



December 2017 ECU Student Guild Senate Meeting Agenda

Location: Joondalup

Date: 20/12/2017

Time: 5:30pm



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1.0 Attendance

1.1 In Attendance

President –
General Secretary –
Vice-President (Academic) –
Vice-President (Equity & Diversity) –
Vice-President (Social Activity) –

Stewart Lee
Steven Warren (Greg)
Sarah Cavanough
Vesh Arumugam
Caitlin Gibbs

International Officer –
Postgraduate Officer –
South West Officer –
General Senator –
General Senator –

Shariq Ahmed
Vacant
Rebecca Joyce
Modjadji Mokoto (Jaxa)
Faizan Akram

CEO –

Brett Callender

1.1 Observers

1.2 Apologies

Environmental Sustainability Officer –
General Senator –

Harri Gray
Abishek Mehta



2.0 Preliminary Matters

2.1 Acknowledgement of Country

"I would like to acknowledge that we are meeting on Wadjuk Nyoongar land, and I would also like to acknowledge their elders, both past and present. We recognise that the land was stolen and never ceded, and it always was and always will be Aboriginal land."

2.2 Approval of Previous Senate Meeting Minutes

SM1712/01 - Motion that the ECU Student Guild Senate approves the minutes from the November Senate Meeting as formal, accurate and read.

Moved: Caitlin Gibbs

Seconded: Greg Warren

Motion passed. 5 votes for. 4 Abstentions

2.3 Declaration of Conflict of Interest

Caitlin Gibbs reported a conflict of interest regarding item number 3.3 as she was asking for a credit card in her name for her Department. As such she has requested to speak in favour of the motion but will abstain from the vote. There was no dissent from this decision.

Stewart Lee reported a possible conflict regarding item number 3.1, however, after advice from the CEO that item is a routine management decision made in line with the Corporate Credit Card Policy, it was decided that this did not constitute a conflict of interest with no dissent.

2.4 Announcements

2.5 Office Bearers Reports

2.5.1 President

The President reported that there is currently a vacancy for the Postgrad Officer role. To correct this, he has notified all postgrad students on campus of the vacancy and requested applications for people wishing to apply for the position. Currently there are over 30 applicants.

Based on the current debate on the vacancy, the President sees a strong need to write a nominations policy that is transparent and fair, and has begun working with the PAC to develop this policy.

The President reported that a survey on Nursing and Midwifery students on conditions and standards of teaching there has had a huge response from students in the School. He is now planning on following up on many of the complaints levelled against the school by its students.



The President has been planning a foodbank, and has been talking with Maxine Plant regarding getting it set up. He has also spoken with representatives of a well-known community food-back NGO, however, this negotiation hadn't led anywhere due to their focus differing from the needs of a student foodbank program. He is looking into further options for collaboration on this issue.

The President has also provided financial assistance to students wanting to attend short courses such as first aid courses over the holiday period.

The President has been following up on club floats and been involved in budget planning along with all of the Departments of the Senate.

2.5.2 General Secretary

Attended Guild training day with other WA Guild's at Curtin. I learned a lot about issues like Guild's leading the charge to get rid of conscription, the history of the SSAF, the current reports regarding sexual assault on campus and a wide variety of other issues relating to Governance and our roles as Senators.

As noted in the President's report, I have received the resignation of Peter Klihu from the office of Postgraduate Officer effective December 4th. As such, we will need to decide on a replacement for this position.

I have been reviewing the Rules, Constitution, Policies and Procedures of the Senate and have noticed we actually don't have a large amount of Policy and Procedure we are required to have, let alone simply need. In addition to this, I'm pretty firmly of the view (which I think is backed by Brett and Stewart) that pretty much all existing governance documentation and policy needs to be reviewed and amended. I expect we will also be submitting an amended Constitution to our Members and Council this year, due to issues we've identified in the document.

The RO has referred a Member to the Disciplinary Committee due to actions alleged to have happened during the election, which we are required to follow through on this. However, the current rules on the Discipline Committee are not procedurally fair and need urgent amendment. Unfortunately, much of the problems with the process are enshrined in the Constitution, which means we need to run a two stage process to correct this.

Currently we are required to have two senators on the Discipline Committee (which is obviously a problem if we are ever disciplining Senate members) so I'm planning on recommending Vesh and Jaxa take those roles (it will be up to the Senate if we chose to go with that. I've also found one student willing to get on the committee out of the three we need, however, we might have to work out a process to recruit the other two we are required to have. Once we have the members to form the Committee and have written a TOR for the committee for them to follow, I'll probably put through a circular motion to approve this.

For the second stage we will need to amend the Constitution to remove the two Senators from the Committee, and make it wholly independent of the Senate. Additionally, the



current Appeals Committee set up by the Constitution is the entire Senate minus the Members on the Discipline Committee. Obviously, this is unworkable for cases where Appeals are heard in regards to disciplinary action held against Senators. We will also need to amend the Constitution to entirely remove the Senate from the Appeals Committee and to make this independent and procedurally fair as well.

Another area where there isn't sufficient policy is nominations to vacant Senate positions. Currently, the only requirement to get appointed to a vacant role is to gain a 75% Senate vote. We need to set an actual Policy on how the Senate handles vacancies which is fair and above board. We also should consider aiming on updating the Constitution to include these changes, so an incoming Senate can't simply arbitrarily change the rules.

Every Department is meant to have a Policy, currently only Equity & Diversity, Social Activity, and the Undergraduate Studies Department have them. I've written draft departmental Policies for the International and Enviro Departments, which I've included along with motions to approve them. These are not intended to be the final version we will use, but intended as stopgaps to add to as we find more policy is intended.

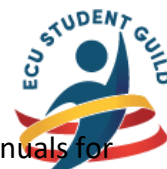
I also need to draft a policy for the Postgrad department – but before we do that we need to work out what we actually want the postgrad department to do. I've been approached by the GSA's about many needs that the postgrad department doesn't fill.

The policies we actually do have for the Departments are also far too vague. Currently, the members of the Departments (with the exception of the Chair) have no powers, or responsibilities and Departmental meetings currently serve no purpose. For Departments such as the Undergraduate Studies Department for instance, there is no requirements for its members (the Teaching & Learning Committee members) to report on T&L meetings or guidelines on how they should vote on items in this Committee, collect student feedback etc. In addition to this; the Department itself isn't required to report to the Senate, work with the GSA's on identifying systemic academic problems in the University, consult with the student body, or make submissions to the Senate requesting action be taken on identified issues.

I think this lack of direction in Policy has been a leading factor in the Guild's inability to effectively lobby for student rights in previous years, and has also been highly detrimental to the view both the Faculty and staff of the University have of the Guild. Correcting this problem for the Undergraduate Studies Department and the Postgraduate Department are currently my top priorities, along with the need for policy change for nominations and discipline.

I still need to draft a policy for South West – which will be a huge job as the Department is basically a mini-Guild.

In addition to this, there are currently not many procedures, or work-flows available for the actions Senators routinely undertake. This poses a great risk of losing institutional knowledge, inefficient use of time and poor training for new Senators. I am planning on



working with General Senator Jaxa on resolving this and providing procedure manuals for everything the Senate does by the end of this Senate term. So there's a lot of work to do.

In addition to this, I've been in discussion with the Guild's CFO regarding the commercial operation tender being offered by the University. We are still awaiting many critical details relating to the tender. Brett will have more to say on this issue.

In addition to this, now that the Postgrad officer has resigned, as the Deputy Chair of the Department I'm looking at what I need to do to keep the Department running until we can nominate a candidate.

2.5.3 Vice-President (Academic)

The VP Academic has been familiarising herself with her new role this month, and has begun planning discussions with faculty and staff of all Schools regarding issues of Accreditation. In particular, she mentioned that despite ECU's paramedic course being the only Accredited course of its type in the state, that she has been informed that St John's Ambulance WA has been favouring Curtin grads over ECU ones. She plans to negotiate with St John's regarding this issue in regards to this.

The VP Academic is also planning discussions with the Royal Australian Air Force (RAAF) regarding increasing the marketing of the Graduate Pilot Scheme for Aviation students. Previously, the RAAF had a deal with Griffith University where they ran a grad program for students of that university, however, now they have opened this program up to all Australian universities with aviation programs, so the VP Academic sees a good opportunity for ECU aviation students here.

The VP Academic has begun preliminary planning for Conference Week, which will be held in the second semester of 2018. She has been holding meetings with people involved in the running of the previous Conference Week in aid of this.

The VP Academic has been planning the budget for next year and also making equipment purchases for the coming year, which includes (amongst many other items) the purchase of a 3d printer for engineering students, which will be engraved as being property of the Guild. The VP A has also elected to purchase 2 fully branded 3x6m marquees for use by Guild clubs at events such as O'Day or Guild Week.

She has also been looking into offering financial support to students wishing to attend conferences (external to ECU) to all students and not just a small collection of clubs. She has introduced a new line item for next year's budget to cover conferences for Members, and is working on proposed reporting standards and selection criteria for attendees.

2.5.4 Vice-President (Equity and Diversity)

The VP Equity has met with Dr Noah Nannup regarding arranging for him to provide a Welcome to Country for the Senate.



He has also been looking into getting the Aboriginal Collective operational as they have been inactive for the last year. He has had multiple meetings at the Mt Lawley campus with Aboriginal students regarding changing this, but feels that the Equity Department may need to get directly involved in running activities for the Collective until the internal issues of the Collective have been resolved.

The VP Equity has met with representatives of WAAPA and discussed running flash-mobs promoting the Collectives and Department throughout the year, to raise awareness of the collectives. He has also met with the Editor of Dirksey regarding promotion of the Department in conjunction with the magazine.

The first meeting of the Department has been set in December, with all Collectives besides from the Aboriginal Collective expected to attend.

The VP Equity has also been planning the events and budgets for this coming year, including purchasing equipment and merchandise to use in the oncoming year.

2.5.5 Vice-President (Social Activity)

The VP Social Activity has made a commitment to the CSO that all paperwork for all Guild events will be submitted on-time for the coming year.

She has been budgeting and event planning for all of next year this month.

Her biggest job this month has been planning the Toga Party and Guild Week (which are planned to coincide with each other). She has been looking at ways to increase attendance, and has been consulting with the Social Activity officers of other WA universities to see what strategies they have been using.

She has booked a ride for the first event – the Wave Rider. Preliminary approval from both the ride's owner and CSO have been received to have the ride at the event.

2.5.6 Environmental Sustainability Officer

Absent

2.5.7 International Officer

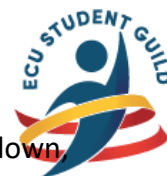
The International Officer has planned an event for O-Week called "Meet & Greet" where international students can meet each other.

2.5.8 Postgraduate Officer

Vacant

2.5.9 South West Officer

The South West Officer has been dealing with student complaints about the Co-Op branch on campus. This has involved meeting students, staff of the Co-Op, and staff of the university regarding the problems.



The South West Officer invested reports that the campus' only café was closing down, however, she has found that is simply changing ownership and not being shut down.

The South West Officer has offered short-courses to students of the campus in a similar fashion to those offered to students of the other campuses, which has been well received.

After talks with the University, she has been informed that WAAPA will begin running courses on the campus, and every other School is also planning at least one course per School at Bunbury.

The South West Officer has also been working on paperwork for campus support and been planning and budgeting for the coming year.

2.5.10 General Senator (Jaxa)

Jaxa has been familiarising herself with her role.

Is looking at working with Brett and the GenSec on creating procedures and work-flows for the Senate.

She is also wanting to get involved with getting the Guild and School of Science promoting the Student Ambassador program.

2.5.11 General Senator (Faizan)

Planning on running social cricket matches and also wanting to run weeks on social, sporting, or international events.

2.5.12 General Senator (Abishek)

Absent

2.6 Accredited Observer Reports

2.6.1 CEO Report

The CEO has been working on budgeting for next year and training new Senators most of the month. The CEO has been working with the Senate to purchase replacements of old equipment and expanding inventory of equipment used regularly by the guild to increase our organisational capabilities.

The CEO gave a report on the current status of the Commercial Operations tender which has been offered by the University to the Guild regarding the venue at Joondalup Campus which previously held the Pure & Natural Café. They have sent a list of questions to Maxine Plant regarding the site, i.e. Does the site have a grease trap? Once these questions are answered the operational staff, in conjunction with the Senate, will work on a proposal.

The CEO also reported that the IT upgrades for the office are almost finished. The IT team have been implementing a product called "Confluence" which is essentially an internal wiki. It includes a list system which has tracking and workflow monitoring elements. This should



make managing the daily operations of the Senate and operations team much more efficient.

2.6.2 Immediate Past President (IPP)

2.7 Observer Reports

2.8 Circular Motion 01

CM171201 - Motion that Stewart Lee be appointed to the Policy and Accountability Committee, effective immediately.

Moved by Greg Warren

Seconded by Stewart Lee

Motion carried 10 votes for, 1 Abstentions

2.0 Priority Items

3.8 Amendment to the Standing Orders

SM1712/09 - Motion that the Senate approve the amendment of the Policy POSG003 titled "The Standing Orders" as recommended by the "Policy & Accountability Committee."

Amendment: Clause 11.5 to include "Subject to clauses 28.6 & 28.7 of the Constitution"

Amendment moved: Greg Warren

Amendment Seconded: Stewart Lee

Vote carried with no dissent.

Amended motion moved: Greg Warren

Seconded: Stewart Lee

Vote carried with no dissent.

3.1 Change of Bank Signatories

SM1712/02 - Motion to update banking and investment records to remove departed President Samuel Martyn and add new President Stewart Lee, as follows:

BENDIGO BANK – CUSTOMER NUMBER 22941648/CN01

REMOVE	Samuel Martyn	Remove from all accounts as signatory. Cancel his business credit card.
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ADD	Stewart Lee	Add him to all accounts as signatory Issue him with a business credit card
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IOOF INVESTMENT – Client Number 321396M

Remove	Samuel Martyn
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Add	Stewart Lee
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Moved: Greg Warren



Seconded: Caitlin Gibbs
Vote carried with no dissent.

Item notes:

I followed this up with Brett, and he has informed me that this motion is needed for the banks records.

Operations Finance undertake the transfer process whereby the outgoing Presidents access automatically stops as of 1 December each year and the new Presidents details are provided to Bendigo and the relevant amendments made, including the issue of a new Credit card for the President.

3.2 Co-opting a General Senator

SM1712/03 - Motion that ECU Student Guild Senate co-opt Nicole Jessica Maskell as a General Senator for the remainder of the Senate term.

The Senate notes that:

- The South West Officer is the Senate's sole representative for the South West campus and is responsible for providing representative support for all departments.
- The increase in member engagement and events across all areas in Bunbury under Rebecca's position has been significant and not seen before in Bunbury and warrants a change in how the Guild operates at the South West campus
- Rebecca Joyce indicated to the 2017 Senate that she wished to forego an hourly honorarium; rather, she would prefer to have an extra Senator to help with the Guild's operations at the South West Campus.
- Constitutionally (33.1.d), the Senate can co-opt not more than three (3) general senators if it deems that there is a demand for such (33.6).
- The current Senate term is up to but not inclusive of December 1st 2018.

Moved: Stewart Lee
Seconded: Greg Warren
Motion Carried without dissent.

Item Notes:

Rebecca spoke to the motion, stating that with an event a week – it's tough to run the events with the numbers they have at the South West campus, especially during prac. Another Senator would make it much easier to run events there.

3.3 Approving a Credit Card for Vice President (Social Activity)

SM1712/04 - Motion that the ECU Student Guild open a credit card for Vice-President (Social Activity) Caitlin Gibbs

After discussion between Brett, Mel, Stewart and myself; if approved, a limit of \$1,500 would be placed on the card and strict conditions on the use of the card will be made in line with the Corporate Credit Cards Policy.



Moved: Caitlin Gibbs
Seconded: Greg Warren
Motion carried with one abstention (Caitlin Gibbs)

Item Notes:

Caitlin stated the need to have the credit card due to last minute expenses for events.

Brett explained that the Guild has a \$20,000 credit facility with Bendigo Bank and that any credit card would take away from the total amount available for the CEO and President for operational matters. As such, major expenses should be run through one of those credit cards and any facility for the VP (Social Activity) should only be for emergencies when the President or CEO are both unavailable to make the payment.

3.4 Recording Senate Meetings

SM1712/05 - Motion that the Senate approve the audible recording of all scheduled monthly Senate meetings during each Senate Term.

From enquiries made, it is not practical to visually record meetings.

Amendment: to include "which will be deleted at the ratification of the minutes."

Amendment moved: Greg Warren

Amendment Seconded: Vesh Arumugam

Amendment carried with one abstention.

Moved: Vesh Arumugam

Seconded: Greg Warren

Motion carried with one dissenting Senator.

3.5 Delegation of Senate's power to select a Senator for appointment to the Policy & Accountability Committee to General Secretary

SM1712/06 - Motion that the Senate delegate its power to appoint a Senator to the Policy & Accountability Committee (Constitution Clause 73) to the General Secretary pursuant to (Constitution Clause 35).

This will allow future Senate's to form a PAC before their first Senate meeting, allowing them to make, amend or repeal Policies at their first Senate meeting. It will also allow the General Secretary to choose a member of the Senate to join the PAC at each meeting based on how relevant the policy being examined is to that Senator's role. E.g. when creating or amending Policy related to the Equity and Diversity Department, the VP (Equity and Diversity) could be invited to take part.

This motion will require a 75% majority.

Moved: Greg Warren

Item notes:



Greg Warren spoke to the Motion, explaining the need for the amendment, as otherwise future Senates would not be able to appoint a member to the PAC in time for their first Senate meeting. This potentially leaves a 2-month gap before policy changes could be made (in each Senate term) as the Constitution requires all approvals, amendments or repeals of Policy require consultation with the PAC.

Greg noted that this has been resolved in this Senate term due to Circular Motion 01, but given the problem has been identified, a permanent solution should be implemented.

Multiple Senators complained about the wording of the changes and given the large amount of business, the motion was tabled to be resubmitted at a future meeting after discussion with the PAC.

3.6 Creation of Environmental Sustainability Department Policy

SM1712/07 - Motion that the Senate approve the creation of Policy POES01 titled “The Environmental Sustainability Department Policy” as recommended by the PAC in-line with the Constitution Clause 47(2).

Moved: Greg Warren

Seconded: Stewart Lee

Motion carried without dissent.

3.7 Creation of International Students’ Council Policy

SM1712/08 - Motion that the Senate approve the creation of Policy POES01 titled “The International Students’ Council Policy” as recommended by the PAC in-line with the Constitution Clause 47(2).

Moved: Greg Warren

Seconded: Stewart Lee

Motion carried without dissent.



4.0 Discussion Items

4.1 Senate Meeting timetable for 2018 – Stewart

Brett has requested we aim to have these meetings in the last 10 days of each month to aid the Senate in having (relatively) current ideas of current budgets and spending. Operations is setting up a system where they will provide a monthly financial report 10 days from the end of the month, this will allow the Senate to know what the current state of our finances are before we make decisions on spending.

Raised by Stewart Lee

Synopsis of discussion:

Meetings set for Tuesday 9th January at 5:30pm and Tuesday 20th February at 5:30pm.

As per the Standing Orders ratified at 3.8, the Senate is required to set all meeting dates and times by the ends of January.

All Senators were told to ensure they had enrolled in their courses for the coming year as soon as possible to make this scheduling possible.

4.2 Postgraduate Officer Position Vacancy & Need for Nominations Policy – Greg

As will be covered in the GenSec's report, the GenSec has received the written resignation of the Postgraduate Officer Peter Kihui on December 4 2017, with the stated reason for resignation being the Postgraduate Officer being unhappy with the honorarium for the role. Pursuant to the Constitution Clause 56(1)(a) the office of Postgraduate Officer became vacant on the 4th of December.

In interests of transparency, Peter had requested three days earlier that either the GenSec or President approve an increase of the Postgrad Officer's honorarium to 20 hours in maximum work a week at \$20 an hour (presumably due to this being in line with the work conditions of his visa). The GenSec had explained to him that he was unable to do so as the GenSec didn't have the power to alter the pay conditions of any Senator, and would have ethical concerns about doing so (without Senate approval) even if they did. The GenSec further explained that any pay increase would have to be submitted to the Senate. The GenSec received no further communication from him until his resignation.

Under Clause 21 of the Guild Election Procedures the process for filing a vacancy after the commencement date (Dec 1st) is set out in clause 56(2) of the Constitution.

Clause 56(2)(b) states that "Vacancies in elected Senate positions shall be filled: in the case of a Chairperson of a Department, by a Member appointed by Resolution passed by Special Majority of the Senate"

Sarah Cavanough has submitted a persuasive argument for why she feels Aaron Blackburn should (as the "runner-up" in the election) be included in any consideration for the position.



The GenSec has included Sarah's submission in appendix 6.1 of this agenda and his own thoughts on the issue in appendix 6.2 so Senators may familiarise themselves with some of the issues surrounding this appointment.

Currently there is no procedure or policy regarding nominations of Members to be appointed to vacancies on the Senate beyond the Constitutional requirement to obtain a 75% vote of the Senate.

In the interests of procedural fairness and transparency, I (the GenSec) think the Senate should come up with a selection process collaboratively and set selection criteria as part of this process. I also feel any process or criteria should be minuted with the intent to creating a policy to handle all future nominations.

Synopsis of discussion:

Sarah made an addition to her submission which has been included in the appendix: She noted that she had read all of the current submissions and thought that Aaron had submitted a very detailed and well written application which stands him in good stead as an appointment.

Greg stated that in his interpretation of the Rules and Constitution, that second place in any elected position with more than two candidates is only determined by the process of count-backs and this only happened if the vacancy opened before December 1st of any year. As such, given that both tickets gave their preference to the independent candidate and since count-backs were not counted following the Rules, Greg is of the opinion that no second place candidate can accurately be determined.

The CEO disagreed with this point, saying that while preferences were never counted using the countback system, in his opinion since Aaron received more primary votes than the Independent candidate he came second. He also stated that a large number of students had only voted for the first position on the ballot and not voted any preferences at all, so no assumption could be made that the Independent candidate would have received enough votes to come second.

Greg argued in counterpoint that: given Peter secured approximately 51% of the primary vote, Aaron secured approximately 33% and the Independent candidate secured approximately 16%; that based on this only a third of Peter's votes would have had to preference the Independent candidate for them to have come second under the countback system. As such, second place has to be assumed to be too close to call without a countback and no preference should be given to either candidate over the other based solely on election results.

No agreement was reached on this issue.

Greg Warren then stated that the lack of clarity in the Constitution (which only sets a 75% majority Senate vote as the condition of appointment and no other conditions)



is largely unworkable and would often lead to Senates being unable to fill positions due to Senate deadlock, and that this would be to the detriment of the Guild's Members. He proposed creating a nominations policy to remove this confusion for future vacancies, and said any such policy should be procedurally fair and based solely on the merits of the candidate.

Stewart Lee then proposed that in the case of vacancies after December 1 in any term, that all candidates from the election be automatically be invited. He suggested that the Secretariat come up with a proposed nominations policy to present to the Senate.

Greg then informed the Senate that in talks with the GSA's, the GSA's had identified a rising issue of post-grad by research students not receiving procedural fairness from the University in their dealings with them. He then went on to say that he had been told by one GSA that they had received criticism from the Chair of the Research and Higher Degrees Committee that the Guild had failed to have research students on the various Research Committees and that due to this the University was flying blind on the needs of Research students. In the story told to him, the Chair was quite upset by this lack of engagement by the Guild.

Based on this information, Greg stated that he was of the opinion that while in the past the Postgrad Officer role had been given to Postgrad by Coursework students, that there was a real need to get a Member with Research experience in the role.

Sarah argued that while Research experience is important, it should not be the only criteria for selection. All Senators present agreed on this point.

Debate was tabled till a proposed nominations policy is submitted.

4.3 Procedure for submission of motions for Senate & other Guild meetings - Greg

Motions need to be specific to a single decision and not open to interpretation.

E.g. "Motion that the ECU Student Guild approve the creation of the XYZ Policy as recommended by the Policy & Accountability Committee"

not "Motion that the ECU Guild adopt an ABC Policy so we have direction on ABC."

If a motion doesn't meet this standard, it should be submitted as a discussion item instead so a specific motion can be made after debate by the Senate (if needed).

Respectfully, the GenSec and CEO need to review all proposed motions to ensure adherence to the above and equally importantly ensure compliance with all relevant governance.

Additionally, Officers should include the words "Senate Motion" in the subject line of all motions and discussion items sent via email to the GenSec to be added to the agenda to make managing submissions easier and making sure submissions are not overlooked. Members of other Committees will be informed of these procedures when invited to their meetings.

Raised by Greg Warren



Debate synopsis: All Senators present agreed with the debate item as written.

4.4 Motion that the following be added to the Guild's set of policy position statements, under a "Marriage Equality" section - Stewart

- a. The Guild believes that marriage is a civil institution and should be open to all eligible, consenting adults regardless of their gender; and that
- b. as it is a civil institution; religious exemptions should only apply to religious celebrants and not civil celebrants that are carrying out duties of the state; and that
- c. laws that prohibit discrimination against people as individual consumers should apply equally to couples attempting to hold a wedding, and religious exemptions should not impinge on these laws.

Amendment to "remove section 'c'" moved by Sarah Cavanough
Seconded by Stewart Lee
Amendment carried without dissent.

Moved by Stewart Lee
Seconded by Greg Warren
Motion carried without dissent.

4.5 Motion that the following be added to the Guild's set of policy position statements, under a "Climate Change & Fossil Fuels" section: - Stewart

- a. As an organisation that operates in the higher education sector, which produces research and informs evidence-led decision making; recognition that climate change is contributed to by human activity; and that
- b. The Guild endorses the prohibition of fossil fuels and encourages the university to invest in the renewable energy sector; and that
- c. The Guild endorses action to limit the effects of climate change and protect the environment and biodiversity of the planet; and that
- d. The Guild is opposed to schemes that endeavour to politically undermine the overwhelming amount of research in favour of climate change and its causes, such as Bjorn Lomborg's research centre; and that
- e. The Guild is supportive of direct action against the expansion of fossil fuel projects.

Amendment to "entirely remove section 'b' and 'e', and additionally remove the part of section "d" specifically referring to the Bjorn Lomborg research centre" moved by Sarah Cavanough
Seconded by Vesh Arumugam
Amendment carried without dissent

Moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent.



4.6 Motion that the following be added to the Guild's set of positions, under "Free Education & Enabling Programs" section: - Stewart

- a. That the ECU Student Guild supports free education at all levels – primary, secondary, and tertiary.
- b. That all forms of education should be free at the point of use, paid for by the taxpayer, for the benefit of all people.
- c. That the Guild supports enabling programs that increase the accessibility and visibility of education to people in low socio-economic circumstances and those from traditionally marginalised backgrounds.
- d. That the Guild condemns the evident corporatisation of the higher education sector.

Due to language in the motion being too vague, the motion was taken on notice.

4.7 Motion that the following be added to the Guild's set of policy position statements, under a "National Tertiary Education Union (NTEU) and Unions" section: - Stewart

- b. That members of the NTEU and all other unions have a fundamental right to withhold their labour; and that
- c. the Guild believes that, generally, the salaries of Vice Chancellors in Australia is excessive, should be reduced, and should be tied to that of the lowest paid employees within the university; and that
- d. the Guild condemns the termination of Enterprise Bargaining Agreements such as at Murdoch University and will campaign against such changes at ECU; and that
- e. the Guild is supportive of trade unions and their endeavours generally, with the exception of the Shop, Distributive, and Allied Employees Association (SDA).

Amendment to "remove the part of section 'c' following the words 'should be removed', modify section 'd' to be 'the Guild condemns the early termination of Enterprise Bargaining Agreements such as at Murdoch University and will campaign against such changes at ECU.', and to remove section 'e'." moved by Sarah Cavanough

Seconded by Stewart Lee

Amendment carried without dissent.

Moved Stewart Lee

Seconded Greg Warren

Motion carried without dissent

4.8 Motion that the following be added to the Guild's set of policy position statements, under a "Student Unionism" section: - Stewart

- a. The Guild supports the objectives of the National Union of Students; and that
- b. the Guild supports Universal Student Unionism; and that



- c. The Guild supports receipt of 100% of SSAF funding and any other future “services and amenities fees” collected/levied by the University.

Greg Warren objected to section a on the grounds that the objectives themselves should be written into any public policy the Guild holds, as the NUS may change its own objectives and this policy as written would automatically align the Guild with whatever changes were made.

Amendment to remove section ‘a’ moved by Greg Warren
Seconded Sarah Cavanough
Amendment carried without dissent.

Motion moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent.

4.9 Motion that the following be added to the Guild’s set of policy position statements, under an “Affordable and Accessible Housing” section: - Stewart

- a. The Guild supports public housing schemes accessible to students; and that
- b. rent control measures are an appropriate method of helping students afford housing; and that
- c. secure and stable housing is a human right; and that
- d. regulations should exist that make it illegal to deny safe and secure housing unfairly i.e no grounds evictions

Motion moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent

4.10 Motion that the following be added to the Guild’s set of policy position statements, under a “Secure and Adequate Employment” section: - Stewart

- a. The Guild is supportive of flexible employment options for students that don’t undermine rights afforded to other workers; i.e zero-hours contracts, and that
- b. students, and all other workers, should receive adequate remuneration for their labour; and that
- c. the Guild is supportive of weekend, night-time, and holiday penalty rates, and disagrees with the Fair Work Commission’s decision to cut these rates; and that
- d. the Guild supports the right to collectively bargain and unionise; and that
- e. the Guild supports the right to raise grievances and disputes without resulting in undue detrimental action.

Motion moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent.



4.11 Motion that the following be added to the Guild's set of policy position statements, under a "Equity & Diversity" section - Stewart

- a. That the Guild is supportive of the University's ALLY network; and that
- b. The Guild is supportive of Recognition & Reconciliation Action for Aboriginal & Torres Strait Islander peoples; and that
- c. The Guild believes that University's nationwide should do all things as are incidental or conducive to supporting people with disabilities and should make all reasonable efforts to make their campuses more accessible.
- d. The Guild supports anti-racism campaigns.
- e. The Guild supports gender equity campaigns.
- f. The Guild supports educational programs in schools that promote social awareness and inclusion.
- g. The Guild supports mandatory consent classes in universities and acknowledges the outcomes of the "Respect. No. Always" campaign.
- h. The Guild supports religious freedom and the inclusion of multi-faith prayer rooms on campus.

Amendment to remove section 'f' moved Sarah Cavanough
Seconded Vesh Arumugam
Amendment passed without dissent

Motion Moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent.

4.12 Motion that the following be added to the Guild's set of policy position statements, under a "Teaching & Learning Standards" section - Stewart

- a. That the Guild is not supportive of standardised testing, where possible.
- b. The Guild believes that all lectures should be recorded and, where possible, should contain closed captions.
- c. That there should be a marking rubric provided for each assessment, where possible.
- d. That students should have the opportunity to provide both elementary and detailed feedback after the submission of an assessment.
- e. That blended learning can be to the benefit of all students.
- f. Online content should not be at the expense of in-person content provision.

Amendment to remove ' , where possible' from section 'a' raised Sarah Cavanough
Seconded Greg Warren
Amendment carried without dissent

Amendment to modify section 'f' to 'Online content should not replace in-person content provision.' Moved by Vesh Arumugam
Seconded Sarah Cavanough
Amendment carried without dissent.

Moved Stewart Lee



Seconded Greg Warren
Motion carried without dissent.

4.13 Motion that the following be added to the Guild's set of policy position statements, under a "Student Rights at University" section - Stewart

- a. That students have the right to form a union and a right to freedom of association.
- b. Students have a right to procedural fairness.
- c. Students have a right to a democratic and participatory role in the University's decision-making processes.
- d. Students have a right to lodge complaints and be protected from undue detrimental action.

Moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent

4.14 Motion that the following be added to the Guild's set of policy position statements, under a "Ancillary Fees and Other Costs" section – Stewart

- a. The Guild believes that no ancillary fees should be charged to students ie. Course materials, transcript fees
- b. Where possible, the University should provide course materials in lieu of prescribing textbooks; this is to reduce the financial burden on students.
- c. Other costs related to study (e.g a practicum uniform) should be absorbed into the cost of tuition and students should not be out of pocket whilst studying.

Moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent

4.15 Motion that the following be added to the Guild's set of policy position statements, under a "Support for Students" section - Stewart

- a. The Guild believes that, as in other counties, there should be financial support available to make it easier for students to study full time.
- b. Students should not be below the poverty line.
- c. Students who work during non-study times should not be financially penalised for doing so.

Moved Stewart Lee
Seconded Greg Warren
Motion carried without dissent

5.0 Other Items

Discussion on the need for a more descriptive Public Policy on fees and costs associated with practicum.



6.0 Appendices

6.1 Appendix 1 – Sarah Cavanough’s submission re. Postgrad Appointment

In the interest of fairness and transparency within the senate and student body, I wish to submit for discussion the issue of the Postgraduate Officer vacancy. As the resignation of Peter Kihui occurred after the 1st December deadline, I understand that a countback is not required to determine the replacement under Section 56.2 (b) of the Guild Constitution, however, I feel that any process should include and NOT EXCLUDE the runner-up candidate for the position, Aaron Blackburn, and that all members of the Senate should be given an opportunity to discuss this issue before being required to vote in a future senate meeting.

In the interest of transparency I feel that it is pertinent that the “runner-up” Postgraduate Officer nominee, Aaron Blackburn, considered in the final selection process for appointment by the senate as he has demonstrated significant motivation for the position in comparison to other potential candidates as he participated in the election process, campaigned and has already signed a statement committing to the position description as part of the nomination process for the Postgraduate Officer position.

Further, Aaron has demonstrated an interest in Guild activities through his participation and attendance at the AGM and SGM’s held earlier in 2017. I feel that a reasonable person would perceive an exclusion or refusal to consider Aaron Blackburn in the final selection process – that is the candidate to be voted on and appointed by special majority (75%) of the Senate as per Constitutional guidelines – as punitive simply because he was a member of opposition and thus a decision based on factional interests or personal differences rather than merit. Finally, and most damaging of all, the Guild could be accused of disregarding the student votes acquired by Aaron in the election process with this occurring so close to the recent election and before the start of 2018 and further contribute to the low participation of students in future elections if they quite reasonably perceive that their votes are only considered when convenient to the Senate Body.

In summary, I submit that the Senate discuss and contemplate the merits of appointing Aaron Blackburn to the position of Postgraduate Officer 2018 in the interests of fairness, transparency and reverence to the election process and outcome.

Sarah Cavanough

6.2 Appendix 2 – Steven Gregory Warren’s submission re. Postgrad Appointment

Appendix 6.2(a) Validity of the consideration of countbacks as a measure of poll placement.

While Sarah’s persuasive argument that Aaron Blackburn was the runner up in the election is a legal argument under the Constitution and all relevant election procedures and rules for the Guild; another persuasive argument just as legal under those same laws is that an absolute majority of Members who voted in a valid manner under the Rules in the last election did not wish Aaron to be Post-Graduate Officer.

Under the Rules, which of these interpretations (or any other legal interpretation of the Rules) the Senate to abide by on this issue is entirely its own prerogative and each Senator may vote the issue on their own conscience.

The Guild’s Election Procedures Clause 19.3(a) states “If a candidate has received an absolute majority (half plus one) of the valid first preference votes, that candidate shall be duly elected.”

Clause 19.4(b) states “Subject to clauses 19(3)(f), (g) and (h), if no candidate has received an absolute majority of the valid first preference votes.....” then goes on to detail the process for dealing with preferences.

As such, given Peter won an absolute majority of the first preference vote, no other candidate came second and, in fact, all three other candidates simply lost.

In the event a candidate becomes ineligible to take office before the commencement date (Dec 1st), the Guild Election Procedures Clause 21(3)(c) state the vacancy shall be filled via a count-back process set out in Clause 21(4). In an effort to be efficient (in the case of a vacancy before Dec 1st), the RO has followed this count-back process and prepared the results for that eventuality. It is based on this prepared count-back that Sarah is assuming Aaron came second in the election.

However, as the role was not vacated before December 1st, this countback process has never been legally triggered by any rule the Guild is obliged to follow. As such, from a legal basis whether or not Aaron came second in the election is entirely at the prerogative of the Senate, and the fact the RO has presented the results of this count-back procedure to the Guild is in no way binding on the Senate except as a form of persuasive evidence if the Senate chooses to be persuaded by this.

Last year, I have been informed that members of SALT made the same argument as Sarah has made here regarding the Rules requiring the Senate to consider the results of countbacks as being binding on the Senate when considering appointing Members to positions, however, they were unsuccessful in convincing the Senate that this was the case preventing them appointing several of their members to vacant positions. I feel this point is worth considering when deciding whether we should abrogate the power of the Senate to make this determination to count backs after December 1st.



As such, I consider that the Senate as a whole should not be bound to the results of the countbacks, but if individual Senators feel that the countbacks are persuasive they vote in this manner as their conscience directs.

Personally I think they shouldn't count, as this would set a precedent where countbacks could be argued to affect appointments of Officer months after the Commencement Date despite this not being in line with the Rules as I see them. If we allow the countback rule to carry over for 4 days beyond the Commencement Date, how long will we have to allow it? The cut-off date for consideration of countbacks is clear cut under the Rules and I see no reason to muddy these waters.

Greg Warren

Appendix 6.2(b) Senate's ability to manage a 75% vote for any candidate and the need to establish a nominations process.

As per 6.1 – As reasoned above, the only legal requirement at this point for the Senate to appoint a new Postgrad Officer is that the Senate pass the appointment by a 75% majority. The method in which we do so is entirely up to the Senate, there are no binding rules on how this is done (indeed, at the moment effectively any Senator can simply submit a candidate up for a vote).

It is my considered position that, given the fractious nature of the election, it is fairly unlikely for any person directly nominated by any Senator to gain a 75% vote. Additionally, given this issue has occurred in two concurrent years, I think we as a Senate should endeavour to create a set of Policies and Procedures surrounding nomination that is procedurally fair for all candidates and make this binding on all future vacancies.

Currently, Stewart Lee has posted an advert for the position to all postgrad students at ECU which currently has 32 applicants. Given Stewart engaged in this process without Senate approval (in the interests of filling the position quickly), the Senate should consider whether they want to extend either the time for nominations or the criteria used for selection.

Given we already have the applications gained through Stewart's process, I feel any nominations should consider these applications, but it should be up to the Senate whether any other submissions will also be considered.

One consideration I feel we should consider when making the appointment is the importance of understanding of research in the role. In the last two weeks, I've learnt that GSA's have been receiving complaints from postgrad by research students about the University engaging in practices that do not match the principles of procedural fairness when interacting with postgrad by research students.

In addition to this, one of the only currently defined duties for the postgrad officer is to chair a committee comprised of all the student representatives on the Research



Committees of each School. I admit I was unaware of either concern before taking office, but having seen these two points I feel the role would be better served by a Postgrad by Research student than a Postgrad by Coursework student.

I feel that the nomination process should result in multiple candidates being considered by the entire Senate and that the usual voting Rules should be modified for selection to a process such as:

Using a secret ballot after narrowing down candidate pool using criteria and selection process –

- Each Senator writes the name of the candidate they like on the ballot.
- If any Candidate has 75% of the votes they become the winning Nominee and a motion is put to the floor to appoint them to the position.
- If no candidate has 75%, the candidate with the lowest votes is removed.
- Every Senator writes the name of the candidate they like from the remaining candidates on the ballot
- If a candidate has 75% they become winning nominee
- If we get down to 2 candidates and neither has 75% the one with the highest votes becomes winner and Senate agrees to vote in favour of them or abstain.
- In the event of a tie, use some random method to select – again with the Senate agreeing to vote in favour of them or abstain.

I welcome any discussion on the process – I feel this would likely be the fairest way which would also guarantee the position actually get filled but I'm open to ideas.

Greg Warren