a particular Board of Discipline.

RESOLVED – S R09/20

that the student Panel for Boards of Discipline for the period to 1 December 2019 comprise:

- Mr Rahul MS
- Mr Christopher-John Daudu
- Mr Vin Kalim
- Ms Amy Hearder
- Mr Viknash VM
- Ms Emma Mezger

10. CHANGES TO GRADUATION SCHEDULE

Senate was asked to approve amendments to the dates for graduation ceremonies to be held in 2020 and 2021 as per Attachment A to item 10.

The Chair noted the University would give consideration as to how graduation ceremonies would be conducted in the light of COVID-19. The University is participating in discussions with Go8 and WA universities on creative alternatives to large congregations.

RESOLVED – S R10/20

to approve amendments to the July 2020 and July 2021 graduation ceremony dates as per Attachment A to item 10.

11. QEII MEDICAL CENTRE TRUST BOARD APPOINTMENT

Clause 7(3)(c) of the constitution of the QEII Medical Centre Trust provides for two persons to be appointed to the Trust by the Senate, to hold office during its pleasure.

Senate was requested to replace Professor Wendy Erber whose role as the Executive Dean, Faculty of Health and Medical Sciences concluded on 31 December 2019. The other appointee is Mr Robert Webster, Chief Operating Officer (Corporate Services).

The Vice-Chancellor highlighted Professor Erber's considerable support of the University's academic mission during her tenure including securing funding and support for the Warren Medical Library, the Barry Marshall Library and recognition of Professor Geoffrey Shellam at QEII.

The Vice-Chancellor recommended the appointment is vested in the role of the Executive Dean of the Faculty of Health and Medical Sciences as the second appointee to the Trust Board.

RESOLVED – S R11/20

that the Executive Dean of the Faculty of Health and Medical Sciences be appointed by the Senate to the QEII Medical Centre Trust to hold office until further notice.

12. RENAMING SEMINAR ROOM 1.01, BLOCK QEII IN HONOUR OF THE LATE PROFESSOR GEOFFREY SHELLAM

A proposal was provided to Senate to approve the renaming of Seminar Room 1.01 in L Block, QE II in honour of the late Professor Geoffrey Shellam, the Professor of Microbiology at UWA from 1985 until his death in 2015 in recognition of his research achievements, contribution to the discipline of Microbiology and Immunology and his long-standing support for research students.

RESOLVED – S R12/20

to approve the renaming of Seminar Room 1.01 in L Block, QEII in honour of the late Professor Geoffrey Shellam.

13. CONFIRMATION OF RESOLUTION – DOCTOR OF OPTOMETRY (91590)

At the meeting held 9 December 2019, the Senate resolved by R58/19 “to approve the introduction of the award in Doctor of Optometry (91590) effective from 2021, subject to the Senate Executive Committee’s satisfaction of the strategic case relating to financial risks”.

The Senate Executive Committee met to consider the strategic case on 19 December 2019 at which it resolved (S R68/19) that the Committee:

...accepts that there is a financial risk associated with the introduction of the degree of Doctor of Optometry. The Committee is nevertheless satisfied that the strategic case justifies the financial risk. The Committee noted as relevant to the assessment of financial risk that, in the event of unacceptable adverse financial outcomes, the program could be terminated.

RESOLVED – S R13/20

to confirm Senate’s approval, by resolution R58/19, of the introduction of the award of Doctor of Optometry (91590) effective 2021.

PART 3: ITEMS FOR DISCUSSION AND/OR DECISION

SENATE UPDATE: COVID 19

Deputy Vice-Chancellor, Education, Professor David Sadler, Professor Graham Brown, Dean, Postgraduate Coursework Studies and Mr Chris Massey, Director, Student Life joined the meeting and provided an overview of the University’s approach to educational, operational and reputational risks to the University in light of COVID-19 including:

- Communication with Federal and State governments and agencies;
- Consideration of Universities Australia (UA), Group of Eight (Go8) and academic/educational and executive network peer responses on policy matters, safe practices, travel and advocacy, among others;
- Activities undertaken by the Critical Incident Management Team and five related work streams in response to changing risk profiles and the University’s specific circumstances;
- Change and contingency arrangements related to academic activities including IT requirements, exam deferrals, assessments and graduations;
- Modelling for the provision of teaching in the event of a partial or full campus closure including the likely impacts on faculties and remediation across the whole year in terms of resources, staff, teaching changes and associated requirements.

Responses to member queries included:

- The objective of the University’s activities is the safety of students and staff, minimal disruption to student outcomes, business continuity and assurance around critical infrastructure and operations within the changing capacity constraints;
- Educational and reputational aspects are closely linked and are being addressed simultaneously;
- The University is marshalling its resources to deliver the best outcomes for all students by taking the opportunity to re-think online and remote delivery and leveraging new technologies to achieve organizational enhancements;
- As with all sector participants, UWA is receiving regular communication from Federal and State governments via UA and the Go8. Decisions are being made in line with official guidance;
- The Student Guild is continuing to work on communication with affected students as well as those who may be impacted by the potential economic fallout of COVID-19;

It was noted UWA along with other universities is seeking advice from government and regulatory bodies on the potential for exclusion or other consideration in relation to domestic and international student surveys given the likelihood of a flawed response.

On behalf of the Senate, the Chair congratulated the Executive on its approach and efforts in a difficult and changing landscape.

Professor Sadler, Professor Brown, and Mr Massey left the meeting.

14. VICE-CHANCELLOR'S REPORT ON PERFORMANCE IN 2019 INCORPORATING THE APPROVAL OF THE 2019 ANNUAL REPORT

Ms Leona Marquand, Chief Financial Officer joined the meeting.

The draft 2019 Annual Report, including some amendments requested by the Audit and Risk Committee (ARC) at its meeting on 3 March 2020 had been provided in the agenda. A further updated draft of the Annual Report been circulated to members via SharePoint and provided in hard copy.

The Vice-Chancellor presented a summary report on the University's performance against 2019 Key Performance Indicators highlighting the six-monthly and 'deep dive' thematic Key Risk Indicator reviews undertaken by Senate throughout 2019.

It was noted ARC and SRC had considered the anticipated financial position of the University pre and post COVID-19 in addition to the need for a faster and broader approach than that of the Targeted Financial Strategy.

The Chief Financial Officer provided an overview of the financial statements highlighting:

- While the operating result was \$112m with an underlying \$3m deficit; removal of the release of reserves, unrealized investment gains and endowments resulted in a general purpose operating (untied funds) deficit for 2019 of \$50m;
- Sustainability measures are also masked by investment returns;
- The University's decision to defer application of AASB 9 and AASB 1058 has resulted in revenue differences from prior years related to research grants, E-Zone and Scholarships;
- Extraordinary items included voluntary redundancies, including leave payouts, of \$3.3m and accounting treatment related to conversion of PIAF from a business unit to a subsidiary;
- The current ratio (current assets/current liabilities) is 0.4. A preferred measure is no less than 1.0;
- Excessive leave and Long Service Leave entitlements have been decreasing but this will need to remain a priority during 2020;
- Gearing ratio (debt service coverage ratio) may prove a challenge to future income. Additional work is being done on this;
- UWA, as with all universities, has addressed the OAG's requirement to include a note on subsequent events in its financial statements related to the potential impacts of COVID-19;
- Future share market falls will also impact the University and modelling is currently underway on the potential complete cost of COVID-19.

The Vice-Chancellor outlined the change to one KPI following OAG feedback during the audit.

Member queries and responses on the financial statements included:

- The University has seen strong enrolments and improvements in some cohorts, however, COVID-19 is rapidly becoming an issue for both first and second semester. Census date reporting is a statutory requirement. UA and the Go8 are lobbying the Federal Government to reconsider the date;
- UWA is doing very well on retention in most cohorts and has set an ambitious target for 2020 and future years;
- Participation targets for Indigenous students are not being met, however, those students who are completing are graduating high-level courses. Targets for students from non-English speaking backgrounds and regional/remote students are also not being met so work remains in those areas;
- Student satisfaction for both undergraduate and postgraduate is on or above target with UWA performing exceptionally well in the Global International Student Barometer (ISB);
- Work Integrated Learning is available to all students;

- It was noted UWA's performance in graduate employment outcomes is impacted by its course structure. The government is being urged to change the measure given the University is required to report on this indicator but it is antagonistic to the UWA model. Additional work is being undertaken to understand the data informing the QILT outcomes to address potential reputational risks to the University;

The following was noted in relation to the University's KPI report:

- UWA's internal and external KPIs require review to ensure they are as robust as possible and appropriately inform the Strategic Plan as well as reporting and promotion to external parties;
- Federal Government changes to research funding will mean an increased focus on industry-related research;
- UWA is performing well in key rankings;
- Staff satisfaction has seen a slight improvement with an increased number of staff engaging in the survey;

In addition to her report to the Senate, the Vice-Chancellor advised Senate:

- The Australian Medical Council has issued a report on the review of UWA's MD program and recommended a three-year accreditation to May 2023. The University has accepted all recommendations within the report;
- The Student Guild is congratulated on the recent opening of the IGA in the Guild Village;

The Chief Financial Officer provided a presentation on key financial risks to the University as a result of COVID-19 and proposals on how the University and the sector might address these.

On recommendation from the Audit and Risk Committee, Senate

RESOLVED – S R14/20

- to adopt the draft Annual report of the University of Western Australia for 2019 including the audited Financial Statements and the Key Performance Indicators;*
- to approve the certification of the audited Financial Statements and Performance Indicators; and*
- to authorise the Chancellor and Vice-Chancellor to sign off and transit to the Minister the Annual Report including the audited Financial Statements and Key Performance Indicators.*

Ms Marquand, Chief Financial Officer departed the meeting.

15. REVIEW OF THE UNIVERSITY LEGISLATION

Acting Director, Governance and General Counsel Paul Shanahan introduced the item outlining the review process undertaken.

The following changes were requested to the Statute:

- Removal of Clause 56(4) given its conflict with other legislation; and
- Removal of the following words at the end of Clause 83 '...and in the relevant policies and procedures' given the uncertain scope and provenance of policies and procedures in this context.

RESOLVED – S R15/20

- subject to the amendments requested, to approve the UWA Statute, as at Attachment A to item 15; and*
- to note, that in accordance with Section 31(2) of the University of Western Australia Act 1911, if Convocation does not within 28 days thereafter return the same or returns the same without any request for any amendment thereof such Statute shall be deemed to be approved by Convocation.*

RESOLVED – S R16/20

to approve repealing the existing Statutes and Regulations, as at Attachment B to item 15.

Due to matters requiring further consideration in the draft by-laws the Senate agreed to hold these over to allow further advice to be secured in relation specific aspects of concern.

The Senate was advised the existing by-laws could operate under the new Statute.

Members were requested to forward queries in relation to the draft by-laws to the Acting Director, Governance and General Counsel via the Executive Officer.

The Chair congratulated all parties involved in the review of the Statutes and Regulations.

16. ANIMAL ETHICS COMMITTEE (AEC) ANNUAL REPORT 2019 - REF F19/2896

Deputy Vice Chancellor, Research Professor Tim Colmer and Professor Andrew Page, Chair Animal Ethics Committee (Green) joined the meeting.

Clause 2(1)(v) of its [Constitution](#) provides that the Audit and Risk Committee 'review and assess the University's compliance with relevant regulatory, legal requirements and contractual obligations'. At its meeting on 3 March 2020 the ARC considered the 2019 Annual Reports (Blue and Green Reports) which had been prepared for compliance with the *Australian code for the care and use of animals for scientific purposes* 8th edition, 2013 (the Code) and the attachments which were provided separately via the Committee's [SharePoint](#) site.

Section § 2.3.28 of the Code states '[t]he AEC must submit a written report on its operations at least annually to the governing body of the institution(s) for which it acts'.

The Chair highlighted the importance of the AEC 2019 Annual Report noting that the ARC had considered all documentation in detail ahead of its recommendation to Senate.

Professors Colmer and Page provided additional detail on matters including issues of non-compliance, mitigation and areas of continuous improvement in the University's research activities identified and addressed by the committees.

The ARC Chair noted that the Committee had considered the report, all the relevant attachments and received detailed presentations from each of the committee chairs.

Senate was asked to confirm that it was comfortable that it had met its obligations under the Code and could rely on the procedures, checks and balances undertaken by the AEC and ARC given the attachments to the report provided to the ARC had not been provided to the Senate.

It was agreed that on recommendation from the Audit and Risk Committee, and in light of consideration of the reports and associated attachments by that Committee, that Senate:

RESOLVED – S R17/20

to note that the Annual Ethics Committee has conducted an annual review in accordance with clause 2.2.37 of the 'Australian code for the care and use of animals for scientific purposes' 8th edition, 2013 (the Code).

17. UNIVERSITY COOPERATIVE – UPDATE

A briefing paper considered by the Chancellor's Committee at the meeting on 19 February 2020 on the impact of the Co-operative Bookshop ("the Co-op") entering administration and proposed sale was distributed to members with the agenda.

The President of the Student Guild noted the Library has been instrumental in ensuring students can access loan textbooks. The University's Education Portfolio, Faculties Student Guild and the Library will continue to consult on the process to meet student

textbook requirements.

The briefing paper was noted.

18. FORREST HALL STAGE 2 – UPDATE

A briefing paper considered by the Chancellor's Committee at the meeting on 19 February 2020 on the status of the construction of Forrest Hall Stage 2 was provided to members with the agenda. Senate were advised the project is running on time and to budget with no current 'live' issues.

Senate and other key stakeholders will be invited to sessions in April on the University's Campus Master Plan and receive details of the consultation process to be undertaken.

The briefing paper was noted.

Observer, Associate Professor Debra Judge left the meeting ahead of the Closed Senate

CLOSE: 6.39 pm

Confirmed (Sign)

Date