

7 April 2025

Ms. Melinda Cilento

Chair

The Expert Council on University Governance

WESTERN SYDNEY
UNIVERSITY



Via email: ExpertCouncilUniGov@education.gov.au

Dear Chair,

RE: Submission to Expert Council on University Governance

Western Sydney University welcomes the opportunity to provide a submission to the Expert Council on University Governance.

Western Sydney University serves one of the fastest growing, most dynamic regions in Australia. It supports the region's communities and businesses by ensuring access to a world-class higher education and delivering collaborative research with industry partners that creates impact and opportunity.

Western Sydney University puts in significant and appropriate effort into ensuring high quality, transparent governance. The institution submits its Annual Report, which includes its annual financial statements as audited by the Audit Office of NSW, to the NSW Minister for Skills, TAFE and Tertiary Education, for tabling in Parliament. It also undertakes transparent reporting to the Federal government, in line with its legislative obligations through both the Tertiary Education Quality and Standards Agency (TEQSA) Act and Higher Education Standards Framework.

Well governed Universities are fundamental to a thriving civic society. They are critical in providing pathways to learning and social mobility for communities and driving economic growth and prosperity for the nation. Within the sector, failures and short comings in key operational areas have undermined the social license and the capacity of universities to realise their full potential. Western Sydney University believes that robust governance is integral to restoring the public's trust in the sector, to enable institutions to collaboratively address fundamental challenges in both the community's and the nation's interests.

It is important to acknowledge, however, that a focus on governance alone will not address the underlying causes of these challenges in their entirety. The University will continue to work with government and other key stakeholders to help ensure that policy interventions are designed holistically to deliver on community expectations.

As the attached submission demonstrates, Western Sydney University is already actively addressing the key priorities set out by the Education Ministers that are referenced in the Terms of Reference for the Expert Council on University Governance.

We would be happy to provide the council with further information on our submission, and look forward to working collaboratively to deliver better outcomes for students and the broader community.

Yours sincerely

Professor Jennifer Westacott AO

Chancellor
Western Sydney University

Distinguished Professor George Williams AO

Vice-Chancellor and President
Western Sydney University



Submission to the
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A baseline for governance principles and practice

Western Sydney University acknowledges that significant and sustained work has been undertaken by the University Chancellor's Council in developing its Code of Governance Principles and Practice for Australia's Public Universities. The principles included in this document provide the basis for strong governance within the sector which enables university governing bodies to discharge their functions and responsibilities.

At its February meeting, the University's Board of Trustees resolved to adopt the latest version of the Code of Governance Principles and Practice for Australia's Public Universities. The University had previously adopted the predecessor voluntary Code.

An interplay between jurisdictions

Western Sydney University believes that harmonisation between Federal and State jurisdictions is integral to successful outcomes for students, industry and community. In this context, ensuring that University governing bodies can navigate the interplay between jurisdictions is critical.

When proposing improvements to governance, it is important to acknowledge that higher education providers, including Western Sydney University, operate under both Federal and State regulations. Understanding the obligations that are set out in State Acts for each public university is critical. For example, the Western Sydney University Act 1997 (NSW), which sits under State jurisdiction, establishes the governance of the University, functions of the governing body and includes requirements relating to board composition and expertise.

There is currently in place a number of Commonwealth or national requirements or voluntary codes which universities must or can comply in relation to maintaining good governance and supporting TEQSA's vision of quality governance. This includes the Higher Education Standards Framework (Threshold Standards) 2021 – Domain 6, and voluntary codes of practice such as the recently released Code of Governance Principles and Practice for Australia's Public Universities (UCC Voluntary Code) and the Voluntary Australian Public Universities Vice-Chancellor and Senior Staff Remuneration Code.

Independent, External Review

Western Sydney University notes that there is already a requirement for independent, external review of the corporate and academic governance of the governing body at least every seven years through the Higher Education Standards Framework (Threshold Standards) 2021. Further to this, the UCC Voluntary Code provides for a higher frequency of review, with reviews being undertaken every three years. The University believes that this process is critical to ensuring that governing bodies are held to account and able to make improvements to ensure higher education institutions are able to discharge their operational, civic and social responsibilities in line with strategic imperatives and community expectations.

Western Sydney University has recently completed a review, with a finding that the corporate and academic governance arrangements are robust and aligned with the Threshold Standards – noting that the Board is competent, diligent and effective. The review also found that they have the required range of skills, capabilities and experience to discharge their role and responsibilities, along with a strong understanding and engagement with Western Sydney community. Board members collectively demonstrated deep experience across a range of key domains including strategy and commercial acumen; people and culture; legal, risk and compliance; finance and accounting; sustainability and stakeholders; and safety.

Board Composition

Given the size of higher education institutions and the complexity of issues that they face, Western Sydney University agrees that governing bodies must have the right expertise, including in the business of running universities.

The Western Sydney University Act (1997) sets clear requirements in relation to expertise, articulating the following requirements of board members:

- At least 2 with financial expertise and 1 with commercial expertise;
- All with expertise and experience relevant to Board functions; and
- All with appreciation of University's object, values, functions and activities.

The University's Act ensures that its Board of Trustees reflects Priorities 6 and 7 outlined by Education Ministers. The Act stipulates that the University must have two dedicated positions for staff representatives, academic and professional and at least one student representative. The WSU Board of Trustees as adopted this and has gone further under the Western Sydney University (Constitution) Rule – which requires 2 staff (an academic and a professional staff member) and 2 students (an undergraduate and a postgraduate student).

Western Sydney University serves a student population of approximately 50,000 as well as a region of 2.6 million people. The University has taken active measures to ensure its governing body not only has the right expertise, but also is representative of the broader community. This is integral to ensuring that decisions made by the University are in line with student and community expectations.

In this regard, the composition of the University's Board of Trustees aligns with Priority Areas 3, 4 and 5, concerning diversity, gender balance and First Nations representation. A recent external review of the University's governing body found significant diversity, including cognitive diversity, experiential diversity, personality diversity and demographic diversity. It should also be noted that over 50% of current Board of Trustees members are female (including the Chancellor, and both Deputy Chancellors), with approximately 5% First Nations representation. Additionally, there are currently four members of the Board of Trustees who are alumni of the institution, which is beyond the legislative minimum requirement of "at least one".

Benchmarking Remuneration

Western Sydney University notes that demonstrating and maintaining a rigorous and transparent process for developing remuneration policies and settings for senior university staff has been identified as a priority by Education Ministers.

Western Sydney University supports the salaries of Vice-Chancellors being determined by the independent federal remuneration tribunal to ensure benchmarking against public service standards. This would help to bring pay levels in line with community expectations.

Universities are public sector institutions, funded by the federal government, with a role to deliver public good. At Western Sydney University, the salary of Vice-Chancellor and President, Distinguished Professor George Williams AO was benchmarked against public sector organisations of comparable scale and complexity.

The University's Board of Trustees' Remuneration and Nomination Committee supports salary benchmarking for current and future Vice-Chancellors.

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