

**Council Minutes Part A
(Open Minutes)
14 March 2022 (meeting was held virtually via Zoom)**



PRESENT:	Ms Tarrant (Chair), Professor Freshwater (Vice-Chancellor), Dr Prasad, Mr Mason, Professor Curtin, Mrs Dunphy, Ms Dawson, Mr Paitai, Mr McDonald, Mr Wang, Ms Newsome, and Ms Quinn	
IN ATTENDANCE:	Mrs Cleland, Professors Kool, Linton, Metson, Stinear; Associate Professors Hoskins; Mr Bluett, Ms Moss, Mr Neale, Ms Cattnach, Mr Michael, Mr Brandon, Mr Stevenson, and Ms Verschaeren	
KARAKIA	A karakia had been offered by John Paitai at the beginning of the Briefings so an additional karakia was not required. The meeting was opened with a mihi by the Chancellor	
1. APOLOGIES	None	
2. FAREWELL	As this Council meeting was held virtually via Zoom, the Chancellor proposed to invite Sir Michael Daniell to the meeting of 27.04.2022 for a formal farewell.	
3. WELCOME	The Chancellor welcomed Mr Jonathan Mason as Ministerial appointee.	
4. DISCLOSURES OF INTEREST BY MEMBERS	The attention of Members was drawn to the Conflicts of Interest Policy and the need to disclose any interest in an item on the Agenda of the meeting as set out in Schedule 11, Clause 8 of the Education and Training Act 2020. No further disclosures were made.	
5. HONOURS/AWARDS - NEW YEAR HONOURS	<p>THE NEW ZEALAND ORDER OF MERIT</p> <p>Dames Companion Dame Marie J Shroff CNZM, CVO for services to the State and the community</p> <p>Companions Dr Arapera Royal Tangaere for services to Māori and education Dr Geoff B Lorigan for services to business and leadership development</p>	<p>RESOLVED (Chancellor/Ms Quinn) that Council note the Honours conferred on those persons with links to the University and that the Chancellor and Vice-Chancellor have already sent congratulatory letters to the persons involved.</p>

	<p>Mr John D Rosser for services to choral music Dr Michèle M Hawke for services to gymnastic Mr Neil A Richardson for services to business and philanthropy Professor Emeritus Stuart A Middleton ONZM, JP for services to education</p> <p>Officers Mr Campbell R Smith for services to the music industry Ms Celia M Patrick for services to tennis Dr Chris Moyes for services to health Professor Evan P Moon for services to education and historical research Mr John W Blakey for services to education Dr Linda J Bryant for services to pharmacy and health Dr Lindsay F Mildenhall for services to neonatal intensive care and resuscitation training Mr Phillip R Ker for services to tertiary education Emeritus Professor Ralph P Cooney for services to science and innovation Mr Richard B Hoskin for services to the blind and people with low vision</p> <p>Members Dr Alison P Barrett for services to women's health Dr Angela D Sharples for services to education Ms Frian Wadia for services to disability and education Dr Graeme H Fenton for services to Māori and rural health Ms Gwendoline Smith for services to mental health Professor Jacinta A Ruru for services to Māori and the law Joshua J Robertson for services to the Pacific community Mrs Kolokesa U Mahina-Tuai for services to cultures and the arts Mx Moira J Clunie for services to LGBTQI+ communities Mr Nigel J Borell for services to Māori art</p> <p>THE QUEEN'S SERVICE ORDER</p> <p>Companion Ms Ann M Hartley for services to local government and the community The Hon Steve A Chadwick for services to local government and Parliament</p> <p>THE QUEEN'S SERVICE MEDAL David D Hinman for services to tramways and heritage Mrs Jennie E Oakley for services to the community and the arts Mr Thomas E Howard for services to conservation, particularly wildlife conservation</p>	
<p>6. CONFERMENT OF DEGREES</p>	<p>With the authority of Council, the Chancellor conferred the degrees as per the schedule held by the Graduation Office.</p>	

7. AWARD OF DIPLOMAS	With the authority of Council, the Chancellor awarded the diplomas, as per the schedule held by the Graduation Office.	
8. COUNCIL MEETINGS	8.1.1 Council, Draft Minutes (Part A), 08.12.2021	RESOLVED (Ms Newsome/Dr Prasad): that the Minutes (Part A), 08.12.2021 be taken as read and confirmed .
	5.1.2 Council, Draft Minutes (Part A), 20.01.2022	RESOLVED (Chancellor/Professor Curtin): that the Minutes (Part A), 20.01.2022 be taken as read and confirmed .
	8.2 Matters arising from the Minutes (Part A), 08.12.2021 and 20.01.2022 not elsewhere on the Agenda. None ...	
9. VICE-CHANCELLOR'S REPORT	<p>The report was taken as read.</p> <p>The Vice-Chancellor, Professor Freshwater, gave Council the following update about the report:</p> <ul style="list-style-type: none"> • With regard to the External, Policy and Government Update on p.1 of the Report, the Vice-Chancellor commented that in a letter sent by the Minister of Education to all Vice-Chancellors he advised that the focus would be placed on learners at the centre of the education system while emphasising the collaboration between the universities. Following this the Chancellors and Vice-Chancellors had a meeting with the Minister where the collaboration was further discussed. • With regard to the 5000 international students, eligible to enter the country from April 2022, the number allocated to the University of Auckland still needed to be determined. During a meeting with the Minister of Immigration it was clear there was an appetite to accelerate the reopening of the border and consideration needed to be given to international students in that context. • Work had been undertaken with the Times Higher Education on our sustainability agenda and these rankings would be released shortly. • As an internal update, the Vice-Chancellor acknowledged the enormous response from the University's staff and students going into a third year of COVID-19. A significant effort had been put into the preparation of Summer School, Quarter One and Semester One. She specifically acknowledged the Campus Life and Incident Management Teams who had worked hard on 	

	<p>maintaining the health, safety and wellbeing of students and staff on campus.</p> <ul style="list-style-type: none"> • Last year Council noted that the vaccine mandate at the University would be reviewed after six months. The Vice-Chancellor stated that this mandate would be reviewed together with the decision to move back to campus post the mid-semester break. Under red level settings, the University required staff and students to show their vaccine certificates. However, when moving into the orange level setting, this was no longer a requirement. The University was monitoring this very carefully while balancing the health, safety and wellbeing of staff and students with the return to a vibrant campus experience. The decision to move back to campus after the mid-semester break would be made shortly and the University was collecting advice from experts in this regard. • An extra webinar on the Omicron variant was planned for Tuesday 15.03.2022. The Panel of this webinar would include the University's Omicron experts and they would be answering questions from staff. • The Vice-Chancellor asked Council to note the appointment of an acting Pro Vice-Chancellor (Pacific): Associate Professor Jemaima Tiatia. • She also drew Council's attention to the last page of the Report and specifically to the level of engagement and the number of gifts and pledges the University continued to receive from its alumni and donors. <p>In a discussion that followed Council noted that the Kōtuitanga with Ngāti Whātua Ōrākei mentioned on p.7 of the Report had been deferred to the meeting of 27.04.2022.</p>	
10. REPORTS OF COUNCIL COMMITTEES	<p>10.1 AUDIT AND RISK COMMITTEE</p> <p>10.1.1 Minutes, (Part A), 04.03.2022</p> <p>10.1.2 Audit and Risk Committee Terms of Reference</p>	<p>RESOLVED (Chancellor/Ms Dawson):that the Audit and Risk Committee Minutes (Part A), 04.03.2022 be received.</p> <p>RESOLVED (Chancellor/Ms Dawson):that the amended Audit and Risk Committee Terms of Reference be adopted.</p>
	<p>10.2 CAPITAL EXPENDITURE COMMITTEE</p> <p>10.2.1 Minutes, (Part A), 02.03.2022</p>	<p>RESOLVED (Chancellor/Ms Quinn):that the Capital Expenditure Committee Minutes (Part A), 02.03.2022 be received.</p>
	<p>10.3 FINANCE COMMITTEE</p> <p>10.3.1 Minutes, (Part A), 02.03.2022</p>	<p>RESOLVED (Chancellor/Mr McDonald):that the Finance Committee Minutes (Part A), 02.03.2022 be received.</p>

	<p>10.4 STUDENT APPEALS COMMITTEE</p> <p>10.4.1 Report of the Student Appeals Committee 03.02.2022</p>	<p>RESOLVED (Ms Newsome/Ms Dunphy):that Council note the Report, 03.02.2022 of the Student Appeals Committee.</p>
<p>11. SENATE MATTERS</p>	<p>11.1 REPORT OF SENATE, 28.02.2022</p> <p>Part Ai 1-2: Reviews to be received by Council Part Aii 3-7: Policy and other matters requiring Council approval Part B, 1: Matters for noting by Council Part C, 1-3: Matters handled under Delegated Authority</p> <p>The Vice-Chancellor commented that most Senate meetings in the last year had been held virtually by Zoom which was unfortunate, as it did not allow for debate. It was however anticipated that, with the return to Campus further discussions regarding Freedom of Expression, Academic Freedom and the Code of Conduct could be held in person. The Vice-Chancellor also reminded Council that she had asked the Dean of Law, Professor Mathew, to undertake a review of Senate with the aim to revitalise Senate and enhance the engagement of Senate with academic matters. The outcome of this review would be reported to Council in due course.</p> <p>The Pro Vice-Chancellor (Education), Professor Kool, drew Council’s attention to the following items:</p> <ul style="list-style-type: none"> • The Review of the School of Population Health and the Review of Languages and Literacies in Education. Both these reviews had been positively received with some useful action areas highlighted by the panels. • The following two submissions for the Committee on University Academic Programmes (CUAP): <ul style="list-style-type: none"> ○ Amendment 2021/801 was a new interfaculty programme in Regional Development hosted by the Faculty of Education and Social Work and coordinated by the Tai Tokerau campus. This included a blended delivery of the programme. ○ Amendment 2022/802 which deleted the Postgraduate Certificate in Academic Practice which had been replaced by a Masters in Higher Education. • Ten Graduating Year Reviews (GYRs) which would be notified to CUAP. GYRs were conducted for new programmes after the first cohort of students had completed the programme. Three of the 10 GYRs recommended discontinuation of programmes due to insufficient enrolments. 	<p>RESOLVED (Chancellor/Ms Newsome):that the recommendations in Part A of the Report of Senate, 28.02.2022 be adopted and Parts B and C be noted.</p>

	<ul style="list-style-type: none"> • The Digital Badge Policy and Procedures: this provided a framework for the development, approval, design and issuing of digital badges which could be used by students and staff to promote the University qualifications on digital platforms. • The updated Assessment (Coursework, Test and Examinations) Procedures: this removed the restrictions imposed on Professional Teaching Fellows and Senior Tutors being appointed as course directors by Academic Heads and added requirements for Academic Heads to consider the teaching experience of appointees. <p>The Deputy Vice-Chancellor (Research), Professor Metson, also drew Council's attention to the update of Guiding Principles for Conducting Research with Human Participants. These needed to be updated to include name changes of ethics committees and updated procedures.</p>	
12. CORRESPONDENCE REFERRED BY THE CHANCELLOR	No items received	
13. OTHER MATTERS FOR DECISION OR NOTING	<p>13.1 SEAL</p> <p>Since the Council meeting on 14.06.2021 the seal had been applied to the following documents in accordance with the Council resolution of 18.02.1991:</p> <ul style="list-style-type: none"> - Deed of Variation of Lease & Renewal of Lease – 1-11 Short Street, Auckland – Sunshine Capital Ltd (Lessor) & The University of Auckland (Lessee) - Deed of Variation of Lease and Renewal of Lease – Premises at Petherick Tower, 31 Waring Taylor Street, Wellington – Midland Towers Ltd (Lessor) & The University of Auckland (Lessee) - Deed of Novation – The Selwyn Village - The University of Auckland (the Continuing Party), The Selwyn Foundation (Retiring Party) & Metlifecare Retirement Villages Ltd (the Substitute Party) - Deed of Variation of Services Agreement – Service Agreement the Selwyn Village - The Selwyn Foundation and the University of Auckland (the Contracting Party) 	RESOLVED (Chancellor/Mr Wang): that the affixing of the seal to the listed documents be noted .
	<p>13.2 APPLICATION OF SEAL AND QUALIFICATIONS – DELEGATED AUTHORITY</p>	RESOLVED (Chancellor/Mr Wang): that the affixing of the common seal of the University to the listed certificates consistent with Council's delegation of 19 June 2006 be noted .

	<p>13.3 DRAFT FREEDOM OF EXPRESSION POLICY & PROCEDURES</p> <p>13.3.1 Draft Freedom of Expression Policy</p> <p>13.3.2 Draft Freedom of Expression Procedures</p> <p>These documents would return to Council after consultation had taken place.</p>	<p>RESOLVED (Chancellor/ Mr Paitai): that Council note and endorse the Draft Freedom of Expression Policy and Procedures as final drafts to be submitted for consultation.</p>
	<p>13.4 AEGROTAT AND COMPASSIONATE CONSIDERATION – WAIVER OF FEES</p> <p>13.4.1 Memorandum, 03.03.2022 from the Pro Vice-Chancellor (Education), Professor Kool</p> <p>13.4.2 Fees Schedule A – All Students amended</p> <p>This item was presented by the Pro Vice-Chancellor (Education). She commented that the University was also considering a general review of the Examination Regulations and it was expected that the proposed fees waiver, currently only proposed for 2022, would continue.</p>	<p>RESOLVED (Chancellor/Ms Dunphy): that Council agree to waive the application fees associated with the aegrotat and compassionate consideration process.</p>
	<p>13.5 CAMPUS RULES POLICY</p> <p>13.5.1 Memorandum 20.01.2022 from the Deputy Vice-Chancellor (Operations) and Registrar, Mrs Cleland and the Campus Rules</p>	<p>RESOLVED (Chancellor/Dr Prasad): that the University Campus Rules be re-approved for a further five-year period without amendment.</p>
<p>14. GENERAL BUSINESS</p>	<p>The Chancellor asked the Vice-Chancellor to forward the letters from the Minister of Education and TEC discussed to Council.</p>	
<p>15. LEAVE OF ABSENCE</p>	<p>(for the meeting of 27.04.2022)</p> <p>No leave of absence was requested.</p>	

PUBLIC EXCLUSIONS

RESOLVED (Chancellor/Mr McDonald): 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 Minutes (Part B), 08.12.2021
Item No. 2.1	Auckland Health Research Ethics Committee Annual Report
Item No. 2.2	University of Auckland Biological Safety Committee Annual Report
Item No. 2.3	University of Auckland Human Participants Ethics Committee Annual Report and Membership
Item No. 2.4.1	Audit and Risk Committee Minutes (Part B), 04.03.2022
Item No. 2.4.2	2021 Draft Annual report
Item No. 2.5.1	Capital Expenditure Committee Minutes 02.03.2022
Item No. 2.5.2	Old Choral Hall change request
Item No. 2.5.3	Business Case
Item No. 2.6.1	Finance Committee, Minutes (part B), 02.03.2022
Item No. 2.6.2	Financial Performance for 2021
Item No. 2.7	Honours Committee
Item No. 4.1	University of Auckland Disability Action Plan
Item No. 5.1	Council Committee Membership for 2022

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, Professors Linton and Metson, Andrew Phipps, Tim Bluett, Pamela Moss, Simon Neale, Todd Somerville, Julian Michael, Helen Cattanach, Anthony Brandon 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 they relate to aspects of the administration of The University of Auckland for which those persons are responsible.

The meeting closed at 6.15

The meeting went into Public Excluded session at 5.00pm

Approved as a true and correct record.

Cecilia Tarrant, Chancellor

Date