

Introduction

As the head and chair of the Council of James Cook University, the Chancellor is a leader of the University and its ceremonial head. The Chancellor is elected by Council to facilitate its work effectively and ethically, providing a focal point for ensuring the achievement of the University's strategic intent and effective governance, and maintaining the high standing of the University in the wider community.

The [James Cook University Act 1997 \(Qld\)](#) provides the authority for the establishment of the position of Chancellor.

Section 30 of the Act prescribes:

- (1) There is 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 staff.
- (5) The Chancellor holds office for the term, not longer than 5 years, fixed by the council.

James Cook University

JCU is defined by the Tropics. We are unique among Australian universities, woven into the intellectual, economic and social fabric of our tropical location and set amid irreplaceable ecosystems and cultures that fire our intellects and imaginations.

As a multi-campus, international university our aims are challenging but attainable. Marshalling our broad intellectual strengths, we seek knowledge-based ways to help the world's tropical regions prosper.

JCU is a world-class university ranked in the top 250 of tertiary institutions in the world. We develop graduates who have the knowledge, skills and experience to succeed and thrive in a global workforce, and who are continuously championing their fields of work to create a brighter future.

Organisational Chart

[James Cook University](#)

Duties and Responsibilities

The Chancellor's authority and responsibilities are derived from three sources.

(a) The [James Cook University Act 1997 \(Qld\)](#), establishes:

- the Council and the basis of delegations (sections 7 -11);
- the Chancellor as an Official Member of Council (section 13);
- a member of Council's function and obligations (section 26A);
- the Chancellor as Chair of Council (section 27(1)); and
- the position of Chancellor and the Chancellor as an Officer of the University (section 30).

(b) The Council, by its authority under (a) has made and does make delegations to the Chancellor:

- a general delegation, to act executively on behalf of Council when the Council itself is not meeting; and
- specific delegations, in some instances jointly with other officers, for specific purposes.

(c) The [Work Health and Safety Act 2011 \(Qld\)](#).

In addition to these, other duties follow from Commonwealth legislation concerning the operation of universities in Australia.

In accordance with the [Voluntary Code of Best Practice for the Governance of Australian Public Universities](#) the Chancellor must (also reflected in section 26A of the [James Cook University Act 1997 \(Qld\)](#)):

- act always in the best interests of the University as a whole;
- 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.

The Chancellor's personal involvement is then developed from the above with two levels of commitment expected:

- meeting minimum specific statutory and/or delegated requirements; and
- providing proactive leadership and support beyond the minimum.

In order to meet the considerable responsibilities of the role of Chancellor, regular and active involvement in the governance-related decision-making processes of the University is needed.

The Chancellor understands that good corporate governance will allow Council and the Vice Chancellor to drive the organisation forward but to exercise that freedom within a framework of accountability, transparency and control.

Below is a listing of the duties and roles the Chancellor is involved in – they are diverse, ranging from the formal, governance-related responsibilities to ceremonial and public relations roles.

Head of the Council and Ceremonial Head of the University

The Chancellor has a responsibility to represent the Council at all times in the public arena and, as appropriate, to support the Vice Chancellor in advancing the University's interests in the public arena.

The Chancellor recognises that he/she has responsibilities for managing risk and that Council is responsible for approving the risk appetite of the University.

The Chancellor is the official reference point on Council matters for State and Federal Ministers, the Queensland Auditor General, the Crime and Corruption Commission (CCC) and the Queensland Ombudsman. Such references include matters relating to the appointed membership of Council, the University's annual statutory audit and reporting processes, and complaints and issues concerning the Council that have been referred to the CCC or the Queensland Ombudsman from any source.

The Chancellor may also be approached as a reference point for a range of student, staff and community inquiries/complaints; however these will usually be management issues, and would properly be referred to the Vice Chancellor or another authority in the first instance.

Finally, the Chancellor is the recipient of a range of institutional and community invitations to represent the University and participate in organisational activities. Such contacts are valuable activities for progressing the community reputation of the University.

Chair of Council Meetings

This activity includes not only presiding at Council meetings, but prior setting and review of the agenda with the Vice Chancellor, the Secretary to Council and selected Executive Staff, and

confirmation of the minutes prepared by the Secretary, prior to distribution. As the position of Chancellor is similar to that of the Chair of a Board of Directors, attention to these particular duties is a core responsibility of the Chancellor.

In line with accepted governance practice, the Chancellor also has responsibility for:

- providing leadership and ensuring the efficient and effective operation of the Council in the performance of its governance role and in achieving its various objectives;
- promoting and reinforcing an understanding amongst Council members of the role of Council and its Committees, the role of individual Council members and the distinction between governance and management;
- ensuring there is timely, accurate and relevant information to assist Council members in the performance of their duties and transparent decision-making;
- ensuring there is adequate support and resourcing provided for the functioning of Council and its Committees;
- encouraging open, respectful debate and discussion, and fostering a sense of cooperation and cohesiveness amongst members of Council and its Committees;
- overseeing the conduct of Council performance evaluation and member peer review processes; and
- providing direction to the University Secretary, in their role as Secretary to the Council.

Committees of Council and Boards of Controlled Entities

The Chancellor is a member of each Committee of the Council, with the exception of the Academic Board and its sub-committees. A Charter of a Committee, which is approved by the Council, may require the Chancellor to chair the Committee. A Constitution of a Controlled Entity of the University, which is approved by the Council, may on occasion require the Chancellor to chair the Board of a Controlled Entity.

The Chancellor has a standing invitation to attend and participate in meetings of the Committees of Council and may attend Academic Board as an observer if they so wish.

The Chancellor is currently the Chair or a member of the following Committees:

Awards and Ceremonies Committee	Member
Audit, Risk and Compliance Committee	Member
Chancellor's Committee	Chair
Finance and Infrastructure Committee	Member
Work Health Safety Committee	Member

It is the Chancellor's responsibility to ensure that the Committees of Council work effectively and that the membership of Committees makes best use of the skills, expertise and experience of the Council's membership and, if required, co-opted members.

Presiding at Graduation Ceremonies

Depending on the number and location of graduating students, the University conducts up to eight separate Graduation and Presentation Ceremonies each year. Each ceremony involves activities before and after the event, in addition to the function itself. Some ceremonies involve travel to other cities, and at least twice per year to Singapore. Presiding over graduation ceremonies is a key ceremonial role for the Chancellor though, should the need arise, this may be delegated to the Deputy Chancellor or another Officiating Officer. The occasions may also include a University-hosted social function for visiting dignitaries, presided over by the Chancellor. Also, from time to time, the Chancellor may need to personally host ceremonies for an Honorary Degree recipient who is unable to attend a scheduled Graduation Ceremony.

Supervision of the Vice Chancellor

While the Council appoints the Vice Chancellor, the Chancellor is the person responsible for the supervision of and advice to the Vice Chancellor. This requires the Chancellor to keep in touch with the general activity of the University and to develop an ongoing appreciation of the vision, leadership and performance of the Vice Chancellor from a number of perspectives, both internal to the University and external in the wider community. This is achieved by active contact with a range of staff, general business and community contacts, and regular personal communication between the Chancellor, Vice Chancellor, Council members and other University staff.

The relationship between the Chancellor and Vice Chancellor is similar to that between the Chair of a Board of Directors and the Chief Executive Officer. As such, there is a need to develop a close and effective working relationship built on mutual trust and respect.

The Chancellor is also one of the few people who is external and at arm's length from the management of the University and can be a party, in confidence, to any issue on which the Vice Chancellor may choose to seek an independent opinion.

Regular communication between the Chancellor and Vice Chancellor, face-to-face, by phone or email, or other means, is essential to maintaining a positive and productive relationship.

Each year, the Chancellor conducts the Vice Chancellor's performance review involving the University's performance against Council's approved Key Performance Indicators and the annual financial audited outcome. Inputs from the Chairs of Council's Committees and the Deputy Vice Chancellors are also considered, along with some input from other Council members. The Chancellor reports the performance to the Chancellor's Committee, which is delegated by Council to determine the Vice Chancellor's annual salary increase in accordance with the Vice Chancellor's employment contract. The Chancellor also counsels the Vice Chancellor based on the feedback from the reporting process.

Appointment of Senior Staff

While all members of Council have the opportunity and responsibility to contribute by participation in selection committees for professorial and executive management staff, the Chancellor is responsible for the appointment process of the Vice Chancellor. The Chancellor may choose to participate in the process of other senior appointments. As a member of Council, the Chancellor may accept appointment to professorial selection Committees.

Matters requiring Specific Action by the Chancellor

When a matter is brought to the attention of the Chancellor that involves the actions or conduct of a member of Council, or a co-opted member of a Committee of Council, or the Vice Chancellor, the Chancellor will normally be required to take appropriate action. In some instances, the matter may involve referral to an external body or agency to meet statutory reporting obligations. The matter may also be referred to the Secretary to Council or the Manager, Internal Audit, and/or an external investigator for help in evaluating the matter and advice on how to proceed with it.

In instances where the Vice Chancellor has declared a conflict of interests and is the sole decision-maker, then the Chancellor may, under the University's "One-Up" authorisation rule, become the decision-maker subject to specific policy requirements and legal advice.

Where an appeal of a decision of the Vice Chancellor is permitted under University Policy, or where a matter involving the Vice Chancellor is referred to the Chancellor by the Crime and Corruption

Commission, the Chancellor will be required to hear such an appeal, seek resolution and report on their actions.

Council Development

The Chancellor has a responsibility to ensure that Council members are informed and have access to such material and relevant information within the University, which is appropriate to their governance responsibilities. An important role is played by the Chancellor in the induction of new members of Council, organising information seminars or Council workshops and ensuring professional development is available. He/she must ensure that continuing Council members are informed about changes to their role.

Certifications

From time to time, the Chancellor may be required to certify reports or documents on behalf of the University, the Council or a Committee of Council, including:

- Minutes of meetings of Council and its Committees which they have chaired;
- Annual Report – covering letter to Minister inserted into the Report;
- Annual Financial Report – certification of the Management Certificate;
- Honorary Doctorate Awards;
- Testamurs conferring Higher Education Awards on graduates; and
- Special acknowledgements and awards.

Authorisation of Circulating Resolutions and Council Circulars

The Chancellor must authorise the distribution of any Circulating Resolution of Council or a Committee of which he/she is Chair.

Eligibility Criteria

In accordance with the provisions of Section 30 of the [James Cook University Act 1997 \(Qld\)](#), the person elected as Chancellor must not be a student or a member of the University's academic or professional and technical staff. However, the person elected as Chancellor need not be an existing member of Council. The Chancellor holds office for a term fixed by Council, of not longer than five years but they can be re-elected.

The [Voluntary Code of Best Practice for the Governance of Australian Public Universities](#) requires a majority of external independent members as the position of Chancellor forms part of that majority, it is a further requirement that the Chancellor be free of any interest, including financial interest, with the University at the time of nomination or at any time during the term of office that could give rise to a conflict of interests.

Section 40D of the [James Cook University Act 1997 \(Qld\)](#) gives Council the power to remove the Chancellor from office for misconduct or failure to comply with the Chancellor's statutory duties.

The Chancellor will be an Australian citizen and a resident of north or far north Queensland, and is not to be a currently serving politician.