

# Council Minutes

4:00pm  
18 June 2018



**Present:** Mr St John (Chair), Mr Daniell (Acting Chair from 5.55pm), Professor McCutcheon (Vice-Chancellor), Mr Ferrier, Mrs Dunphy, Associate Professor Kawharu, Mr Kiely, Associate Professor Sims, Ms Cusack

**In Attendance:** Professor Morrow, Mrs Cleland, Ms McNaughton, Mr Gudsell, Mrs Verschaeren and Mr Gordon and Mr Matto for item 2.6.3 in Part B

## **In attendance to present the Te Reo Māori Policy and Principles to Council:**

Mr Peters, Ms P Toft, Dr S Tamati, Professor A Jones, Mr H Dale, Miss A Morehu, Dr B Dunphy, Dr S Sturm, Mrs J Wade, Mr M Steedman, Mr K Paenga, Miss J McLeod, Mr W Houia, Ms T R Morehu, Ms R Morehu, Mr T Morehu, Ms A Hohaia, Ms V Demant, Ms J Rogers, Mr S Rogers, Mr B Marumaru, Mr I Marumaru, Ms A Houpapa

## **PART A – Open Minutes**

The members of the Māori Policy Committee and a delegation of Māori staff presented the Te Reo Māori Policy and Principles to Council.

The Chancellor thanked Mrs Catherine Dunphy and Associate Professor Kawharu for their support with the presentation of the Te Reo Māori Policy and Principles.

### **1. APOLOGIES**

Ms Dawson, Ms Tarrant and Sir Ralph Norris

**RESOLVED** (Chancellor/Vice-Chancellor): that the apologies be **noted**

### **2. DISCLOSURES OF INTEREST BY COUNCIL MEMBERS**

No further disclosures were made.

### **3. HONOURS/AWARDS**

Council noted that the Chancellor and Vice-Chancellor had sent congratulatory letters to those persons with links to the University.

### **4. CONFERMENT OF DEGREES**

With the authority of Council, the Chancellor **conferred** the degrees as per the schedule provided to the meeting.

## 5. AWARD OF DIPLOMAS

With the authority of Council, the Chancellor **awarded** the diplomas as per the schedule provided to the meeting.

## 6. COUNCIL MEETINGS

### 6.1 Council, Draft Minutes (Part A), 30.04.18

**RESOLVED** (Chancellor/Mr Ferrier): That the Minutes (Part A) of the Council meeting held on 30.04.18 be taken as **read** and **confirmed**.

### 6.2 Matters arising from the Minutes (Part A), 30.04.18 not elsewhere on the Agenda.

No matters arising.

## 7. VICE-CHANCELLOR'S REPORT

The report was taken as read.

The Vice-Chancellor highlighted that Distinguished Professor Margaret Brimble had been elected a Fellow of the Royal Society of London; this was a very rare award, as there were currently only four Fellows of the Society active in New Zealand.

Council acknowledged Mrs Catherine Dunphy who had won a leadership award for enabling service.

**RESOLVED** (Chancellor/Mr Daniell): that the Vice-Chancellor's Report be **noted**.

## 8. REPORTS OF COUNCIL COMMITTEES

### 8.1 AUDIT AND RISK COMMITTEE

#### 8.1.1 Minutes (Part A), 23.05.18

**RESOLVED** (Chancellor/Mr Daniell): that the Audit and Risk Committee Minutes (Part A), 23.05.18 be **received**

### 8.2 CAPITAL EXPENDITURE COMMITTEE

#### 8.2.1 Minutes (Part A), 30.04.18

**RESOLVED** (Chancellor/Mr Daniell): that the Capital Expenditure Committee Minutes (Part A), 30.04.18 be **received**.

### 8.3 FINANCE COMMITTEE

#### 8.3.1 Minutes (Part A), 29.05.18

**RESOLVED** (Chancellor/Vice-Chancellor): that the Finance Committee Minutes (Part A), 29.05.18 be **received**.

### 8.4 EQUITY LEADERSHIP COMMITTEE MID-YEAR REPORT

This report was presented by Ms McNaughton, Pro Vice-Chancellor Equity.

She drew Council's attention to the Gender-Based Harassment Working Group. After email and telephone threats had been made to female staff members last year and this year, the work on policies and practice by the Working Group had accelerated.

Unfortunately recently another incident had occurred, however, this had also allowed us to ascertain the efficiency of the new practices and strategies that were currently in place.

The Equity Office was currently working with the Director of Libraries and Learning Services, Ms Sue Roberts, the Dean of Law, Professor Andrew Stockley and had engaged with the Senior Leadership Team to provide guidance to students around workplace learning.

**RESOLVED** (Chancellor/Mr Kiely): that the Equity Leadership Committee Mid-Year Report be **received**.

### 8.5 NAMING COMMITTEE REPORT, 01.06.18

**RESOLVED** (Chancellor/Mr Ferrier): that Council **note** that Naming Committee has approved the renaming of the building currently named "UniServices House", situated at 70 Symonds Street to "Auckland Bioengineering House" once UniServices has departed the building.

## 9. SENATE MATTERS

### 9.1 Memorandum, 28.05.18 of the Vice Chancellor regarding Decision under Standing Order 59 of Senate

The Vice-Chancellor drew Council's attention to Standing Order 59 of Senate which stated: *"If the Chair decides under this Standing order not to place a matter or motion on the Order Paper, he/she shall refer the decision to the next meeting of the Council of the University"*.

The Vice-Chancellor reported that he had declined two notices of motion from Professor Tom Bishop. These related to the review of Libraries and Learning Services. The rationale for this decision was based on the fact that on two previous occasions, in 2011 and 2013, the Council, after taking legal advice, had resolved that matters related to employment of staff were not the purview of Senate. More specifically in the resolution of 2013, under clause 4, it had resolved that the powers delegated from Council to Senate excluded any matter or part of a matter that related to the Vice-Chancellor's responsibility as employer of all staff.

Council noted that Senate had the right to discuss purely academic matters related to libraries and that members of Senate could request to put these matters on the

Senate Agenda. However, the declined motions arose after consultation with library staff had started and referred partly to employment matters which did not fall within the delegations of Senate.

Council requested that, as a matter of practice, it would be desirable to include the delegations from Council to Senate in the induction of Council members. Council could only make academic decisions after taking the view of Senate on these matters. The appropriate procedure for academic matters to go to Council was that they went to Senate after being discussed by the appropriate committees; the advice from Senate was included in its report to Council.

**RESOLVED** (Chancellor/Mr Ferrier): that the Memorandum, 28.05.18 of the Vice-Chancellor regarding his Decision Under Standing Order 59 of Senate be **received**

## 9.2 Report of Senate, 28.05.18

With regards to the Draft Assessment of Student Learning Policy and Procedures, the Vice-Chancellor told Council that Senate had so far not formed a clear view on the matter. Senate members had now been asked to indicate the specific clauses in the Policy and Procedures to which they objected, identifying precisely what they considered was wrong with them and proposing specific changes to these clauses. This would be discussed further at the Senate meeting in July 2018.

The Deputy Vice-Chancellor (Academic), Professor John Morrow, introduced the Report. He advised Council that Senate had discussed the Reviews of the Department of Management & International Business and of the Discipline of Politics & International Relations; Senate was of the opinion that the implementation plans of both reviews provided appropriate responses to the review panel's questions.

Part Ai, 1-4:	Reviews to be <b>received</b> by Council
Part Aii, 5-8:	Policy and other matters requiring Council <b>approval</b>
Part B, 1:	Matters for <b>noting</b> by Council
Part C, 1-2:	Matters handled under Delegated Authority

The Te Reo Māori Policy and Principles was included in Part Aii

**RESOLVED** (Associate Professor Kawharu/Mrs Dunphy): that the Te Reo Māori Policy and Principles, item Aii8 of the Report of Senate, 28.05.18 be **adopted**.

**RESOLVED** (Chancellor/Mr Kiely): that the recommendations in: Part A1-7 of the Report of Senate, 28.05.18 be **adopted** and Parts B and C be **noted**.

## 10. CORRESPONDENCE REFERRED BY THE CHANCELLOR

**RESOLVED** (Chancellor/ Vice-Chancellor): that the letter from the Hon. Chris Hipkins, be **noted**.

## 11. OTHER MATTERS FOR DECISION OR NOTING

### 11.1 SEAL

Since the Council meeting on 26.04.17 the seal has been applied to the following documents in accordance with the Council resolution of 18.02.1991:

1. Heritage Covenant under the Heritage New Zealand Pouhere Taonga Act 2014 – ‘Old Government House’ – Heritage New Zealand Pouhere Taonga and The University of Auckland (owner)
2. Heritage Covenant under the Heritage New Zealand Pouhere Taonga Act 2014 – ‘Balneavis 5 Alten Road’, Auckland – Heritage New Zealand Pouhere Taonga and The University of Auckland (owner)
3. Heritage Covenant under the Heritage New Zealand Pouhere Taonga Act 2014 – ‘The Residence located at 23 Alten Road’, Auckland - Heritage New Zealand Pouhere Taonga and The University of Auckland (owner)
4. Covenant under the Heritage New Zealand Pouhere Taonga Act 2014 – ‘The Epsom Bunker Entrance’– Heritage New Zealand Pouhere Taonga and The University of Auckland (owner)

**RESOLVED** (Chancellor/Mr Ferrier): that the affixing of the seal to the above documents be **noted**.

## 11.2 RESCINDMENTS

Memorandum, 06.06.18 from Margaret Allen, Manager, Scholarships and Graduation.

The Deputy Vice-Chancellor (Academic) explained that the problem arose as a consequence of miscommunication between the Faculty, the Student Records Office and the Graduation Office. In this programme there was split cohort of students and part of the cohort received a class of Honours and the other part did not. The rescindment would allow all eligible students to receive the appropriate class of Honours.

**RESOLVED** (Chancellor/Vice-Chancellor): that Council **receive** the Memorandum, 06.06.18 and **rescind** the conferral of Master of Management Degrees awarded with incorrect milestones (i.e. class of Honours) to the students listed on the memorandum at Autumn (May) 2018 Graduation.

## 12. GENERAL BUSINESS

### 12.1 AUDIT AND RISK COMMITTEE MEETING DATES 2019

The following 2019 meeting dates had been confirmed:

**Audit and Risk Committee Dates:**

26.02.19 21.05.19 17.09.19 19.11.19

### 13. LEAVE OF ABSENCE (for Council meeting of 20 August 2018)

Mr Ferrier advised that he would not be able to attend the meeting of 20.08.18

## **PART B**

### **PUBLIC EXCLUSIONS**

**RESOLVED** (Chancellor/Vice-Chancellor): That the public be excluded from Part B of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:

Item No. 1.1	Council Meeting Minutes (Part B), 30.04.18
Item No. 2.1	Animal Ethics Committee, Membership Report
Item No. 2.2	University of Auckland Biological Safety Committee
Item No. 2.3	University of Auckland Human Participants Ethics Committee
Item No. 2.4	Audit and Risk Committee, Minutes (Part B), 23.05.18
Item No. 2.5	Capital Expenditure Committee, Minutes (Part B), 30.04.18
Item No. 2.6.1	Finance Committee, Minutes (Part B), 29.05.18
Item No. 2.6.2	Financial Performance to 31 March and Interim Forecast for 2018
Item No. 2.6.3	Treasury Policy Review
Item No. 2.7	University Honours Committee reports
Item No. 3.1	Request for an apology from the University.

Reason for passing this resolution in relation to each matter:

The protection of the interests mentioned below.

Grounds under section 48(1) for the passing of this resolution:

Those in Section 9 of the Official Information Act 1982 namely:

- i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations;
- ii) To enable the University to carry on without prejudice or disadvantage negotiations;  
and
- iii) To prevent the disclosure or use of Official Information for improper gain or advantage.

AND THAT Adrienne Cleland, Professor John Morrow, Peter Gudsell, Pamela Moss, Todd Somerville, Lisa Finucane, Craig Gordon (for item 2.6.3), Mudasir Matto (for item 2.6.3) and Wendy Verschaeren be permitted to remain for this part of the meeting, after the public has been excluded, because of their knowledge of, or need to be briefed about, the matters to be discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because it relates to aspects of the administration of The University of Auckland for which those persons are responsible.

**The Meeting moved into Public Excluded Session at 5.20pm**

**The Meeting closed at 6.35pm**

**Approved as a true and correct record.**

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**Scott St John, Chancellor**

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**Date**