27 July 2007

Mr Ian Hawke
JCHE Review of the National Governance Protocols
Loc 130
Department of Education, Science and Training
GPO Box 9880
CANBERRA ACT 2601

Dear Mr Hawke

Thank you for the invitation to comment on the discussion paper on the Review of the National Governance Protocols.

The Council of Victoria University considered the Review paper shortly after its release and some members of the Council attended the consultation forum in Melbourne on 10 July 2007. We have also had the opportunity to consider the response to be made by University Chancellors and Universities Australia.

The Victoria University Council has been most diligent in attending to debate about the developing role of University Councils and the expectations of Council members. The Protocols have been one important consideration for us.

The Review's discussion paper raises a range of areas where the Protocols might be amended, generally to detail more specific expectations of Councils in the carrying out of their duties. The areas discussed are more usefully considered as ones where Councils might receive further advice and support which each can then consider in deciding both how it operates and more importantly, how the University for which it is responsible will develop.

Hence Victoria University supports the argument made by the Chancellors and University Australia that:

- members of governing bodies of Universities should not be subject to more prescriptive requirements than apply to directors of bodies governed by Corporations laws;
- we should not apply a “one size fits all” governance model (that extends into areas of management), particularly when the stated object of the Government is to promote diversity; and
- more prescriptive and detailed protocols should be avoided when the added costs of compliance and reporting risked being inconsistent with the potential benefits.
I would like to emphasise that Victoria University is a multi sector institution as are a number of other Universities. The wider role brings with it different requirements for knowledge and input for the Councils of those institutions. It is important that the Protocols do not impose requirements that would undermine multi sector institution's capacity for effective governance. Rather we see this as one example where the particular nature of a University should drive the shape of the Council without being unduly inhibited by nationally set norms.

Following on from this and tying to the particular issues raised in the Discussion Paper, Victoria University Council has gained from the staff and students who have provided an important insight into the University's operations across higher, vocational and further education. External Council members have a considerable array of issues to understand in determining the direction of the University which these Council members help provide without unduly influencing the subsequent discussion and decision making. The Council recognises the importance of ensuring that these members (as indeed all members) do not face conflicts of interest on particular decisions and has processes in place to address this.

In conclusion Victoria University places great importance in ensuring our governance works well for the benefit of the University, its external community and the Governments which support it. We do not consider further prescription in the Protocols useful while welcoming all suggestions and advice that may improve our operations further.

Yours sincerely

[Signature]

Commissioner Dianne Foggo
Acting Chancellor