Council Handbook
Council Secretary, Dr Scott Snyder: 07 5459 4759 ssnyder@usc.edu.au

Senior Committees Officer, Ms Merryn Falk: 07 5430 1102 mfalk@usc.edu.au
# Council of the University of the Sunshine Coast

## Handbook

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1. Statement of governance principles

The Council of the University of the Sunshine Coast (USC) is committed to maintaining and promoting good governance practices and structures within the University. To do this, it will encourage management to create value (through innovation, development and exploration) while providing accountability and control systems commensurate with the risks involved.

Good governance hinges on respect for the complementary roles of Council and University management. The dominance of one group diminishes the other, and in turn, the power of the University.

Council is the face of public accountability for the University and has a pivotal role in ensuring that the Vision for the University set down in the Strategic Plan is achieved.

As there is no single model of good governance, and what constitutes good governance will evolve with the changing circumstances of an organisation, Council will review its practices and structures regularly.

2. The University

The University of the Sunshine Coast was established under the University of the Sunshine Coast Act 1998 (hereafter ‘the Act’) with the following functions (s5). To:

1. Provide education at university standard and
2. Provide facilities for, and encourage, study and research and
3. Encourage the advancement and development of knowledge, and its application to government, industry, commerce and the community and
4. Provide courses of study or instruction, at the levels of achievement the Council considers appropriate, to meet the needs of the community and
5. Confer higher education awards and
6. Disseminate knowledge and promote scholarship and
7. Provide facilities and resources for the wellbeing of the University’s staff, students and other persons undertaking courses at the University and
8. Exploit commercially, for the University’s benefit, a facility or resource of the University, including, for example, study, research or knowledge, or the practical application of study research or knowledge, belonging to the University, whether alone or with someone else and
9. Perform other functions given to the University under the Act or another Act.

Organisational structure

The current USC organisational structure may be accessed at:


Committee structure

The current committee structure may be accessed at:


3. Certain officers of the University

In accordance with Part 3 of the Act, there is to be:
• A Chancellor, elected by Council whenever a vacancy in the office occurs. The Chancellor need not be a member of Council and will have a term of office of not longer than five (5) years, fixed by Council.
• A Deputy Chancellor, elected by Council whenever a vacancy in the office occurs, with a term of office of no longer than four (4) years, fixed by Council.
• A Vice-Chancellor, appointed by Council whenever a vacancy in the office occurs, with terms of appointment as decided by Council.

The Chancellor’s role is to act as Chair of Council and as ceremonial head of the University (eg at Graduation).

The Deputy Chancellor’s role is to act as Chancellor if there is a vacancy in that office or if the Chancellor is absent from the State or cannot, for another reason, perform the functions of the office.

The Council-approved process for the election of the Chancellor and Deputy Chancellor is reproduced in Schedule 1 of this Handbook.

The Vice-Chancellor is Chief Executive Officer of the University and may exercise powers and perform functions conferred on him or her by the Act or another Act or Council. The Vice-Chancellor may delegate his or her powers under the Act or another Act to an appropriately qualified member of the University’s staff.

In 2008, Council resolved (C08/98) that the title of the Vice-Chancellor be changed to Vice-Chancellor and President.

Matters relating to offices of Chancellor, Deputy Chancellor, Vice-Chancellor and Chairperson of the Academic Board

Part 4A of the Act deals with:

• Disqualification from office of Chancellor, Vice-Chancellor or Chairperson where the individual has been disqualified from managing corporations under the Corporations Act 2001 or has been convicted of an indictable offence (other than one related to disqualification from managing corporations)
• Removal by Council of Chancellor, Vice-Chancellor or Chairperson, where the individual has been disqualified from office or has failed to meet a conduct obligation
• Particular matters about removal of the Vice-Chancellor and
• Vacation of office.

4. Roles and responsibilities of Council

In accordance with the Act, Council is required to act in the way that appears to it most likely to promote the University’s interests, and may delegate its powers under the Act in accordance with s11.

Statement of Council’s Primary Responsibilities

The primary responsibilities of the Council of the University of the Sunshine Coast are:

1. To appoint the Vice-Chancellor and President as the Chief Executive Officer of the University and to monitor his/her performance against agreed indicators
2. To determine the Vision and strategic direction of the University and to approve the annual budget
3. To oversee and review the management of the University and its performance
4. To establish high level policy and procedural principles, consistent with legal requirements and community expectations
5. To approve and monitor systems of control and accountability, including general overview of any controlled entities of the University
6. To oversee and monitor the assessment and management of risk across the University, including commercial undertakings
7. To oversee and monitor the academic activities of the University
8. To approve significant commercial activities and
9. To ensure the ongoing appropriateness of all delegations approved by Council.

5. **Roles and responsibilities of Members of Council**

Expectations of Council members derive from:

- The Act
- State and Commonwealth legislation
- The common law, particularly regarding the two major fiduciary duties – the duty to act with loyalty, the duty to act with diligence, and the duty to act in good faith in the best interests of the organisation
- Stakeholders and
- Requirements established by Council itself.

Accordingly, Council has determined that members will:

- Act always in the best interests of the University as a whole, with this obligation to be observed in priority to any duty a member may owe to those electing or appointing him or her
- Act in good faith, honestly and for a proper purpose
- Exercise appropriate care and diligence
- Not improperly use their position to gain an advantage for themselves or someone else and
- Disclose and avoid conflicts of interest (real, potential or perceived).

Council members are also bound by the operation of the University’s *Code of Conduct* and the *Councillors’ Interests Policy*.

On 2 October 2001, Council approved a *Councillors’ Interests Policy* (Resolution C01/53), which was developed in recognition of the obligation of the members of Council to ‘act in the way that…is most likely to promote the university’s interests’. It was agreed that all Council members must act in good faith in avoiding both actual conflicts of interest and the perception, whether founded or not, of a conflict of interest between the interests of the University and their own personal, professional, and business interests.

To this end:

- A Councillors’ Interests Register was established and is maintained and held within the Office of the Vice-Chancellor and President to record all of the relevant interests of Councillors
- All actual or identified potential conflicts of interest of Council members must be declared by Council members at all meetings at which any matter is discussed involving the relevant conflict
- The minutes of every meeting must record all such declarations and
- A Council member must refrain from discussion, abstain from voting and/or leave the room where matters of conflict arise, as detailed in this policy.

The policy is available in the policy section of the University website.

**Other expectations placed on Council Members**

The provisions of the *Corporations Law* do not apply to members of Council when carrying out their roles as Council members, however, subsidiary companies are subject to that law, therefore members of Council who are appointed to membership of the board of a subsidiary company are responsible for compliance with obligations under that legislation.

When acting as members of Council, members have the same protections from liability for their acts and omissions as they would have if they were a director of a public company.
In accordance with s26A of the Act, a member has the function of ensuring that Council performs its functions and exercises its powers appropriately, effectively and efficiently.

Members of Council are also expected to:

- Contribute to the effective operation of Council by regularly attending Council meetings including a 1.5 day annual Retreat
- Prepare for and participate in Council meetings, including through membership of standing and ad hoc committees of Council and other committees of the University
- Participate, wherever possible and appropriate, in University and Council functions
- Maintain confidentiality of Council material unless specifically authorised by Council to release information
- Defer to the Vice-Chancellor and President where public comment is sought with respect to University policy or management decisions and to the Chancellor or Vice-Chancellor and President where public comment is sought on behalf of Council.

6. **Responsibilities of the University to Council**

The University will:

- Provide Council members with appropriate documentation relating to the operation of Council, including a copy of the Act and this Handbook
- Support the Council in the development and conduct of a program of induction and professional development for members
- Support the Council in the development of mechanisms to assess Council performance and identification of needed skills and expertise for the future
- Provide Council members with appropriate documentation relating to matters for consideration by Council
- Provide such professional advice as may be necessary to enable members to effectively discharge their duties and
- Provide administrative and professional support to Council and its standing and ad hoc committees as and when required.

7. **Membership of Council**

Members of Council fall within one of four categories: Official members, appointed members, elected members, and additional members.

The composition of Council is set out in Division 3 of the Act and is as follows:

**Official members**

- The Chancellor
- The Vice-Chancellor and
- The Chairperson of the Academic Board.

**Appointed members**

There are six (6) Governor in Council appointees, each of whom has a term of office of not more than four (4) years. A casual vacancy for an appointed member will be filled for the balance of the term of office of the person’s predecessor.

**Elected members**

There are five (5) members elected by a ballot conducted in accordance with s15(3) of the Act:

- Two (2) members of the University’s full-time and part-time academic staff
- One (1) member of the University’s full-time and part-time general staff and
• Two (2) students (other than a person who is a member of the University’s full-time or part-time staff).

An elected member has a term of office of four (4) years as set out in s19 of the Act, with the exception of student members, who will hold office for two (2) years. A casual vacancy for an elected member will be dealt with in accordance with s20A of the Act and will be filled for the balance of the term of office of the person’s predecessor (s22).

Should Council not elect any or enough persons by a day fixed by Council by the giving of written notice to Council, the Minister may, in accordance with s21 of the Act, appoint as many members of Council as necessary.

Council has approved an Election of Council Members – Governing Policy.

Additional members

There are four (4) additional members, appointed by Council, at least one of whom must be a graduate of the University. An additional member must not be a student or a member of the University’s staff.

An additional member is appointed for a term of not more than four (4) years decided by Council.

General requirements relating to Council membership

General requirements relating to Council membership are as follows, in accordance with the Act and decisions of Council:

• Council is properly constituted with eleven or more members, regardless of category
• At least two members of Council will have financial expertise (as demonstrated by relevant qualifications and financial management experience at senior management level in the public/private sector) and at least one member will have commercial expertise (as demonstrated by experience in the commercial sector at senior management level)
• There must not be current members of any State or Commonwealth parliament or legislative assembly other than where specifically selected by Council.

The circumstances in which a person will or may become ineligible for membership of Council are set out in s23 of the Act.

Members of Council appointed after 4 July 2012 must be Fit and Proper Persons in accordance with the following guidelines:

Guidelines for ensuring that members of Council, Council Committees and the Executive are Fit and Proper Persons

In line with Provider Registration Standard 1.2, USC has developed a set of guidelines to ensure that members of Council and the Executive are fit and proper persons. These guidelines were endorsed by the University Executive on 4 July 2012 and are provided below. Development of the guidelines was informed by a benchmarking exercise undertaken by the Senior Committees Officer.

Prior to a recommendation for appointment, the Senior Committees Officer (for Council) or the Director, Human Resources (for Executive) will:

• Carry out an Insolvency Trustee Service Australia through CITEC http://www.confirm.citec.com.au/citecConfirm/services/index.shtml#police for any potential new members of Executive or Council for a fee of $25.85 (instant)

• For any potential new members of Council / Executive, carry out a Banned and Disqualified Search via the ASIC website, which provides information about people who have been disqualified from involvement in the management of a corporation, or banned from practising

- Arrange for any potential new members of Council / Planning and Resources Committee / Audit and Risk Management Committee / Executive to complete and sign the Fit and Proper Person’s declaration form. Endorsed by University Executive on 4 July 2012

**Procedure for Nomination of Council Members for those categories of prospective members that are not elected**

Council has established a procedure for the nomination of prospective members of Council for those categories of members that are not elected (see Schedule 2).

Two categories of members are encompassed within this procedure – Governor in Council appointed members and Additional members appointed by Council.

**Removing members from office**

Section 26B of the Act sets out the mechanism for removing members from office in situations where Council is satisfied that a member has not complied with s26A(2) (obligations of members) or a conduct obligation.

**Extending terms of office**

The Minister may, by notice given to the council, extend the term of office of a member for not more than one year where the Minister is satisfied that the extension is in the best interests of the University and is necessary for Council to perform its function and exercise its powers appropriately, effectively and efficiently. If the Minister does so, he or she must extend, by the same amount, the terms of office of all other members.

The Minister cannot further extend terms of office by again acting under this section.

8. **Council Meeting Protocols**

Meetings of Council are carried out in accordance with the provisions of Part 2, Division 6 of the Act and in such a manner as may be determined by Council from time to time.

In accordance with Part 2, Division 6 of the Act:

- The Chancellor must preside at meetings of Council, however, if both the Chancellor and Deputy Chancellor are absent or the offices are vacant, the members present must elect a member to preside
- A **quorum** exists when at least half of Council’s members are present
- Council may otherwise regulate its proceedings as it considers appropriate.

8.1 **Proceedings and Business of the Council**

8.1.1 An ordinary meeting of the Council will be held at least six times per year.

8.1.2 The Minute Secretary will notify each member of the Council of the date, the time and the place, and the agenda for the next ensuing meeting of the Council, whether such meeting is an ordinary or special meeting. Such notice will, except in any case of emergency, be given at least seven days before the day of the meeting.
8.1.3 The normal order of business at every ordinary meeting of the Council will be as follows:

(a) Apologies
(b) Confirmation of Minutes
(c) Business arising from the minutes
(d) Starring of agenda items for discussion and adoption of unstarred agenda items
(e) Declaration of any conflict of interest
(f) Any presentations to Council
(g) Chancellery Reports
(h) Matters referred by the Vice-Chancellor and President
(i) Minutes and recommendations from Committees reporting to Council
(j) General matters
(k) Business without notice
(l) Confidential items.

8.1.4 Any papers to be tabled at a Council meeting will be made available in the Council Room one hour prior to the meeting.

8.1.5 The Chairperson or the Council, by resolution, may at any time during the course of a meeting, adjourn any meeting from time to time and from place to place, but no business will be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. Notice of an adjourned meeting need not be given unless a meeting is adjourned for more than 30 days.

8.1.6 If the Chancellor or the Vice-Chancellor and President are of the opinion that the Council should consider and decide on a matter before the next regular meeting, and that it is not possible or necessary to call a special meeting of the Council, the Minute Secretary may circulate to members of the Council in the form of a draft flying minute the relevant information in relation to that matter, together with a form of motion proposed. Members of the Council may signify their vote for or against the motion on the flying minute so circulated. If two-thirds of all members vote in favour of such draft motion, it will be a resolution of the Council. The outcome of a flying minute will be reported to Council at its next regular meeting.

8.2 Notices of Motion

8.2.1 No member will make any motion initiating a subject for discussion at any meeting of the Council except following written notice given to the Minute Secretary at least 10 days previously, except that at any meeting the Chancellor, or other person presiding at the meeting, or the Council by resolution, may permit the introduction of any subject for discussion.

8.2.2 Any notice of motion will be within the jurisdiction of the Council.

8.2.3 When a notice of motion appears in the agenda, no discussion will ensue unless the motion is seconded.

8.2.4 No member will have more than three notices of motion in one agenda.

8.3 Special Meetings of the Council

8.3.1 The Chancellor or the Vice-Chancellor and President will have the power to call a special meeting of the Council for the consideration of business which either may wish to submit to the Council.

8.3.2 At a special meeting of the Council, the business will be taken in such order as the Chairperson will direct and only that business for which the meeting has been convened will be transacted.
8.3.3 The Chancellor, or in the Chancellor's absence the Deputy Chancellor will call a special
meeting of the Council at the written request of four members of the Council. The request
will state the purpose for which the meeting is to be convened, such meeting being held
within fourteen days of the receipt of the request.

8.3.4 Where the meeting of the Council is convened by requisition of members, the notice
convening such meeting will specify the business to be transacted, and no other business
may be transacted.

8.4 Quorum

8.4.1 At any meeting of the Council the quorum will be one half of the number of members for the
time being of the Council. [University of the Sunshine Coast Act 1998, Section 28.]

8.4.2 If a quorum of the Council is not present within half an hour of the appointed time of the
meeting, whether special or ordinary, all business which should have been transacted at such
a meeting will, unless a special meeting is summoned in the meantime for the transaction of
that business, stand over for the next ordinary meeting and will take precedence at that
meeting.

8.4.3 If a quorum of the Council is not present within half an hour of the appointed time of a
special meeting the Chairperson will adjourn the meeting. The meeting will be reconvened by
the Chancellor or the Vice-Chancellor and President as outlined in the 'Proceedings and
Business of the Council' section above.

8.5 Non-attendance at meetings of Council

8.5.1 Members who are unable to attend a meeting must advise the Minute Secretary in a timely
fashion.

8.5.2 Leave of absence must be sought for longer periods involving absence from two or more
consecutive meetings of Council. Section 24(1)(c) of the Act states that the office of an
additional, appointed or elected member becomes vacant if the member is absent without the
council's leave and without reasonable excuse from every meeting of the council in a period
of 6 months.

8.6 Attendance by non-members of Council

8.6.1 In addition to attendance at Council meetings by the Minute Secretary, the Pro Vice-
Chancellor (Corporate Services) & Chief Financial Officer attends meetings on a regular basis
and has rights of participation.

8.6.2 Council has resolved (C11/74 and C11/75) that an invitation be extended to members of the
Vice-Chancellor’s Executive who are not members of the Council to attend Council meetings
as observers. Such attendance is not compulsory, except that individual members of the
Executive may be specifically invited to attend if there are reports or policy items in the
agenda that relate to their portfolio.

8.6.3 Observers are not permitted to remain in attendance for the discussion of any confidential
matters, which will be dealt with at the end of a meeting.

8.6.4 Observers are permitted to participate in the discussion of specific agenda items only at the
discretion of the Chancellor.

8.6.3 Other than the above, no persons may attend Council meetings except with the consent of
the Chairperson.

8.7 Conduct of Debate

8.7.1 The Chairperson may take part in a discussion upon any question before the Council.
8.7.2 As far as possible, questions will be decided by consensus, unless a vote is required.

8.7.3 When any matter before the Council consists of more than one resolution, such resolution will be put seriatim if a majority of members present so require.

8.7.4 The Chairperson or the Council by resolution may, on motion without debate, order that a complicated question be divided and put in the form of several motions.

8.7.5 The acts of the Council and matters coming or rising before the Council may be resolved by the majority of members present and voting at a regularly constituted meeting of the Council. In the case of equality of votes, the Chair will have a second or casting vote.

8.7.6 Members present will, in respect of any motion before a meeting, have the right to have their dissent, abstention, or vote recorded in the minutes.

8.8 Minutes of Proceedings

8.8.1 The proceedings of every meeting of the Council will be minuted and permanently recorded.

8.8.2 The minutes of a meeting will be presented at the next ordinary meeting of the Council, and if approved as correct, will be signed by the Chairperson of that meeting as being confirmed. Any such minutes bearing the signature of the said Chairperson will be prima facie evidence of the proceedings of the meeting.

8.8.3 No motion or discussion will be allowed upon the minutes submitted for confirmation except as to their accuracy as a record of the business of the Council and any objection upon the ground of inaccuracy must be made by a motion or amendment prior to their confirmation.

8.8.4 A motion directing attention to alleged inaccuracy in the minutes of proceedings need not be made in writing.

8.8.5 Confirmed minutes which have not been identified by Council as confidential may be made available for perusal by any member of the University upon request.

8.9 Point of contact

The Vice-Chancellor and President or Council Secretary will be the points of contact for enquiries from Council Members regarding the operation of the University. Council Members will have direct access to the Vice-Chancellor and President.

Should a matter remain unresolved after discussion between the Council Member and the Vice-Chancellor and President, such matter may be raised at Council.

8.10 Confidentiality of Council deliberations

Council determines those items of discussion and any agenda documents that are to remain confidential after a meeting.

Reports containing the non-confidential decisions of Council are made available after each Council meeting to the University community (resolution C96/30).

9. Spokesperson for the University and/ or Council

The University’s Code of Conduct states that ‘official statements (in the name of the University) can only be authorised by the Council, the Chancellor, and the Vice-Chancellor, and any member of the University acting under the authority of one of those’.

Council has authorised the Vice-Chancellor and President (by Resolution C06/43(i)) to delegate, as appropriate, his role as community spokesperson for the University.
10. Reimbursement of out of pocket expenses

From 2011, members of Council, Academic Board, Planning and Resources Committee (PRC) and Audit and Risk Management Committee (ARMC) (excluding staff) are eligible to be paid a travel allowance of $500 per annum for the use of their private vehicle on Council or Committee business and to cover parking costs. The allowance would be paid following the first meeting of Council each year. The fee is payable upon the Council/Committee member informing the Senior Committees Officer or the Secretary of the Academic Board, as appropriate, of their consent to receive the travel allowance.

If the travel expense incurred by a member of Council, the Academic Board, PRC and ARMC (excluding staff) for the use of their private vehicle exceeds $500 in any given year, the additional kilometres will be paid at the rate currently determined by the Australian Taxation Office using the cents per kilometre method.

University staff members of Council are eligible for reimbursement of travel expenses incurred on Council business where travel beyond the University campus is required.

Members of Council, Academic Board, PRC and ARMC are eligible for reimbursement for all other reasonable out-of-pocket expenses incurred whilst engaged on University business. Claims for such reimbursement should be made as soon as possible after the expense is incurred. (C10/59)

11. Reporting requirements for controlled entities

Council will ensure that:

- It oversees controlled entities by taking reasonable steps to bring about the following:
  - ensuring that the entity’s board possesses the skills, knowledge and experience necessary to provide proper stewardship and control of the entity
  - appointing some directors to the board of the entity who are not members of the governing body or officers or students of the higher education provider, where possible
  - ensuring that the board adopts and regularly evaluates a written statement of its own governance principles;
  - ensuring that the board documents a clear corporate and business strategy which reports on and updates annually the entity’s long-term objectives and includes an annual business plan containing achievable and measurable performance targets and milestones; and
  - establishing and documenting clear expectations of reporting to the governing body, such as a draft business plan for consideration and approval before the commencement of each financial year and at least quarterly reports against the business plan.

- An auditor’s report (including audit certification and management letter) of the entity by the Queensland Audit Office or nominee is obtained.

12. Induction and development

Induction

Upon appointment or election, new members of Council are provided with:

- Information about the University and about Council and its work, including this Handbook
- A copy of the University of the Sunshine Coast Act 1998
- A copy of the most recent University of the Sunshine Coast Annual Report
- The Council meeting schedule
- The last three sets of Council minutes
- Any other relevant information.
Members are also given access to the University Council organisation of the portal, which provides
reference material, information about Council and its Committees, minutes of previous meetings of
Council, and background information for agenda items as needed.

**Opportunities for involvement**

Major issues such as strategic planning may, from time to time, be discussed in workshops or
retreats. Alternatively, special sessions may be held immediately prior to scheduled Council meetings.

In addition, briefing sessions may be held during the hour preceding Council meetings when
members’ questions can be addressed. These briefings are not intended, however, to take the place
of discussion during a Council meeting.

From time to time, presentations on various topics will be made to Council at the beginning of a
meeting. Topics might include, for example, academic directions of individual faculties, research
initiatives, capital works proposals and major projects.

Where capital works are in progress, regular tours of these sites will be arranged.

Councillors regularly receive invitations to attend art exhibitions and other events on campus
including Graduation Ceremonies.

Development opportunities conducted externally may be available to Council members from time to
time. Members involved will be asked to report back to Council at the next meeting on their
experience.

13. **Council evaluation process**

Council recognises the importance of self-evaluation and has determined that assessments of its
performance are to be undertaken mid-term and towards the end of a term, ie every two years.

Regular assessment commenced in 2005. The self-assessment process for Council’s four-year term is
as follows:

1. At the third Council meeting of every odd numbered year Council will establish a working
group consisting of the Chancellor, the Vice-Chancellor and two external members of Council
to consider and recommend on the form of the next evaluation.
2. At the following Council meeting, Council will consider the recommendation/s of the working
group and approve the form of the evaluation.
3. The evaluation will be undertaken during the following month.
4. The outcomes of the evaluation will be considered by Council at its fifth regular meeting of
the relevant year.

14. **Council policies and procedures**

Council may determine, by resolution, governing policies, procedures, protocols and such other
documents as allow for the effective operation of Council.

15. **Delegations**

In accordance with the Act, Council may delegate its powers to an appropriately qualified member of
the Council, or an appropriately qualified committee that includes one or more members of the
Council, or an appropriately qualified member of the University’s staff.

Where a matter is delegated to a member of Council, that member will be responsible for informing
Council on critical matters dealt with under the delegation.

Where a matter is delegated to a Committee, the Chairperson of that Committee will be responsible
for informing Council on critical matters dealt with under the delegation.
The Act states that Council may not delegate its power to make University statutes or rules, or to adopt the University’s annual budget, or to approve spending of funds in the amount of more than $100,000 available to the University by way of bequest, donation or special grant.

Delegated matters

The USC Delegations – Governing Policy, which includes a Schedule of Delegations, is available in the policy section of the University website.

16. Statutes, Rules, University Policies and Plans

Statutes

In accordance with s60 of the University of the Sunshine Coast Act 1998, a university statute is ‘subordinate legislation’ and an ‘exempt instrument’ under the Legislative Standards Act 1992. This means that the instrument does not have to be drafted by the Office of the Queensland Parliamentary Council (OQPC). The OQPC issued Guidelines for Drafting University Statutes in 2001 and all university statutes must be drafted in strict accordance with these Guidelines.

Details of the process for making, amending and repealing university statutes have been provided by the Queensland Department of Education, Training and the Arts. The process for making a statute involves initial preparation of the document; liaison with the Department’s Office of Higher Education; formal approval of the statute by Council; submission of the statute for the Minister’s approval; publication in the Government Gazette; and tabling of the statute in Parliament.

The Act requires that a statute be made to provide for review of decisions made under Schedule 1, section 9(7) of the Act.

Section 58 of the Act sets out other matters about which statutes may be made. The University’s two statutes – Statute No. 1 (Making and Notifying University Rules) 2004 and Statute No. 2 (Review of Payment Demand for the Removal and Detention of Vehicles) 2004 – are reproduced in Schedule 5.

A university statute expires after 10 years, unless it has been repealed before that time. The University’s two Statutes are due to expire on 1 September 2014. A statute may be replaced with a new statute addressing the same subject matter.

Rules

Although rules and policies do not have the force of statutes, they do have quicker turnaround times for preparation and review and can thus be kept up to date far more easily. They are also not subject to the same stringent drafting requirements.

Until recently, there were Council-approved Rules for academic matters and programs. In 2009 Council determined that the academic-related Rules were to be replaced by policies. Accordingly, a suite of new policies was introduced, and Council rescinded its approval of all academic-related Rules.

It is not proposed that the remaining Rules - the Land, Traffic and Parking Rules - be rescinded.

Policies

The University’s policy framework is set out in the Policy Framework - Governing Policy, which is available in the Policy section of the USC website. Council is responsible for approving policies which are categories as “Governing” policies.

Plans

The University’s planning framework is set out in the Planning and Reporting Framework – Governing Policy, which is available in the Policy section of the USC website.
17. Committees reporting to Council

Under the Act, Council may delegate its powers to an appropriately qualified committee that includes one or more members of the Council.

Those committees currently reporting directly to Council are:

- Academic Board
- Audit and Risk Management Committee
- Chancellor’s Committee
- Honorary Awards Committee
- Planning and Resources Committee.

The **Academic Board** is the University’s senior academic body. The Board was established under the *University of the Sunshine Coast Act 1998* to advise the Council about teaching, scholarship and research matters concerning the University; to formulate proposals for the academic policies of the University; to monitor the academic activities of the University’s faculties; and to promote and encourage scholarship and research at the University.

The **Audit and Risk Management Committee**’s main functions are to:

- assess and contribute to the audit process including evaluation and facilitation of the internal control and risk management functions;
- provide an independent review of the reporting functions to ensure the integrity of financial reports;
- provide strong and effective oversight of the internal audit function;
- provide effective liaison and facilitate communication between management and external audit; and
- ensure the effective monitoring of compliance with legislative and regulatory requirements and promote a culture committed to lawful and ethical behaviour.

The **Chancellor’s Committee** reviews and approves the remuneration and conditions of the Vice-Chancellor and President and approves any performance pay bonuses and special payments for the Vice-Chancellor and President.

The **Honorary Awards Committee** considers nominations for the award of Honorary Doctor, Honorary Senior Fellow, or Emeritus Professor and makes recommendations to Council.

The **Planning and Resources Committee** recommends the strategic directions of the University to Council, in the context of development of the University’s plans and their resourcing strategies. It also provides advice to Council on issues arising from these plans. The key areas of concern to the Committee are Planning and Strategy, Financial Resources, Asset Management (including Information Technology), and Human Resources.

**Committees of Council - conduct of meetings**

1. Council may appoint to membership of its standing committees persons not members of Council or the University.

2. A Council committee may, at its discretion, invite to particular meetings from time to time persons from the staff of the University of the Sunshine Coast or elsewhere with expertise in areas relevant to the committee’s work. Such persons will not have voting rights.

3. Subject to (2), no persons other than members of the relevant committee and the Minute Secretary may attend meetings of Council committees, except with the consent of the Chairperson.

4. A Council committee may, at its discretion, establish ad hoc committees and working parties to recommend to the committee on particular matters.
(5) Not less than seven days’ notice of an ordinary meeting of a Council committee will be given to members of the committee setting out the time and place of the meeting and the agenda.

(6) Not less than three days’ notice of a special meeting of a Council committee will be given to members of the committee setting out the time and place of the meeting and the agenda.

(7) The quorum at any meeting of a Council committee will be one-half of the members of the committee for the time being but, if one-half is not a whole number, will be the next higher whole number.

(8) If a quorum is not attained within half an hour of the appointed commencement time of a meeting, the meeting will be declared closed and the business which should have been transacted at that meeting will be placed on the agenda of the next ordinary meeting and take precedence over other items in that agenda.

(9) A committee may adjourn any meeting to a later date.

(10) Questions arising at any meeting will be decided by a majority of votes.

(11) The Chairperson will have a vote, and in the case of an equality of votes, a second or casting vote.

(12) All proceedings of Council committees will be minuted and permanently recorded.

(13) Except as otherwise prescribed, the chairperson of a committee may exercise any of the powers of that committee with respect to any matter which he or she considers to be of a routine nature or require immediate action and he or she may give any necessary directions for these purposes, but he or she will as soon as practicable report to the committee any actions taken pursuant to this section.

(14) Gender balance on Council committees will be maintained as far as possible. [Council, C94/40]

(a) Nominating persons and bodies will be asked to consider the gender balance of the committee when making nominations to the committee.

(b) When considering nominees for committee memberships, nominating persons and bodies should actively seek expertise from the minority sex.

(c) Where membership by election applies, electorates will be requested to actively encourage nominations from the minority sex.

(15) Members of Council’s standing committees are expected to declare any conflict or potential conflict of interest they may have in relation to any matter before the relevant committee.


The Senior Committees Officer will review and update the Council Handbook as necessary, and at least annually.
Schedule 1

Process for the Election of Chancellor and Deputy Chancellor

Section 30 of the University of the Sunshine Coast Act 1998 provides that:

(1) There is to be a chancellor of the university.
(2) The council must elect a chancellor whenever there is a vacancy in the office.
(3) The person elected need not be a member.
(4) The person elected must not be a student or a member of the university’s academic staff or general staff.
(5) The chancellor holds office for the term, not longer than 5 years, fixed by the council.

Section 31 of the Act provides that:

(1) There is to be a deputy chancellor of the university.
(2) The council must elect a member as deputy chancellor whenever there is a vacancy in the office.
(3) The deputy chancellor holds office for the term, not longer than 4 years, fixed by the council.
(4) The deputy chancellor is to act as chancellor –
   (a) when there is a vacancy in the office of chancellor; and
   (b) while the chancellor is absent from the State or, for another reason, cannot perform the functions of the office.

Council has approved by Resolution C06/10, passed on 21 February 2006, the following process for the election of Chancellor and Deputy Chancellor.

1. Nomination of Chancellor and Deputy Chancellor

1.1 Nominations for election to the office of Chancellor or the office of Deputy Chancellor will be made by members of the Council.

1.2 The Returning Officer for the election of staff and students to Council will be the Returning Officer for the election of the Chancellor and Deputy Chancellor.

1.3 Nominations for election to fill both casual and regular vacancies in the offices of Chancellor and Deputy Chancellor will be invited by the Returning Officer at least fourteen days before the meeting of the Council at which the elections are to be held. Such nominations will be made in writing, endorsed with the signature of the person nominated or that person’s agent, and with the signatures of one other member, and delivered to the Returning Officer by the date and the time prescribed.

1.4 The Returning Officer will, as soon as practicable after the close of the nominations, and at least five days before the next meeting of the Council, inform members of the Council of the names of the persons duly nominated.
2. **Election Procedures**

2.1 Where both the Chancellor and the Deputy Chancellor are to be elected at a meeting, the election of the Chancellor will be held first. Unsuccessful candidates for the office of the Chancellor will be deemed to have been duly nominated for the office of the Deputy Chancellor, provided that:

(a) they are members of the Council; and  
(b) they do not withdraw their nominations.

2.2 The Returning Officer will preside at that part of the meeting at which the election to the office of the Chancellor is to be held, and no business other than the election will be conducted while the Returning Officer is so presiding.

2.3 If only one nomination for an office is received, the Returning Officer will declare the candidate so nominated to be elected to that office.

2.4 If two or more nominations for an office have been received, each Council member then present will be entitled to vote by secret ballot.

2.5 The Returning Officer will count the number of votes cast for each candidate and if one candidate has a greater number of votes than any other, the Returning Officer will declare that candidate to be elected.

2.6 If two or more candidates receive an equal number of votes cast, and if no other candidate receives a greater number of votes, each Council member then present will again be invited to vote for one of the candidates who received that equal number of votes.

2.7 The Returning Officer will count the votes cast for each candidate, and if one candidate has a greater number of votes than the other(s), the Returning Officer will declare that candidate to be elected. In the event of two or more candidates still polling an equal number of votes cast, and if no other candidate received a greater number of votes, the Returning Officer will determine by lot, which of those candidates who received that equal number of votes will be deemed elected.
Schedule 2

Procedure for Nomination of Council Members for those categories of prospective members that are not elected

Council has established this procedure for the nomination of prospective members of Council for those categories of members that are not elected.

Two categories of members are encompassed within this procedure – Governor in Council appointed members and Additional members appointed by Council.

Process

Council will discuss the desirable attributes of prospective members, including skills, experience, background and other relevant factors. The Chancellor will then invite nominations from Council members and other persons at his or her discretion. Members of Council and any other persons invited to nominate will provide information about nominations to the Chancellor only in the first instance. Nominations should be accompanied by relevant information including a curriculum vitae.

The Chancellor, Deputy Chancellor and Vice-Chancellor and President will consider nominations and consult as appropriate to ascertain the suitability of a person nominated.

Nominations will be considered in the context of the overall skill mix of Council and the need to maintain some continuity and experience. In relation to the potential re-appointment of a member, whilst the length of service of the member may be a major consideration, contributions to the work of Council and advancement of the University would be pre-eminent.

At least two members of Council must have financial expertise (as demonstrated by relevant qualifications and financial management experience at a senior level in the public or private sector) and at least one member must have commercial expertise (as demonstrated by relevant experience at a senior level in the public or private sector).

There must be a majority of external independent members who are neither enrolled as a student nor employed by the University. There must not be current members of any State or Commonwealth parliament or legislative assembly other than where specifically selected by Council itself.

In addition, the skill mix within Council must include the following:

- External members with skill sets that complement those of internal members
- An understanding of the distinctive role of universities in society
- An appreciation of the values of the University and its core activities of teaching and research, its independence and academic freedom
- An understanding of the differing contexts applying to public and private institutions
- An in-depth knowledge of the region and the capacity to address issues of regional significance
- The capacity to appreciate what the University’s external community – regional, national and international – needs from the University
- The capacity to represent the University’s interests to critical external stakeholders.

In the case of nominations for Governor in Council appointed members, the Chancellor and Vice-Chancellor and President will liaise with the relevant State Government Minister and represent the views expressed by Council. In order to provide for overlap of terms, wherever possible nominations will include at least one current member and at least one person who has not previously served on the Council.

In the case of nominations for the category ‘Additional members’, a recommendation for appointment will be made to Council. Wherever possible any such recommendation must include the reappointment of at least one current member and the appointment of at least one person who is not currently a member.
Schedule 3

Listing of approved Statutes, Council-related policies, procedures and processes

Statutes
Statute No. 1 (Making and Notifying University Rules) 2004
Statute No. 2 (Review of Payment Demand for the Removal and Detention of Vehicles) 2004


- Audit and Assurance Framework - Governing Policy
  
  This policy and the associated Internal Audit Charter is intended to provide a broad framework for the conduct of audit and assurance services at the University of the Sunshine Coast.

- Compliance Framework - Governing Policy
  
  The purpose of this policy is to ensure the University's operations are conducted in accordance with legal and internal policy requirements.

- Compliance Framework - Procedures
  
  The procedures that follow must be read in association with the Compliance Framework – Governing Policy and other related procedures.

- Compliance Framework: Annual Compliance Review - Procedures
  
  The procedures that follow outline the University's annual compliance reporting process and must be read in association with the Compliance Framework – Governing Policy and other related procedures.

- Compliance Framework: Breach Reporting - Procedures
  
  The procedures that follow outline the University's process for managing potential compliance failures and must be read in association with the Compliance Framework – Governing Policy and other related procedures.

- Councillors' Interests - Governing Policy
  
  The Council of the University of the Sunshine Coast recognises the five fundamental ethical principles set out in the University's Code of Conduct. This Councillors' Interests Policy forms part of the broader application of two of those principles, namely Respect for the Law and System of University Governance and Integrity.

- Election of Council Members - Governing Policy
  
  This policy is intended to set out the process for the conduct of elections for membership of Council referred to in Section 15(2) of the University of the Sunshine Coast Act 1998.

- Enterprise Risk Management and Resilience - Governing Policy
  
  The purpose of this Policy is to provide the structural framework to effectively manage the risks involved in all University activities in order to maximise
opportunities and minimise adversity and to achieve improved University outcomes and outputs based on informed decision making and organisational resilience.

- **Establishment and Operation of Controlled Entities - Governing Policy**

  This policy establishes a controlled entities governance framework that is consistent with the University's strategic goals, governance and risk management practices, to assist Council to discharge its responsibilities effectively in relation to controlled entities.

- **Governance Framework - Governing Policy**

  This policy brings together in an overarching policy, the University's arrangements and the key principles underpinning governance at USC.

- **International Recruitment Representatives - Governing Policy**

  This policy articulates the role and functions of International Recruitment Representatives and the framework for their appointment and management.

- **Internationalisation - Governing Policy**

  The policy is intended to enunciate the broad framework and principles for internationalisation of the University of the Sunshine Coast.

- **Management of Contracts and Memoranda of Understanding (MOUs) - Governing Policy**

  This policy addresses the administration of University agreements, such as Contracts and Memoranda of Understanding (MOUs). The University is committed to ensuring that agreements are entered into by appropriately delegated officers following due consideration of risks, benefits, other relevant requirements and accountabilities, and alignment with the University's strategic aims. This policy deals with both legally binding Contracts and Deeds, and with Memoranda of Understanding which are formal or strategic agreements but do not bind the University in a strict legal sense.

- **Management of Contracts and Memoranda of Understanding (MOUs) - Procedures**

  These procedures are provided to assist in the management of University agreements such as contracts of Memoranda of Agreement (MOUs) and address the following areas: Risk management Use of standard University agreements Legal advice on agreements Role and responsibilities of the Agreement Manager • Authority to sign agreements on behalf the University • Records management • Agreement management

- **Membership of the Student Guild - Governing Policy**

- **Notification of Material Changes - Managerial Policy**

  This policy identifies the responsibility for approval and submission of Notifications of Material Changes from the University of the Sunshine Coast to the Tertiary Education Quality and Standards Agency (TEQSA) pursuant to the TEQSA Act 2011.
o **Planning and Reporting Framework - Governing Policy**

This policy provides a framework to outline the core requirements for University planning including development, approval, implementation, monitoring and review of University plans.

o **Policy Framework - Governing Policy**

This policy is intended to set a broad framework for development of policy and related procedures within the University and to enunciate principles for consistency in the management of policy and procedures throughout their lifecycle.

o **Public Interest Disclosures - Governing Policy**

This policy assists staff and other people to understand their obligations in reporting unlawful behaviour, negligence or misconduct in public sector organisations, or about danger to public health or the environment and outlines the legislative provisions and procedures in place to protect people who make public interest disclosures (PIDs) under the Public Interest Disclosure Act 2010 (Act).

o **Quality - Governing Policy**

This policy is intended to enunciate the principles, core features and requirements for quality assurance and improvement at the University of the Sunshine Coast.

o **Sustainability - Governing Policy**

This policy provides a framework for sustainable and responsible practices, activities and operations at the University of the Sunshine Coast. It has been developed around three key areas: environmental management economic sustainability, and social wellbeing.

o **USC Delegations - Governing Policy**

The following policy is intended to detail the requirements and responsibilities of holding a University delegation necessary in the administration and governance of the University of the Sunshine Coast. Delegations of authority are intended to achieve the following objectives:- to ensure the efficiency and effectiveness of the University’s administrative processes- to ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities, and • to ensure internal controls are effective.

o **Use of the University Seal - Governing Policy**

As a body corporate established by the University of the Sunshine Coast Act 1998, the University has a Seal as an identifier of its status as a body corporate. The Seal is used to authenticate documents in the University’s name and is most commonly affixed to testamurs and other award certificates, but is also affixed to deeds, and occasionally to other contracts and agreements. Affixing the Seal to a document indicates that the document is formal, or in the case of a deed, creates legally binding relations. This Policy determines the custody of the University Seal, the documents to which the Seal is to be affixed, the signatories to the Seal, and the recording of the use of the Seal.
### Matters on which authority is retained by Council

<table>
<thead>
<tr>
<th>Type of approval</th>
<th>Source of authority</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operation of Council</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elect the Chancellor</td>
<td>University Act, s30(2)</td>
<td>Election process approved by Council C06/10</td>
</tr>
<tr>
<td>Elect the Deputy Chancellor</td>
<td>University Act, s31(2)</td>
<td>Election process approved by Council C06/10</td>
</tr>
<tr>
<td>Appoint additional members of Council</td>
<td>University Act, s16(2)</td>
<td></td>
</tr>
<tr>
<td>Determine and codify Council operating procedures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appoint members of Council committees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adopt a statement of primary responsibilities</td>
<td>Council Resolution approving the Council Handbook</td>
<td></td>
</tr>
<tr>
<td>Adopt conflict of interest procedures</td>
<td>Councillors’ Interests Policy</td>
<td></td>
</tr>
<tr>
<td>Develop a program of induction and professional development for Councillors</td>
<td>Council Resolution approving the Council Handbook</td>
<td>Professional development program to ensure that all members are aware of the nature of their duties and responsibilities</td>
</tr>
<tr>
<td>Council to regularly assess its performance and identify needed skills and expertise</td>
<td>Council Resolution approving the Council Handbook</td>
<td></td>
</tr>
<tr>
<td>Ensure appropriate skills mix within Council, including:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• At least 2 members with financial expertise</td>
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<td></td>
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<tr>
<td>• At least 1 member with commercial expertise</td>
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<tr>
<td>• A majority of external members</td>
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<tr>
<td>• No current members of State or Commonwealth parliament or legislative assembly other than where specifically selected by the Council itself</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adopt systematic nomination procedures for those categories of prospective members that are not elected</td>
<td>Council Resolution approving the Council Handbook</td>
<td>See Schedule 2.</td>
</tr>
</tbody>
</table>
Oversee controlled entities by taking reasonable steps to:
- Ensure that the entity's board possesses necessary skills etc
- Appoint some directors to the board who are not members of the Council or officers or students of the University where possible
- Ensure that the board regularly adopts and evaluates a written statement of its own governance principles
- Ensure that the Board documents a corporate and business strategy, including a business plan
- Establish and document clear reporting expectations

Obtain an auditor's report on controlled entities by the QAO or nominee

Organisational arrangements

<table>
<thead>
<tr>
<th>Activity</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oversee and review the management of the University and its performance</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Establish policy and procedural principles, consistent with legal requirements and community expectations</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Approve and monitor systems of control and accountability, including general overview of any controlled entities of the University</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Oversee and monitor the assessment and management of risk across the University, including commercial undertakings</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Oversee and monitor the academic activities of the University</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Establishment of Faculties and Schools</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Ensure the ongoing appropriateness of all delegations approved by Council</td>
<td>Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Approve the Constitution of the student guild and any amendments</td>
<td>University Act, s38(2)</td>
</tr>
</tbody>
</table>

A Policy for the Establishment and Operation of Controlled Entities has been approved by Council resolution C06/125 and is available on the University website at Establishment and Operation of Controlled Entities - Governing Policy

Innovation Centre Sunshine Coast Pty Ltd is an entity fully owned by the University of the Sunshine Coast. The University Council receives the annual financial statements of the Company, which is audited by a nominee of the Queensland Audit Office
<table>
<thead>
<tr>
<th>Task</th>
<th>Relevant Statute(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish colleges (and an advisory council for each college) of the University by statute; manage and supervise the college and property held on trust by the university for the college</td>
<td>University Act, s39(1), (3), (5)</td>
</tr>
<tr>
<td>Decide membership (composition) of the Academic Board</td>
<td>University Act, s40(2)</td>
</tr>
<tr>
<td>Decide who is Chairperson of the Academic Board</td>
<td>University Act, s40A(2)</td>
</tr>
<tr>
<td><strong>Legislative matters</strong></td>
<td><strong>University Act, s40(2)</strong></td>
</tr>
<tr>
<td>Make, alter and repeal Statutes and Rules</td>
<td>University Act, s58(1), s62(1)</td>
</tr>
<tr>
<td>Recommend amendments to the USC Act 1998</td>
<td></td>
</tr>
<tr>
<td>Approval of governing policies</td>
<td>Policy Framework – Governing Policy</td>
</tr>
<tr>
<td><strong>Planning matters</strong></td>
<td><strong>Statement of Council’s Primary Responsibilities</strong></td>
</tr>
<tr>
<td>Determine the Vision for, and strategic direction of, the University</td>
<td>Planning and Reporting Framework – Governing Policy</td>
</tr>
<tr>
<td>Approval of the Strategic Plan, the Master Plan for the campus, and Top Level Plans</td>
<td>Planning and Reporting Framework – Governing Policy</td>
</tr>
<tr>
<td><strong>Academic matters</strong></td>
<td><strong>Program Accreditation and Course Approval – Governing Policy</strong></td>
</tr>
<tr>
<td>Accreditation of programs in a discipline or field of study not currently offered by the University</td>
<td>Program Accreditation and Course Approval – Governing Policy</td>
</tr>
<tr>
<td>Accreditation of programs in a discipline or field of study at a level additional to that already offered by the University</td>
<td>Program Accreditation and Course Approval – Governing Policy</td>
</tr>
<tr>
<td>Rescission of an award that has been conferred</td>
<td>Council Resolution C09/62(iv)</td>
</tr>
<tr>
<td>For more detail see the Graduation – Academic Policy</td>
<td></td>
</tr>
<tr>
<td><strong>Staffing matters</strong></td>
<td><strong>University Act, s32(2) and Statement of Council’s Primary Responsibilities</strong></td>
</tr>
<tr>
<td>Appoint the Vice-Chancellor as the Chief Executive Officer of the University</td>
<td>University Act, s32(2) and Statement of Council’s Primary Responsibilities</td>
</tr>
<tr>
<td>Determine terms of appointment for the Vice-Chancellor</td>
<td>University Act, s32(3)</td>
</tr>
<tr>
<td>Creation of Executive positions</td>
<td>USC Delegations – Governing Policy</td>
</tr>
<tr>
<td>Naming of endowed chairs or professorships</td>
<td>Philanthropic and Honorific Naming – Governing Policy</td>
</tr>
<tr>
<td><strong>Financial matters</strong></td>
<td><strong>University Act s56(1) and Statement of Council’s Primary Responsibilities</strong></td>
</tr>
<tr>
<td>Approve borrowings and acquisition and disposal of property</td>
<td></td>
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<tr>
<td>Approve investment policy and guidelines</td>
<td></td>
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<tr>
<td>Adopt the University’s operating budget</td>
<td></td>
</tr>
<tr>
<td>Approve spending of funds available to the University by way of bequest, donation or special grant (more than $100,000)</td>
<td>University Act, s11(2)(c)</td>
</tr>
<tr>
<td>Ensure the effectiveness of accounting and financial management information systems</td>
<td>Financial Accountability Act 2009</td>
</tr>
<tr>
<td>Ensure the effectiveness of accounting and financial management information systems</td>
<td>With assistance from the Audit and Risk Management Committee</td>
</tr>
</tbody>
</table>

**Property matters**

| Development or acquisition of a new campus |
| Adopt master plan for use of University land |
| Naming of buildings | Philanthropic and Honorific Naming – Governing Policy |
| Approve new buildings and other capital works on campus, their location, and funds to be allocated to them | Over $3 million |

**Student matters**

| Expulsion of a student for misconduct | Student Conduct and Discipline – Governing Policy |
| A student expelled from the University shall not be re enrolled except with the authority of the Council | Student Conduct and Discipline – Governing Policy |

**Community Matters**

| Approval of Honorary Awards | Honorary Awards – Governing Policy |
| Rescission of an Honorary Award | Honorary Awards – Governing Policy |

**Public image of the University**

<p>| Adopt the University logo |
| Approve policy on public comment by members of the University |</p>
<table>
<thead>
<tr>
<th>Type of approval</th>
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</tr>
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<tbody>
<tr>
<td><strong>Operation of Council</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approve the final content of the University's Annual Report</td>
<td>C06/15, 21 February 2006</td>
<td>Authority delegated to the Chancellor and Vice-Chancellor. The Annual Report must report on high level outcomes, and include a report on risk management within the organisation</td>
</tr>
<tr>
<td><strong>Organisational arrangements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Legal matters</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Authority to enter into agreements on behalf of the University</td>
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UNIVERSITY OF THE SUNSHINE COAST ACT 1998

STATUTE NO. 1
(MAKING AND NOTIFYING UNIVERSITY RULES) 2004

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1. Short Title

This university statute may be cited as the University of the Sunshine Coast Statute No. 1 (Making and Notifying University Rules) 2004.

2. Making rules

(1) The Council may make rules by resolution passed by a majority of members present at a quorate meeting of the Council.

(2) The Vice-Chancellor must cause every rule made by the Council to be sealed with the common seal of the university and cause it to be notified in accordance with section 3 of this university statute.

3. Notification

The Vice-Chancellor or another person nominated by the Vice-Chancellor must notify rules by displaying a copy of the rules on—

(a) any noticeboard designated as an official university noticeboard by the Council or the Vice-Chancellor; or
(b) the university's web site on the internet; or
(c) by such other reasonable means as the Vice-Chancellor may determine.

4. Amendment or repeal of rules

(1) Any rule made by Council may be amended or repealed by a resolution passed by a majority of members present at a quorate meeting of the Council.

(2) Any amendment or repeal of a rule must be notified in the same manner as the making of a rule under section 3 of this university statute.

ENDNOTES

1. Made by the Council of the University of the Sunshine Coast on 15 June 2004.
2. Published in the Gazette on 23 July 2004.
3. Laid before the Legislative Assembly on 17 August 2004.
4. The administering agency is the Department of Education and the Arts.
1. Short title

This statute may be cited as the University of the Sunshine Coast Statute No.2 (Review of Payment Demand for the Removal and Detention of Vehicles) 2004.

2. Preliminary

In this statute—

“Deputy Vice-Chancellor” means the Deputy Vice-Chancellor of the university and includes a person for the time being acting in such position.

“Applicant” means a person who makes an application under s.4 of this Statute for a review of a decision of the university to demand a payment pursuant to Schedule 1, section 9(7) of the Act.

3. Review committee

(1) The Council must from time to time appoint persons to constitute a review committee for the purposes of this statute.

(2) The review committee must consist of 2 persons who hold office as justices of the peace (qualified) under the Justices of the Peace and Commissioners for Declarations Act 1991, section 15.

(3) The Deputy Vice-Chancellor, or a person appointed by the Deputy Vice-Chancellor, must act as secretary to the review committee.

4. Review of decisions

(1) A person affected by a decision of the university to demand a payment pursuant to Schedule 1, section 9(7) of the Act may apply to the review committee for a review of the decision.

(2) An application for review under this section must—

(a) be made in writing; and
(b) state the grounds of the application for review; and
(c) be lodged with the Deputy Vice-Chancellor within 14 days after the applicant received notification of the decision.

(3) The review committee may, at any time, extend the time for applying for the review.

(4) A review committee must commence hearing a review not later than 28 days after the date on which the notice of the review is lodged with the committee in accordance with section 4(2) of this statute.
(5) The secretary to the review committee must, at least 5 days before the date of the review, give the applicant notice of the time and place of the review.

5. How review committee proceeds

(1) The review committee must conduct the review on—

(a) the material before the authority that led to the original decision; and
(b) the reasons for the original decision; and
(c) any other relevant material the review committee allows.

(2) The review committee must give the applicant a reasonable opportunity to make oral or written representations to the review committee.

(3) The applicant is entitled to be represented by a legal practitioner or by another person appointed by the applicant.

6. Powers of review committee

The powers of a review committee include the power to—

(a) confirm the decision; or
(b) set aside the decision and substitute another decision.

7. Notice of decision

(1) The review committee must give written notice of its decision in respect of a review to the applicant and to the university within 7 days of the decision.

(2) The written notice must include the reasons for the decision.

ENDNOTES

4. Made by the Council of the University of the Sunshine Coast on 15 June 2004.
5. Published in the Gazette on 23 July 2004.
7. The administering agency is the Department of Education and the Arts.