



# SENATE MEETING Minutes

<b>MEETING DATE:</b>	<b>27-4-2018</b>
<b>MEETING TIME:</b>	<b>8:30am</b>
<b>MEETING LOCATION:</b>	<b>JO1.407</b>

## 1.0 – ATTENDANCE

### 1.1 - In Attendance

Greg Warren  
Stewart  
Joel  
Sarah  
Abishek  
Shariq  
Harri  
Vesh  
Nicole

### 1.2 – Accredited Observers

Brett Callender

### 1.3 Observers

Ana Neves- Stewart explained that Ana was a member of a group which was petitioning the University and Guild to phase out single-use water bottles on campus. They wanted to make a presentation to the Guild. After discussion the Senate decided to let Ana make their presentation but that after the presentation they would have to leave the meeting.

Moved Stewart Lee

Seconded: Greg Warren

Voted unanimously.

Harrison Garvey – Stewart told Senate he was an ordinary ECU student who had expressed interest in attending and observing the Guild in action.

Stewart also told the Senate that Harrison's girlfriend is an office bearer at the Curtin Guild.

Stewart moved a motion to allow him to observe elements of meeting which were not confidential.

Greg Warren seconded.

Senate voted unanimously.

## 2.0 – APOLOGIES

Apologies - Rebecca Joyce, Caitlin Gibbs, Nicole Maskell, Faizan Akram (Leave granted for all, will reschedule future meetings to a time they can attend).

## 3.0 – PRELIMINARY MATTERS

Opened 8:57

### 3.1 - Acknowledgement of Country

"The Guild acknowledges that we are meeting on Wadjuk Nyoongar land and also Wardandi Nyoongar land, and acknowledges their elders, both past and present. We recognise the land was stolen and never ceded, and always was and always will be Aboriginal land."

3.1.1 Procedural Motion to allow Ana Neves to observe the Senate meeting and make a presentation.

Procedural Motion to allow Harrison Garvey to observe the Senate meeting.

### 3.2.1 - Approval of February Senate Meeting Minutes

SM1804/01 – Motion that the Senate approve the minutes from the February as formal, accurate, and correct.

Moved: Greg Warren

Seconded: Stewart Lee

Motion: Carried unanimously

This motion was tabled at the previous Senate meeting, after determining how in camera motions were to be recorded going forward. The minutes have been edited accordingly and sent out to Senators last week.

### 3.2.2 - Approval of Previous Senate Meeting Minutes

SM1804/02 – Motion that the Senate approve the minutes from the March as formal, accurate, and correct.

Moved: Greg Warren

Seconded: Sarah Cavanough

Motion: Carried unanimously

### 3.3 - Declaration of Conflict of Interest

None declared.

### 3.4 – Announcements

None tabled.

### 3.5 - Office Bearers Reports

#### 3.5.1 - President

Writing election rules – didn't get everything he wanted but got a lot done

Dealing with internal Guild matters.

Been taking part in student appeals committee. Explained that this has been taking more and more of Stewart's time, and that he thinks that appeals will have to begin being delegated. He used to do 2 or 3 a fortnight, now he does 5 a week. This means he typically loses 4 or 5 hours on a Monday.

Research week – Uni is wanting Guild cooperation. Stewart plans to pass this office to Joel Coyle, since he has been appointed to the role of Postgraduate Officer.

The Guild volunteering program has been progressing with meetings with Arshad Omari.

#### 3.5.2 - General Secretary

Like Stewart, Greg has been working on the Constitution changes and changes to the Election Rules.

Greg helped set up the Big Gay Out, making decorations and working as a manual labourer for the day.

Greg has been dealing with many student inquiries. This has largely been due to the fact that many senators and staff were off sick during the period and this meant Greg was the only person in the office at both Joondalup or Mt Lawley when he attended there.

Lots more paperwork and correspondence.

Getting a new timesheet system set up, and getting all the Senators to use it. This is working well now

#### 3.5.3 - Vice President (Academic)

Large increase in club inquiries

Many club committees changed hands – led to much confusion to floats.

Sent out a big email to all clubs explaining system and need to get tough on getting receipts

Getting clubs to make budgets (where they are non-compliant).

Getting clubs to seek secondary funding sources.

Club conflicts between members of clubs and between clubs in the same school.

No curriculum issues have been raised by reps. Sarah plans to meet them all individually.

#### 3.5.4 - Vice President (Equity & Diversity)

- Held meetings with Deb Duffy at the Equity and Diversity department at ECU to find extra committees for Disability collective- constructed poster, sent out emails, sent out newsletters, contacted students and followed up
- Found extra committees for Disability collective and did a hand over session
- Attended meetings and outlined Equity and Diversity department's budget to be incorporated into the master SSAF budget of this year
- Attended Senate meetings and followed up on issues raised.
- Attended and followed up on issues raised at Equity meetings

- Holding Colour festival to promote diversity on campus, in this matter, Indian culture. Colour festival is often seen as a fun event but there are really very meaningful cultural elements to it. We are bringing a key note speaker from Hindi Samaj to explain about what is it all about.
- Held Equo. A small gathering with food and drinks to promote equity space. It was also perceived and widely accepted as a networking event having professionals from Equity and Diversity department at the university and students.
- Chairing Dc meeting. Gathered evidence for investigation. Appointed and held meetings with disciplinary committee members. Sent out notices to referrals. Set the date and time for hearing.
- Meetings with collectives- Updated and managed their events and finance.
- Finance follow up of collectives with Mel. Collectives and welfare jobs.
- Held Chinese New year celebration. Expected for 200 students but 400 turned up. Received Very Good (5 stars) on Fb feedback survey for the event. This was the very first uni level celebration of Chinese New Year in the 26 years' history of ECU.
- Equity space refurbishment last touch up before Equo.
- Sent out collectives to Harmony day and managed their welfare on that day.
- Attended VC's reconciliation committee meeting.
- Found new presidents for Women's community. Worked out events and budget with them.
- Promoted Equity space on website. Worked out ideas, words, pictures with Lauren Reed, Promotions Manager, and put them on the guild website.
- Attended secretariat meetings and followed up on issues raised at the meetings. Voted and dissented issues cohesively compromising to the policies, rationality, and set of belief.
- Held meetings to grant conference business cases. Followed up to make sure the attendees report what they learnt at the conferences back to the respective bodies of students they believe would benefit.
- Held Yoga Day. Two days of Yang and Laughter Yoga at Mount Lawley and Joondalup campuses. Students loved it and was disappointed that it is a one-off thing and they wanted for it to be regular.
- Attended SARC meeting to learn and self-upgrade my knowledge on Sexual Violence.
- Advocated for Equity space at Mount Lawley campus at the Equity and Diversity Committee meeting. Congratulated by Colleen Hayward and other staff for being advocative to raise such a beneficiary issue. Following up on it now.

3.5.5 - Vice President (Social Activity)  
Absent with leave

3.5.6 - Environmental Sustainability Officer  
Big gay out – parties events and queer collective.  
UV party – launching next week. Will be using paper straws and bio-degradable cups.  
Been interviewed by the students campaigning to remove single use plastic water bottles outside.

3.5.7 - International Officer  
AFL student experience. Sold out, students really happy.  
Movie night – Sold out.  
Planning 4 visa workshops for next month

3.5.8 - Postgraduate Officer  
Postgraduate luncheon – most students in postgrad are parents so aren't available at night.  
Getting in contact and finding student reps for departments.  
Creating a contract of engagement with reps.  
Meeting with all unis Postgrad officers. From communications with the reps many don't know what they are doing and are looking for Guild assistance in establishing their roles. This is largely due to most reps being new to the role.  
Planning to meet with Postgraduate officers from the other WA unis.

3.5.9 - South West Officer  
On prac. Duties being covered by Nicole.

3.5.10 - General Senator Abishek

<p>Doing paperwork for Colour festival. Almost has final approval from CSO expects it to be completed by the end of business tomorrow.</p> <p>Hiring djs for Holi</p>
<p>3.5.11 - General Senator Nicole</p> <p>Running events</p> <p>Clubs – getting larger.</p> <p>Rebecca is on prac.</p>
<p>3.5.12 - General Senator Modjadji</p> <p>Tabled Report:</p> <p>Since the last senate meeting, Jaxa has worked on:</p> <ol style="list-style-type: none"> <li>1. Administration- formulating templates for reporting on senate meetings (currently has completed templates for the Academic department and Equity &amp; Diversity Department)</li> <li>2. Assisting Greg and Stewart with correcting the constitution for the past Special senate meeting and AGM</li> <li>3. Assisting Vesh get the Disciplinary committee started and proceeding with our very first referral</li> </ol>
<p>3.5.13 - General Senator Faizan</p> <p>Working with Sarah Cavanough on Conference Week</p> <p>Helping Abhishek with planning for Colour festival.</p>
<p>3.6 - Accredited Observer Reports</p>
<p>3.7 - Observer Reports</p> <p>Ana Neves: Presentation on Single-use plastic water bottles</p>

## 4.0 – PRIORITY ITEMS

Vesh left 9:23 for class – proxy held by Abishek

### 4.1 - Motion to direct the General Secretary – Reporting Templates

SM1804/03: Motion that the Senate direct the General Secretary to develop the following documents:

1. Senator reporting forms for scheduled Senate meetings;
2. Department Plan Templates;
3. Record of Conversation email template;
4. Post-event / conference reporting template.

Moved: Stewart Lee

Seconded: Modjadji Mokoto

Motion: Motion carried unanimously

Greg is planning on creating all these documents (or in some cases has already begun doing this), it is already directly in-line with his duties and the Senator reporting forms and Department Plans are to better meet Constitutional Requirements for Senators. Greg and Stewart are tabling this motion to make sure Senators understand the new templates, the need for them and also how the introduction of them may affect each Senators duties.

We also wanted to show that motions to direct Senators don't need to be hostile and can be used to assign normal duties to Senators. Any Senator can propose a motion and if you have ideas about projects or programs which will benefit our Members, please remember that you can all bring business to the Senate at our meetings.

### 4.2 – Establishment of working groups on large projects

SM1804/04: Motion that the following working groups be established:

1. Conference Week working group;
2. Parties working group;
3. Volunteering program working group;

4. Equity working group – to help with the re-establishment of defunct collectives;
5. Education Action working group; and
6. 1<sup>st</sup> Year Committee working group.

Amended = 5 = “Guild Campaign action group”

Moved: Stewart Lee

Seconded: Greg Warren

Motion: Motion carried unanimously

This is something we’ve come up with to deal with the lack of available jobs for General Senators at the Metro campuses and the over-working of Secretariat members. I propose that we establish the following non-voting working groups to spread the load of some projects and to give General Senators the opportunity to get involved with actual projects that aren’t just policy-related.

In the case where a working group covers activities related to a Department – the relevant Department Chair, will Chair the working group.

#### 4.3 – Motion to direct the President – Policy Handbook Publication

SM1804/05: Motion that the Senate direct the President to ensure that the Guild’s policy handbook is developed and published when available on the Guild’s website, detailing all Guild policies and policy position statements.

Moved: Greg Warren

Seconded: Sarah Cavanough

Motion: Motion carried unanimously

As per Constitution Clause 73:

“All Policies shall be placed in the Guild Policy Manual. The Guild Policy Manual shall be published by the Senate each year.”

I recommend the Senate direct the President to make sure that operations compile and publish the Manual as required, including all Policy passed in this year, within a reasonable timeframe.

This will help with member inquiries and also help Guild Officers and Staff easily look up all current policy.

Brett will action item to work on notice with GenSec and President to make a public and private policy.

#### 4.4 – Motion to direct the President to direct the CEO – GenSec invitations to operations meetings.

SM1804/06: Motion that the Senate direct the President to direct the CEO to immediately invite both the President & General Secretary (or their nominees) to all staff meetings, as well as any working group established by operations, and to also ensure that, where possible, these meetings are not scheduled in manner to make it difficult for the General Secretary to attend.

Moved: Greg Warren

Greg discussed the need to have Senate involvement in Operations planning meetings, as had been shown by repeated communication problems in recently run events of the Guild such as O’day and Guild Week. In each case, he said, there seemed to have been an expectation by operations that the Senate would be assisting in operational tasks, and an expectation by the Senate that as Operations had taken over the task (such as assembling Guild bags) and assigned casual staff to accomplish the task that Senate rightly (in his view) assumed that the operations team would complete the entire task or request assistance if they were unable to do so with the resources available. He suggested only being involved as an accredited observer and not a full participant in these meetings, so that he could inform the Senate what the operations teams works were planned in every month, and then arrange for Senate involvement where necessary.

Abishek read a statement from Vesh Arumugam in which Vesh expressed concerns that this motion was hostile to the ops team. He said that the Senate and Ops team are meant to work in their own areas, and in his view, Senators asking to attend meetings of the ops team seemed aggressive to him.

Greg explained that this was in no way intended to be hostile and was intended to promote communication and transparency. He suggested this could possibly be fixed with a working group instead.

Brett agreed, stating that staff meetings were not the right “portal” to discuss this issue, as these matters are not discussed at staff meetings. He also suggested the creation of a staff/operations planning working group being formed. He suggested getting Paul and any relevant Senators in the group would likely be the correct approach for event management. He said this should be the kick-off for every single event.

Greg agreed saying that the point in common he’d noticed with all of the conflicts over those events was that both parties started their complaints with “I thought you were doing x.”

Both Brett and Greg agreed that a working group for all events should be created and should be put in place weeks (at a minimum) before the event running.

Greg argued that the Senate asking to be included in meetings of the Guild and its bodies is directly in-line with the Senate’s duties of governance and oversight, but conceded that as people directly opposed to the motion were not there to argue their case that he would table the motion until the next Senate meeting. He also complained at the refusal of many Senators to attend Senate meetings to go to classes despite knowing that this is not grounds for leave. This, in his view, is drastically affecting the ability of the Senate to fulfil their fiduciary duties as the board of directors for the Guild. Also, this motion was tabled a week earlier and such concerns could have been raised any time during that period with him and given him a right of reply to them.

Brett claimed that Greg was welcome to come to any staff meeting.

Greg refuted this claim, stating he had been requesting to be invited to many of them and being rebuffed for months.

Motion: Taken on notice

We’ve had a lot of issues with communication between operations and the Senate in this term in the running of large scale events such as O’Day or Guild Week. Most of the confusion has been to confusion as to what tasks the other party is responsible for. As the Gensec is taking minutes for every other Department this would allow the Gensec to arrange Senate labour for operational tasks where needed, and also aid in identifying elements of tasks where adequate work is not being done.

Taken on notice -

#### 4.5 – Guild Support for Change the Rules campaign

SM1804/07: Motion that the Senate support the ACTU Change the Rules campaign.

Moved: Stewart Lee

Seconded: Greg Warren

Motion: Joel was absent from the room during the vote. Motion carried with one vote in the Negative – noted as Sarah Cavanough.

Background (Provided by Stewart Lee): The Change the Rules campaign is an advertising campaign being run the Australian Council of Trade Unions (ACTU) and its intention is to raise awareness of current industrial relations laws and their perceived inadequacy. One of its main themes is that more than one-third of large Australian businesses do not pay any tax in Australia at a time when the higher education sector is being cut by \$2.1B and penalty rates of a large number of our members are being cut (more than 50% of students work in either retail or hospitality according to the last census). Further, the campaign points out that 85% of employed Australians have significant caring and parenting responsibilities but current workplace laws do not allow them to easily juggle

those responsibilities without putting them at risk. Bear in mind that a large number of ECU students are “mature-aged” and are parents.

I’ve linked a press release from the WA branch of the ACTU here for your reading: <https://www.actu.org.au/actu-media/media-releases/2017/actu-launches-change-the-rules-campaign-in-western-australia>

We have been asked by the NTEU ECU Branch if we would be happy to help them with some campus-level support around this campaign and I’m very mindful of a large number of retail and hospitality workers that come to ECU who are affected by both wage stagnation and by casualised labour. I recognise the benefit and flexibility that casualised labour offers to students and people with varied study loads, but also believe that current laws could do more to offer job security to students who want it. That’s why I ask that you support this motion. It would allow me to work with the NTEU in my capacity as the President of the Guild. I am happy to answer questions about the motion before or during the Senate meeting.

#### 4.6 – Single-use plastic water bottles at our events

SM1804/08: Motion that the ECU Student Guild stop the use and provision of single-use plastic water bottles at all of its events.

Moved: Stewart Lee

Greg Warren voiced an opinion that there would likely be a financial cost associated with the adoption of this policy and this would need to be evaluated before phasing out water bottles.

Sarah Cavanough raised health concerns about communicable diseases, saying if no single use bottles are available this may lead to sharing of water bottles.

Sarah went on to explain that many of the water fountains are also unhygienic due to the proximity of people’s mouths to the spouts and there were only a few dedicated water bottle refilling stations on the campuses. She argued that the University would have to agree to upgrade water provision facilities before phasing out bottled water.

Greg then raised concerns about the Guilds ability to provide water in outdoor events in summer where temperatures can reach over 40 degrees and that in addition to financial costs, there were logistical costs of moving large water barrels and providing disposable cups.

Greg also questioned the scientific veracity of claims made that particulate plastic matter from water bottles being toxic, or even being more prevalent in single use bottles than any other sort of plastic water bottle.

Sarah then raised concerns about students drinking high sugar drinks in place of bottled water from convenience and the associated health problems like obesity resulting from unavailability of bottled water. She also raised concerns about dental health with sugar, and also that removing all straws from Guild events would also impact this as without it high sugar drinks have more direct impact on the front teeth.

Greg then raised further concerns regarding equity for people with disabilities as put forward by the Disability Collective to him when they were told about the motion, they had asked that straws not be banned because some people with disabilities are unable to drink without one. This change would massively impact their lives and so consideration would be needed to make sure their needs would be considered. If plastic straws are banned there needs to be an alternative straw available.

Both Greg and Sarah qualified their remarks by saying that they were, in principle, in favour of reducing plastic use and had raised the above points because they wanted to make sure the Guild used good change

management processes, with consideration for financial due diligence, the health of members, and how this would affect Members with disabilities.

Stewart then proposed creating a working group to look into the issue, plan the Guild's response, as well as evaluate the Universities commitment to make changes side by side with the Guild to get the best outcome for students.

There was some discussion about wording of the motion.

SM1804/08: Motion that the ECU Student Guild plan to phase out the use and provision of single-use plastic water bottles at all of its events and create a working group to investigate the implications and to set a reasonable timeframe to do so.

Moved: Harri Gray

Seconded: Stewart Lee

Motion: Motion carried unanimously

Background (Provided by Stewart Lee): Recently, a number of students from the ECU Mt. Lawley campus approached the Vice Chancellor and showed him a documentary that detailed the effects of single-use plastic on the environment. They asked the VC if the university would be prepared to stop using single-use bottles at all of their events and the university agreed. Further, following a discussion with myself, the VC also agreed to spend money increasing the number of filtered refill stations at all three of its campuses. They've also stated that upon rewriting the leases for the commercial outlets on campus, that they will be adding a section that prevents the provision of single-use plastic water bottles on campus.

The same students have since approached the Environmental Officer, Harri Gray, and made a similar request of the Guild. Both Harri and myself agree that it's a solid idea and that it will help in a few ways. It'll reduce single-use plastic waste, it'll help save students money, and it'll help us with any event cleanup where such items would normally be available.

All other agenda items tabled due to time constraints and the need to discuss the next item.

## 5.0 – DISCUSSION

### 5.1 Confidential & In Camera: Discussion related to GSA hiring issues and abuse of fixed term contracts by the CEO.

Stewart Lee:

As background for this motion, it had come to the President's attention that the CEO had informed both metro GSA's Caity Terhost & Jesse Williams that their fixed term contracts were expiring in June, and that at the same time another GSA (Claudia) was due to return from maternity leave, so the CEO had decided to advertise their positions on Seek as a single full-time position and had encouraged them both to apply for it. None of the President, the Secretariat, or the Senate had been asked for approval for any of those actions.

Stewart also explained that Claudia only intended to return on a part-time basis (working Thursdays & Fridays) rather than full-time and that this would mean a reduction of service provision at Mt Lawley to two days a week. He strongly disagreed with this plan, and thought the Guild's GSA service should be available when needed and not only during peak times.

Stewart then said that while some Senator had expressed interest in having the meeting completely in camera with only Senators present, he thought it only fair that Brett have a right of reply and be able to state his case.

Greg Warren concurred. As did Sarah Cavanough.



Sarah Cavanough:

Sarah went on to say that the Senate should consider the business case merits of reducing Mt Lawley's coverage from 5 days to 2 days per week, as Brett had begun to implement.

Brett Callender:

Brett said his decision to restructure the role of GSA's was based on research and data based on months of research, and that, in his opinion, due diligence had been followed. Based on his figures on booking data, we are far from capacity on appointments and, in his opinion, there is a larger volume of GSA working hours than necessary.

Brett explained that the current system has five 45 minute appointments available each working day. In a 7.5-hour day this takes up 3.75 hours. This assumes each appointment takes 45 minutes, which Brett said was not the case. The first 1.5 hours in a day are for administration, with 15 minutes after each appointment for the same. With 30 minutes further administration time after midday and a final half an hour at the end of the day.

Since the 13<sup>th</sup> April, when the booking system came online, the figures reflect that there was the capacity to have 1,927 appointments, 1,003 of which were not utilised. 1,027 appointments were made, but only 924 were confirmed as being attended.

Brett also said that of the 924 appointments held, 481 related to 132 students who had multiple appointments. With Jesse 55% of his available appointment time was not used, with Caity it was 48%. Other considerations were that all appeals are held at the Joondalup campus.

Brett said under the change he was implementing there would still be two days a week coverage at Mt Lawley, which, in his opinion, was more than enough to cover the required number of appointments there.

A further consideration was Claudia's return to work hours. She had asked to come back initially as part-time working Thursdays and Fridays and that Brett had authorised this return to work plan, for the stated reason of meeting her rights under the EA and Fair Work Act, which he explained gave her preferential treatment over everyone else in this situation. Brett explained that Claudia has to review this working arrangement by the 5<sup>th</sup> of November and submit her proposed working hours to Brett by then.

Brett then explained that under the EA, that Claudia only needs to give four weeks' notice to the Guild if she wanted to vary her working hours. As such, she could decide to change her contract to 3 days to 5 days with only a month's notice, meaning the Guild would need to assure they had flexible working arrangements for any other GSA's to prevent any overlap.

Brett said that since both Jesse and Caity were on fixed term contracts, which both ended on the 10<sup>th</sup> of June, that these contracts would not be renewed. He went on to state that since the Guild had been running with fixed-term contracts for too long, that he thought the remaining GSA position (not Claudia's) should be made as a permanent position.

Based on all this information, Brett said he therefore made the decision to go with one full-time position along with Claudia's flexible working hours as she returns to work from maternity leave.

Greg Warren:

Greg requested that the entire Senate be allowed access to the data Brett was reading from, so that the Senate could review the information, as none of this information had been tabled to the Senate.

Brett Callender:

Brett claimed the Senate would have received the data if he'd been able to get through to the President.

Greg Warren:

Greg then asked why, given the Senate passed their budget in March, also that in this budget funds were set aside to pay for two full time GSA positions in the Metro area, and further to that that Brett claimed to have been planning this change for some time; why the Senate hadn't been informed of the return to work from maternity leave for Claudia, or of Brett's intentions to reduce the service hours at Mt Lawley from 5 days to 2 days.

Given that only a month earlier, the Senate had agreed to fund two full-time GSA's, Greg questioned Brett's claims that this restructure was planned well in advance and stated he felt this seemed very last minute and rushed instead.

Greg asked a further question of Brett, in regards to the EA, and questioned whether Caity could have ever been on a fixed term contract, as the EA is clear on the reasons a staff member may be allowed to be put on fixed-term contracts which he then began to read out to the Senate:

*12.1 A person may be engaged in a Fixed-Term contract where:*

*12.1.1 The position is funded from a specific purpose grant for a project of limited duration;*

*12.1.2 The position is temporarily vacant as a result of an employee's absence on paid or unpaid leave, or secondment;*

*12.1.3 The position is of a temporary nature and limited duration for the purpose of undertaking a specific project or task;*

*12.1.4 Following appropriate consultation as provided in Clause 18 Management of Change, a new organisational area is implemented and the practicality of permanently filling a position is dependent on the continuing operation of the area beyond 12 months. For the purpose of this provision, 'new organisational area' shall not include areas providing substantially similar services as had existed previously; or*

*12.1.5 The person is engaged to fill the most senior management position of the Guild.*

Greg commented on each item as he read through them; firstly, that the GSA program is not a program of limited duration and are instead an ongoing program, and that as Caity was employed as a GSA before Claudia went on leave, it was impossible for Caity to taken on the role to take over Claudia's hours.

Brett Calendar:

Brett Interrupted Greg at this point (while he was running through 12.1.4 – so highlighted portion was not read at the meeting), stating that he thought Greg had no idea what he was talking about. He claimed Greg was reading something and taking his own interpretation of it, and this, in Brett's view, is totally unacceptable.

Brett then blamed Stewart Lee for not being available for Brett to provide the information to before this Senate meeting, which he claimed would have prevented the issue ever coming to the Senate. Brett claimed that he had tried to inform Stewart of these matters on multiple occasions and Stewart's lack of availability had prevented Brett disclosing any of these issues to the Senate.

Stewart tried to interject and Brett told Stewart that he wasn't allowed to interject, Stewart then pointed out he was the Chair but Brett continued to talk over him.

Brett stated that he had tried to get Stewart to meet with him on at least 6 or 7 occasions, and claimed Stewart never responded to him.

Stewart interjected, stating there was a period of 4 days Monday to Thursday where he could not be contacted due to an exam. After the exam on Thursday, Stewart came into the office and held a meeting with Brett to discuss the current operations of the Guild. There were 4 issues discussed (including the discipline committee), none of which related to the GSA's or Claudia's return to work after leave. Stewart then said that Brett called him on the way home and told Stewart that he had forgotten to bring it up in the meeting but that Brett had decided to advertise the GSA position as a full-time position. Stewart then claimed he asked Brett if this constituted an abuse of fixed term contracts under the relevant employment legislation, and Brett responded telling Stewart it was fine and compliant with employment law. Stewart then said he responded that he had received the information and would look at it when he next attended work.

Stewart then said, the next day, that he was told by affected staff that Brett sent an email to them telling them that the President had consented to the new work arrangements.

Brett refuted this, saying he told the staff that he discussed it at length with the President.

Stewart asked how Brett could have claimed to have discussed it at length with him based on a single phone call with very little discussion. Stewart repeated that Brett had mentioned in the phone call that Brett had forgotten to discuss it with him during their meeting.

Brett Callender:

*Brett refused to answer any further questions and then read a statement which he asked to be recorded and tabled for posterity:*

*Let me be very clear, the item of business raised today by the President in respect to the restructuring the GSA function, is an unjust accusation that directly challenges my ability and authority to do my job and actually manage the Guild.*

*Had the President met his duties, and responded to my numerous requests to meet with and discuss a number of important issues, including this one, as protocol dictates; that Brett can't raise it with the Senate and have to raise the issues with the President, then this particular discussion would have been very different.*

*Let me put this in perspective, in the three years I have headed up Operations, my sole purpose has been to introduce professional standards of business excellence to the Guild and to develop and continually build on, a support-base (if you like) where successive Senates may increasingly provide more and more effective student representation within their individual portfolios and within the Guild as a whole.*

*Has it happened as quickly, and has everything I would like to have done and has everything I would like to achieve been completed? No, but the progress made is significant, and readily demonstrated, and has lifted the Guild to levels of business excellence that hasn't been seen before.*

*I've always done everything in my power, to protect and support the Senate and demand the same of my staff. Has anyone asked themselves if management would contemplate doing anything else? Why would we do anything else? If anyone wants to dispute that, my door is always open.*

*Be under no illusion, if it was not for the resolve of Melissa, Norae, and myself, along with other staff members last year, who all held Toddman and others to account, you would be presiding over a Senate in utter disarray. Yet here we are questioning the integrity and professional standards of the management team, because of an incessant, unjustified questioning of management practices by one staff member.*

*Management is exactly that, management. It is not, and cannot function with an idealistic system where decision is bound by employee consensus. There is a distinct separation between business decision making, and terms and conditions which protect employees. To even suggest Management would not have conducted extensive due*

*diligence in making this decision, is contemptuous and unjustified, given I was trying to relay this to the President for some time.*

*I know some of you understand the pressures I am under, day to day, and I don't expect dispensation for that. I choose to do the job that I love, and I believe I do it damn well. But, when this sort of thing occurs, you have no comprehension how quickly stress and anxiety can build.*

*What is really disappointing is that, while it is simple to blame management as an easy target for anyone's woes, it is patently cowardly, and I ask each and every one of you who is there to support and help management in doing what is invariably a thankless role.*

*As President, I believe you have disrespected me, Melissa, and Norae; and this is utterly unacceptable. I am responsible and accountable for the management of all operational services, and notwithstanding and assuring the natural flow of communication which I would have liked to have been able to do in this situation, the Senate needs to respect my role.*

Stewart Lee

Stewart responded and acknowledged that it is Brett's job to manage the operational services of the Guild, in Stewart's opinion, the proposed change affected the nature of the role, and the service provided by the Guild. The GSA services goes beyond the academic appeals service, and is a key element of student advocacy and student representation, which is why they have been participating in various committees, they have been running events, and running campaign initiatives.

Stewart then stated that at the previous month's Respect, Now, Always forum had been met with contempt by Brett who refused to allow both to attend the forum as both campuses needed GSA coverage. Yet now Brett is claiming a need to remove one of the positions completely. Stewart questioned how these two decisions could be made in the same time period as the basis for both decisions are diametrically opposed to each other.

Stewart said, that based on the evidence available to him, he thinks this decision to replace the two roles with one is a strategic decision.

Stewart went on to state he patently disagreed with Brett's claims Stewart was unavailable.

Brett Callender:

Brett then interjected claiming that the committee issue is another example of the disrespect Stewart has for Brett and his position. By appointing the Jesse to two committee roles, Stewart was showing a blatant disregard for Brett's position.

Stewart Lee:

Stewart interjected, pointing out that he had not appointed Jesse to either position and that Jesse has been holding both roles since before Stewart Lee was even appointed to the VP Academic in the previous year.

Brett Callender:

Brett claimed that wasn't the information he had. Brett then questioned Stewart on the stated expansion of services of the GSA's asking what these expansions even are. He then claimed Stewart had never spoken to him about these services. He then claimed that he had been operating under the idea that the GSA structure only applied to appointments as he outlined earlier in the meeting.

Brett then claimed he is responsible for staffing, it is not (in his opinion) a strategic decision, so based on the data shown, that for half their time the GSA's aren't working on nothing, so Brett has to act in the best interests of the Guild and ensure that services provided are efficient and cost effective as possible.

Stewart Lee:

Stewart interjected stating that based on Brett's data that half the time the GSA's are doing nothing, but that Stewart knows, Brett knows, and the entire Senate knows this is not the case.

Sarah Cavanough:

Sarah asked again if the Senate could receive the data on the appointments, as it is difficult to analyse the situation without it.

Greg Warren:

Greg pointed out that there is more to the service than the total number of appointments filled. Some services such as providing counselling and other services of the same nature don't always get used, but the availability of the service is important. You can't predict when the service will be needed, but they need to be available when a student has a problem. If people come in looking for help and have to wait two days for an appointment, this can lead to ongoing, systemic problems, especially when people have limited time. Maybe they are an international student studying full-time and working the maximum their visa allows, so only have a single day a week they can come in.

Brett Calendar:

Brett interrupted again, saying Greg's statement was without any logical backing whatsoever. There is a GSA available at all times.

At this point Modjadji and Abishek told the Senate they need to leave, as this was the scheduled end point for the meeting and they had labs to attend.

Stewart checked quorum, and noted that due to proxies (Sarah holding for Faizan) and Nicole being on the pone quorum was still in place, so continued the meeting.

Sarah Cavanough:

Sarah said that she had been completely unaware that 50% of appointments weren't met.

Greg Warren:

Greg pointed out this led back to his point – the Senate passed the budget at the previous Senate meeting and the need for this change, which would affect budgeted monies for staff salaries was not disclosed to the Senate or Secretariat. Greg questioned Brett, asking about Stewart's alleged unavailability, asking why Brett hadn't sent this information to Stewart's email if Stewart was unavailable for an in-person meeting.

Brett Callender:

Brett interrupted again, asking how Greg could even know about the finances relating to employment, as Greg doesn't have access to financial records of the Guild because of confidentiality.

Greg Warren:

Greg asked about why he was refused access to all operations drives, as is the President. He acknowledged that some things are private, such as payroll information and the GSA's client records, but questioned why the Secretariat was being blocked from knowing what contracts the Senate is legal bound by are.

Brett Callender:

Brett interrupted again, yelling at Greg claiming that there is no way Greg can claim that he is not transparent. He claimed Greg's claims are "absolute bullshit". He then said that if Greg wanted to see anything, that he could ask. Brett claimed that none of the previous Senates have had the remotest interest in looking at anything.

Stewart Lee:

Stewart admonished Brett for his comments about Greg over the meeting, pointing out that if a Senator had spoken in a like manner to a staff member, Brett would have filed a complaint about them immediately.

Brett Callender:

Brett said he was very upset about being accused of unprofessional behaviour, so his comments to Greg were justified.

Greg Warren:

Greg said that he isn't accusing anyone of unprofessional behaviour and that he simply wanted to know why the Senate or the Secretariat were not informed of this decision beforehand, as the decision, in his opinion affects what the Guild is and the services the Guild provides.

He pointed out that Brett had a Seek advertisement up already and it had been up for weeks, and Brett wasn't just talking about doing this, he was already doing it.

Greg went on to state that the worrying thing here is that Brett had done this without any consultation with either the Senate or Secretariat.

Brett Callender:

Brett then claimed it was his authority to do so, as he had been delegated the duty to oversee staff HR duties by the Senate.

Stewart Lee:

Exactly, delegate by the Senate.

Greg Warren:

Delegation does not mean that the Senate gives up oversight of the delegated duty.

Brett Callender:

So you are going to change what delegation means?

Greg Warren:

No, I'm not saying that. Being delegated a duty doesn't get rid of oversight.

Stewart Lee:

If you make a decision and the Senate inherently disagrees with it, then the Senate decision overrides yours.

Brett Callender:

Well, that's fine.

Stewart Lee:

That's what this is. The Senate is asking for your reasoning on the decision as part of oversight of your position, and reserves the right to overturn your decision.

Greg Warren:

Greg the stated, that he and Stewart were just wanting to ask some questions in relation to these matters. He questioned Brett repeated claims that he and Stewart were accusing him of professional misconduct. He then expressed his frustration, at how difficult it is to get access to documentation such as Secretariat timesheets and being refused access to them, despite it being the GenSec's job to provide oversight of all finances of the Guild.

Stewart Lee:

Stewart went on to state he was offended by Brett's repeated accusations against them.

Greg Warren:

Greg questioned what he referred to as a "default reaction to be completely separate to the Senate" stating this was unhealthy as the Senate is meant to provide oversight, and this separation causes a lot of confusion between the Senate and Operations.

Stewart Lee:

Stewart reiterated that he was also offended over the accusation that "he would have known about the changes" if he was available over the four days he was preparing for and sitting his exam.

Brett Callender:

Brett interrupted saying the time period was longer and that he had been trying to hold meetings with Stewart "for ever."

Stewart Lee:

Have you ever sent a meeting invitation?

Brett Callender:

You're never in the office. Your own Senators are saying they can't get hold of you.

Stewart Lee:

I'm available 24/7. I'm typically emailing things to Senators and students till midnight. For you to phone me and tell me "I forgot to tell you this" and then come in here and say I've been trying to tell you this for weeks, that's ridiculous.

Greg Warren:

Greg interrupted and asked for everyone to calm down. He pointed out that this whole problem seemed to come from the same issue he had brought up earlier when he asked to participate in operations meetings, and for working groups to be established for big Guild events or ongoing programs including Senators and relevant staff.

In his opinion, the problem comes from lack of communication, and the current setup of the Guild is poorly set up for communication and this causes confusion and worry.

Greg questioned the single point of contact between the Senate and Operations, being the reporting relationship between Brett and the President, is in the best interest of the Guild.

Brett Callender:

Brett then stated that he had time constraints to align with notice that had to be given. If a person is hired who is not Caity or Jesse, Brett claimed there was a need to assume that person would require four-weeks' notice. He stressed that all of these elements were factors and he couldn't just consider one of them.

Greg Warren:

Greg asked if the President was unavailable, would it help to have a second option such as himself or the Secretariat who staff could go to, to discuss matters. He pointed out that the President does go away on Conferences and also has many meetings with University staff and student groups, etc. which can add on to time to handle routine operational matters.

Stewart Lee:

Stewart Lee disagreed, stating he has only been on two conferences and is always available between 8am and 9pm and sending work emails between these times. He reiterated that he thought Brett's claims of his unavailability were ridiculous, and that Brett didn't have any evidence of this.

Brett Callender:

Brett said he could provide emails where Stewart hasn't responded.

Stewart Lee:

Stewart responded saying that if he was sent incoherent multiple A4 page emails he doesn't have time to respond to them via, and instead would respond by phone, or by arranging a meeting via calendar invite.

Brett Callender:

Brett complained that this would prevent him adequately conveying all the information he needed to send.

Stewart Lee:

Stewart said that everyone else in the University can send calendar invites, so he couldn't understand why Brett had so much trouble doing the same. He said, send a meeting invitation to talk about an issue and Stewart would come in. This way issues can get discussed properly.

Brett Callender:

Brett claimed he has had bad experiences, so puts everything in writing and then follows it up with talk. In his opinion, if you have to explain something, you should always put all the detail down.

Stewart Lee:

You're claiming you put everything in writing but this entire topic of conversation was raised to me over a phone call, in which Brett said "Sorry, I forgot to mention this earlier".

Brett Callender:



Brett claimed to have also discussed it at length in the office (at an unconfirmed date Brett told the Senate he would provide later, which was on a business day after the phone-call), in which Stewart told Brett he disagreed with the decision. Brett claims that he showed Stewart the statistics he mentioned earlier during the meeting.

Stewart Lee:

Stewart said he didn't think it would be possible to reach a resolution to the issue in this meeting.

Brett Callender:

Brett asked what the purpose of this entire line of questioning is, Sarah concurred.

Sarah Cavanough:

Do we need to decide whether or not to go two days at Mt Lawley or five days?

Greg Warren:

There is an elephant in the room here which hasn't been raised yet, there are grievances which have been raised between employees and there was a disciplinary action which was in process when this came about. Now the reason you've done this might be completely ok, but it does look like; an employee had a grievance which was outstanding and then a change was made to remove them from their position. I don't know how much weight we need to put on this, but when someone writes a full diatribe on why they are getting fired we do need to take it with a grain of salt, but we do need to investigate this.

Brett Callender:

No-one is getting fired.

Stewart Lee:

The contracts come to an end.

Brett Callender:

Yes, the contract is coming to an end and, what, am I meant to anticipate someone might be aggrieved and put in a grievance. Do you think I only did this over a week? I've been doing this for the last three months.

Greg Warren:

As I've said it does need to be addressed because we've had.....

1:29:30

Brett Callender:

What addressed?

Stewart Lee:

The situation could be construed as that (referring to Greg's previous questions as to the perception of this move being retaliatory). I'm not saying it is, I don't think it likely is at all...

Brett Callender:

Fine... if a person wishes to construe it as that....

Stewart Lee:

All Greg said is that this should probably be discussed, as this situation could be construed as that (retaliatory). No-one here is making any accusations here.

Greg Warren:

I'm trying to tell you there has to be an investigation of this as per the EA's clauses on handling grievances. I understand this is very upsetting, and as I understand the EA this is meant to be sorted out between you and Stewart, he needs to come with a proposal on how to deal with this, but there is a large elephant in the room that this situation could be seen as retaliatory.

Brett Callender:

So are we talking about the GSA issue or the grievances? They are two very different issues.

Greg Warren:

As I've said they are interrelated, because you made this decision when...

Brett Callender:

No they are not. You can't make a statement like that unless you are prepared to back it up. That is a direct accusation that I am doing this because someone has put in a grievance. That is unacceptable.

Greg Warren:

The second grievance which has been sent through, refers to a first grievance – could you clarify this in any way Stewart. The timing of that first outstanding grievance is what is....

Stewart Lee:

I actually don't think that is relevant.

For full context, I have contacted the State Ombudsman this morning about this issue, and as per their advice, I have created a summarised version of their grievance and have been told by the Ombudsman that this is procedurally fair, and I have removed that section of the registered grievance as not being relevant.

Greg Warren:

Um ok, if that's what you've been told to do.....

Brett Callender:

Wait, what are you saying?

Stewart Lee:

In the grievance, part of what has been written here has been removed from the summary because I don't think it's relevant, it's not part of the grievance. I don't think it should be considered.

Brett Callender:

Well that's just bloody great. That's not procedurally fair, if you are accused of anything, as a base right, you have a right to know everything used to accuse you.

Greg Warren:

I think that's also fair and that is what I thought had happened. I apologise here, I now no longer know what's going on here.

Stewart Lee:

I also agree, but I've never done this before and so I called the Ombudsman and asked how to do this and this was how I was told to do it. They said the standard practice is to create a summarised version of the grievance not to send the entire thing.

That is:

1. To remove emotion from the grievance and to only include facts and assertions
2. To remove irrelevant points

Brett Callender:

Stewart, that's not the way we have operated in the last three years.

Greg Warren:

Yep.

Brett Callender:

It doesn't matter what ECU does.

Sarah Cavanough:

Yeah, a summarised version is totally at the discretion of the person doing the summary. If someone filed a grievance against me, I would want the right of reply on every aspect of that grievance.

Greg Warren:

Yep, totally agree.

Stewart Lee:

I don't disagree but that's not what the Ombudsman is saying. That's also not how any grievance is handled in the University either.

Brett Callender:

Don't you understand Stewart, I'm the CEO here. You're totally ignoring the fact that it's totally my authority to set how we handle grievances.

Stewart Lee:

I understand that's not how you have done it, but....

Brett Callender:

Nothing you've done counts for anything.

Greg Warren:

Ok, we have the whole Senate here. I think Brett should have been informed of all aspects of the grievance, but if this aspect of the grievance won't be proceeding, then it's now irrelevant to this discussion. That said, I still think you should tell him.

Stewart Lee:

Well I'm not going to do that.

Greg Warren:

This is ridiculous.

Brett Callender:

Also, in my opinion it's not even a grievance so it doesn't matter.

Stewart Lee:

It's not you considering it, it's me.

Brett Callender:

It's not up to you, it's up to me.

Stewart Lee:

No its not when dealing with grievances against the CEO the President handles it as per the EA.

Greg Warren:

It is in the EA.

Brett Callender:

Look at the first section of the grievance section. It has to be a legitimate claim. I don't consider it to be legitimate. Everything you've sent me in the abridged version is pure speculation and opinion.

Stewart Lee:

We are really getting off topic on the subject of the GSA's, I really don't think it's appropriate to be discussing grievances with 6 or 7 people in the room but excluding one of the parties to the grievance.

Sarah Cavanough:

Does everyone in the room here understand the context of this discussion? There is a lot of detail missing.

Greg Warren:

Yep I don't know how we can discuss this if no-one even knows what the grievance is about. Let's just drop it.

Brett Callender:

Well, I'll be issuing a full summary today of my reasons for the GSA changes and the due diligence followed in making the decision. Not that I believe I'm required to, but the Senate does have the capacity to direct me. My full intention was to give that to Stewart and then he could make a determination on who he thought, ah, on whether this matter needed to be taken to the Senate. I will send it today to everybody.

I will also table my statement I read out earlier.

Stewart Lee:

I think that will really help the matter, I think the main concern of the Senate is that they were not consulted on this decision.

Greg Warren:

My concerns were that we literally talked about the staffing budget when preparing the Budget and this issue was never raised and that...

Brett Callender:

We've only got the capacity for two people, I don't know if Claudia is going to turn around in a month and vary her working days.

Stewart Lee:

So what it comes down to, yet again, is poor communication.

Greg Warren:

Yep, we're back to where we started, we all need to get better at talking to each other.

Brett Callender:

What really annoys me is this pretty much is like the old adage: "You are only as popular as your last decision."

We just had the AGM, which wouldn't have been as successful as it was if I hadn't done all the bloody work. 90% of it I did by myself, on the two documents. The reason I did that, is that I want to do it, and I want to absolutely screw the University on things like the Constitution changes, and so you know, I work for hours after hours, and then it's you know... this is shit.

Do you think I wouldn't have done it properly?

Stewart Lee:

I don't think that's what people are thinking. I think you done this without asking, without speaking to anybody. It seemed very thinly veiled. I think that's the problem, and honestly, we raise the issue and then you respond by telling us it's my fault because I'm never available. I take offense to that, huge offence to that.

Sarah Cavanough:

I think Brett has the right of full reply and that he has the right to give us the business justification from the CEO's perspective on maximising the GSA service.

Stewart Lee:

I don't disagree with that.

Sarah Cavanough:

50% appointment uptake cannot be ignored and I don't care what anyone says about this. Also, we have to consider if it is appropriate for GSA's to be going to Committee meetings when we are the elected Senators. Should we not be meeting with the GSA's and taking those concerns to the Committees?

Brett Callender:

I can tell you right now, when this new EA comes out, there will be additions to everybody's contracts of engagements that if you're a student, you will not be able to be on any committee or club committee because of clear and direct conflicts of interest.

Staff are staff.

Greg Warren:

Ok, I think there's a clear need for us to schedule regular meetings between staff and Senators. This has been the ongoing theme of every motion I've moved today, we need to communicate with each other.

We also need to stop leaving making decisions about this sort of stuff to the last minute. I really don't appreciate finding out a few weeks before it happens and right in the middle of the final assignment submission, that we're undergoing restructuring and only have a couple of weeks before it's happening. I've had to spend days familiarising myself with the relevant aspects of employment law and our EA, alongside my normal duties, and we can't simply do this sort of change last minute without any warning.

Brett Callender: Well, I spend 75% of my time fixing up screw-ups and 90% of those come from the Senate and 90% of those because they simply didn't ask a question.

#### Discussion taken on Notice

#### 5.2 : Senator availability

Greg Warren questioned the fact that after asking the Senate for availabilities, the most Senators he could schedule in a room at a time would be 7.

He asked Senators to have a think about their priorities, as the lack of Senate meetings is making it hard to coordinate activities.

## 6.0 – OTHER ITEMS

## 7.0 – APPENDICES

### 7.1 - Appendix 1 – Appendix Title

Next Meeting Date:

Next Meeting Time:

Next Meeting Location: