

**Submission
No 52**

INQUIRY INTO ENHANCING VICTORIAN UNIVERSITY GOVERNANCE

Organisation: National Tertiary Education Union

Date Received: 26 February 2026

Secretary

Victorian Legislative Assembly Economy and Infrastructure Committee

Parliament of Victoria

By email: universitygovernance@parliament.vic.gov.au

26 February 2026

Dear Secretary,

Submission of the Declaration of University Student and Staff Voice to the inquiry of the Victorian Legislative Assembly Economy and Infrastructure Committee into enhancing Victorian university governance

I am writing to submit to the inquiry the *Declaration of University Student and Staff Voice*.

The Declaration sets out six principles relevant to the inquiry's focus on enhancing student and staff voice in Victorian university governance.

It is supported by a broad cross-section of civil society with the following 21 organisations endorsing the Declaration:

- Council of Australian Postgraduate Associations
- National Union of Students
- National Tertiary Education Union
- Australian Democracy Network
- Australian Education Union
- Deakin University Student Association
- Federation of Community Legal Centres (Vic)
- Human Rights Law Centre
- Islamic Council of Victoria
- La Trobe Student Union
- Liberty Victoria
- Monash Student Association
- National Aboriginal & Torres Strait Islander Postgraduate Association
- RMIT University Student Union
- Swinburne Student Association
- Uniting Church in Australia, Synod of Victoria and Tasmania
- University of Melbourne Graduate Student Association
- University of Melbourne Student Union

- Victorian Trades Hall Council
- Victoria University Postgraduate Association
- Young Workers Centre

Thank you.

Yours sincerely,

Professor Joo-Cheong Tham FASSA

National Tertiary Education Union Victorian Assistant Secretary (Academic Staff)

Declaration of University Student and Staff Voice

1. Universities centrally consist of students and staff:

Students and staff are the university community.

2. Universities shall be run in partnership with students and staff:

Students and staff shall be at the centre of university decision making.

3. To serve their public mission, universities need the creativity, contributions and co-operation of students and staff:

This is impossible without giving students and staff a strong voice.

4. The voices of Aboriginal and Torres Strait Islander students and staff are central to shaping inclusive and innovative universities:

Their leadership, knowledge systems, and cultural strengths are vital for advancing self-determination and creating transformative opportunities for universities.

5. Students and staff shall have meaningful representation on university governing bodies:

At a minimum, there shall be three elected staff members and two elected student members on university governing bodies with staff and student representatives constituting no less than a third of total membership of these bodies.

6. Student and staff representatives shall be able to meaningfully participate at the key levels of university decision-making:

This should occur through elected representatives, particularly representatives of independent student unions and trade unions.

Secretary

Victorian Legislative Assembly Economy and Infrastructure Committee

Parliament of Victoria

By email: universitygovernance@parliament.vic.gov.au

26 February 2026

Dear Secretary,

NTEU submission to the inquiry of the Victorian Legislative Assembly Economy and Infrastructure Committee into enhancing Victorian university governance

This submission is made on behalf of the Victorian Division of the National Tertiary Education Union (**NTEU**). It has been written in conjunction with submissions made by various university branches of the NTEU. The submissions by NTEU branches fully support the reform proposals recommended in this submission and supplement it by highlighting the key governance problems at particular universities, and elaborate upon how these proposals would help address those problems.

The NTEU welcomes this highly significant inquiry.

This inquiry comes after the governance failings of Australian universities have been extensively documented by the:

- Australian Universities Accord Panel,¹
- Senate Education and Employment Legislation Committee;² and

¹ Department of Education, Australian Government, *Australian Universities Accord* (Interim Report, 19 July 2023) <<https://www.education.gov.au/australian-universities-accord/resources/accord-interim-report>> (**Accord Interim Report**); Department of Education, Australian Government, *Australian Universities Accord* (Final Report, 25 February 2024) <<https://www.education.gov.au/australian-universities-accord/resources/final-report>>.

² Senate Education and Employment Legislation Committee, Parliament of Australia, *Quality of Governance at Australian Higher Education Providers* (Interim Report, 19 September 2025) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance48/Interim_report> (**Senate Inquiry Interim Report**); Senate Education and Employment Legislation Committee, Parliament of Australia, *Quality of Governance at Australian Higher Education Providers* (Final Report, 11 December 2025) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance48/Final_report> (**Senate Inquiry Final Report**).

- Expert Council on University Governance.³

It also comes after the establishment of a national reform framework through the agreed priorities of the Commonwealth, State, and Territory ministers responsible for higher education and their adoption of the Principles of the Expert Council (**ECUG Principles**).⁴

Importance of the inquiry

This inquiry provides the opportunity to recommend robust practical implementation of the national reform framework in relation to Victorian universities.

The inquiry's focus on enhancing student and staff voice, and the transparency and accountability of university decision-making, makes it all the more important. The emphasis on student and staff voice is critical. As the Victorian Premier underscored, the inquiry is aimed at 'putting students and staff at the centre of university decision-making, ensuring Victorian universities reflect the communities they serve'.⁵ The specific focus of the inquiry provides a strong compass for developing reforms to address the crisis of university governance in Victorian universities.

This inquiry is also significant because of the importance of universities to Victoria. Universities are at the heart of communities across the State — from Ballarat, Bendigo, Geelong, and Warrnambool to Bundoora, Clayton, Parkville, and Werribee. Victorian universities are vital institutions of education and research, and places of free and critical inquiry that spearhead social justice, which transforms the lives of many by levelling up. They power the State's economy by providing a skilled workforce, research and innovation, the rich benefits of international education (the State's largest export),⁶ and employing the Victorian university workforce (which exceeds 50,000 employees).⁷

³ Department of Education, Australian Government, *Expert Council on University Governance: Final Report and Principles* (October 2025) <<https://www.education.gov.au/australian-universities-accord/resources/expert-council-university-governance-final-report-and-principles>> (**ECUG Final Report**).

⁴ See Jason Clare, Minister for Education, 'Improving the Governance of Our Universities' (Media Release, 18 October 2025 <<https://ministers.education.gov.au/clare/improving-governance-our-universities>>. In the NTEU's submission, the national reform framework refers to both the agreed priorities of the Education Ministers and the ECUG Principles.

⁵ Gayle Tierney, Minister for Skills and TAFE, 'Putting Student Voices at the Heart of Universities' (Media Release, 20 October 2025) <<https://www.premier.vic.gov.au/putting-student-voices-heart-universities>>.

⁶ Department of Jobs, Skills, Industry and Regions, 'International Education: Economic and Social Value', *Victorian Government* (last updated 29 December 2025 <<https://djsir.vic.gov.au/priorities-and-initiatives/International-education-economic-and-social-value-for-victoria>>.

⁷ VAGO's 2024 audit of Victorian TAFEs and universities reports a total of 41,538 FTE staff employed in the Victorian university sector: Victorian Auditor-General's Office (VAGO), *Results of 2024 Audits: TAFEs and*

As recognised by the Victorian Premier when announcing this inquiry:⁸

Victoria’s higher education sector is a key driver of opportunity — growing the economy, strengthening the global reputation of Victoria’s institutions, and giving staff and students the mobility and opportunities for research, career development and future collaboration.

Western Sydney University Vice-Chancellor, Professor George Williams, expressed a similar sentiment in his book, *Aiming Higher: Universities and Australia’s Future*.⁹

Universities are a central place of our civil life as anchor institutions in their local communities and underpin the success of our democracy. Our economic and social progress depends upon their success as generators of knowledge, creativity, invention and social mobility.

Joint Reform Proposal

The NTEU, National Union of Students (**NUS**), and the Council of Australian Postgraduate Associations (**CAPA**) are submitting their *Joint Reform Proposal* as a comprehensive reform agenda for Victorian university governance. The *Joint Reform Proposal* is based on the national reform framework (the agreed priorities of the Education Ministers and the ECUG Principles), and is the outcome of an unprecedented collaboration between the NTEU, NUS, and CAPA.

The NTEU’s development of this proposal has been shaped by constructive discussions between representatives of the NTEU, NUS, CAPA and the University Chancellors Council. These discussions over the past year recognised the commitment of Australian universities to implement the ECUG Principles in good faith and identified areas of shared interest where ongoing engagement and continuous improvement are both possible and desirable.

The three main components of the *Joint Reform Proposal* are:

1. To give effect to **ECUG Principle 2** (Diversity of perspectives) and **Principle 6** (Inclusive + Responsive):

Universities (June 2025) 32 <<https://www.audit.vic.gov.au/sites/default/files/2025-06/20250619-Results-of-2024-Audits-TAFEs-and-Universities.pdf?>>.

⁸ Tierney, ‘Putting Student Voices at the Heart of Universities’.

⁹ George Williams, *Aiming Higher: Universities and Australia’s Future* (Australia Institute Press, 2025) 4.

- Victorian legislation should be amended to increase the minimum number of elected staff members on university governing bodies to three, constituting no less than 20% of total membership.
 - Victorian legislation should be amended to increase the minimum number of elected student members to two, constituting no less than 13% of total membership.
2. First Nations staff and students in university governance.
 3. Implementation requirements for the eight ECUG Principles to be declared by the Minister.

Two features of the *Joint Reform Proposal* are worth noting at the outset:

- First, the proposal adopts a principles-based approach that provides a *framework of upward flexibility*: the proposal provides scope for individual universities to implement the framework in ways that are suited to their circumstances and go beyond its minimum requirements.¹⁰
- Second, the proposal recommends a coordinated approach to the Commonwealth and Victorian regulation of university governance; specifically, integration with the regulatory processes of the Tertiary Education Quality and Standards Agency (TEQSA).¹¹

Declaration of University Student and Staff Voice

The NTEU, NUS, and CAPA are also jointly submitting the *Declaration of University Student and Staff Voice*. The Declaration sets out six principles relevant to the focus of the inquiry on enhancing student and staff voice in Victorian university governance. It is supported by a broad cross-section of civil society, with the following 21 organisations endorsing the Declaration:

- Council of Australian Postgraduate Associations
- National Union of Students
- National Tertiary Education Union
- Australian Democracy Network
- Australian Education Union
- Deakin University Student Association
- Federation of Community Legal Centres (Vic)

¹⁰ For elaboration, see Section VII.

¹¹ For elaboration, see Section VI.

- Human Rights Law Centre
- Islamic Council of Victoria
- La Trobe Student Union
- Liberty Victoria
- Monash Student Association
- National Aboriginal & Torres Strait Islander Postgraduate Association
- RMIT University Student Union
- Swinburne Student Association
- Uniting Church in Australia, Synod of Victoria and Tasmania
- University of Melbourne Graduate Student Association
- University of Melbourne Student Union
- Victorian Trades Hall Council
- Victoria University Postgraduate Association
- Young Workers Centre

The proposed increase in the staff and student membership of Victorian university governing bodies is specifically called for by Principle 5 of the Declaration.

Structure of this submission

Sections I and II of this submission provide the text of the *Joint Reform Proposal* and the *Declaration on University Student and Staff Voice*. Adoption of these documents will require amendment of the eight Victorian statutes that establish the Victorian universities.

Sections III to VIII explain the context and underlying justifications of the *Joint Reform Proposal*, and elaborate upon specific reform recommendations:

- III A crisis of university governance
- IV A broken governance system
- V Rebuilding universities through collaborative governance
- VI A coordinated approach to federal and state regulation of university governance
- VII A framework of upward flexibility
- VIII Elaboration of the *Joint Reform Proposal*:
 - A Increasing the minimum number of staff and student members on Victorian university governing bodies
 - B First Nations staff and students in university governance
 - C Victorian implementation requirements for ECUG Principles

I hope this submission will be of assistance to the Committee.

Thank you.

Yours sincerely,

Professor Joo-Cheong Tham FASSA

National Tertiary Education Union, Victorian Assistant Secretary (Academic Staff)

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EXECUTIVE SUMMARY

1. The National Tertiary Education Union, the National Union of Students, and the Council of Australian Postgraduate Associations are submitting the **Joint Reform Proposal** as a comprehensive reform agenda for Victorian university governance.
2. The enhancement of student and staff voice in university governance recommended by the *Joint Reform Proposal* is supported by the **Declaration of University Student and Staff Voice** which has been endorsed by a broad section of civil society.
3. The *Joint Reform Proposal* aims to address **the crisis of university governance** which has been extensively documented by the Australian Universities Accord Panel, the Senate Education and Employment Legislation Committee, and the Expert Council of University Governance.
4. Underlying this crisis of university governance is **a broken governance system** comprising a closed information loop; marginalisation of staff and student voice; an acute risk of senior management capture; an accountability deficit; and a damaging disconnect from the working realities of universities — all of which are suffused by the dynamics of managerialism and corporatisation.
5. The *Joint Reform Proposal* seeks to overhaul this broken governance system through **collaborative governance**, which is anchored in the public mission of universities as institutions of education and research for the community, and the constitution of universities as bodies politic centrally consisting of students and staff. Collaborative governance rests on the inseparability of the public mission of universities and student and staff voice. It turns on two axes of collaboration:
 - Collaboration between students, staff, and university leadership (university governing bodies, senior management); and
 - Collaboration between university governing bodies, senior management, and the academic governing body.
6. The *Joint Reform Proposal* adopts **a coordinated approach to federal and state regulation of university governance** and proposes **a framework of upward flexibility**.

7. The *Joint Reform Proposal* has three main components:
 - Increasing the minimum number of staff and student members on Victorian university governing bodies.
 - First Nations staff and students in university governance.
 - Victorian implementation requirements for ECUG Principles.

8. The *Joint Reform Proposal* recommends that Victorian legislation should be amended to increase the minimum number of:
 - a. elected staff members on university governing bodies to three, constituting no less than 20% of total membership;
 - b. elected student members to two, constituting no less than 13% of total membership.

9. The *Joint Reform Proposal* recommends the establishment of a Victorian Indigenous Higher Education Council at the state level and an Indigenous Advisory Forum at each university.

10. The *Joint Reform Proposal* recommends Victorian implementation requirements for each ECUG Principle, as set out in the following table.

<u>Principle 1: Accountability</u>	<u>Principle 2: Diversity of Perspectives</u>	<u>Principle 3: Independence</u>	<u>Principle 4: Transparency</u>
<p>The Charter and Vice-Chancellor’s accountabilities shall:</p> <ul style="list-style-type: none"> • Embed the centrality of staff and student voice; • Affirm their obligations to act as exemplary employer. <p>Governing Bodies shall:</p> <ul style="list-style-type: none"> • Publish statements on donor appointments exceeding \$1m, including mitigation strategies for perceived influence; • Prohibit external roles for Vice-Chancellors unless certified as not compromising their duties. 	<p>The Governing Body shall:</p> <ul style="list-style-type: none"> • Publish its Skills/Diversity Matrix and annual assessments; • Include an elected staff member or Staff Advisory Forum Chair on selection panels (see Principle 6 – Inclusive + Responsive); • Treat all members as full and equal participants; • Provide resourcing, training, workload relief, and protections against adverse action; • Set staggered terms (with particular emphasis for student and staff elected members); • Maintain a public conflicts register including external remuneration and large donor disclosures. 	<p>Academic governing bodies shall:</p> <ul style="list-style-type: none"> • Maintain independence from management (including in membership and selection of the President of the body); • Review workforce and budgetary impacts on academic quality (including academic staffing annually); • Participate in strategy; • Publish the agenda and outcomes of the meeting; • Promote academic freedom and freedom of speech, and best practice in utilising these freedoms. 	<p>The Governing Body shall:</p> <ul style="list-style-type: none"> • Publish agendas and outcomes of meetings; • Provide context to the outcomes published when they concern material matters affecting the university community (with consideration to confidentiality requirements); • Report annually on objectives and performance of the University and the Vice-Chancellor; • Publish use of consultancies and purpose for their procurement, in addition to the current financial reporting component through the Victorian government requirements.

<u>Principle 5:</u> <u>Trustworthy</u>	<u>Principle 6:</u> <u>Inclusive + Responsive</u>	<u>Principle 7:</u> <u>Sustainable</u>	<u>Principle 8:</u> <u>Responsible</u>
<p>Universities are encouraged to undertake full stakeholder engagement for any major decisions.</p> <p>The Vice-Chancellor and Senior Management shall regularly meet with staff and unions via a Joint Standing Committee.</p>	<p>The Governing Body shall establish the following:</p> <ul style="list-style-type: none"> • A Staff Advisory Forum • A Student Advisory Forum • An Indigenous Advisory Forum <p>Each Forum shall:</p> <ul style="list-style-type: none"> • Provide twice-yearly reports directly to the governing body; • Be independently led by an elected representative; • Be adequately resourced by the university; • Represent the diversity of the staff/student community; • Be protected from adverse action. <p>Governing body engagement (observer attendance, response to reports) remains mandatory.</p> <p>Surveys utilised for the governing body or advisory forums shall be co-designed with the relevant stakeholders, diverse in sampling, and be published annually.</p>	<p>Committees of the governing body should include an elected staff member of the governing body.</p> <p>Non-voting external expertise for governing body committees and the governing body should be co-opted from:</p> <ul style="list-style-type: none"> • Academic Board Chair; • Representatives of main student organisations; • Union representatives. <p>Escalation of audit and risk concerns by staff and staff representatives must be enabled.</p>	<p>The Governing Body shall:</p> <ul style="list-style-type: none"> • Publish remuneration reports analogous to public company standards, with commentary relative to public sector benchmarks. <p>Workforce strategy shall:</p> <ul style="list-style-type: none"> • Prefer continuing employment; • Be developed with genuine input from staff, students, and the academic governing body. <p>Universities shall:</p> <ul style="list-style-type: none"> • Audit workforce composition; • Set five-year and three-year continuing-employment targets (aspiring to 75% FTE). <p>Major change processes (including the development of proposals) shall be transparent, consultative, and reviewed after two years.</p>

I. JOINT REFORM PROPOSAL

Preamble: Relationship to ECUG Principles and TEQSA powers

These recommendations are intended to operate as guidance and minimum implementation requirements for the Expert Council on University Governance (**ECUG**) Principles in Victoria.

They do not replace or add to the ECUG Principles. Rather, they specify how the ECUG Principles should be put into practice in Victorian universities and set out presumptive standards that universities should follow, unless compelling circumstances justify a departure consistent with the ECUG's 'if not, why not' approach.

The regulatory and reporting components described in this document are contingent upon the Tertiary Education Quality and Standards Agency (**TEQSA**) being granted powers to:

1. Embed the ECUG Principles into the *Higher Education Standards Framework (Threshold Standards) 2021*;
2. Specify the format and content of a national 'if not, why not' reporting model; and
3. Require remediation where a university does not provide compelling justification for departure from a Principle.

If TEQSA is granted these powers, Victoria may streamline its role and avoid duplication while maintaining strong governance expectations.

Definitions

ECUG Principles: For clarity, reference to the ECUG Principles recognises both the eight 'parent' principles outlined, and the subsequent principles included beneath each. Reference to 'the Principles' refers to all of the parent and subsequent principles outlined in Part II of the Final Report provided to the Education Ministers Meeting in October 2025.

Implementation requirements are requirements declared by the Minister that specify how the ECUG Principles are to be applied in Victoria.

Senior Management refers to the university management who report directly to the Vice-Chancellor, per the definition included in the ECUG Final Report.

Increase staff representation on university governing bodies

To give effect to Principle 2 (Diversity of perspectives) and Principle 6 (Inclusive + Responsive):

- The Victorian legislation should be amended to increase the minimum number of elected staff members on university governing bodies to three, constituting no less than 20% of total membership.
- The Chair of the academic governing body may count towards this minimum membership, provided:
 - Principle 3 (Independence) has been implemented and assured; and
 - Effective mechanisms exist for the input of professional staff.

Increase student representation on university governing bodies

To give effect to Principle 2 (Diversity of perspectives) and Principle 6 (Inclusive + Responsive):

- Victorian legislation should be amended to increase the minimum number of elected student members to two, constituting no less than 13% of total membership.

Consideration of the Regulatory Framework and revision of TEQSA's powers

If TEQSA receives the expanded powers listed in the preamble above, Victoria's framework should avoid duplication and focus on contextual interpretation and sector development of best practices. Accordingly:

- Victorian universities shall maintain governance frameworks. These frameworks should:
 - Be publicly available on the university website;
 - Include the university's implementation of the ECUG Principles and the implementation requirements;
 - Recognise TEQSA as the regulator for universities, and as support in the assessment of ECUG Principles.
- Victorian universities shall provide governance reporting in accordance with the ECUG's 'if not, why not' format. This should satisfy Victorian implementation requirements, except for Victorian-specific obligations such as Indigenous governance. Universities may depart from an implementation requirement only through the prescribed explanation based on compelling circumstances, consistent

with 'if not, why not' of the ECUG Principles, and must explain any Victorian-specific departures in their annual governance statement.

- Victorian universities shall publish an annual governance statement which may be consolidated with the ECUG Principles reporting template, including any additional Victorian-specific information declared by the Minister.
- The role of the Victorian Auditor-General (VAGO) shall be limited to assessing the effectiveness of governance processes and internal assurance, not compliance with ECUG Principles, which will fall to TEQSA as the regulator for Australian universities.
- Where TEQSA identifies non-compliance or insufficient justification on the Principles, TEQSA shall require remediation.
- The Minister may issue interpretive guidance to support Victorian universities or requirements for implementation, but will not duplicate TEQSA's enforcement powers.
- The Minister shall host an Annual Forum on University Governance to support sector improvement and contextualised implementation of the ECUG Principles.
- In consultation with Gellung Warl, the Government shall establish a Victorian Indigenous Higher Education Council, headed by a jointly appointed Commissioner, to advise on matters affecting Indigenous staff and students, contribute to implementing the Marrung strategy as it applies to universities, and develop a funding framework for its activities (including contributions from Victorian universities).
- A review three years after commencement shall:
 - Assess the effectiveness of these changes;
 - Recommend whether further governance requirements should be legislated; and
 - Align review cycles with TEQSA's national approach and any ECUG revisions.
- The Government may consider further harmonisation across Victorian universities, including:
 - skills/diversity matrices;
 - removal standards for governing body members;
 - state-wide training for elected representatives;
 - advocacy for standardised financial reporting of Australian universities at national forums.

Implementation requirements for the Principles to be declared by the Minister

As outlined in the preamble, to avoid duplication in the reporting and regulation of the Principles, it is recommended that the Minister declare the following implementation requirements for Victorian Universities (outlined per Principle applicable).

For the below implementation requirements, it is recommended that reporting should utilise TEQSA's reporting structure for the ECUG Principles, unless Victorian-specific obligations require additions. These implementation requirements should be commented on by the university in the 'if not, why not' reporting format, with note given to the need for a compelling 'why not' context.

The Victorian government, along with the university community, should have access to the most recent iterations of the university governance framework, skills matrix, and other documentation related to the ECUG Principles and/or the implementation requirements via the university website.

Principle 1 – Accountability

The Charter and Vice-Chancellor's accountabilities shall:

- Embed the centrality of staff and student voice;
- Affirm their obligations to act as exemplary employers.

Governing Bodies shall:

- Publish statements on donor appointments exceeding \$1m, including mitigation strategies for perceived influence;
- Prohibit external roles for Vice-Chancellors unless certified not to compromise duties.

Principle 2 – Diversity of perspectives

The Governing Body shall:

- Publish its Skills/Diversity Matrix and annual assessments;
- Include an elected staff member or Staff Advisory Forum Chair on selection panels (see Principle 6 – Inclusive + Responsive);
- Treat all members as full and equal participants;
- Provide resourcing, training, workload relief, and protections against adverse action;

- Set staggered terms (with particular emphasis for student and staff elected members);
- Maintain a public conflicts register, including external remuneration and large donor disclosures.

Principle 3 – Independence

Academic governing bodies shall:

- Maintain independence from management (including membership and selection of the President of the body);
- Review workforce and budgetary impacts on academic quality (including academic staffing annually);
- Participate in strategy;
- Publish the agenda and outcomes of the meeting;
- Promote academic freedom and freedom of speech, and best practice in utilising these freedoms.

Principle 4 – Transparency

The Governing Body shall:

- Publish agendas and outcomes of meetings;
- Provide context to the outcomes published when they concern material matters affecting the university community (with consideration to confidentiality requirements);
- Report annually on objectives and performance of the University and the Vice-Chancellor;
- Publish use of consultancies and purpose for their procurement, in addition to the current financial reporting component through the Victorian government requirements.

Principle 5 – Trustworthy

Universities are encouraged to undertake full stakeholder engagement for any major decisions.

The Vice-Chancellor and Senior Management shall regularly meet with staff and unions via a Joint Standing Committee.

Principle 6 – Inclusive + Responsive

The Governing Body shall establish the following:

- A Staff Advisory Forum
- A Student Advisory Forum
- An Indigenous Advisory Forum

Each Forum shall:

- Provide twice-yearly reports directly to the governing body;
- Be independently led by elected representative/s;
- Be adequately resourced by the university;
- Represent the diversity of the staff/student community;
- Be protected from adverse action.

Governing body engagement (observer attendance, response to reports) remains mandatory.

Surveys utilised for the governing body or advisory forums shall be co-designed with the relevant stakeholders, diverse in sampling, and be published annually.

Principle 7 – Sustainable

Committees of the governing body should include an elected staff member of the governing body.

Non-voting external expertise for governing body committees and the governing body should be co-opted from:

- Academic Board Chair;
- Representatives of main student organisations;
- Union representatives.

Escalation of audit and risk concerns by staff and staff representatives must be enabled.

Principle 8 – Responsible

The Governing Body shall:

- Publish remuneration reports analogous to public company standards, with commentary relative to public sector benchmarks.

Workforce strategy shall:

- Prefer continuing employment;
- Be developed with genuine input from staff, students, and the academic governing body.

Universities shall:

- Audit workforce composition;
- Set five-year and three-year continuing-employment targets (aspiring to 75% FTE).

Major change processes (including the development of proposals) shall be transparent, consultative, and reviewed after two years.

II. DECLARATION OF UNIVERSITY STUDENT AND STAFF VOICE

1. Universities centrally consist of students and staff:

Students and staff are the university community.

2. Universities shall be run in partnership with students and staff:

Students and staff shall be at the centre of university decision making.

3. To serve their public mission, universities need the creativity, contributions, and co-operation of students and staff:

This is impossible without giving students and staff a strong voice.

4. The voices of Aboriginal and Torres Strait Islander students and staff are central to shaping inclusive and innovative universities:

Their leadership, knowledge systems, and cultural strengths are vital for advancing self-determination and creating transformative opportunities for universities.

5. Students and staff shall have meaningful representation on university governing bodies:

At a minimum, there shall be three elected staff members and two elected student members on university governing bodies with staff and student representatives respectively constituting no less than 20% and 13% of total membership of these bodies.

6. Student and staff representatives shall be able to meaningfully participate at the key levels of university decision-making:

This should occur through elected representatives, particularly representatives of independent student unions and trade unions.

This Declaration is endorsed by the following 21 organisations:

- Council of Australian Postgraduate Associations
- National Union of Students
- National Tertiary Education Union

- Australian Democracy Network
- Australian Education Union
- Deakin University Student Association
- Federation of Community Legal Centres (Vic)
- Human Rights Law Centre
- Islamic Council of Victoria
- La Trobe Student Union
- Liberty Victoria
- Monash Student Association
- National Aboriginal & Torres Strait Islander Postgraduate Association
- RMIT University Student Union
- Swinburne Student Association
- Uniting Church in Australia, Synod of Victoria and Tasmania
- University of Melbourne Graduate Student Association
- University of Melbourne Student Union
- Victorian Trades Hall Council
- Victoria University Postgraduate Associations
- Young Workers Centre

III. A CRISIS OF UNIVERSITY GOVERNANCE

Australian universities are in the midst of a crisis of university governance. A survey by the University Chancellors Council ‘found that 87 per cent of chancellors felt that there was a crisis (of university governance) and that social licence was a significant issue and needed to be addressed’.¹² Commenting on the last federal election, a higher education expert said, ‘never has the low ebb of social licence (of universities) . . . been more evident’.¹³

Key aspects of this crisis have been detailed by the Australian Universities Accord Panel, the Senate Education and Employment Legislation Committee, and the Expert Council of University Governance.

Australian Universities Accord Panel

In its Interim Report, the Australian Universities Accord Panel said that:¹⁴

Effective governance is essential for promoting positive institutional cultures and ensuring that each institution has the ongoing capability to deliver on its strategic vision, but the Review has heard that *institutions may not be adequately engaging with some very serious issues within their remit.*

Despite the best efforts of many institutions to address them, *systemic issues persist across the higher education sector, including widespread underpayment of staff, suggesting governance arrangements could be improved.* Sexual assault and harassment on campus is affecting the wellbeing of students and staff, and their ability to succeed.

The Panel also said that ‘[w]idely reported occurrences of staff underpayment by universities are damaging public confidence in the sector’.¹⁵ Noting concerns that ‘current workforce arrangements are affecting the ability of staff to deliver high quality teaching and research’, it called upon these arrangements ‘to be examined to consider whether staff workloads and the use of fixed term and casual arrangements are appropriate’.¹⁶

¹² Evidence to Senate Education and Employment Legislation Committee, Parliament of Australia, 10 November 2025, 36 (Professor John Pollaers) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance48/Public_Hearings>.

¹³ Stephen Matchett, ‘Ignored, Facing Certain Cuts: An Awful Election for Unis’, *Future Campus* (2 May 2025) <<https://futurecampus.com.au/2025/05/02/ignored-facing-certain-cuts-an-awful-election-for-unis/>>.

¹⁴ Accord Interim Report, 115 (emphasis added).

¹⁵ Accord Interim Report, 116.

¹⁶ Accord Interim Report, 117.

Senate Education and Employment Legislation Committee

The Interim Report of the inquiry conducted by the Senate Education and Employment Legislation Committee into the quality of governance at Australian higher education providers highlighted governance problems in relation to:¹⁷

- Accountability and transparency (lack of transparency of university decision-making; poorly managed conflicts of interest; decline of student and staff participation in university governance); and
- Remuneration of senior university staff (including level and transparency of remuneration).

The Inquiry's Final Report focused on university governance failings related to:

- The corporatisation of Australian universities;
- The decline of academic influence in university governance;
- University employment practices; and
- Education quality and student experience.¹⁸

It concluded that 'poor governance, wrongly focussed decision-making, and poor employment practices have damaged the trust that university communities, as well as the public and the government, have in the sector', stressing that 'the sector needs to refocus to ensure that their primary purpose as a public good is evident in all aspects of their operations'.¹⁹ After the release of the Final Report, the Chair of the inquiry said that, '[i]t is painstakingly clear that governance failures at our universities have let staff, students and the public down'.²⁰

Expert Council on University Governance

The Report of the Expert Council on University Governance stated that:²¹

¹⁷ Senate Inquiry Interim Report, chs 3–4.

¹⁸ Senate Inquiry Final Report, chs 2–5.

¹⁹ Senate Inquiry Final Report, 130.

²⁰ Conor Duffy, 'University Students "Betrayed" By Corporatised Universities as Senate Inquiry Calls for Law Change', *ABC News* (11 December 2025) <<https://www.abc.net.au/news/2025-12-11/university-governance-senate-report/106124178>>.

²¹ ECUG Final Report, 14 (emphasis added).

[T]he maturity of governance understanding, processes, capability, and resourcing varies considerably across the sector. *The Council observed evidence that clear governance failings were either not acknowledged or understood as governance failings, and instances where accountability was downplayed or softened.* As one example the idea that wage under-payments represented a governance failing was disputed, while others noted that the issue has been ‘dealt with’.

The cited example is particularly concerning given the Fair Work Ombudsman’s view that ‘sector-wide resolution of non-compliance and the underlying causes is not yet complete’.²²

The Expert Council raised specific concerns regarding the exclusion of student and staff members from the deliberations of university governing bodies:²³

What was particularly troubling, were reports that these presumed or perceived conflicts of interest have been used as the basis for exclusion from discussions, decision making and the sharing of certain information.

Very broad interpretations of what constitutes a conflict of interest to exclude student and staff members from participation in discussions and to withhold information and papers in anticipation that they might breach confidences, are unhelpful and not conducive to a collaborative and trusting environment on governing bodies. If governing bodies of universities are seen to be unprepared to openly, proactively and effectively engage with genuine points of difference and conflict across members of its governing body, it is perhaps not surprising that there are concerns regarding the management of significant and high profile conflicts on university campuses.

These observations of the Expert Council are consistent with the findings of the NTEU report, *The ‘Bell Curve’ of University Governance*.²⁴

The Expert Council also highlighted deficiencies in relation to the risk management practices of Australian universities, stating that:²⁵

[T]he Council’s discussions raised questions about the extent to which there is consistent and meaningful proactivity across the sector in identifying, understanding and effectively

²² ECUG Final Report, 22.

²³ ECUG Final Report, 26.

²⁴ National Tertiary Education Union (NTEU), *The ‘Bell Curve’ of University Governance* (July 2025) <<https://betterunis.nteu.au/wp-content/uploads/2025/07/The-Bell-Curve-of-University-Governance.pdf>>.

²⁵ ECUG Final Report, 15.

managing risk broadly, including financial, regulatory and legal, academic, reputational and relational risks.

This finding is consistent with the observations of the Fair Work Ombudsman in relation to industry-wide wage theft in Australian universities:²⁶

Poor corporate governance and management oversight practices that do not prioritise workplace relations risks or compliance have been common. For instance, inadequate oversight by governing boards and audit and risk committees, and an absence of systems for identifying compliance risks.

Despite strong evidence of university governance failings, the Expert Council found denial and defensiveness amongst the management of many universities:

In consultations undertaken, there was an underlying sense of grievance in being unfairly targeted, including on issues like wage underpayment that are not unique to the sector.²⁷

...

Unfortunately for the work of the Council, *many of the submissions received from universities failed to engage proactively and genuinely in addressing areas of weakness and or in identifying scope for improvement in governance practices and outcomes.* Instead, submissions and commentary focused on describing existing legislative and regulatory requirements and burdens, the challenge of engaging some stakeholders, and how their governance performance was both sufficient and appropriate. While recognising that many universities have and are continuing to address areas of concern, and made time to participate in the Council's consultations, *the level of positive and proactive engagement in the genuine work of the Council and how it might address some of the sector's governance challenges and improve trust and confidence, was not at the level hoped for.*²⁸

The Expert Council concluded that:

[I]t is clear there remains a critical need for a further demonstrable uplift in governance culture and practices across the public university sector to underpin improved performance, and to proactively respond to the concerns and expectations of key stakeholders.²⁹

²⁶ Fair Work Ombudsman, Submission No 16 to the Senate Education and Employment Legislation Committee, *Inquiry into the Quality of Governance at Australian Higher Education Providers* (3 March 2025) 3 <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance/Submissions> (**FWO Submission No 16**).

²⁷ ECUG Final Report, 13.

²⁸ ECUG Final Report, 25–26 (emphasis added).

²⁹ ECUG Final Report, 25.

...

[I]n addition to continuous improvement in processes and policies to reflect best practice in governance, a broader and more significant cultural shift is required, led by the Chancellor, Vice-Chancellor, and governing body, down through the entire university community. This includes the Chancellor and governing body accepting responsibility for, and being transparent about, all aspects of the university's governance and broader performance, notwithstanding the challenges and complexity of the environment in which they are operating.³⁰

³⁰ ECUG Final Report, 26.

IV A BROKEN GOVERNANCE SYSTEM

Underlying the crisis of university governance at Victorian universities is a broken governance system comprising five elements suffused by the dynamics of *managerialism* and *corporatisation*.

The five elements

The five elements, as corroborated by the reports of the Australian Universities Accord Panel, the Senate Education and Employment Legislation Committee, and the Expert Council of University Governance are:

1. *A closed information loop* where:

- Victorian university councils — which are supposed to provide oversight of senior management — principally rely on senior management for information, in the context of the marginalisation of staff and student voice (see below);
- The decisions of these councils and their committees are largely secret (with no requirement to publish minutes);³¹ and
- There is a real danger of ‘group think’ based on the perspectives of senior management (see below).

2. *Marginalisation of staff and student voice* due to:

- The lack of institutional forums to represent the views of staff and students, despite universities centrally consisting of staff and students under all Victorian university legislation;³²
- The minimal representation of staff and students on Victorian university councils with one representative each; and
- Elected staff representatives at several Victorian university councils constantly battling exclusion from council proceedings, based on an alleged conflict of interest by virtue of being staff representatives and, in some cases, not receiving appropriate workload relief for their roles.

³¹ See Table 9.

³² *Deakin University Act 2009*, s 4; *Federation University Australia Act 2010*, s 4; *La Trobe University Act 2009*, s 4; *Monash University Act 2009*, s 4; *Royal Melbourne Institute of Technology Act 2010*, s 4; *Swinburne University of Technology Act 2010*, s 4; *University of Melbourne Act 2009*, s 4; *Victoria University Act 2010*, s 4.

3. *An acute risk of senior management capture arising from the closed information loop, marginalisation of staff and student voice, the increased centralisation of power within university management,³³ and the lack of tertiary education expertise amongst Victorian university council members, thus leading to deference to senior management³⁴ (research has found that two out of three members of Australian university councils have no professional experience in the sector).³⁵ This risk is reflected in:*

 - Deficient management of conflicts of interest; and
 - Inadequate justification and transparency in relation to senior executive remuneration.

4. *An accountability deficit with no real accountability of Victorian university councils and senior management to their university communities of staff and students, and ineffective accountability mechanisms due to the closed information loop (and the secrecy it implies) and marginalisation of staff and student voice; and*
5. *A damaging disconnect from the working realities of universities with Victorian university councils not sufficiently apprised of the ‘on the ground’ practices of their universities, due to the four elements above, leading to management decisions that undermine the quality of education and research at Victorian universities. These decisions can often rest upon ineffective (partial) risk management, with risks that would have been identified by students and staff ‘on the ground’ ignored or diminished. Amongst these damaging decisions is the insecure workforce model of Victorian universities (including the widespread use of casual academics);³⁶ a workforce approach that has contributed to industry-wide wage theft.³⁷*

³³ Simon Marginson and Mark Considine, *The Enterprise University: Power, Governance and Reinvention in Australia* (Cambridge University Press, 2000).

³⁴ Chitra De Silva Lokuwaduge and Anona Armstrong, ‘The Impact of Governance on the Performance of the Higher Education Sector in Australia’ (2015) 43(5) *Educational Management Administration & Leadership* 811–27.

³⁵ Alessandro Pelizzon et al, ‘2 Out of 3 Members of University Governing Bodies Have No Professional Expertise in the Sector. There’s the Making of a Crisis’, *The Conversation* (30 November 2021) <<https://theconversation.com/2-out-of-3-members-of-university-governing-bodies-have-no-professional-expertise-in-the-sector-theres-the-making-of-a-crisis-171952>>.

³⁶ See Table 10 and accompanying text.

³⁷ See Table 11 and accompanying text.

Managerialism

Infusing these elements are, first, the dynamics of *managerialism*. This refers to processes underpinned by beliefs that the knowledge and expertise of senior managers ought to be decisive in university decision-making and, hence, senior managers should be the principal decision-makers within universities.

Managerialism explains the various elements of the broken governance system. It justifies a closed information loop based on a quasi-monopoly of information provided by senior managers, together with deference to management decisions and marginalisation of staff and student voice. There is a powerful sense here in which managerialism functions as a form of closed-mindedness; a kind of anti-intellectualism. Further, managerialism does not view a lack of accountability to the university communities of students and staff, and a disconnect (distance) from the working realities of universities, as particularly problematic; its measure of legitimate decision-making is inward-looking, being based on accountability within and knowledge of the ranks of senior management.

Managerialism is certainly not the same as sound management and, in fact, tends to the opposite. As the Expert Council on University Governance observed:³⁸

There was a persistent theme across many consultations pointing to a prioritisation and primacy of the views of management over other voices on the governing body, and of financial or operational objectives over broader purpose. *Consistent with this were concerns and evidence of inadequate or immature risk management processes, with insufficient attention paid to non-financial risks, such as those attached to the broader purpose, reputation, and social licence of the university.*

Corporatisation

The Expert Council's above observation gestures towards the way in which managerialism is often allied with *corporatisation*; a term that refers to processes where so-called 'bottom-line' considerations are decisive ('a prioritisation and primacy . . . of financial or operational objectives over broader purpose').³⁹

In many cases, corporatisation at universities comes hand-in-hand with the commodification of education. Similar to managerialism, corporatisation is not the same as the integration of corporate 'best practice' within the university context or insisting on what

³⁸ ECUG Final Report, 26 (emphasis added).

³⁹ ECUG Final Report, 26.

is clearly a given; namely, that university finances should be properly managed. On the contrary, corporatisation undermines the core mission of universities by fetishising and decontextualising financial and operational considerations, not uncommonly with a short-term perspective rather than a view towards long-term sustainability.⁴⁰

⁴⁰ See discussion in Senate Inquiry Final Report, ch 2.

V. REBUILDING UNIVERSITIES THROUGH COLLABORATIVE GOVERNANCE

Effectively addressing the crisis of university governance requires a model of university governance that is anchored in the *core public mission* of Australian universities (their mission as institutions of knowledge devoted to higher education and research for the community),⁴¹ and their constitution as *bodies politic* consisting of students and staff (as recognised under Victorian university legislation).⁴² As the first Principle of the Declaration of University Student and Staff Voice states:

1. Universities centrally consist of students and staff:

Students and staff are the university community.

Voice and mission

Given that university communities are based on students and staff, it naturally follows that student and staff voice are a cornerstone to effective university governance. As the Australian Universities Accord Panel recognised:

Staff deserve a strong institutional culture and governance structures which engage them in decision-making processes, and which prioritise their wellbeing.⁴³

...

Students require a stronger voice in governance and decision-making and need to be able to hold institutions to account if they are dissatisfied.⁴⁴

There is a critical and indispensable link between the effective pursuit of the core public mission of Australian universities on the one hand, and student and staff voice on the other. Student and staff voice are essential for universities to properly function as institutions of knowledge — it is students and staff who form the knowledge communities that drive the processes of education and research. Professor Graeme Turner captured this notion in his book, *Broken: Universities, Politics & the Public Good*, when he said that:⁴⁵

⁴¹ As the Expert Council on University Governance stated, ‘the central purpose and function of universities can be summarised as the pursuit of knowledge through research, and its transference through teaching and scholarship’: ECUG Final Report, 9.

⁴² *Deakin University Act 2009*, s 4; *Federation University Australia Act 2010*, s 4; *La Trobe University Act 2009*, s 4; *Monash University Act 2009*, s 4; *Royal Melbourne Institute of Technology Act 2010*, s 4; *Swinburne University of Technology Act 2010*, s 4; *University of Melbourne Act 2009*, s 4; *Victoria University Act 2010*, s 4.

⁴³ Accord Interim Report, 116.

⁴⁴ Accord Interim Report, 121.

⁴⁵ Graeme Turner, *Broken: Universities, Politics & the Public Good* (Monash University Publishing, 2025) 80.

An education is not something that can just be ‘delivered’, like a pizza. It is the product of complex and contingent relationships between the student, the teacher, the medium of instruction, the institution, an evolving body of knowledge, and the society.

This link between voice and mission is recognised in the statements of the Victorian Minister for Skills and TAFE on announcing this inquiry:⁴⁶

This is about giving students and staff a seat at the table at the highest levels of our universities — *making sure our world-class institutions are focused on education, not profit.*

...

Victoria’s universities are one of our state’s greatest assets — and *it’s time they better reflect the people who make them what they are.*

In a similar vein, Western Sydney University Chancellor, Professor George Williams, has said that:⁴⁷

It is time for universities to rediscover their mission and voice as public institutions operating for the public good. To achieve this, we must listen to our students and the community with humility, and act to address the problems eating away at the foundations of our sector and our society.

The Declaration of University Student and Staff Voice captures these important notions through its second and third Principles:

2. Universities shall be run in partnership with students and staff:

Students and staff shall be at the centre of university decision making.

3. To serve their public mission, universities need the creativity, contributions, and co-operation of students and staff:

This is impossible without giving students and staff a strong voice.

Collaborative governance

The appropriate model of university governance is one of **collaborative governance**. This model is reflected in the reports of the Australian Universities Accord Panel, the Senate

⁴⁶ Tierney, ‘Putting Student Voices at the Heart of Universities’ (emphasis added).

⁴⁷ Williams, *Aiming Higher*, 4.

Education and Employment Legislation Committee, and the Expert Council of University Governance — and also informs the Declaration of University Student and Staff Voice and the *Joint Reform Proposal*. The Australian Universities Accord Panel, for one, has emphasised the importance of strengthening ‘institutional and collaborative governance’.⁴⁸

Collaborative university governance turns upon two axes of collaboration:

1. *Collaboration between students, staff, and university leadership (university governing bodies, senior management).*

This axis follows from the constitution of universities as bodies politic comprising students and staff, and the way in which this constitution underpins effective pursuit of the core public mission of universities. This collaborative imperative calls for a partnership between university leadership, students, and staff.⁴⁹ According to Western Sydney University Vice-Chancellor, Professor George Williams, universities ‘need to forge meaningful and mutually beneficial partnerships with our students, staff, industry and our community’.⁵⁰

2. *Collaboration between university governing bodies, senior management, and the academic governing body.*

As the Expert Council on University Governance rightly observed:⁵¹

In practice, while the university governing body is accountable for the performance of the university, good governance at universities must incorporate and reflect a strong and effective tripartite relationship with university senior management (led by the Vice-Chancellor) and the academic governing body. The balance in this tripartite relationship and how it is understood and implemented in practice is a critical and unique dimension of university governance.

⁴⁸ Accord Interim Report, 115–23.

⁴⁹ See discussion of students as partners in university governance: Council of Australian Postgraduate Associations Inc (CAPA) and National Aboriginal & Torres Strait Islander Postgraduate Association (NATSIPA), Submission No 60 to the Senate Education and Employment Legislation Committee, *Inquiry into the Quality of Governance at Australian Higher Education Providers* (March 2025) 12–13 <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance/Submissions>.

⁵⁰ Williams, *Aiming Higher*, 4.

⁵¹ ECUG Final Report, 11.

The principles of stakeholder engagement, deliberation, and democracy

Three salient principles underpin collaborative university governance:

1. *The principle of stakeholder engagement*

This is explicitly recognised in ECUG Principle 6 (*Inclusive + Responsive*: Expectations of the university's community and stakeholders are understood, respected, and responded to). As the Expert Council emphasised, the financial, academic, and broader purpose objectives of the university must work in concert to deliver the balanced performance expected by stakeholders.⁵² The importance of stakeholder engagement is reflected in how collaborative governance at universities is sometimes also described as stakeholder governance.⁵³

2. *The principle of deliberation*

This principle requires that university governance be based on a collective process of dialogue and discussion amongst university leadership and key stakeholders. It goes to *how* stakeholder engagement should be undertaken by university leadership:

- It should be based on an open process of dialogue and discussion that engages with diverse perspectives and aims to provide stakeholders with a real influence over decision making.⁵⁴
- It calls for 'deliberative partnerships'⁵⁵ between university leadership, staff, and students, and the use of processes of deliberation to harness different modes of governance (including academic governance).⁵⁶

⁵² ECUG Final Report, 26.

⁵³ Meredith Edwards, *Review of New Zealand Tertiary Education Institution Governance* (Ministry of Education, May 2003) 19; David A Holloway, 'Corporate Governance Disasters and Developments: Implications for University Governing Bodies' (2004) 46(2) *The Australian Universities' Review* 23, 27.

⁵⁴ This principle is connected to ECUG Principle 2 (Diversity of Perspectives).

⁵⁵ Kerry J Kennedy, 'Higher Education Governance as a Key Policy Issue in the 21st Century' (2003) 2 *Educational Research for Policy and Practice* 55–70.

⁵⁶ Jeanette Baird, 'Beyond Professionalisation: Enhancing the Governance Culture for Australian University Governing Boards' (2006) 12(4) *Tertiary Education and Management* 297–309. See also the central importance of mediating and integrating different interests in university governance: Cathy Rytmeister and Stephen Marshall, 'Studying Political Tensions in University Governance: A Focus on Board Member Constructions of Role' (2007) 13(4) *Tertiary Education and Management* 281–94.

The principle rules out performative ‘consultation’ processes where decisions of senior management are presented as proposals, with staff and student input having — at best — a marginal impact on the policy eventually adopted.

3. *The principle of democracy*

The critical importance of this principle is made clear by Professor Raewyn Connell in her book, *The Good University: What Universities Actually Do and Why It’s Time for Radical Change*:⁵⁷

A good university is an industrial democracy, with equality in wages and conditions, shared decision-making and shared responsibility. The multiple, interlocking labour processes of research and higher education need constant coordination. Who can do that better than the people who know them best, who actually do the work?

A New Zealand report on university governance highlighted four ways in which the democratic principle applies to university governing bodies:⁵⁸

1. the use of democratic principles of representation for determining the composition of Councils in order to ensure responsiveness to the needs of internal and external communities;
2. a democratic approach to the selection of Council members;
3. reliance on the model of the educated layperson as a member of Council; and
4. reliance on the trusteeship or stewardship principle, in terms of the obligation of all members to place the interests of the institution ahead of those of the group they represent.

The use of democratic principles of representation in governance is neither unusual nor (inherently) ineffective. As the Expert Council on University Governance observed: ‘There are examples from other industries, such as the superannuation industry, and from overseas that demonstrate how representative participation can be and is done well’.⁵⁹

⁵⁷ Raewyn Connell, *The Good University: What Universities Actually Do and Why It’s Time for Radical Change* (Monash University Publishing, 2019) 171.

⁵⁸ Edwards, *Review of the New Zealand Tertiary Education Institution Governance*, 19.

⁵⁹ ECUG Final Report, 59.

Addressing structural weaknesses

By anchoring governance of Australian universities in their core public mission and constitution, collaborative governance addresses the structural problems that have given rise to the crisis of university governance (see Table 1).

Table 1: How collaborative governance addresses structural weaknesses in university governance

Broken governance system	Collaborative governance
Closed information loop and accompanying secrecy	Diverse information flows with presumption of transparency
Marginalisation of staff and student voice	Staff and student voice central
An accountability deficit	Systematic accountability mechanisms to the university and broader community
Acute risk of management capture	Effective management accountability
A damaging disconnect from the working realities of universities undermining effective risk management	Connected governance with holistic risk management

Table 1 shows how collaborative governance can address what the Expert Council has characterised as an ‘environment of mistrust’.⁶⁰ As the Senate Education and Employment Legislation Committee correctly recognised, issues regarding accountability, transparency, and lack of representation in university decision making, are ‘at the heart of the lack of trust in institutions across Australia’.⁶¹

⁶⁰ ECUG Final Report, 35.

⁶¹ Senate Inquiry Interim Report, 115 [5.89]–[5.90]. See generally, 114–15.

VI. A COORDINATED APPROACH TO FEDERAL AND STATE REGULATION OF UNIVERSITY GOVERNANCE

Australian universities are regulated through a dual regulatory framework comprising federal and state/territory regulation.⁶² At the federal level, TEQSA has the primary role of ensuring that universities comply with the *Higher Education Standards Framework (Threshold Standards) 2021* (Cth); Thresholds Standards Domain 6 (Governance and Accountability) being of particular significance.⁶³ At the same time, Australian universities are established under state and territory legislation. This gives rise, in the words of the Expert Council on University Governance, to ‘the primacy of founding State and Territory legislative requirements for university governance’.⁶⁴

It is evident from this dual regulatory framework that the Commonwealth, states, and territories share responsibility for university governance. The principle of *shared responsibility* is recognised in the relevant decisions of the Education Ministers Meetings,⁶⁵ and the Recommendations made by the Expert Council on University Governance (specifically Recommendations 3, 5, and 8).⁶⁶

This shared responsibility should be discharged in a coordinated way to ensure strong university governance. This implies that, as far as practicable, the federal, state, and territory regulation of university governance should be *harmonised* and *avoid duplication*. The *Joint Reform Proposal* gives effect to these principles by integrating the amendment of Victorian university legislation to increase student and staff membership of university governing bodies, and the minimum implementation requirements of the ECUG Principles for Victorian universities within the national reform framework (Principles of shared responsibility and harmonisation), as well as recommending that TEQSA be the regulator for ensuring compliance with the ECUG Principles (avoiding duplication).

⁶² See Senate Inquiry Interim Report, 20–28; Senate Inquiry Final Report, ch 6.

⁶³ See Senate Inquiry Interim Report, 20–27.

⁶⁴ ECUG Final Report, 36.

⁶⁵ Department of Education, Australian Government, *Education Ministers Meeting Communiqué* (October 2025) <<https://www.education.gov.au/education-ministers-meeting/resources/education-ministers-meeting-communiqu-october-2025>>

⁶⁶ ECUG Final Report, 36–37.

VII. A FRAMEWORK OF UPWARD FLEXIBILITY

Recommendations from the *Joint Reform Proposal*

These recommendations are intended to operate as guidance and minimum implementation requirements for the Expert Council on University Governance (ECUG) Principles in Victoria.

They do not replace or add to the ECUG Principles. Rather, they specify how the ECUG Principles should be put into practice in Victorian universities and set out presumptive standards that universities should follow, unless compelling circumstances justify a departure which is consistent with the ECUG's 'if not, why not' approach.

...

- The Minister shall host an Annual Forum on University Governance to support sector improvement and contextualised implementation of ECUG Principles.

...

- A review three years after commencement shall:
 - Assess the effectiveness of these changes;
 - Recommend whether further governance requirements should be legislated; and
 - Align review cycles with TEQSA's national approach and any ECUG revisions.
- The Government may consider further harmonisation across Victorian universities, including:
 - skills/diversity matrices;
 - removal standards for governing body members;
 - state-wide training for elected representatives;
 - advocacy for standardised financial reporting of Australian universities at national forums.

The *Joint Reform Proposal* meets what the Expert Council considered 'a critical need for a further demonstrable uplift in governance culture and practices' whilst enabling institution-specific flexibility. Its framework of *upward flexibility* stems from the principles-based approach of the ECUG Principles, which provide for minimum requirements and the adoption of an 'if not, why not' approach based on compelling circumstances. This framework clearly allows individual universities to exceed the minimum requirements of the *Joint Reform Proposal*. Moreover, when compelling circumstances are demonstrated, universities do not have to apply these requirements. Such situations would include those where individual universities are able to prove that alternative mechanisms can more effectively achieve the rationale of the requirements.

The upward orientation of the *Joint Reform Proposal* also comes from its recommendations for:

- an Annual Forum hosted by the Minister to discuss and disseminate ‘best practice’ university governance;
- a review at the three-year mark to evaluate the effectiveness of the measures adopted; and
- possible further harmonisation.

These recommendations are in line with the ECUG Principles providing ‘a framework for a sustainable lift in governance across the sector, *enabling continuous improvement*’.⁶⁷

⁶⁷ ECUG Final Report, 8 (emphasis added).

VIII. ELABORATION OF THE JOINT REFORM PROPOSAL

A. Increasing minimum number of staff and student members on Victorian university governing bodies

Recommendations from the *Joint Reform Proposal*

1. Increase staff representation on university governing bodies

To give effect to Principle 2 (Diversity of perspectives) and Principle 6 (Inclusive + Responsive):

- Victorian legislation should be amended to increase the minimum number of elected staff members on university governing bodies to three, constituting no less than 20% of total membership.
- The Chair of the academic governing body may count towards this minimum membership, provided:
 - Principle 3 (Independence) has been implemented and assured; and
 - Effective mechanisms exist for the input of professional staff.

2. Increase student representation on university governing bodies

To give effect to Principle 2 (Diversity of perspectives) and Principle 6 (Inclusive + Responsive):

- Victorian legislation should be amended to increase the minimum number of elected student members to two, constituting no less than 13% of total membership.

The proposed increase in staff and student membership of Victorian university governing bodies is expressly endorsed by the Declaration of University Student and Staff Voice which calls for:

5. Students and staff shall have meaningful representation on university governing bodies:

At a minimum, there shall be three elected staff members and two elected student members on university governing bodies with staff and student representatives respectively constituting no less than 20% and 13% of total membership of these bodies.

The proposed increase in staff and student membership of Victorian university governing bodies should be implemented by amending the following sections of Victorian university legislation:

- *Deakin University Act 2009* (Vic) s 11(4A)(a)–(b)
- *Federation University Australia Act 2010* (Vic) s 11(4A)(a)–(b)
- *La Trobe University Act 2009* (Vic) s 11(4A)(a)–(b)

- *Monash University Act 2009* (Vic) s 11(4A)(a)–(b)
- *Royal Melbourne Institute of Technology Act 2010* (Vic) s 11(4A)(a)–(b)
- *Swinburne University of Technology Act 2010* (Vic) s 11(4A)(a)–(b)
- *University of Melbourne Act 2009* (Vic) s 11(4A)(a)–(b)
- *Victoria University Act 2010* (Vic) s 11(4A)(a)–(b)

All Victorian university statutes currently set a minimum of one staff and one student member for their university governing bodies.⁶⁸ None of the Victorian universities go beyond this minimum.⁶⁹ Such minimal student and staff membership is a key part of the marginalisation of staff and student voice in Victorian universities:

- A single member does not adequately give effect to the centrality of student and staff voice in collaborative university governance and its importance in giving effect to the core public mission of universities, the constitution of universities as bodies politic of students and staff, and holistic risk-management.
- Solitary membership throws up the acute risk of a power imbalance between senior management and staff and student members,⁷⁰ with these members being side-lined and ignored, as evidenced by exaggerated claims of conflicts-of-interest to exclude them from the decision-making processes of the university governing bodies (documented by the Expert Council and the NTEU report, *The ‘Bell Curve’ of University Governance*).⁷¹ A critical mass of staff and student members is necessary for their effective participation.
- Solitary membership poses the risk of excessive workloads for staff and student members, in terms of understanding and responding to the views of the staff and student bodies, thus limiting their effective participation in the governing body and its committees.

⁶⁸ *Deakin University Act 2009*, [ss 11\(4A\)\(a\)–\(b\)](#); *Federation University Australia Act 2010*, [ss 11\(4A\)\(a\)–\(b\)](#); *La Trobe University Act 2009*, [ss 11\(4A\)\(a\)–\(b\)](#); *Monash University Act 2009*, [ss 11\(4A\)\(a\)–\(b\)](#); *Royal Melbourne Institute of Technology Act 2010*, [ss 11\(4A\)\(a\)–\(b\)](#); *Swinburne University of Technology Act 2010*, [ss 11\(4A\)\(a\)–\(b\)](#); *University of Melbourne Act 2009*, [ss 11\(4A\)\(a\)–\(b\)](#); *Victoria University Act 2010*, [ss 11\(4A\)\(a\)–\(b\)](#).

⁶⁹ *Ibid.*

⁷⁰ Accord Interim Report, 136.

⁷¹ National Tertiary Education Union (NTEU), *The ‘Bell Curve’ of University Governance* (July 2025) <<https://betterunis.nteu.au/wp-content/uploads/2025/07/The-Bell-Curve-of-University-Governance.pdf>>,

There are two other reasons for the proposed increase:

1. Amongst Australian universities, Victorian universities have the lowest number and proportion of student and staff members on university councils

Table 2 shows how Victorian university governing bodies are at the ‘bottom of the league’ in terms of student and staff membership on Australian university governing bodies. The proposed increase seeks to bring them to the top of the ladder, on par with the University of Sydney, Queensland University of Technology, and the University of New South Wales.

Table 2: Number and proportion of staff and student members on Australian university governing bodies

University	Total positions	Elected staff & students	Elected staff	Elected students
University of Sydney	14	36%	3	2
Queensland University of Technology	14	36%	3	2
University of NSW	15	33%	3	2
Australian National University	16	31%	3	2
University of Adelaide	13	31%	2	2
University of Technology Sydney	16	31%	3	2
Southern Cross University	14	29%	3	1
Flinders University	14	29%	2	2
James Cook University	14	29%	3	1
Charles Darwin University	14	29%	2	2
University of Canberra	14	29%	2	2
Griffith University	18	28%	3	2
University of the Sunshine Coast	18	28%	3	2
University of Newcastle	11	27%	3	0
Edith Cowan University	15	27%	2	2
University of South Australia	15	27%	2	2
Curtin University	16	25%	2	2
University of New England	12	25%	2	1
University of Wollongong	16	25%	2	2
University of Queensland	20	25%	3	2
Central Queensland University	12	25%	2	1
Australian Catholic University	17	24%	3	1
Murdoch University	17	24%	2	2
University of Western Australia	17	24%	2	2
Macquarie University	13	23%	2	1
University of Southern Queensland	13	23%	2	1
Western Sydney University	18	22%	2	2
Charles Sturt University	14	21%	2	1
University of Melbourne	12	17%	1	1
RMIT	12	17%	1	1
Swinburne University of Technology	13	15%	1	1
Monash University	14	14%	1	1
University of Tasmania	14	14%	2	0
La Trobe University	15	13%	1	1
Federation University	15	13%	1	1
Deakin University	15	13%	1	1
Victoria University	15	13%	1	1

Source: The Corporatisation of University Governance in Australia; Mapping of University Councils.

2. The proposed increase will reverse a regressive reduction in student and staff membership on Victorian university governing bodies

Table 3 shows how the current situation is an outcome of a steady reduction in student and staff membership on Victorian university governing bodies. The proposed increase aims to reverse this damaging trend.

Table 3: Number of elected student and staff members on Victorian university governing bodies (historic sample)

UNIVERSITY	Elected staff reps	Elected student reps
Deakin University		
As made: Deakin University Act 1974	Six s 7(1)(b)	Three ss 7(2)(a)(i)-(ii)
Position in 1997: Deakin University Act 1974	Four ⁷² ss 7(1)(h)(ii)-(iii)	Two s 7(1)(i)
Position in 2009: ⁷³ Deakin University Act 2009	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: Deakin University Act 2009	One or more s 11(4A)(a)	One or more s 11(4A)(b)
Federation University Australia		
As made: University of Ballarat Act 1993	Three ss 7(2)(d)(i)-(ii)	Two ss 7(2)(e)-(f)
Position in 1997: University of Ballarat Act 1993	Three ss 7(2)(d)(i)-(ii)	Two ss 7(2)(e)-(f)
Position in 2010: Federation University Australia Act 2010	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: Federation University Australia Act 2010	One or more s 11(4A)(a)	One or more s 11(4A)(b)
La Trobe University		
As made: La Trobe University Act 1964	Four s 7(1)(b)	Two s 7(2)(a)
Position in 1997: La Trobe University Act 1964	Four s 7(1)(b)	Three ss 7(2)(a)(i)-(ii)
Position in 2009: La Trobe University Act 2009	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: La Trobe University Act 2009	One or more s 11(4A)(a)	One or more s 11(4A)(b)

⁷² Excluding one being a professor: s 7(1)(h)(i).

⁷³ Assented 01/12/2009, came into operation 01/01/2011: see endnotes for vers 01 of the 2009 Act.

UNIVERSITY	Elected staff reps	Elected student reps
University of Melbourne		
As made: <i>University Act 1958</i>	One ⁷⁴ s 5(1)(d)	Two s 5(1)(e)
Position in 1997: <i>Melbourne University Act 1958</i>	Four ⁷⁵ ss 5(1)(d)-(da)	Two s 5(1)(e)
Position in 2009: <i>University of Melbourne Act 2009</i>	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: <i>University of Melbourne Act 2009</i>	One or more s 11(4A)(a)	One or more s 11(4A)(b)
Monash University		
As made: <i>Monash University Act 1958</i>	One ⁷⁶ s 7(1)(e)	Two s 7(2)(a)
Position in 1997: <i>Monash University Act 1958</i>	Seven ⁷⁷ s 7(1)(e), s 7(1)(j)	Three s 7(1)(k)
Position in 2009: <i>Monash University Act 2009</i>	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: <i>Monash University Act 2009</i>	One or more s 11(4A)(a)	One or more s 11(4A)(b)
RMIT University		
As made: <i>Royal Melbourne Institute of Technology Act 1992</i>	Four to six ss 7(2)(e)(i)-(iii)	One or two s 7(2)(f)
Position in 1997: <i>Royal Melbourne Institute of Technology Act 1992</i>	Three ss 7(2)(c)-(e)	One s 7(2)(f)
Position in 2010: <i>Royal Melbourne Institute of Technology Act 2010</i>	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: <i>Royal Melbourne Institute of Technology Act 2010</i>	One or more s 11(4A)(a)	One or more s 11(4A)(b)
Swinburne University of Technology		
As made: <i>Swinburne University of Technology Act 1992</i>	Four ss 7(2)(e)(i)-(iii)	Three s 7(2)(f)
Position in 1997: <i>Swinburne University of Technology Act 1992</i>	Three ss 7(2)(e)(i)-(iii)	Two ss 7(2)(f)(i)-(ii)
Position in 2010: <i>Swinburne University of Technology Act 2010</i>	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: <i>Swinburne University of Technology Act 2010</i>	One or more s 11(4A)(a)	One or more s 11(4A)(b)

⁷⁴ Excluding three being professors or deans: s 5(1)(c).

⁷⁵ Excluding three being professors or deans: s 5(1)(c).

⁷⁶ Excluding two being professors or deans: s 7(1)(d).

⁷⁷ Excluding three being professors: s 7(1)(d).

UNIVERSITY	Elected staff reps	Elected student reps
Victoria University		
As made: Victoria University of Technology Act 1990	Six ss 7(2)(e)(i)-(iv)	Three s 7(2)(f)
Position in 1997: Victoria University of Technology Act 1990	Five ss 7(2)(e)(i)-(iii)	Two s 7(2)(f)
Position in 2010: Victoria University Act 2010	Two to three s 11(5)(a)	One to two s 11(5)(b)
Current position: Victoria University Act 2010	One or more s 11(4A)(a)	One or more s 11(4A)(b)

The *Joint Reform Proposal* allows for the Chair of the academic governing body to count towards the minimum number of staff members provided two critical conditions are met.⁷⁸

The first condition: the implementation and assurance of Principle 3 (Independence) is essential to ensuring that Chairs are genuinely independent staff members of Victorian university governing bodies. Victorian university legislation currently stipulates that, as official members, these Chairs are automatically members of their relevant university councils.⁷⁹ They do not, however, require that these Chairs are elected or appointed in processes independent of senior management. In fact, at two Victorian universities, the Chair of the academic governing body is nominated by the Vice-Chancellor.⁸⁰

The second condition: effective mechanisms for the input of *professional* staff aims at ensuring that the concerns of professional staff members are adequately integrated into the governing bodies in the event that the Chair of the academic governing body is counted towards the minimum number of staff members. The Chairs are *academic* staff members and may therefore tend to focus on matters of concern to academic staff.

⁷⁸ Reference to the Chairs of academic governing bodies includes Presidents ('president' is the term used in the university statutes; 'chair' is the term used in the internal statutes or regulations of each university). An Academic governing body is variously referred to as an Academic Board or an Academic Senate (the latter being less common).

⁷⁹ *Deakin University Act 2009*, s 11(2)(c); *Federation University Australia Act 2010*, s 11(2)(c); *La Trobe University Act 2009*, s 11(2)(c); *Monash University Act 2009*, s 11(2)(c); *Royal Melbourne Institute of Technology Act 2010*, s 11(2)(c); *Swinburne University of Technology Act 2010*, s 11(2)(c); *University of Melbourne Act 2009*, s 11(2)(c); *Victoria University Act 2010*, s 11(2)(c).

⁸⁰ See Table 7 and accompanying text.

B. First Nations staff and students in university governance

Recommendations from the *Joint Reform Proposal*⁸¹

In consultation with Gellung Warl, the Government shall establish a Victorian Indigenous Higher Education Council, headed by a jointly appointed Commissioner, to advise on matters affecting Indigenous staff and students, contribute to implementing the Marrung strategy as it applies to universities, and develop a funding framework for its activities (including contributions from Victorian universities).

Principle 6 – Inclusive + Responsive

The Governing Body shall establish the following:

- A Staff Advisory Forum
- A Student Advisory Forum
- An Indigenous Advisory Forum

Each Forum shall:

- Provide twice-yearly reports directly to the governing body;
- Be independently led by elected representative/s;
- Be adequately resourced by the university;
- Represent the diversity of the staff/student community;
- Be protected from adverse action.

Governing body engagement (observer attendance, response to reports) remains mandatory.

Principle 2 of the Australian Universities Accord Panel’s Interim Report is that ‘First Nations will be at the heart of higher education’.⁸² The Declaration of University Student and Staff Voice states that:

4. The voices of Aboriginal and Torres Strait Islander students and staff are central to shaping inclusive and innovative universities:

Their leadership, knowledge systems, and cultural strengths are vital for advancing self-determination and creating transformative opportunities for universities.

⁸¹ These recommendations were developed in consultation with Rueben Berg, co-chair of the First Peoples’ Assembly of Victoria, and Zoe Upton, member of the First Peoples’ Assembly of Victoria.

⁸² Accord Interim Report, 28.

Victorian Indigenous Higher Education Council

The Australian Universities Accord Panel’s Final Report provided that:

To ensure that First Nations are central to the higher education sector, it is essential that there is First Nations leadership and a self-determination framework. This includes ensuring First Nations leadership in policies, programs, funding and decision-making that affects First Nations staff and students within individual institutions and nationally through representation by a *First Nations Council responsible for advising Ministers* and the Australian Tertiary Education Commission on a self-determined approach to matters relating to First Nations people in the tertiary education sector.⁸³

...

A *First Nations Council*, led by a First Nations Commissioner, would provide a First Nations-led focus in the Commission. The First Nations Commissioner would be a ministerial appointment (in consultation with key First Nations stakeholders) and would occupy a senior role in the Commission, with a mission to embed First Nations knowledge and improve outcomes for First Nations people across the sector.⁸⁴

The recommendation for the *establishment of a Victorian Indigenous Higher Education Council* draws support from the Accord Panel reports, by proposing a Victorian equivalent to the First Nations Council referred to above. It is proposed that the Victorian Indigenous Higher Education Council be integrated with the *Statewide Treaty Act 2025* (Vic), through the central involvement of Gellung Warl, whose responsibilities include:⁸⁵

- exercising decision-making powers by representing First Peoples in Victoria and making decisions in relation to First Peoples in Victoria; and
- advising the Parliament and the State government in relation to matters that affect First Peoples.

The Victorian Indigenous Higher Education Council could be integral to progressing the implementation of the Yoorrook Justice Commission’s recommendations relating to Victorian universities⁸⁶

62. Victorian universities must engage in public truth-telling about their historical engagement with First Peoples and the ongoing legacy of these actions.

⁸³ Accord Final Report, 10 (emphasis added).

⁸⁴ Accord Final Report, 248 (emphasis added).

⁸⁵ [Statewide Treaty Act 2025](#) (Vic) s 1.

⁸⁶ ‘Recommendations’, *Yoorrook Justice Commission*, <<https://www.yoorrook.org.au/reports-and-recommendations/recommendations>>.

63. Guided by First Peoples, Victorian tertiary education providers must enter into reciprocal agreements with Traditional Owners to advance First Peoples' priorities, including First Peoples leadership, land use and how to embed First Peoples' knowledges, histories and cultures.
64. The Victorian Government must amend the *Victorian Universities Act 2010 (Vic)* to:
 - a. Expressly recognise Victorian First Peoples;
 - b. Acknowledge First Peoples' rights, cultures, histories and perspectives in tertiary education; and
 - c. Incorporate key accountability indicators for the measures set out in Education – Tertiary Chapters 24 and 25.

The Victorian Indigenous Higher Education Council could also progress the suggestions below made by the Expert Council:⁸⁷

The genuine inclusion of First Nations' peoples' perspectives, values, and knowledge in university governance, including through representation on governing bodies, is a key priority outlined by Education Ministers (Appendix 2). To ensure positive outcomes and increased diversity of perspective and representation, selection and appointment processes should be culturally grounded and respectful. This includes, for example, enabling Traditional Owner led processes or endorsed nominations. To support this, the skills and experience matrix that informs appointments should include Aboriginal and Torres Strait Islander cultural knowledge and lived experience that aligns with the university's cultural and geographic context.

Indigenous Advisory Forums

The recommendation for *Indigenous Advisory Forums* at each Victorian university is supported by the importance of having structured processes for consulting with Indigenous students and staff. As the Expert Council recognised:⁸⁸

First Peoples communities, including Traditional Owners, Indigenous students and staff, are important stakeholders for universities. Engagement should be underpinned by transparent, culturally respectful processes and feedback loops. The development of formal processes for this engagement, which could include annual reporting to First Nations stakeholders, for example, can build support for and trust in engagement.

⁸⁷ ECUG Final Report, 25.

⁸⁸ ECUG Final Report, 24.

Table 4 shows that all Victorian universities have bodies providing advice on Indigenous issues. In most cases, however, it is not clear whether they include student and staff members. Even when they include such members, it does not seem to be the case that they are elected. It is certainly moot whether these bodies are independently led by elected members.

As explained later, in relation to the *Joint Reform Proposal's* recommendations regarding ECUG Principle 6 (Inclusive + Responsive), the effectiveness of Indigenous student and staff advisory forums requires that they are independently led by elected representative/s.⁸⁹

⁸⁹ See Recommendations in relation to Principle 6 – Inclusive + Responsive.

Table 4: Indigenous advisory bodies of Victorian universities

University	First Nations Advisory Group (or similar body)	Membership	Indigenous student & staff representatives
DEAKIN	Yes: Vice-Chancellor's Indigenous Advisory Council (VCIAC) ⁹⁰	First Nations voices from around Australia, with expertise ranging from education, justice, health, and business. Includes: Vice-Chancellor; Pro VC Indigenous Strategy & Innovation; Director of the NIKERI Institute; Current student representative. ⁹¹	Not specified.
FEDERATION	Yes: Indigenous Governance Committee (IGC)	Majority Aboriginal and/or Torres Strait Islander peoples with skills and experience relevant to the role. No information on how IGC is constituted.	Not specified.
LA TROBE	Possibly: Indigenous Student Services Committee (ISSC) ⁹²	Indigenous governance mechanism with specific reference to ISSP [Indigenous Student Success Program] funding. Includes: Pro VC (Indigenous); Deputy Director, Indigenous Student Success; Coordinator, Indigenous Operations; Member of the Office of Deputy VC (Academic); Elder.	Up to three further employees who identify as Indigenous.
MELBOURNE	Yes: First Peoples Advisory Group	Representatives from: <ul style="list-style-type: none"> • Land on which UoM campuses/key activities are located. • Key Indigenous partner organisations. Elders/respected persons where UoM has a long-standing relationship. Includes: Vice-Chancellor; Provost; Associate Provost; Deputy VC (Indigenous).	Not specified.

⁹⁰ Referred to in the [Deakin Indigenous Strategy 2023–2028](#) at 27–28.

⁹¹ It is not clear whether the student must be Indigenous.

⁹² Referred to in the [Indigenous Governance Mechanism Charter](#) at 2–3.

University	First Nations Advisory Group (or similar body)	Membership	Indigenous student & staff representatives
MONASH	Yes: Indigenous Congress ⁹³	Advises VC and Council on all matters of particular relevant to Indigenous members of the University community. Includes: Deputy VC (Indigenous); Senior academic & professional staff; ⁹⁴ Student representatives; ⁹⁵ Community members.	Not specified.
RMIT	Possibly: Cultural Inclusion Working Group	Diverse staff and students. ⁹⁶ Oversees the implementation of actions focused on RMIT's commitment to fostering a safe, inclusive, and culturally responsive university. RMIT states elsewhere that their Office of Indigenous Education, Research and Engagement is working collaboratively to create a Community Indigenous Engagement Framework, which will be available from 2026. ⁹⁷	Not specified.
SWINBURNE	Possibly: Moondani Toombadool Centre	Handles all Aboriginal and Torres Strait Islander matters at Swinburne. This includes, inter alia, governance, staff, culture, and engagement.	Not specified.
VICTORIA	Possibly: Indigenous Strategy Leadership Committee	Consists of: <ul style="list-style-type: none"> • Senior leaders (Vice-Chancellor's Group) • Senior representatives of the University's Aboriginal and Torres Strait Islander community 	Not specified.

⁹³ Also referred to [here](#), under 'Upholding Traditional Knowledge'.

⁹⁴ It is not clear whether the staff member must be Indigenous.

⁹⁵ It is not clear whether the student must be Indigenous.

⁹⁶ It is not clear how the Working Group is constituted.

⁹⁷ Referred to [here](#), under 'Community Engagement'.

C. Victorian implementation requirements for ECUG Principles

To give effect to the recommendations of the *Joint Reform Proposal* in relation to Victorian implementation requirements for the ECUG Principles, Victorian university legislation should be amended to:

- Empower the Minister to issue minimum implementation requirements for the ECUG Principles and integrate reporting requirements with the TEQSA processes; and
- Authorise the Victorian Auditor-General (VAGO) to assess the effectiveness of governance processes and internal assurance against the minimum implementation requirements, using the suites of powers available under the *Audit Act 1994* (Vic).

Principle 1 – Accountability

Recommendations from the *Joint Reform Proposal*

The Charter and Vice-Chancellor’s accountabilities shall:

- *Embed the centrality of staff and student voice;*
- *Affirm their obligations to act as exemplary employer.*

The rationale for the first part of the above recommendations should be evident by now — staff and student voice should be established as a foundational principle of Victorian university governance.

The second part seeks to codify the core principle recognised by the Accord Panel and the Education Ministers’ Priority Area 5. It is of especial importance, given the workforce problems that have contributed to the crisis of university governance (including underpayment and an insecure workforce).

Recommendations from the *Joint Reform Proposal*

Governing Bodies shall:

- *Publish statements on donor appointments exceeding \$1m, including mitigation strategies for perceived influence;*
- *Prohibit external roles for Vice-Chancellors unless certified as not compromising their duties.*

Publication of statements on donor appointments exceeding \$1m, including mitigation strategies for perceived influence is an important integrity measure to address the

perception of undue influence arising from substantial donations upon appointments to Victorian university governing bodies. It has salience given the substantial donations made by the current and previous Chancellors of the University of Melbourne prior to their appointments.⁹⁸ This submission does not suggest any actual impropriety but stresses that strategies to mitigate perceived undue influence are necessary in terms of integrity with public disclosure of donations being essential to mitigation strategies. Such public disclosure connects with the recommendation for a public conflicts register under Principle 2 (Diversity of Perspectives), and can easily be implemented given that all Victorian universities internally record the donations received (see Table 5).

Table 5: Recording and public disclosure of donations made to Victorian universities

UNIVERSITY	INTERNAL RECORDING	PUBLIC DISCLOSURE
Deakin University	Philanthropic Gifts Policy and a Philanthropic Gift Acceptance Procedure	No
Federation University of Australia	Operations Governance Policy (OG2077) and Philanthropic Donations Procedure (GC2012)	No
La Trobe University	Gift Acceptance Policy	No
University of Melbourne (UoM)	Gift Policy (MPF1348)	No
Monash University	Gifts Policy and Philanthropic Gift Acceptance and Administration Procedure	No
RMIT University	Philanthropy and Fundraising Policy.	No
Swinburne University of Technology	Philanthropic Gift Acceptance & Fundraising Conduct Statement of Practice (see also Donations Framework)	No
Victoria University (VU)	Philanthropic Gift Acceptance Policy	No

Prohibition of external roles for Vice-Chancellors unless certified as not compromising their duties is another important integrity measure — it addresses the poor regulation of conflicts of interest arising from the external roles taken up by Vice-Chancellors.⁹⁹ It is in line with the Expert Council’s statement below:¹⁰⁰

Recognising the responsibilities and expectations of Vice-Chancellor roles, any external roles need to be demonstrably in the interest of the university and agreed with and approved by the governing body considering potential conflicts, the performance of the individual

⁹⁸ Senate Inquiry Interim Report, para 1.43.

⁹⁹ Senate Inquiry Interim Report, paras 3.53–3.78.

¹⁰⁰ ECUG Final Report, 29–30.

concerned and their ability to continue to deliver against expectations. As a general rule, significant external roles and remuneration should be by exception.

Like the above recommendation, this recommendation is connected to the proposal for a public conflicts register under Principle 2 (Diversity of Perspectives) below.

Principle 2 – Diversity of Perspectives

Recommendations from the Joint Reform Proposal

The Governing Body shall:

- Publish its Skills/Diversity Matrix and annual assessments;
- Include an elected staff member or Staff Advisory Forum Chair on selection panels (see Principle 6 – Inclusive + Responsive);
- Treat all members as full and equal participants;
- Provide resourcing, training, workload relief, and protections against adverse action;
- Set staggered terms (with particular emphasis for student and staff elected members);
- Maintain a public conflicts register including external remuneration and large donor disclosures.

Publication of Skills/Diversity Matrix and annual assessments gives effect to Principle 2.1.c of the Expert Council of University Governance which requires that each university governing body ‘appropriately disclose its skills matrix’. Table 6 shows that only one Victorian university (Deakin University) currently discloses its skill/diversity matrix, with none of them publicising their assessments based on these matrices. It is not clear from the publicly available material whether half of the Victorian universities are using a skills/diversity matrix.

Table 6: Disclosure of Skills/Diversity Matrix by Victorian universities

UNIVERSITY	Skills/Diversity Matrix	Assessment of Matrix
DEAKIN	<i>Publicly available.</i> See Compliance document (p. 8). Under ‘Council documents’, see <i>Compliance with Code of Governance Principles and Practice 2024</i> .	Reviewed annually by the Chancellor’s Advisory Committee.
FEDERATION	<i>Not publicly available.</i> See reference in the Charter to the Senior Appointments and Remuneration Committee .	Reviewed by the Senior Appointments and Remuneration Committee, in consultation with the Governance and Strategy Committee. No indication of review frequency.
LA TROBE	<i>Not publicly available.</i> Reference to a skills matrix in the terms of reference for the Remuneration and Nominations Committee (para 9). The Committee is listed here .	Unable to find any references to how the matrix is reviewed.
MELBOURNE	<i>Not publicly available.</i> Reference to a skills matrix in the University’s submission to the Senate Education and Employment Legislation Committee’s Inquiry into quality of governance at Australian higher education providers (March 2025) at 3, 4. The submission states that the skills matrix is maintained by the Governance and Nominations Committee.	Unable to find any references to how the matrix is reviewed.
MONASH	<i>Not publicly available.</i> No reference to a skills matrix in the terms of reference (TORs) for the Selection and Remuneration Committee, or more broadly. The TORs refer to skills (at para 4.7.1) in relation to the appointment of external directors. The Committee is listed here .	N/A
RMIT	<i>Not publicly available.</i> No reference to a skills matrix on the webpage for the Nominations, Remuneration and People Committee . Reference to skills in paras 1 and 2 of Nominations.	N/A
SWINBURNE	<i>Not publicly available.</i> No reference to a skills matrix in the terms of reference for the People, Remuneration and Nominations Committee. The TORs can be downloaded from the link under the entry for the People, Remuneration and Nominations Committee here .	N/A
VICTORIA	<i>Not publicly available.</i> No reference to a skills matrix in the terms of reference for the Nominations Committee. Paragraph 4 of section 3 (functions) refers to skills and diversity. The Committee is listed here .	N/A

The *inclusion of an elected staff member or Staff Advisory Forum Chair on selection panels* arises from the responsibility of Victorian governing bodies to appoint the Vice-Chancellor and members of the bodies which ranks amongst their most important duties. It is critical that the perspectives of staff are independently integrated into these selection processes. This recommendation is in line with the Expert Council’s commentary on Principle 2 that: ‘The governing body should establish a [nomination] committee with appropriate expertise and independence to support changes in the governing body’s composition’.¹⁰¹

Treating all members as full and equal participants and providing resourcing, training, workload relief, and protections against adverse action draws express support from:

- The statement of the Expert Council that ‘[t]here should be a presumption that all members of the governing body will attend and participate in all items of business’;¹⁰² and
- The recommendation of the Senate Education and Employment Legislation Committee ‘that universities ensure equal and respectful treatment of elected staff and students on governing bodies’.¹⁰³

It is of heightened significance, given the compelling evidence of staff and student members of university governing bodies being excluded from full participation in meetings of university governing bodies and their committees.¹⁰⁴

The general requirement to provide all members with adequate resourcing, training, and workload relief, as well as protections against adverse action, has particular implications for student and staff members:

- *Resourcing* should give effect to the recommendation of the Senate Education and Employment Legislation Committee that, ‘[w]hile university governing bodies need to retain responsibility for engaging and consulting with members of their community, including students and staff, they should support elected representatives to consult with their communities as needed’.¹⁰⁵
- *Workload relief for staff members* requires adequate relief from their duties as employees to effectively discharge their duties as members of the governing bodies;

¹⁰¹ ECUG Final Report, 57.

¹⁰² ECUG Final Report, 58.

¹⁰³ Senate Inquiry Interim Report, Rec 7.

¹⁰⁴ National Tertiary Education Union (NTEU), *The ‘Bell Curve’ of University Governance* (July 2025) <<https://betterunis.nteu.au/wp-content/uploads/2025/07/The-Bell-Curve-of-University-Governance.pdf>> 15.

¹⁰⁵ Senate Inquiry Interim Report, Rec 7.

and similarly with student members, relief from usual course requirements to effectively discharge these duties (e.g. leave of absence; course credit).

- *Protections against adverse action* for staff and student members, respectively, should extend to protection against adverse action in their employment and in their studies for performance of their role in university governing bodies; and for both, if they are members of representative organisations, ensuring protection against adverse action directed at their organisations.

Setting staggered terms (with particular emphasis for student and staff elected members) is aimed at achieving, in the words of the Expert Council, '[t]ransition from one member of the governing body to another [being] as seamless as possible'.¹⁰⁶ This is of particular significance to student and staff elected members, as their terms tend to be shorter than those of other members in the governing body.

The recommendation to *maintain a public conflicts register including external remuneration and large donor disclosures* comes directly from:

- The recommendation of the Senate Education and Employment Legislation Committee for universities to maintain 'a publicly disclosed conflict-of-interest register for university council members and senior university executives' and that, '[w]here senior executives receive remuneration for external roles, mitigation actions to manage any perceived or real conflicts-of-interest (which could include the offsetting of salaries) should be both agreed and disclosed on the public register';¹⁰⁷ and
- The agreed priority of Education Ministers that university governing bodies will also be required to publish Vice-Chancellors' external roles¹⁰⁸

¹⁰⁶ ECUG Final Report, 56.

¹⁰⁷ Senate Inquiry Interim Report, Rec 1.

¹⁰⁸ Clare, 'Improving the Governance of Our Universities'.

Principle 3 – Independence

Recommendations from the *Joint Reform Proposal*

Academic governing bodies shall:

- *Maintain independence from management (including in membership and selection of the President of the body);*
- *Review workforce and budgetary impacts on academic quality (including academic staffing annually);*
- *Participate in strategy;*
- *Publish the agenda and outcomes of the meeting;*
- *Promote academic freedom and freedom of speech, and best practice in utilising these freedoms.*

The recommendation to *maintain the independence of academic governing bodies from management (including membership and selection of the President of the body)* is drawn directly from the following sub-principles of Principle 3:

- Principle 3.1.b: The university should provide for the chair of the academic body to be elected by that body or by academic staff or appointed on the basis of relevant skills and experience, **independently of senior management**;
- Principle 3.2.a.iii: The academic body should have a charter that clearly sets out how its members are elected, selected, and appointed to ensure it has the academic expertise and skills, and **independence from senior management to discharge its responsibilities** (bold added).

Independence of academic governing bodies is essential for both effective academic governance and accountability of these bodies to the university governing bodies. As the Expert Council noted:¹⁰⁹

Academic governance is fundamental to the university and is overseen by an academic governing body. The academic governing body should be accountable to the governing body and support the work of the governing body[.]

¹⁰⁹ ECUG Final Report, 61.

A key axis of collaborative governance is collaboration between the university governing body, the academic governing body, and senior management.¹¹⁰ Genuine collaboration on this tripartite axis can only occur with an academic governing body that is independent of senior management.

Table 7 sets out the current arrangements for membership of academic governing bodies at Victorian universities and the election/appointment of their Chairs/Presidents. It shows how these arrangements are contrary to the principle of independence from senior management in the following ways:

- Membership of all academic governing bodies at Victorian universities includes *ex officio* members drawn from senior management. In most cases, senior management members of the academic governing bodies constitute a highly significant proportion of the membership; for instance, a third of the membership at Deakin University, and nearly two thirds of the membership at Federation University;
- The inclusion of senior management members means that, where Victorian universities provide for election of the Chair/President of the academic governing body by *members* of the body, the principle of independence is not met (Deakin University, La Trobe University, Monash University, RMIT University, University of Melbourne). The exception is Victoria University, which provides for election of the Chair of its academic governing body from its *elected* members (i.e. not including senior management members); and
- With Federation University and Swinburne University, the Chair/President of the academic governing body is appointed by the Council *upon nomination by the Vice-Chancellor*.

¹¹⁰ See Section V.

Table 7: Academic governing bodies of Victorian universities — Membership and election of the President/Chair

UNIVERSITY	Membership	Ex officio members	Who can vote for the President/Chair
<p>DEAKIN</p>	<p>According to the Deakin website, the Academic Board comprises:</p> <ul style="list-style-type: none"> • 16 official members • 32 staff members, elected from the four faculties and associated institutes • one member elected by & from the professors¹¹¹ • two members elected by & from the professional staff • one member co-opted to the Board • three members elected by & from the students <p>The 2024 annual report refers to the Academic Board as comprising (p. 87):</p> <p>‘58 members – 40 elected, one co-opted, and 17 official members – from all faculties, the professoriate, professional staff, and students at higher degree, postgraduate coursework and undergraduate levels’.</p>	<p>Reg 6 of the Academic Board Regulations outlines the composition of the Academic Board. Reg 6.1 states that the: ‘Academic Board shall comprise approximately one third official members and two thirds elected and co-opted members.’</p> <p>Reg 6.2 states that the Academic Board shall consist of:</p> <ul style="list-style-type: none"> • Chair • Deputy Chair • Vice-Chancellor • Deputy Vice-Chancellors • Principal Officers of Faculties • Pro Vice-Chancellors for graduate employment, higher degrees by research & research integrity, Indigenous strategy, teaching & learning, internation • University Librarian • Executive Director Student Services • President, Deakin University Student Association, or nominee • [excluding elected positions] <p>There is a slight difference in the number of official members between the website and the annual report. Determining which of the positions listed in reg 6.2 are ‘official’ is a matter of inference, as they are not clearly referred to as official.</p>	<p>Reg 15.3 of the Deakin University Council Regulations provides for the Chair¹¹² of the Academic Board to be appointed/elected by the Academic Board, from the professors of the University, in accordance with the Academic Board Regulations.</p>

¹¹¹ The Academic Board Regulations provide for *three* professors to be elected by and from the professors: reg 6.2(k).

¹¹² The Chair is the president for the purposes of s 11(2)(c) of the Act, and an official member of the Council pursuant to s 11(1)(a) of the Act: Deakin University Council Regulations, reg 15.4.

UNIVERSITY	Membership	Ex officio members	Who can vote for the President/Chair
FEDERATION	<p>The Academic Board comprises 22 member positions (+ Chair/deputy chair):</p> <ul style="list-style-type: none"> • 14 are ex officio • 8 are elected academics/teaching staff, general/professional staff, & students 	<p>The ex officio members are listed in the Academic Board Charter (p. 2):</p> <ul style="list-style-type: none"> • Chair • Deputy Chair [TAFE representative of the Committee; Higher Education representative of the Committee (optional)] • Vice-Chancellor • Pro Vice-Chancellor VET and Pathways and Chief Executive, TAFE • Deputy Vice-Chancellor Global, Engagement and Quality • Chief Learner Experience Officer • Pro Vice-Chancellors and Executive Deans of Institutes (three) • Dean, Graduate Research • Senior TAFE representative nominated by the Pro Vice-Chancellor VET and Pathways and Chief Executive, TAFE • Chair, Curriculum Committee • Chair, Learning and Teaching Quality Committee • Chair, Research Committee • Associate Deputy Vice-Chancellor, Reconciliation, or nominee 	<p>The Academic Board Charter provides for the Chair to be appointed by Council on the recommendation of the Vice-Chancellor.¹¹³</p>
LA TROBE	<p>The Academic Board has approx. 100 members, including senior leaders of the University, elected academic & professional staff, the presidents of the student bodies, & elected student members.</p> <p>See here for a list of the 2025 Academic Board.</p>	<p>The ex officio members of the 2025 Academic Board are:</p> <ul style="list-style-type: none"> • Chair • Deputy Chair • Vice-Chancellor & President • Deputy Vice-Chancellor (Research & Ind Eng) • Deputy Vice-Chancellor (Academic) • Deputy Vice-Chancellor (Future Growth) • Provost • Pro Vice-Chancellor (Graduate Research) • Pro Vice-Chancellor (Indigenous) • Chair, Coursework Committee • Deputy Chair, Research & Graduate Studies Committee • Deputy Chair, Education Committee 	<p>Section 8(5) of the Academic Board Regulations 2019 provides that: ‘All members of the Board are eligible to vote in the secret ballot for the candidates of Chair or Deputy Chair in an election.’</p>

¹¹³ See s 22(1) of the Statute in relation to the Chairperson’s appointment.

UNIVERSITY	Membership	Ex officio members	Who can vote for the President/Chair
		<ul style="list-style-type: none"> • Head/Executive Director of each Regional Campus (Albury-Wodonga, Bendigo, Mildura, Shepparton) • Head of each School (12 are listed) 	
MELBOURNE	<p>Reg 5(1) of the Academic Board Regulation outlines the composition of the Board, which includes senior leaders and officeholders; heads of faculties, departments, and schools; student body presidents; and elected members from the professional staff.¹¹⁴</p> <p>Determining which of the positions listed in reg 5 are ex officio is a matter of inference, as they are not clearly referred to as ex officio.</p> <p>A similar list is available at section 6.2 of the Academic Board Handbook 2025.</p>	<p>Reg 5(1) lists the members of the Academic Board as follows:</p> <ul style="list-style-type: none"> • Chancellor; • Vice-Chancellor; • deputy vice-chancellors (including any deputy vice-chancellor appointed as Provost); • pro vice-chancellors; • University Librarian; • Academic Registrar; • University Secretary; • professors; • full-time salaried professorial fellows; • deans of faculties; • heads of academic departments; • heads of schools (including graduate schools); • other staff who are members of Academic Board committees; • President of University of Melbourne Student Union, and one nominee of the President of University of Melbourne Student Union who must be an education officer, of the University of Melbourne Student Union; • President of the Graduate Student Association and one nominee of the President of the Graduate Student Association; • President of the University of Melbourne Student Union (International) or their nominee 	<p>Reg 6(1) of the Academic Board Regulation provides for election of the President by the Board.</p>
MONASH ¹¹⁵	<p>Reg 12 of the Monash University (Council) Regulations outlines the composition of the Academic Board, which includes</p>	<p>Reg 12(2) lists the ex officio members as:</p> <ul style="list-style-type: none"> • Chancellor • Vice-Chancellor 	<p>Reg 13 of the Monash University (Council) Regulations provides for the members of the</p>

¹¹⁴ See reg 5(1) for the full list.

¹¹⁵ Academic Board Terms of Reference: see section 3 (membership) and section 4 (incl. president) for a summary of the Board composition and the appointment procedures.

UNIVERSITY	Membership	Ex officio members	Who can vote for the President/Chair
	<p>ex officio & appointed members; and elected members (academic staff & students).</p> <p>See here for a list of the 2025 Academic Board.</p>	<ul style="list-style-type: none"> • Provost • each Deputy Vice-Chancellor • each dean • such members of the academic staff and the professional staff of the University in leadership roles as are nominated by the Vice-Chancellor with the agreement of the president of the Academic Board 	<p>Academic Board to elect the president.</p>
<p>RMIT</p>	<p>The Academic Board consists of ex officio members, elected staff, and elected students; the particulars of which are detailed in reg 5(10) of the Academic Board Regulations.</p>	<p>Reg 5(10)(d) lists the ex officio members as:</p> <ul style="list-style-type: none"> • Chancellor (or nominee) • Vice-Chancellor and President • Deputy Vice-Chancellor Education and Vice-President • Deputy Vice-Chancellor Research and Innovation and Vice-President • Deputy Vice-Chancellor International and Engagement and Vice-President • Deputy Vice-Chancellor College of Business and Law and Vice-President • Deputy Vice-Chancellor College of Design and Social Context and Vice-President • Deputy Vice-Chancellor STEM College and Vice-President • Deputy Vice-Chancellor College of Vocational Education and Vice-President • Executive Director, Library Services • Associate Deputy Vice-Chancellor Education, Learning, Teaching and Quality • Associate Deputy Vice-Chancellor Research Training and Development • Associate Deputy Vice-Chancellor, Research and Innovation Capability • University Secretary and Academic Registrar • Pro Vice-Chancellor Vietnam and General Director, RMIT Vietnam or nominee • President, RMIT University Student Union • President, RMIT Vietnam Student Council • one (1) Aboriginal and/or Torres Strait Islander academic nominated by the Chair of Academic Board • University Secretary 	<p>Reg 7(18) provides for the Board to elect a Chair from amongst its members every second calendar year.</p>

UNIVERSITY	Membership	Ex officio members	Who can vote for the President/Chair
		<ul style="list-style-type: none"> • Pro Vice-Chancellor, Indigenous Education, Research and Engagement • Aboriginal and/or Torres Strait Islander Elder in Residence • Chief Executive Officer, RMIT Online • Chief Executive Officer, RMIT Training • Chair, Professorial Academy, or nominee drawn from the Professorial Academy 	
SWINBURNE	<p>Reg 8(1) in Pt 3 of the Academic Senate Regulations 2014 outlines the composition of the Senate. It includes the Chair/Deputy Chair, ex officio members, four members elected by students, and 15 academic staff members.</p>	<p>Reg 8(1)(c) lists the ex officio members as:</p> <ul style="list-style-type: none"> • Deans of Higher Education Academic Units • Pro Vice-Chancellor and Chief Executive (Vocational Education and Training) • Vice-Chancellor • Senior Deputy Vice-Chancellor and Chief Academic Officer • Deputy Vice-Chancellor (Research) • Pro Vice-Chancellor (Indigenous) • Pro Vice-Chancellor (Global Engagement) • Pro Vice-Chancellor (Education and Quality) • Deputy Vice-Chancellor (External Engagement) • Dean, Graduate Research • Deputy Vice-Chancellor (Education, Experience and Employability) 	<p>Reg 8(1) provides for the Chair to be appointed by the Council from candidates recommended by the Vice-Chancellor, in accordance with the Governance and Administration Statute 2012.</p>
VICTORIA	<p>The Academic Board is comprised of elected (7) & nominated (1) members; ex officio members (4 students; 5 leaders/officeholders); and three co-opted members.</p> <p>See Part 5 of the Academic Board Regulations 2021 for a detailed list.</p>	<p>Part 5(3) of the Regulations lists the ex officio members:</p> <ul style="list-style-type: none"> • Four ex-officio student members: VUSU President or nominee ISA President or nominee VUPA President or nominee VU TAFE Student Representative appointed by the VUSU President. • Five ex-officio members, comprising: Vice-Chancellor Senior DVC and Chief Academic Officer, or equivalent Chief TAFE Officer and CEO of VU TAFE or equivalent DVC, Research & Impact or equivalent DVC, Enterprise and Digital or equivalent 	<p>Section 8 of Part 5 of the Academic Board Regulations 2021 provides for the Board to elect a Chair from amongst its elected members.</p>

Significant structural reform is, therefore, necessary to ensure that the academic governing bodies of Victorian universities comply with Principle 3 (Independence). Such reform is particularly urgent in light of managerialism pervading many parts of Victorian universities. Aspects of managerialism were reported by the Expert Council:¹¹⁶

There is a view (amongst Chairs of academic governing bodies and academics elected to university governing bodies) that much of the decision-making of the governing body is disproportionately driven by professional or managerial staff and perspectives, with the valuable role of academics in understanding the ‘real business’ of universities under-valued and under-represented in decision-making.

Such managerialism undermines holistic risk management. As the Expert Council on University Governance observed:¹¹⁷

There was a persistent theme across many consultations pointing to a prioritisation and primacy of the views of management over other voices on the governing body, and of financial or operational objectives over broader purpose. *Consistent with this were concerns and evidence of inadequate or immature risk management processes, with insufficient attention paid to non-financial risks, such as those attached to the broader purpose, reputation, and social licence of the university.*

Reform of Victorian university academic governing bodies should achieve both formal and actual independence. Composition of their membership will be critical and should give effect to three principles:

1. *The principle of democracy*: this points to election processes;
2. *The principle of diverse perspectives*: this points to ensuring that diverse parts of the university community are represented with consideration given to sortition as a method of appointment; and
3. *The principle of expertise in academic governance*: this points to ensuring that there are members with sufficient expertise and seniority (who might be appointed).

¹¹⁶ ECUG Final Report, 16. This view is consistent with earlier research finding that the role of academic governing bodies has diminished relative to that of senior management, with senior management taking on many functions previously the responsibility of academic governing bodies: see Julie Rowlands, ‘Academic Boards: Less Intellectual and More Academic Capital in Higher Education Governance?’ (2013) 38(9) *Studies in Higher Education* 1274–89; Julie Rowlands, ‘Present But Not Counted: The Tenuous Position of Academic Board Chairs within Contemporary University Governance’ (2015) 18(3) *International Journal of Leadership in Education* 263–78.

¹¹⁷ ECUG Final Report, 26 (emphasis added).

These three principles suggest that the membership of academic governing bodies should be determined by a mix of processes.

The recommendations that academic governing bodies at Victorian universities *review workforce and budgetary impacts on academic quality (including academic staffing annually)*, and *participate in strategy* spell out what is implicit in their responsibilities. These responsibilities include:¹¹⁸

- monitoring academic risk, and considering the effectiveness of controls and mitigations, conformance to the risk appetite, and remediation of risks outside of appetite;
- evaluating the adequacy and effectiveness of the policies and controls designed to ensure high quality education and research; and
- monitoring academic performance, including the quality of education and research, and considering feedback from key stakeholders.

Expressly including workforce and budgetary impacts on academic quality and participation in strategy is important given that the Expert Council has reported ‘concerns that measures of academic risk are limited or narrowly defined’.¹¹⁹ These concerns are consistent with examples where matters relevant to academic quality and risk have been said by senior management to be outside the purview of academic governing bodies, on the basis that such matters are ‘budgetary’ and/or concern ‘industrial relations’.

Review by academic governing bodies of the workforce and budgetary impacts on academic quality should include *annual reviews of academic staffing*. This draws directly from the following recommendations of the final report by the Senate Education and Employment Legislation Committee on the quality of governance at Australian higher education providers:¹²⁰

Recommendation 5

The committee recommends that the Higher Education Standards Framework (Threshold Standards) 2021 be amended to require academic boards to conduct an annual review of the academic staffing profile for each course, ensuring there is sufficient academic oversight, teaching capacity and support to maintain high-quality learning and outcomes. This review

¹¹⁸ ECUG Final Report, 61.

¹¹⁹ ECUG Final Report, 16.

¹²⁰ Senate Inquiry Final Report, xii, 128.

should also ensure that courses with practicums or work-integrated learning have an adequate number and quality of placements with appropriate supervision. The balance of continuing and casual staff must support consistent teaching quality and reliable access to individual student assistance.

Recommendation 6

The committee recommends that the Tertiary Education Quality and Standards Agency develop a monitoring and reporting framework for course quality and staffing, and establish an ongoing program of course monitoring to provide continued assurance of quality and appropriate staffing.

The recommendation for the academic governing bodies to *publish the agenda and outcomes of meetings* comes from what the Expert Council described as ‘a strong presumption of transparency and open disclosure regarding purpose, strategy, performance outcomes, and accountability, risk, and material issues that emerge’.¹²¹

Table 8 shows that 6 out of 8 Victorian universities now provide access to agendas and minutes of their academic governing bodies to all staff. Implementing this recommendation will be a modest extension on current practice at these universities.

¹²¹ ECUG Final Report, 28.

Table 8: Access to Minutes of Academic Governing Bodies of Victorian universities

UNIVERSITY	Access to Minutes
Deakin University	Not publicly available. Login required (staff only) for further information on the Academic Board.
Federation University Australia	Not publicly available. Login required (staff only) for access to the Governance & Policy SharePoint page containing information on the Academic Board and associated standing committees.
La Trobe University	Not publicly available. Minutes are published (see p. 15) on the Academic Board SharePoint site (staff only).
University of Melbourne	Not publicly available. Available to members of the University community only.
Monash University	Not publicly available. Login required . See 'Meeting Information'. Unclear whether staff only (Monash email address required for login).
RMIT University	Not publicly available. Minutes can be accessed by staff on the Academic Board & Standing Committee SharePoint (internal access only).
Swinburne University of Technology	Not publicly available. Academic Senate wiki (staff only) provides access to minutes.
Victoria University	Not publicly available. Unclear whether there is an internal access option.

Principle 3, in full, provides as follows:¹²²

Independence: Academic standards and freedom are respected and protected

Educational and research standards are upheld and the ability of faculty and students to pursue knowledge, conduct research and express ideas without undue pressure from external political or commercial pressures is ensured.

¹²² ECUG Final Report, 46.

This full statement recognises the importance of academic freedom and freedom of speech. The recommendation that academic governing bodies *promote academic freedom and freedom of speech, and best practice in utilising these freedoms*, makes clear the stewardship of these bodies in relation to those freedoms which are foundational to universities. As the Expert Council observed:¹²³

The desired culture and expected behaviours must be consistent, and not interfere with, academic freedom. A culture that genuinely values intellectual diversity and integrity, open inquiry, and respectful discourse creates an environment in which academic freedom can flourish. Robust academic freedom protections in turn strengthen and enrich the university's culture and ability to support faculty and students who pursue controversial research, challenge conventional wisdom, or explore unpopular ideas without fear of retribution, fostering a culture where intellectual risk-taking is celebrated.

Principle 4 – Transparency

Recommendations from the *Joint Reform Proposal*

The Governing Body shall:

- *Publish agendas and outcomes of meetings;*
- *Provide context to the outcomes published when they concern material matters affecting the university community (with consideration to confidentiality requirements);*
- *Report annually on objectives and performance of the University and the Vice-Chancellor;*
- *Publish use of consultancies and purpose for their procurement, in addition to the current financial reporting component through the Victorian government requirements.*

The recommendations that Victorian university governing bodies *publish agendas and outcomes of meetings* and *provide context to the outcomes published when they concern material matters affecting the university community (with consideration to confidentiality requirements)* stem from the strong presumption of transparency applying to universities. They also draw from:

- Principle 4.2.a of ECUG: subject to the need for decisions of the governing body to be kept confidential for legal or commercial reasons, the governing body should take a transparent approach to decision-making and communicate decisions on material matters to affected stakeholders with reasons as to why those decisions were made;

¹²³ ECUG Final Report, 63.

- The agreed priority of the Education Ministers that university governing bodies should be required to publish outcomes of meetings and decisions taken;¹²⁴ and
- The recommendation of the Senate Education and Employment Legislation Committee ‘that universities improve the transparency and accountability of their governing bodies, including by . . . publishing all minutes of council meetings in their entirety, on university websites, while ensuring that personal or legally protected information is appropriately withheld’.¹²⁵

Table 9 shows that none of the Victorian universities make the minutes to their university governing bodies publicly available, with three making ‘summaries’ and ‘outcomes’ available (Deakin University, Monash University, University of Melbourne).

Table 9: Public availability of minutes of Victorian university governing bodies

UNIVERSITY	Access to Minutes
Deakin University	Not publicly available. Summaries available under ‘Outcomes of Council’.
Federation University Australia	Not publicly available. Login required (staff only) for access to the Governance & Policy SharePoint page containing information on when and where the Council/committees meet. There is also a Members only link for access to archived meeting papers that pre-date 2019.
La Trobe University	Not publicly available. Login available for Council members only .
University of Melbourne	Not publicly available. Summaries available .
Monash University	Not publicly available. Summaries available (recent meetings only). See ‘Outcomes of most recent Council meeting’.
RMIT University	Not publicly available. Unclear whether there is an internal access option.
Swinburne University of Technology	Not publicly available. Unclear whether there is an internal access option .
Victoria University	Not publicly available. Unclear whether there is an internal access option .

¹²⁴ Clare, ‘Improving the Governance of Our Universities’.

¹²⁵ Senate Inquiry Interim Report, Rec 1.

The recommendation that Victorian university governing bodies *report annually on objectives and performance of the University and the Vice-Chancellor* is based on:

- ECUG Principle 4.2.d: annually report, publicly, the university’s objectives and performance against them, other than matters that are commercially or strategically sensitive and must remain confidential; and
- ECUG Principle 4.2.c: annually evaluate the performance of the Vice-Chancellor against the agreed objectives.

The recommendation that Victorian university governing bodies *publish use of consultancies and purpose for their procurement, in addition to the current financial reporting component through the Victorian government requirements* is drawn from:

- The agreed priority of Education Ministers that ‘[u]niversity governing bodies . . . be required to publish: consultancy spending, its purpose, value and justification’;¹²⁶ and
- The recommendation of the Senate Education and Employment Legislation Committee that universities ‘publicly disclos[e] details of all spending on consultants, including the purpose of each consultancy and the extent to which the capacity exists to perform that function within the institution’.¹²⁷

Principle 5 – Trustworthy

Recommendations from the *Joint Reform Proposal*

Universities are encouraged to undertake full stakeholder engagement for any major decisions.

The Vice-Chancellor and Senior Management shall regularly meet with staff and unions via a Joint Standing Committee.

The exhortation for *universities to undertake full stakeholder engagement for any major decisions* arises from anchoring university governance in collaborative governance and its emphasis on stakeholder engagement, which reinforces the upward orientation of the *Joint Reform Proposal*.

The recommendation that *the Vice-Chancellor and Senior Management regularly meet with staff and unions via a Joint Standing Committee* stems from the following recommendation

¹²⁶ Clare, ‘Improving the Governance of Our Universities’.

¹²⁷ Senate Inquiry Interim Report, Rec 1.

of the final report by the Senate Education and Employment Legislation Committee on the quality of governance at Australian higher education providers:¹²⁸

The committee recommends that the Tertiary Education Quality and Standards Agency, in addition to the embedding of the Expert Council on University Governance into the Higher Education Standards Framework (Threshold Standards) 2021, update its guidance to universities to support proactive adoption of key compliance, oversight and governance measures (such as the following measures agreed by the University of Melbourne in its Enforceable Undertaking with the Fair Work Ombudsman) including by: embedding a worker voice mechanism, such as a standing committee comprised of representatives from the National Tertiary Education Union and university management.

Principle 6 – Inclusive + Responsive

Recommendations from the *Joint Reform Proposal*

The Governing Body shall establish the following:

- *A Staff Advisory Forum*
- *A Student Advisory Forum*
- *An Indigenous Advisory Forum*

Each Forum shall:

- *Provide twice-yearly reports directly to the governing body;*
- *Be independently led by an elected representative;*
- *Be adequately resourced by the university;*
- *Represent the diversity of the staff/student community;*
- *Be protected from adverse action.*

Governing body engagement (observer attendance, response to reports) remains mandatory.

Surveys utilised for the governing body or advisory forums shall be co-designed with the relevant stakeholders, diverse in sampling, and be published annually.

The recommendations for *Staff, Student, and Indigenous Advisory Forums* give effect to the central importance of staff and student voice in collaborative university governance and universities as bodies politic of staff and students (as provided by section 4 of all Victorian university statutes). Specifically, it addresses the absence of a dedicated institutional forum for representing the views of staff and students. It implements ECUG Principle 6.1.a (require

¹²⁸ Senate Inquiry Final Report, Rec 3, para 6.73.

that the university has effective, formal mechanisms for communicating, engaging with, and listening to students, staff, unions, Government, First Nations people, regulators, community, and other key stakeholders). It is also consistent with the sixth Principle of the Declaration of University Student and Staff Voice:

6. Student and staff representatives shall be able to meaningfully participate at the key levels of university decision-making:

This should occur through elected representatives, particularly representatives of independent student unions and trade unions.

The forums also recognise the limitations of student and staff membership on university governing bodies, in terms of fully representing the views of students and staff. As the Expert Council rightly noted:

It is unreasonable to assume that a small number of representative members can or should accurately reflect the perspectives and priorities of their constituencies. Governing bodies should adopt multiple and varied approaches to engaging with the university community and informing themselves of the views of these key stakeholders, including formal and informal consultations, and surveys.¹²⁹

...

Diversity of the governing body membership is not sufficient to ensure the views of stakeholders are well understood and responded to. Universities need regular mechanisms for engaging their students, staff, community, funders and other key stakeholders, which should include . . . broad and structured consultation to ascertain stakeholders' diverse and collective needs and expectations in connection with the university.¹³⁰

To operate effectively, these Forums need to:

- Give effect to the *democratic principle* by being independently led by elected representatives;
- Represent the *diversity of student and staff views* with mechanisms such as forums and citizens' assemblies;
- Be *adequately resourced* with secretariat support, adequate access to university data and appropriate workload relief (to address colonial/cultural load in the case of the Indigenous Advisory Forum);

¹²⁹ ECUG Final Report, 59.

¹³⁰ ECUG Final Report, 64.

- Be *protected against adverse action* in relation to leadership of the Forums and participation within them;
- Promote *deliberation* through twice-yearly reports that are publicly available; and
- Be accompanied by *accountability* through governing body engagement (including mandatory responses to the reports of the Forums).

The recommendation that *surveys utilised for the governing body or advisory forums be co-designed with the relevant stakeholders, diverse in sampling, and be published annually* is aimed at ensuring the robustness and transparency of surveys as a mechanism to gather stakeholder input. Victorian universities regularly conduct student and staff surveys. In many cases, however, these surveys are not co-designed with relevant stakeholders nor are their findings and methodology published in full.

Principle 7 – Sustainable

Recommendations from the *Joint Reform Proposal*

Committees of the governing body should include an elected staff member of the governing body.

Non-voting external expertise for governing body committees and the governing body should be co-opted from:

- *Academic Board Chair;*
- *Representatives of main student organisations;*
- *Union representatives.*

Escalation of audit and risk concerns by staff and staff representatives must be enabled.

The recommendations for *committees of the governing body to include an elected staff member of the governing body*, and for *non-voting external expertise for governing body committees/the governing body to be co-opted from the Academic Board Chair, representatives of main student organisations, and union representatives* are aimed at ensuring sufficient diversity and expertise for effective and holistic risk-management.

They are connected to ECUG Principle 1.2.a (the governing body should ensure each committee has the expertise and independence it needs to perform effectively), and the Expert Council’s observation that: ‘External members who are not on the governing body but who bring expertise that is essential and not otherwise available may be valuable additions

to committees'.¹³¹ Co-option of the Chair of the academic governing body is specifically supported by the requirement that the governing body's committee overseeing risk 'work seamlessly with other bodies overseeing specific areas of risk or compliance, including the academic governing body overseeing academic risks and compliance with the Threshold Standards'.¹³²

That the *escalation of audit and risk concerns by staff and staff representatives be enabled* arises directly from ECUG Principle 7.2.b (the governing body require that staff with concerns about audit, risk or compliance matters can escalate their concerns directly to the relevant committee or governing body member if other processes have been exhausted). As the Expert Council emphasised:¹³³

Central to effective risk management is having an appropriate risk culture, in which staff proactively identify and manage risks, and there is open communication and a shared understanding of risk throughout the university.

Principle 8 – Responsible

Recommendations from the *Joint Reform Proposal*

The Governing Body shall:

- *Publish remuneration reports analogous to public company standards, with commentary relative to public sector benchmarks.*

Workforce strategy shall:

- *Prefer continuing employment;*
- *Be developed with genuine input from staff, students, and the Academic governing body.*

Universities shall:

- *Audit workforce composition;*
- *Set five-year and three-year continuing-employment targets (aspiring to 75% FTE).*

Major change processes (including the development of proposals) shall be transparent, consultative, and reviewed after two years.

¹³¹ ECUG Final Report, 54.

¹³² ECUG Final Report, 65.

¹³³ ECUG Final Report, 66.

The recommendation that *the Governing Body publish remuneration reports analogous to public company standards, with commentary relative to public sector benchmarks* is expressly drawn from:

- The agreed priority of the Education Ministers that universities publish ‘annual remuneration reports in line with requirements for public companies’;¹³⁴ and
- The recommendation of the Senate Education and Legislation Committee that universities publish ‘annual remuneration reports in-line with requirements for public companies including role-specific salaries of senior university executives’.¹³⁵

The recommendation that the workforce strategies of Victorian universities be *developed with genuine input from staff, students, and the academic governing body* implements collaborative governance in this critical area of university operations. The recommendations that the *workforce strategy of Victorian universities shall prefer continuing employment with the universities auditing their workforce composition and setting five-year and three-year continuing-employment targets (aspiring to 75% FTE)* are vitally important in addressing the crisis of university governance at Victorian universities; in particular, to overhaul their insecure workforce model.

That Victorian universities currently work upon an insecure workforce model is incontrovertible: Table 10 which is based on the data provided in the 2024 annual reports of Victorian universities shows that nearly half of Victorian university workers occupy insecure employment (casual and fixed-term employment).

¹³⁴ Clare, ‘Improving the Governance of Our Universities’.

¹³⁵ Senate Inquiry Interim Report, Rec 1, xi, 115.

Table 10: Insecure work at Victorian universities as at December 2024 (headcount)¹³⁶

University	All employees	Fixed term/casual	Casual	% Casual	% Insecure
Federation University	1,781	600	347	19.48%	33.70%
Swinburne University of Technology	2,702	762	167	6.18%	28.20%
RMIT University	12,102	7,367	5,246	43.35%	60.87%
Deakin University	6,197	2,531	1,183	19.10%	40.84%
Victoria University	2,295	916	445	19.39%	39.91%
La Trobe University	3,590	1,507	645	17.97%	41.98%
University of Melbourne	13,758	4,836	1,904	13.84%	35.15%
Monash University	10,407	5,250	1,250	12.01%	50.45%
Total	52,832	23,769	11,187	21.17%	44.98%

The widespread use of insecure work seriously damages the university sector. The Senate Select Committee on Job Security has documented how insecure work in the university sector has contributed to instability, inability to plan ahead, wage theft, and has adversely affected academic freedom, student learning experiences, and the health and wellbeing of workers.¹³⁷ The impact of insecure work on the quality of education provided by universities was specifically identified by Western Sydney University Vice-Chancellor, Professor George Williams, when he said:¹³⁸

Universities must also be better workplaces. We need to improve how we care for our people, which after all is the best way of ensuring they perform at their best. *It is hard for academics to be great teachers or to plan their curriculum for the longer term, let alone to build a fulfilling career, if they do not know whether they will be employed from one semester to the next.* There are too many examples of universities letting staff down, whether it be through underpaying salaries or over-relying on insecure work.

¹³⁶ Casual employment figures and percentages would have been significantly higher if taken during the teaching term (e.g. March or July 2024).

¹³⁷ Senate Select Committee on Job Security, Parliament of Australia, *Insecurity in Publicly-Funded Jobs* (Second Interim Report, October 2021) ch 8 <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Job_Security/JobSecurity/Second_Interim_Report> (**Second Interim Report (Job Security)**).

¹³⁸ Williams, *Aiming Higher*, 85 (emphasis added).

The connection between *insecure work* and *wage theft* is critical to highlight. Table 11 details the amount of wage theft at Victorian universities and the number of affected staff (based on FWO enforceable undertakings, university disclosures and NTEU research and actions).

Table 11: Wage theft at Victorian universities

Years active	University	No. of staff affected	Total underpaid
2014-2024	The University of Melbourne	25,000	\$ 72,000,000
2014-2022	Monash University	10,877	\$ 30,700,000 ¹³⁹
2015-2022	La Trobe University	6,774	\$ 10,778,801
2009-2016	RMIT University	3,700	\$ 10,000,000
2009-2020	Swinburne University of Technology	8,100	\$ 6,510,000
2017-2024	Deakin University	440	\$ 2,900,000 ¹⁴⁰
2020	Federation University Australia	10	\$ 66,000
	TOTAL	54,901	\$ 132,954,801

The University of Melbourne is the worst offender nationally. It significantly exceeds the second biggest offender, the University of Sydney, which has paid out \$32.4 million in total. The picture is grim in Victoria, where it is very likely that Monash University will also exceed the amount recorded by the University of Sydney as pending back payments are announced; thus potentially making Monash the second worst offender in the country. Nationally, La Trobe and RMIT currently sit in 6th and 8th place respectively.

The affirmative case for establishing continuing employment as the preferred mode of employment rests on four connected grounds:

1. *It is an aspect of the obligation of universities to act as exemplary employers: As the Victorian Government has made clear, universities ought to ‘demonstrate the highest ethical standards as leaders and major employers in the Victorian community’.*¹⁴¹ The obligation of good employers to prefer continuing employment is recognised by the Victorian Government’s *Fair Jobs Code* which requires employers subject to the

¹³⁹ Includes estimated \$10m for latest ruling against Monash for unpaid consultations. This amount is expected to rise.

¹⁴⁰ Expected to rise significantly as investigation continues.

¹⁴¹ Department of Jobs, Skills, Industry and Regions, *Victorian Government Submission in Response to the Australian Universities Accord Discussion Paper* (May 2023) 40 <<https://www.education.gov.au/system/files/documents/submission-file/2023-05/Victorian%20Government.pdf>>.

Code to ‘endeavour to engage workers directly and on a permanent basis wherever possible’.¹⁴²

2. *Job security is essential for academic quality and academic freedom:* This connection is historically and internationally recognised through the notion of academic tenure.¹⁴³ It is unreasonable to expect academic staff in insecure work to assume stewardship of the curriculum. Insecure work also undermines academic freedom; specifically, to borrow from the words of the Expert Council, the ability to ‘pursue controversial research, challenge conventional wisdom, or explore unpopular ideas *without fear of retribution*’.¹⁴⁴ Importantly, academic freedom includes the freedom of academic staff ‘to express their opinions in relation to the higher education provider in which they work or are enrolled’ (as recognised by the French Model Code).¹⁴⁵ Exercise of this freedom through criticism is far less likely when staff are employed in insecure work.
3. *Job security underpins effective collaborative governance:* Collaborative governance at universities requires a strong staff voice; one that is independent of senior management. Such independence is expressly recognised by ECUG Principle 3 but has more comprehensive application. The Advisory Forums proposed by the *Joint Reform Proposal* can only operate effectively if they do so independently of senior management.¹⁴⁶ More generally, staff cannot be expected to freely express their views if they occupy insecure work and understandably fear that criticism of senior management might jeopardise future employment.
4. *Job security is necessary for holistic risk management:* Strong worker voice anchored in job security is needed for risk-management in relation to workplace matters. We see this clearly in relation to wage theft. The Fair Work Ombudsman has emphasised that:
 - a. ‘[T]he lack of certainty regarding future engagement, particularly for casual academic staff, leads to a culture within universities where employees rarely raise underpayment concerns or where a systematic claims review approach is not adopted’; and

¹⁴² *Victorian Fair Jobs Code* (1 September 2024) cl 6.5 <<https://www.buyingfor.vic.gov.au/fair-jobs-code>>.

¹⁴³ Second Interim Report (Job Security), 170–71, paras 8.34–8.37.

¹⁴⁴ ECUG Final Report, 63 (emphasis added).

¹⁴⁵ Department of Education, Australian Government, *Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers* (March 2019) 231 <<https://www.education.gov.au/higher-education-reviews-and-consultations/resources/report-independent-review-freedom-speech-australian-higher-education-providers-march-2019>>.

¹⁴⁶ See Recommendations in relation to Principle 6 – Inclusive + Responsive.

- b. ‘The effective operation of strong worker voice mechanisms that enable all workplace participants to proactively identify, engage with and resolve issues within the workplace early, is a key feature of compliant workplaces and will be a valuable area of focus for universities going forward’.¹⁴⁷

Establishing continuing employment as the preferred mode of employment still allows for the use of fixed-term and casual employment. It, however, requires that such use be limited to a minority proportion of the workforce and be properly justified. This is the rationale of the recommendations that Victorian universities *audit their workforce composition and set five-year and three-year continuing-employment targets (aspiring to 75% FTE)*.

The recommendation to set continuing employment targets is directly drawn from Recommendation 25 of the Second Interim Report of the Senate Select Committee on Job Security:¹⁴⁸

The committee recommends that the Australian Government requires, as a condition of receiving public funding, universities to set publicly-available targets for increasing permanent employment, and reducing casualisation, and report their progress against these targets on an annual basis. The targets should be established in consultation with industry experts, workers and the National Tertiary Education Union (NTEU).

The Department of Education, Skills and Employment should review the impact of this measure after three years, and — if it has not been effective in reducing the level of casualisation — the Australian Government should then work with universities and the NTEU to impose meaningful but achievable funding-linked targets.

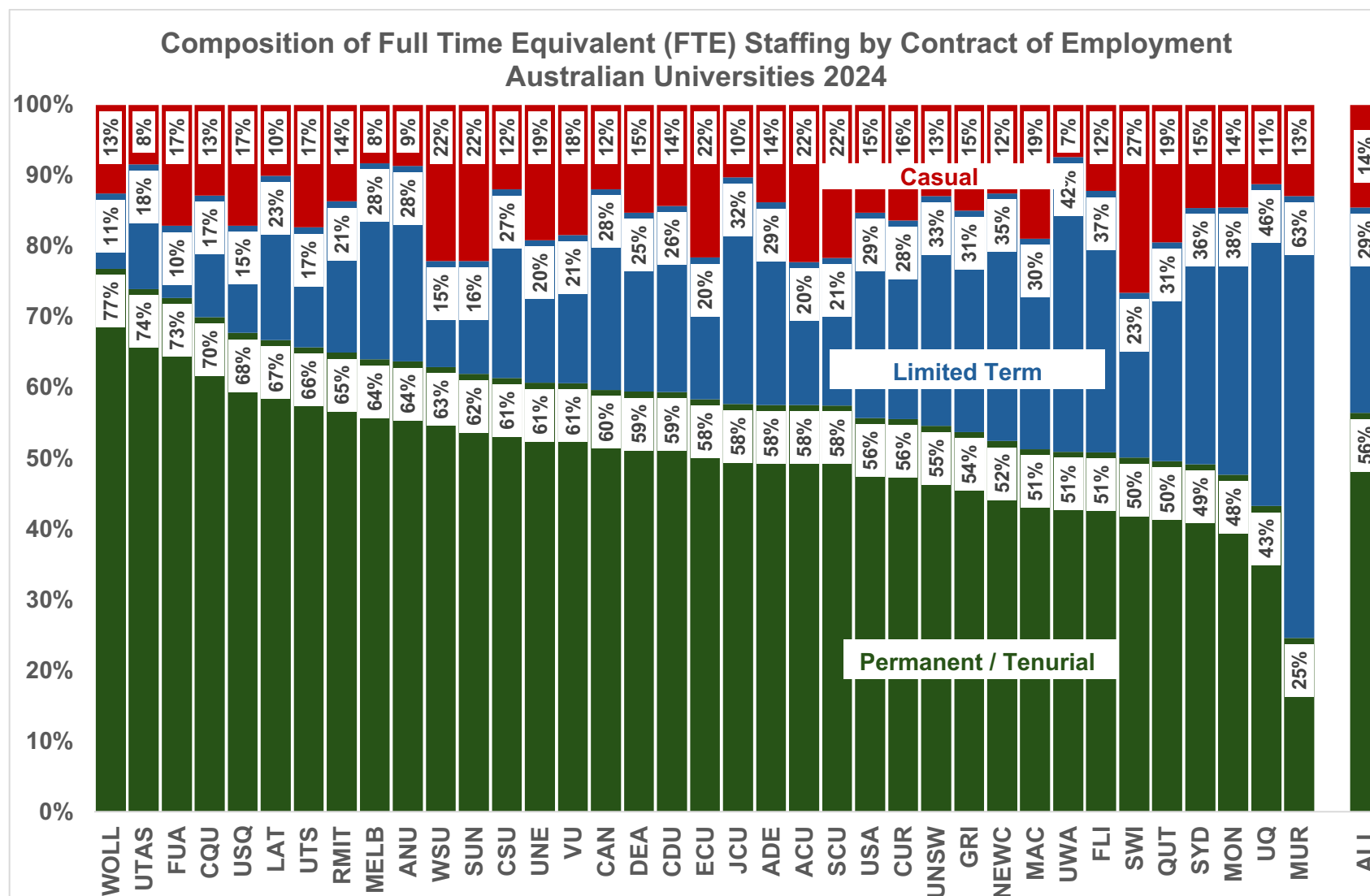
The recommendation that Victorian universities *aspire to 75% FTE* gives numerical effect to the principle of preferring continuing employment. The aspirational target allows for a quarter of the Victorian university workforce to be employed in casual and fixed-term employment, thus aiming to bring the Victorian university workforce more in line with the composition of the Australian workforce, which has a total of 22.7% of employees in casual and fixed-term employment (19% casual and 3.7% fixed-term).¹⁴⁹ It also seeks to provide a structured process over a period of five years for Victorian universities to increase their proportion of continuing employment to match the upper end of the sector (see Table 11).

¹⁴⁷ FWO Submission No 16, 3.

¹⁴⁸ Second Interim Report (Job Security), Rec 25, para 10.72.

¹⁴⁹ ‘Working Arrangements’ (Reference period: August 2025), *Australian Bureau of Statistics* (12 December 2025) <<https://www.abs.gov.au/statistics/labour/earnings-and-working-conditions/working-arrangements/latest-release#key-statistics>>.

Table 12: Composition of FTE staffing at Australian universities



The recommendation that *major change processes (including the development of proposals) be transparent, consultative, and reviewed after two years* is supported by the recommendation of the Senate Education and Legislation Committee that:¹⁵⁰

[U]niversities adopt best-practice and meaningful consultation for major change proposals, including involvement from staff and students prior to decisions being made.

It takes on significance with major changes (restructures) producing a ‘hiring-firing yo-yo’¹⁵¹ with damaging effects on staff wellbeing. A recent study has highlighted the emotional toll of regular restructures. Eighty per cent of respondents to the Australian University Census on Staff Wellbeing agreed that ‘new policies and procedures designed to cut costs are constantly being introduced’, and that ‘organisational change is significantly related to emotional exhaustion’.¹⁵²

END OF SUBMISSION

¹⁵⁰ Senate Inquiry Interim Report, Rec 3, para 5.93.

¹⁵¹ NTEU, ‘Broken University Governance Needs Urgent Reform after Unprecedented Federal Intervention’ (Media Release, 20 June 2025) <https://www.nteu.au/news_articles/Media_Releases/Broken_university_governance_needs_urgent_reform.aspx>; National Tertiary Education Union (NTEU), *Ending Bad Governance for Good* (November 2024) 6–8, available at <<https://betterunis.nteu.au/>>.

¹⁵² MF Dollard et al, *Australian University Sector Report: Findings from the Australian University Census on Staff Wellbeing* (Technical Report, Adelaide University, 2026) 20 <<https://stresssafe.net/census/>>.