

PRESENT: Chancellor (Lt. Gen. Grey AC, Ret'd)(Chair), Deputy Chancellor (Hon. P Lindsay), Vice Chancellor (Professor Harding), Chairperson of the Academic Board (Professor Naylor), Ms Cannon, Mr Charlton, Mr Dodge, Mr Gilliver, Mr Kirkwood, Mr Landy, Professor Leggat, Associate Professor Leicht, Mr Mosch, Ms Caswell, Dr Smorfitt, Mr Twomey, Dr Tyrell and Ms Walker.

ATTENDANCE: Mr Kern (Secretary), Mr Troupe (Minute Secretary), Professor Cocklin and Ms Brand (Permanent Advisors). Ms Paula Johnston (Confidential Minute Item 11)

APOLOGIES: Apologies were received from Mr Haddrick, Ms McLaughlin and Mr Phillips.

1. DECLARATION OF CONFLICTS OF INTERESTS:

The Vice Chancellor and Mr Charlton declared a conflict of interests with regard to Confidential Minute item 40.

2. MINUTES

2.1 The following Minutes were adopted as a true and correct record:

N-SECT Ordinary Minutes of Meeting (7/15) held on 23 October 2015 as confirmed by the Chair.

2.2 Confidential Minutes of Meeting (7/15) held on 23 October 2015 as confirmed by the Chair.

2.3 Confidential Minutes of Special Meeting (8/15) held 23 November 2015, as confirmed by the Chair.

2.4 Circular Minutes of Meeting (6/15) approved on 25 November 2015, as confirmed by the Chair.

3. BUSINESS ARISING FROM THE MINUTES:

There was no business arising from the Minutes.

4. MATTERS NOT YET FINALISED:

There were no matters not yet finalised.

5. CHANCELLOR'S REPORT

The Report was noted.

RESOLVED:

N-UNISEC that the Chancellor's Report, be noted.

6. VICE CHANCELLOR'S REPORT

The Vice Chancellor's Report including an end-of-year presentation was noted.

RESOLVED:

N-EO that the Vice Chancellor's Report, be noted.

7. REPORT TO COUNCIL FROM CHAIRPERSON OF ACADEMIC BOARD

The Report was noted.

Professor Naylor briefed Council on the recent Chairs of Academic Boards, Senates & Secretaries' Conference, hosted by JCU and held in Palm Cove on 13 – 15 November 2015 with the morning session on 14 November held at the Boathouse on the Cairns Campus. There was a very high satisfaction rating from participants for the conference and JCU.

RESOLVED:

N-CHRAB that the Chairperson of Academic Board's Report, be noted.

8. REPORT TO COUNCIL FROM CHAIRPERSON OF HEALTH, SAFETY AND ENVIRONMENT COMMITTEE

The Report was tabled. As Mr Haddrick, the Chairperson of the Committee was absent from the Meeting, the Deputy Chairperson Associate Professor Leicht briefed Council on the Report and highlighted progress against the 2015 Priorities, the proposed 2016 Priorities and the audit of systems and compliance with regard to WHS at the University.

RESOLVED:

N-CHRHSEC that the Chairperson of Health, Safety and Environment Committee's Report, be noted.

9. PROPOSED TARGETS FOR 2016 KPIS

Council noted that the process of seeking and compiling feedback from Council and those Committees of Council that participated in the performance management process had been completed and the refreshed 2016 suite of KPI targets had been developed based on the collective feedback. Council recalled that it had approved the 2016 refreshed suite of KPIs and PIs and retired the previous terminology of University Level Performance Measures, at its Meeting (7/15), held on 23 October 2015.

The Council noted that the criteria for assessing performance remained unchanged and that all targets had been reviewed by the relevant governance Committees.

RESOLVED:

A-DIRQPA that the proposed targets for 2016 KPIS (Key Performance Indicators) as monitored by Council, be approved.

10. REFER SEPARATE PAGES

11. REFER SEPARATE PAGES

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14. REFER SEPARATE PAGES

15. UNIVERSITY POLICY – CORPORATE GOVERNANCE – DELEGATIONS POLICY – ESTABLISHMENT

Council recalled that at its meeting (5/15), held 9 July 2015 it had approved the Policy and Delegations Framework. The Quality, Planning & Analytics Directorate had undertaken the next step on the agreed work plan to prepare the Delegations Policy.

The Delegations Policy would provide strategic guidance in the continuing work to review all delegations across the University. In accordance with the Policy and Delegations Framework the policy sponsor for the Delegations Policy would be the Vice Chancellor and the Approving Authority University Council.

The policy included five guiding principles that would support the review of delegations across the University. All delegations would be designed to:

- N-DIRQPA
1. *have multiple delegates where possible (to ensure flexibility);*
 2. *be positioned close to the source of responsibility with the appropriate knowledge, skills and designated position (decision relevance);*
 3. *adhere to the one up rule (ensure suitable governance oversight);*
 4. *use committees where necessary (to bring in wider representation for making complex decisions); and*
 5. *use individuals for routine and procedural decisions (responsiveness).*

After approval of the Delegations Policy the Delegations Management Handbook (procedures) would be finalised and submitted for approval to the Approving Authority for each respective Procedure.

The Policy had been developed by the Quality, Standards and Policy Office in accordance with the approved Policy and Delegations Framework and requirements of the Policy Procedure and had been reviewed by the University's Legal Office.

Academic Board at its (8/15) meeting, held 9 November 2015 endorsed the establishment of the Policy and recommended it to Council for approval.

With regard to the Policy it was agreed that the word, 'significant' be removed from clause 16. With regard to the delegations in the Policy a member questioned whether the Policy was consistent with the requirements, and at the very least the actual wording, of section 11 of the *James Cook University Act 1997* and the *Acts Interpretation Act 1901*. The member had also indicated a number of other concerns with the proposed Policy.

The Chancellor advised Council that as the Delegations Policy would be an overarching policy and one of the University's most important policies with University-wide application, it was important that it was right, reflected Council's requirements and corresponded with relevant legislation before implementation. The University Secretary advised Council that the major risk was that a person or committee could make a decision that was beyond their authorised delegation and the decision could be challenged or otherwise deemed unenforceable. It was also acknowledged that some decisions were currently taken at too high a level and ought to be taken at a lower level in the University structure. That being the case, Council agreed to withdraw the item.

It was agreed that the member would pass the relevant comments and concerns to the Vice Chancellor so that they could be addressed and the Policy, together with any revisions, be submitted to the first Meeting in 2016.

RESOLVED:

A-EXECOFF
N-UNISEC

that the proposed Delegations Policy be withdrawn and that after the Vice Chancellor has addressed the concerns of a member of Council, the Policy, together with any revisions, be submitted to the first Meeting in 2016.

16. ACADEMIC DELEGATIONS

Council recalled that following its consideration of the Review Working Group's (RWG) report on the Review of Academic Governance at its (3/15) meeting, held 14 May 2015, resolved, inter alia, that it had:

"in principle" comfort with the Chair of Academic Board being delegated authority to make academic decisions on the recommendation of Divisional Boards of Studies, subject to the Chair being a member on each Board of Studies, with any proposed delegations to be submitted to Council for approval.

The Council noted that while a lot of work was being undertaken in relation to the overall review of Academic Delegations, which was expected to be finalised and reported to Academic Board in the first quarter of 2016, there had been an expectation on Council's part that the above transfer of delegated authority could be effected before the end of 2015.

The proposed transfer of delegated authority was in response to one of the *Principles for Re-alignment of the Academic Governance Structures @ JCU*: which had been endorsed at the (3/15) meeting of Council, held 14 May 2015 as follows:

Ensure Academic Board and its Committees "Add Value" through the introduction of Frameworks, Model structures, Incremental approval processes, a "Governance by exception" approach, clear and delineated academic delegations and accountability.

The proposed transfer of delegated authority was also consistent with two of the five guiding principles proposed in the Delegations Policy considered by the Board at its (8/15) meeting, held 9 November 2015 that would underpin the review of delegations across the University, as follows:

All delegations will be designed to:

- *Be positioned close to the source of responsibility with the appropriate knowledge, skills and designated position (decision relevance)*
- *Use individuals for routine and procedural decisions (responsiveness)*

Council noted the proposal to transfer delegated authority, largely from the sub-committees of the Academic Board, to the Chairperson and that the relevant academic function would be considered in the first instance by the relevant Divisional Board of Studies (BoS) (or equivalent) of which the

Chairperson would be a member. The compliance and academic quality assurance functions would still be undertaken prior to consideration and approval by the Chairperson and it was proposed that the Manager, Curriculum Information Management Section would retain the compliance responsibilities and that the relevant BoS would assume the academic quality assurance role from the Education Committee.

The proposed revised arrangements would not only remove a level of scrutiny that often duplicated the work already undertaken by the BoS but also provided for the timely and responsive approval of curriculum changes.

Council was advised that consequential amendments would need to be made to the Academic Board Charter, the Terms of Reference of the Education and Research Committees and Policies.

Council noted the feedback from the Academic Board at its meeting (8/15) of 9 November 2015 and that a considerable benefit of the proposal was that the Education and Research Committees would be freed up to concentrate on strategic matters.

Council approved the proposed transfer of the academic delegated authority to the Chairperson of the Academic Board, to make academic decisions on the recommendations of the BoS, subject to the Chairperson being a member on each BoS. Academic Board would retain authority to approve all New Courses and Council would retain the authority to approve the introduction of New Disciplines and the offering of courses off-shore.

RESOLVED:

that the proposed transfer of academic delegated authority to the Chairperson of Academic Board, to make academic decisions on the recommendation of the Divisional Boards of Studies, or equivalent group, subject to the Chairperson being a member on each Divisional Board of Studies, be approved.

A-CHAIRAB
N-UNISEC

17. COUNCIL – AUTHORITY FOR DECISIONS – EXECUTIVE DELEGATION

Council noted that the Standing Orders of Council (Standing Order 13) prescribed the process for decision making by the Council Executive on behalf of Council during the period commencing 10 days after the final Council meeting each year and ending 10 days prior to the first Council meeting of the following year. In 2015/16 this meant that the relevant period would be between Sunday 13 December 2015 and Tuesday 16 February 2016 and that approval by three out of the four (75%) member Executive Group consisting of the Chancellor, Deputy Chancellor, Vice-Chancellor and the Chair, Finance Committee, was required for a matter to be approved.

At its first Meeting in 2016 Council would note and adopt as a true and correct record, the matters resolved under the Delegation.

RESOLVED:

1. that the Chancellor, Deputy Chancellor, Vice Chancellor and Chair of the Finance Committee make decisions on behalf of the Council during the period Sunday 13 December 2015 through to Tuesday 16 February 2016 inclusive; and
2. that the details of any such decisions be reported to Council at its meeting scheduled to be held on 26 February 2016.

N-SECT

18. ELECTION OF JCU CHANCELLOR – DECLARATION OF ELECTION RESULT

Council noted the result presented in the Declaration of Election of the JCU Chancellor held on 23 November 2015. The Deputy Chancellor made a statement thanking Council for considering his nomination and advising that he believed the Election Process had been comprehensive and fair. The Deputy Chancellor assured Council that he would work as hard as ever for JCU during the remainder of his appointment as Deputy Chancellor.

RESOLVED:

that the Declaration of Election Result for the position of JCU Chancellor, be noted.

N-UNISEC

19. 2016 - COUNCIL AND ITS COMMITTEES MEETING DATES AND PATHWAYS

The Council noted that, subject to a number of minor amendments to Committee and Sub-Committee meeting dates and times, the *2016 - Council and its Committees Meeting Dates and Pathways* document was ready for approval and dissemination.

RESOLVED:

A-SECT that, subject to a number of minor amendments to Committee and Sub-committee meeting dates and times, the *2016 - Council and its Committees Meeting Dates and Pathways*, be approved.

20. REFER SEPARATE PAGES**21. COUNCIL MEMBERSHIP – 16TH COUNCIL – ELECTION OF STUDENT MEMBERS – SCHEDULE AND NOTICE**

Council noted that the Elected Student members of Council only hold office for a period of two years in accordance with section 19(2) of the James Cook University Act 1997 (the 'Act'), the terms of office of the three elected student members of Council would expire on 19 April 2016.

Section 21(1) of the Act required that Council set a date for the completion of elections (Declaration date). The proposed date was 24 March 2016. The elections would be run in accordance with [Statute No.2 – Conduct of Council Elections](#).

The Council approved the proposed Student Election Schedule, including the Declaration Date of 24 March 2016, and Notice.

RESOLVED:

A-SECT that the Schedule, including the Declaration Date of 24 March 2016, and Notice for the elections of the Student categories of membership of the Sixteenth Council, be approved.

22. CEREMONIAL AND HONORARY DEGREES SUB-COMMITTEE CHARTER

The Council noted that undertook an annual review of and considered proposed amendments.

Council noted the schedule of proposed amendments by the Ceremonial and Honorary Degrees Sub-Committee to its Charter, to extend the present focus of Clause 4(b) of Schedule A to include Singapore, in addition to northern Queensland and a minor tidying-up exercise, that the Human Resources Committee had endorsed at its meeting (4/15), held on 3 November 2015,.

RESOLVED:

A-SECT that the proposed amendments to the Charter of the Ceremonial and Honorary Degrees Sub-Committee, be approved.

23. HONORARY AWARD REQUIREMENTS – AMENDMENTS

Council noted that following on from the proposed minor amendments to the Charter of the Ceremonial and Honorary Degrees Sub-Committee (Minute 22 refers) consequential amendments had also been made to the Honorary Award Requirements to extend the prime focus to include Singapore in addition to northern Queensland. The Sub-Committee had endorsed the Vice Chancellor as the Policy Sponsor, notwithstanding that the Sub-Committee's minutes had reflected otherwise and this would be listed as a correction to the minutes for the next meeting of the Sub-Committee.

RESOLVED:

A-POLOFF
N-CHDSC that the proposed amendments to the Honorary Award Requirements Policy and Procedure, be approved and noted respectively.

24. HEALTH SAFETY AND ENVIRONMENT – HAZARD, INCIDENT, INJURY AND RISK MANAGEMENT REPORT 1 JANUARY TO 30 SEPTEMBER 2015

The Council noted the *Health Safety and Environment Hazard, Incident, Injury and Risk Management Report 1 January to 30 September 2015* and the additional comments and questions from the Health Safety and Environment Committee Meeting (4/15), held on 13 November 2015.

N-DVCS&R
N-HSEC

RESOLVED:
that the *Health Safety and Environment Hazard, Incident, Injury and Risk Management Report 1 January to 30 September 2015*, be noted.

25. CONFERRAL OF AWARDS IN ABSENTIA

A-EXAM
N-GRS

RESOLVED:
that the following award be conferred in absentia, the date of conferral to be 3 December 2015.

<u>Awardee</u>	<u>Degree/Diploma</u>
COLLEGE OF PUBLIC HEALTH, MEDICAL & VET SCIENCES Daniel Maia Nogueira	DOCTOR OF PHILOSOPHY

26. FINANCIAL MANAGEMENT PRACTICE MANUAL FMPM - APPENDIX A - DELEGATION POLICY

The Council was advised that a requirement and purpose of the Delegations Policy was to provide formal authority to an officer to financially and legally commit JCU and/or incur liabilities for JCU.

Following the implementation of the financial delegation register approved by Council, three factors for adjustment had arisen;

1. *Variation of standard position title (unique title with one incumbent) which requires the position to be specifically listed*
2. *Operational effectiveness impacts - additional position required to support the day-to-day operation*
3. *Correction/addition to position due to incorrect or varying information provided during consultation*

The Council noted the summary of the number of adjustments per factor and that these adjustments would be incorporated into the existing and approved financial delegations, with approved changes being implemented. It was anticipated that no further adjustments would be required to positions following this iteration and that future proposed changes would be heavily scrutinised for relevance, operational effectiveness and necessity prior to submission to Council.

Council further noted consequential adjustments to Appendix A - Financial Delegations Register may be required as a result of approved changes to the Academic and Human Resources Delegations registers, currently in progress.

A-DIRFABS

RESOLVED:
that the relevant amendments to the *FMPM – Appendix A - Delegations Policy*, be approved.

27. NOTES TO THE FINANCIAL STATEMENTS – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – AMENDMENTS

N-DIRFABS

RESOLVED:
that the proposed amendments to the Summary of Significant Accounting Policies to be included as Note 1 to the 2015 Statutory Accounts, be approved.

28. PROJECT EVALUATION REPORT – DAINTREE RAINFOREST OBSERVATORY

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RESOLVED:
that the Daintree Rainforest Observatory Project Evaluation report, be noted.

29. REFER SEPARATE PAGES

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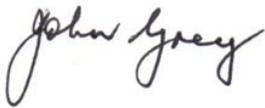
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- 41. **GENERAL BUSINESS**

The Chancellor acknowledged the work of the Chairs of Committees of Council, members of Council, the Secretary to Council, the Secretariat, the permanent advisors to Council and wished all a Merry Christmas.

The Meeting closed at 6.54 pm



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Chair
22 December 2015