THE ACADEMIC BOARD AND ACADEMIC GOVERNANCE HANDBOOK

Welcome

Academic Board is the principal academic decision-making body of the University, advising both the University Council and the Vice Chancellor on all matters related to the academic functioning of the University.

This Handbook is available to staff, students and other members of the University's community, and is available for Induction programs for members of the Academic Board and its Committees.

The aims of the Handbook are to:

1. briefly describe the context and setting in which the Academic Board fulfils its functions and responsibilities;

2. promote understanding of the responsibilities of members of the Academic Board and its Committees among members of the University community;

3. help staff and students prepare for their roles with Academic Board and its Committees, so that they may actively and successfully engage in the work of the Academic Board and its Committees; and

4. increase awareness of the nature and significance of the relationships between academic governance, corporate governance, and university management.

I do hope this Handbook provides useful background to the Academic Board and academic governance at Southern Cross.

Professor Andrew Rose
Chair, Academic Board

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1. Governance at Southern Cross University: A Brief Overview

Governance is a concept with diverse meanings. Acknowledging that definitions of Governance are many and varied, within Southern Cross University, the University's Council defines Governance as the framework within and by which authority is exercised and controlled in the University (based on ASX CGC 2007, p. 3).

Council

Southern Cross University is governed by the University Council, to which the Chief Executive Officer of the University, the Vice Chancellor, reports. The Council is established to have supreme control of the University through the *Southern Cross University Act 1993*. In order to facilitate efficient operations, the Council delegates control of most of the day-to-day operation of the University to employees, while reserving for itself oversight and judgement on the most consequential decisions.
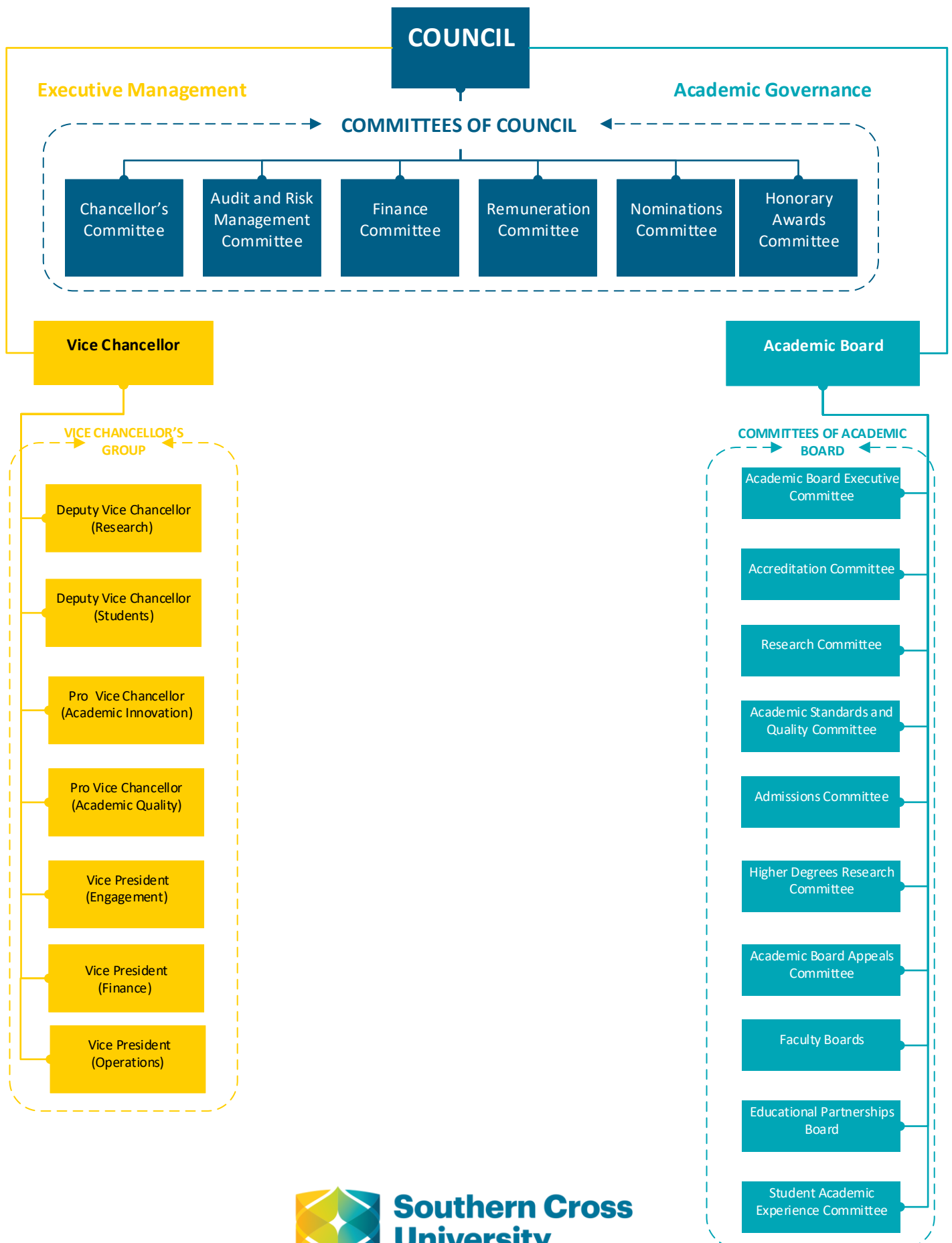
Council grants more authority to some committees and employees than others. There is a 'general' top-down hierarchy from Council through its Committees of Council, and Management, to University Operations, with the exception of the Academic Board.

Academic Board

A unique committee of council is the Academic Board, which is the principal academic decision-making body of the University. Its role is to advise the University Council and the Vice Chancellor on all matters related to the academic functioning of the University. It serves to provide a forum for decision-making by academic staff and students about the University's academic policies and programs. Unlike the other Committees of Council, strictly speaking Academic Board does not communicate with the operational arms of the University through the Vice Chancellor and Executive. However, a key relationship exists between the Academic Board and Vice Chancellor and Executive to enhance the academic aims of the University.

Governance is a process and is not uni-directional or linear. Hence, the Governance Framework Diagram following is only a guide to the University governance arrangements.

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SOUTHERN CROSS UNIVERSITY
GOVERNANCE FRAMEWORK

COUNCIL

Executive Management

Academic Governance

COMMITTEES OF COUNCIL

- Chancellor's Committee
- Audit and Risk Management Committee
- Finance Committee
- Remuneration Committee
- Nominations Committee
- Honorary Awards Committee

Vice Chancellor

Academic Board

VICE CHANCELLOR'S GROUP

- Deputy Vice Chancellor (Research)
- Deputy Vice Chancellor (Students)
- Pro Vice Chancellor (Academic Innovation)
- Pro Vice Chancellor (Academic Quality)
- Vice President (Engagement)
- Vice President (Finance)
- Vice President (Operations)

COMMITTEES OF ACADEMIC BOARD

- Academic Board Executive Committee
- Accreditation Committee
- Research Committee
- Academic Standards and Quality Committee
- Admissions Committee
- Higher Degrees Research Committee
- Academic Board Appeals Committee
- Faculty Boards
- Educational Partnerships Board
- Student Academic Experience Committee

Southern Cross University

2.Why is Academic Governance Important?

The important role of academic governance is highlighted in the _Southern Cross University Act 1993 No 69,_ the _Tertiary Education Quality and Standards Agency Act 2011_ and Higher Education Standards Framework (Threshold Standards) 2015. The Threshold Standards (Section 6.3) require universities to establish processes and structures and assign responsibilities that collectively:

a. achieve effective academic oversight of the quality of teaching, learning, research and research training

b. set and monitor institutional benchmarks for academic quality and outcomes

c. establish and maintain academic leadership at an institutional level, consistent with the types and levels of higher education offered, and

d. provide competent advice to the corporate governing body and management on academic matters, including advice on academic outcomes, policies and practices.

Academic oversight is deemed to involve the following activities:

a. develop, monitor and review academic policies and their effectiveness

b. confirm that delegations of academic authority are implemented

c. critically scrutinise, approve and, if authority to self-accredit is held, accredit or advise on approving and accrediting, courses of study and their associated qualifications

d. maintain oversight of academic and research integrity, including monitoring of potential risks

e. monitor and initiate action to improve performance against institutional benchmarks for academic quality and outcomes

f. critically evaluate the quality and effectiveness of educational innovations or proposals for innovations

g. evaluate the effectiveness of institutional monitoring, review and improvement of academic activities, and

h. monitor and report to the corporate governing body on the quality of teaching, learning, research and research training.

The answer to the question, 'what then is good and effective governance?' varies greatly. Two resources provide valuable insights. First, Shattock (2006, p. 4) suggests good governance is:

ensuring that governance at all levels in the institution works well, that all the interlocking parts connect smoothly and that the processes combine to deliver an organizational culture which is robust, flexible and willing to take decisions on trust where the pressures of timing demand it (Shattock, 2006, pg. 4).

And, the Australian Institute of Company Directors (AICD, 2013, p. 7) states:

Effective governance structures allow organisations to create value through innovation, development and exploration, and provide accountability and control systems commensurate with the risks involved. (AICD, 2013, p. 7)

For those members who would like an introductory but deeper engagement with University governance literature, the References and Useful Readings section below includes several resources, including those cited in this Handbook.

The next few sections briefly describe academic governance structures at SCU (the University) and provide appropriate resource links.

3. University Council

Southern Cross University is governed by the University Council. The University's Chief Executive Officer, the Vice Chancellor, reports to the University Council. Council is responsible for the management of the University's affairs, chaired by the Chancellor. In accordance with the Council Composition of Council Membership Rule, the Council has 13 members:

- the Chancellor;

- the Vice Chancellor;

- the Chair of the Academic Board;

- four members appointed by Council;

- two members appointed by the Minister;

- three elected staff members; and

- one elected student member.

Council may establish committees on an ad hoc basis to assist with any of its functions, as per Schedule 1 of the *Southern Cross University Act 1993*. Indeed, the University Council may delegate all or any of its functions (except the power of delegation) to any member or committee of the Council. All Committees of Council, which include Academic Board, must report to Council.

The Chancellor's Committee is the executive committee of Council. This Committee meets between scheduled meetings to deal with matters of an urgent nature. This Committee comprises; the Chancellor (Chair)*;* Deputy Chancellor; Vice Chancellor*;* Chair of Academic Board.

Other Committees of Council include: Academic Board; Audit and Risk Management Committee; Finance Committee; Honorary Awards Committee; Nominations Committee; and Remuneration Committee.

For further information, please refer:

- *Southern Cross University Act 1993;*
- *Southern Cross University By-Law 2005;*
- *Standing Orders – Southern Cross University Council;*
- *Council - Composition of Council Membership Rule*

- *Council - Statement of Primary Responsibilities*
- *Southern Cross University Policy Library*.

4. Governance Document Hierarchy

The University's Governance Document Hierarchy is the Council endorsed structure for describing and ordering the various types of guidance students, staff and other stakeholders at the University may encounter. The University Council requires the University's operations to be conducted and its affairs managed in accordance with the documents, which comprise the University's Governance Document Hierarchy.

The Governance Document Hierarchy is comprised of; Australian Laws; By-Laws; Rules; Policies; Procedures; and Guidelines. These various titles impose specific characteristics on the documents in the Policy Library; for example, they determine if compliance with the document is mandatory or optional. It is important, therefore, staff and students are familiar with the titles and their meanings as described in the Governance Documents Rule.

Figure 1 represents the hierarchy of SCU documents in order of precedence. To the extent that any document lower in the hierarchy is inconsistent with a higher document, the higher document prevails.

Figure 1
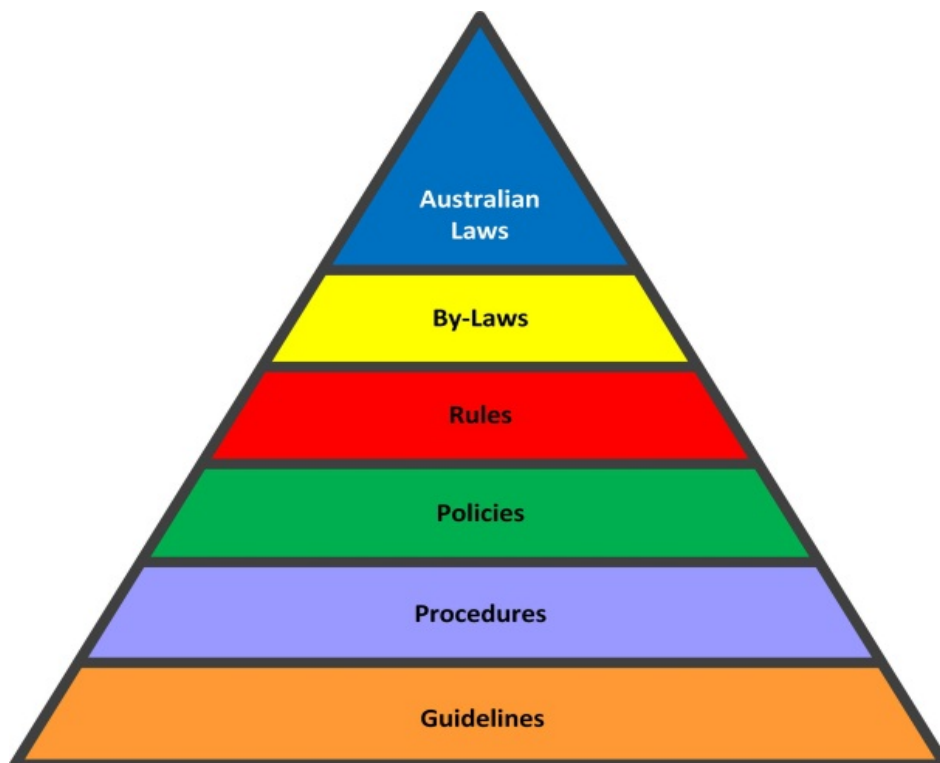
5. Academic Board

The Academic Board is the principal academic body of the University, responsible for establishing and maintaining the highest standards in teaching and learning and research in the University. Its membership and terms of reference are set out in the Terms of Reference – Academic Board Rule.

The Academic Board is the primary advisory committee of the University Council on academic matters. It provides a forum for the discussion and debate of the academic directions of the University, as well as the quality of its academic programs. It may consider any matter relating to the University's teaching, learning, research or other academic activity, and approve such matters or advise the Council and the Vice Chancellor as delegated to it by Council. When conducting its business it shall have particular regard to issues of academic accountability and quality assurance, and to University plans, including the University's Strategic Plan.

The University is required by legislation to have an Academic Board. According to *Southern Cross University Act 1993 No 69*:

> *(1) There is to be an Academic Board of the University, consisting of:*
>
> > *(a) the Vice-Chancellor, and*
>
> > *(b) such other persons as the Council may, in accordance with the by-laws, determine.*
>
> *(2) The constitution and functions of the Academic Board are to be as prescribed by the by-laws, subject to subsection (1).*

In order to fulfil its responsibilities, the Academic Board may establish committees to perform functions delegated to them by the Academic Board. All elected academic staff members of these committees shall serve for a period of two (2) years following election, or as otherwise determined by the Standing Orders. All student members shall serve for a period of one (1) year following election.

The sub-committees of Academic Board are:

- Academic Board Executive Committee
- Accreditation Committee
- Academic Standards and Quality Committee
- Research Committee
- Higher Degrees Research Committee
- Academic Board Appeals Committee
- Admissions Committee
- Student Academic Experience Committee
- Faculty Boards (Committees of Examiners are designated sub-committees of Faculty Boards).

The Standing Orders Academic Board and Its Committees present the approved structures, functions and membership of Academic Board's committees.

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5.1 Values Statement: Academic Board and Its Committees

The University's Academic Board and its Committees promote the University's Values. In brief, these are, Collegiality (openness and respect, collaboration and trust) and Integrity (honesty and ethical behaviour, drive and accountability).

The Academic Board is committed to these values. The Academic Board exercises independence, provides leadership in matters concerning academic quality and standards, and seeks to promote decision-making that is accountable and transparent. The conduct of the Board, its Committees and its members should be such that the confidence of the University community (students, Council, Executive, staff, Alumni, and other stakeholders) in the Academic Board is developed, encouraged and maintained. Accordingly, members of the Academic Board and its Committees will:

- consider and ensure they are aware of the roles and responsibilities of the Academic Board and its Committees, together with the ways in which these contribute to academic quality and standards at the University;
- be well prepared for meetings;
- display commitment and attend meetings;
- actively engage in discussions and debate at meetings, working parties and ad hoc Committees of the Board;
- act in the University's best interests;
- promote the values of the University as expressed in the University's Strategic Plan;
- assist the Chairs and Deputy Chairs to promote the Academic Board and its Committees to the staff and wider community;
- disseminate important decisions and information among those whom they represent;
- disclose conflicts of interest;
- not disclose confidential information.

5.2 Standing Orders of the Academic Boards and its Committees

The Academic Board and its Committees conduct their meetings and other business in accordance with the Standing Orders of the Academic Board and its Committees, subject to the University By-Laws and University Council resolutions.

The Standing Orders are intended to facilitate the conduct of business by the Academic Board and its Committees. The Academic Board may vary them from time to time. Customary practice refers to the process by which the Board's business is conducted through a presiding member (normally the person referred to as the Chair) and proceeds on the basis of resolution. In the conduct of meetings of the Academic Board and its Committees, all reasonable discretion is allowed to the presiding member (normally referred to as the Chair).

More formal rules or standing orders, such as those described in Joske *Law and Procedure at Meetings in Australia*, 8th edition, Law Book Co, 1994, and other such publications, may be used as a general guide to the

Chair. Members should note that in the conduct of Board meetings, all reasonable discretion is allowed to the presiding member.

6. Roles Responsibilities of the Chair and Deputy Chairs of the Academic Board

6.1 The Chair of the Academic Board

The Chair of the Academic Board is a member of Council and other Council Committees (Chancellor's Committee and Honorary Awards Committee), and has the right of attendance at meetings of all Committees of the Academic Board. The Chair actively engages with the academic community, the University Executive, and external bodies such as the State and National Chairs of Academic Boards and Senates. The Chair promotes both the engagement of staff in the work of the Academic Board and its Committees, and the salience of the Board to the University's academic endeavours.

Specifically, the Chair of the Academic Board:
- provides leadership in academic matters across the University;
- chairs meetings of the Academic Board, Academic Board Executive Committee, and Academic Board Appeals Committee;
- approves the agenda and draft minutes of the Academic Board prior to publication;
- engages with Academic Board Committees, and where necessary provides leadership and advice, and attends meetings;
- ensures that the Academic Board fulfils its responsibilities and terms of reference;
- ensures that Council is well informed and advised about academic matters and the work of the Academic Board;
- seeks and promotes the development of an Academic Board (and its Committees) that: (i) is collegial; (ii) encourages and supports academic freedom, open discussion and debate; (iii) is reflective, influential and efficient; and (iv) demonstrates integrity and independence in its processes;
- takes responsibility for the Board's work, including the setting of priorities in consultation with the Vice Chancellor, the Academic Board and Council, and with Academic Board and Council approval;
- remains informed of and engaged with matters that relate to academic quality and standards;
- monitors and ensures regular review of academic Rules, Policies, Procedures and Guidelines;
- ensures the Deputy Chairs of Academic Board, Committee Chairs and Academic Board members are informed about academic matters related to the Board's functions and responsibilities;
- disseminates information about the decisions and other aspects of the work of the Academic Board to the wider University community;
- in consultation with the Chancellor and Vice Chancellor, develops and implements succession plans for the Board and its committee chair and deputy chair positions;
- represents the Academic Board on committees/panels as prescribed by Human Resources Policies, including panels for the appointment of senior academic staff of the University, and for consideration of applications for Promotion and for Special Study Leave;
- wherever possible represents the Academic Board at graduations, and other ceremonies and

functions;
- supports the engagement of students in discussion and debate about relevant academic matters is facilitated by the Board and its Committees;
- consults regularly, and where necessary without delay, with the Chancellor, Vice Chancellor and Deputy Vice Chancellors on academic matters.

As the position of Chair is a 60% workload allocation (subject to negotiation with the Vice Chancellor), the Chair will:
- demonstrate a commitment to and maintain a level of performance, commensurate with time allocated, in at least one of the following: teaching and learning and/or research training and/or research; and
- provide a leadership role in broader university activities, including active engagement on relevant committees and working parties.

6.2 Deputy Chairs of the Academic Board

There are two Deputy Chairs of the Academic Board. One Deputy Chair is principally, but not exclusively, engaged with teaching and learning; the other with research and research training. Expertise and to some extent specialisation in these areas enhances the level of support and advice to the Chair of Academic Board and respective committees of Academic Board of which the Deputy Chairs are members.

The Deputy Chairs of the Academic Board:

- assist the Chair of Academic Board in ways agreed to by the Chair through consultation;
- act as Chair of the Academic Board during the absence of the Chair;
- seek and promote the development of an Academic Board (including its Committees) that is collegial, that encourages and supports academic freedom and open discussion and debate, and that is effective;
- remain informed of and engaged with matters that relate to academic integrity, quality and standards, particularly with regard to their portfolio;
- help promote to staff and the wider community academic matters related to the Board's functions and responsibilities;
- assist the Chair in the development of the annual priorities for the Academic Board, for approval by the Academic Board and by Council;
- in the absence of the Chair, one Deputy Chair represent the Academic Board on appointment committees for Professorial and other senior staff of the University, and on Committees for Special Study Leave applications; and
- wherever possible, represent the Academic Board at graduations and University functions.

7. Conflict of Interest

The University website on 'Conflict of Interest' is recommended to staff and students. The following extract from that site highlights important aspects concerning conflicts of interest:

While many of the findings of corrupt conduct that the ICAC [Independent Commission for Corruption] makes involve conflicts of interest of some kind, this does not mean that all conflicts of interest are corrupt. It is more a matter of how conflicts are dealt with that is important.

Everyone has personal interests and for university staff it is inevitable that sometimes these interests may conflict with their professional decisions or actions.

A recommended definition is: 'A "conflict of interest" involves a conflict between the public duty and private interests of a public official, in which the public official has private interests which could improperly influence the performance of their official duties and responsibilities'. (OECD 2003, paragraph 10, cited in ICAC, 2004, p. 10) …

Identifying conflicts of interest is an important step in managing them appropriately. The key test is whether an individual could be influenced, or appear to be influenced, by a private interest in carrying out his/her public duty.

This objective test should be based on an impartial examination of the official role and private relationship and interests of the person concerned, and whether these create an opportunity for corrupt conduct or have the capacity to influence the official's role.

8. The External Environment

There are a number of institutional arrangements influencing the University and with which the University regularly engages. The following are selective examples not previously discussed.

Commonwealth Department of Education, Skills and Employment

Commonwealth Department of Industry, Science, Energy and Resources

Tertiary Education Quality and Standards Agency (TEQSA)

The following information is taken from the TEQSA website.

The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's regulatory and quality agency for higher education. TEQSA's primary aim is to ensure that students receive a high quality education at any Australian higher education provider.

The Higher Education Standards Framework (Threshold Standards)

The Australian Qualifications Framework (AQF)

The following information is taken from the AQF website.

The Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework.

The Higher Education Standards Panel

The following information is taken from HESP website.

The Higher Education Standards Panel is an expert advisory body established under the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act 2011) which provides independent advice to the Commonwealth Minister(s) responsible for tertiary education and research. The Panel's work is independent of the quality assurance agency, the Tertiary Education Quality and Standards Agency (TEQSA)

The Australian Research Council (ARC)

The following information is taken from the ARC website.

The ARC is a statutory agency under the Industry, Innovation, Climate Change, Science, Research and Tertiary Education portfolio within the Australian Government. Its mission is *to deliver policy and programs that advance Australian research and innovation globally and benefit the community*.

The ARC is responsible for administering *Excellence in Research for Australia* (ERA), which aims to identify and promote excellence across the full spectrum of research activity in Australia's higher education institutions.

Universities Australia (UA)
The following information is taken from the UA website.

Universities Australia was established on 22 May 2007 as the peak body representing the university sector. Universities Australia represents Australia's 39 universities in the public interest, both nationally and internationally. Members of Universities Australia are the universities, represented by their Chief Executive Officer - the Vice-Chancellor and President.

The Regional Universities Network (RUN)

The following information is taken from the RUN website.

The Regional Universities Network is a network of six universities with headquarters in regional Australia and a shared commitment to playing a transformative role in their regions.

9. Further Information

The Academic Board webpage provides information on key committee meeting dates, together with due dates for papers, previous agendas and minutes, as well as session teaching dates and other useful information.