UNIVERSITY
OF WOLLONGONG
AUSTRALIA

UOW submission to the Senate Education and Employment Legislation Committee's inquiry into the quality of governance at Australian higher education providers

March 2025

The University of Wollongong (UOW) welcomes the opportunity to provide a submission to the inquiry into the quality of governance at Australian higher education providers.

UOW is recognised as a leading Australian university and has in place a Council governance framework and a commitment to transparency, accountability and excellence designed to support compliance with requirements under the University of Wollongong Act (1989) (the Act), the University of Wollongong By-law (2005), the TEQSA Higher Education Standards Framework (Threshold Standards) 2021 and in alignment with sector best practice governance.

The University is committed to balancing accountability with strategic independence, noting that strong governance is essential for maintaining public trust and delivering high-quality education and research.

BACKGROUND

The University of Wollongong (UOW) with a diverse student body of over 36,000 students is a globally recognised, research-intensive university that plays a critical role in advancing education, innovation and economic development in Australia and internationally. Established as an independent institution in 1975, UOW has grown into a multi-campus university, supporting regional, metropolitan and global communities with high-quality education, research and engagement.

UOW has a significant multi-campus presence, with its flagship campus and research hub in Wollongong, regional campuses in Shoalhaven, Eurobodalla, Southern Highlands, and Bega Valley, and metropolitan campuses in Liverpool (South Western Sydney), Sutherland and Sydney CBD. Internationally, UOW operates campuses in Dubai, Malaysia, Hong Kong, and the recently launched UOW India, reinforcing its global reach and commitment to transnational education.

As a public university, UOW operates under the *University of Wollongong Act 1989 (NSW),* which defines its governance structure, responsibilities and reporting obligations. The UOW Council – its governing body – supports transparency, accountability and strategic oversight, in alignment with the Code of Governance Principles and Practice for Australia's Public Universities.

Key features of UOW's governance and institutional strength include:

- governance framework and structures that facilitate effective decision-making, financial oversight, risk management and compliance with legislative and regulatory requirements.

- A Council Risk, Audit and Compliance Committee that monitors adherence to TEQSA regulations, workplace laws, and higher education standards.

- Strategic regional leadership, expanding higher education access in the Illawarra, Shoalhaven, South Western Sydney and regional NSW while supporting local economies.

- Resilience and adaptability, demonstrated in crisis management, digital transformation and risk management strategies.

UOW ensures industry, community and student representation in its decision-making bodies via the Council Nominations Committee and in alignment with the University Council Constitution Rules.

The University's commitment to good governance and institutional accountability supports its position as a trusted and high-performing institution, well-placed to contribute to national higher education policy and governance discussions.

GOVERNING BODY COMPOSITION, TRANSPARENCY AND ACCOUNTABILITY

UOW recognises that university governance bodies should reflect a balance of academic, industry and community expertise.

The University's governance framework is designed to promote effective oversight, strategic decision-making and compliance with legislative requirements. This structure upholds UOW's commitment to transparency, accountability and excellence in higher education.

University Council: At the apex of UOW's governance structure is the University Council. As the governing authority of the University, Council acts for and on behalf of the University and controls and manages the University's affairs and concerns. The Council comprises official members, elected members from the University Community, Council appointed external independent members and Ministerial appointed members.

The Council Nominations Committee maintains a Council member skills and diversity matrix, informed by NSW Department of Education assessment principles for appointments to public university governance bodies, along with a shortlist of potential candidates to maintain diverse oversight for strategic decision-making when filling any Council vacancies. This ensures that Council maintains appropriate gender balance, reflects the diversity of NSW communities, has expertise in equity, higher education, finance and business, with a regard to serving the needs of the Illawarra region. Council's current membership includes one member who identifies as Indigenous, members who are culturally and linguistically diverse, members with disability and members who identify as LGBTIQ+.

Council has adopted a Statement of Primary Responsibilities including to:

- monitor the performance of the Vice-Chancellor and approve guidelines for the evaluation of their performance;
- approve the mission and strategic direction of the University, set appropriate performance targets, monitor performance in achieving targets and require actions to be taken to correct any underperformance;
- monitor and oversee the financial position and performance of the University, including financial reporting and controls, in order to comply with accounting and auditing standards;
- oversee and review the management of the University and its performance;

- establish and oversee University policies, procedural principles and practices to ensure consistency with relevant legislation and community expectations, including in relation to complaints, misconduct, breaches of academic or research integrity; and
- oversee and monitor the University's Indigenous education and engagement strategy, educational policies and practices to support participation by and partnership with Aboriginal and Torres Strait Islander peoples.

This Statement of Primary Responsibilities was last reviewed and approved by Council at its meeting on 21 October 2024.

The Act permits the Council to delegate its functions to any member or committee of the Council or to any authority or officer of the University or to any other person or body prescribed by the by-laws. To facilitate detailed oversight and specialised governance functions, the Council has established several committees, including:

Finance and Infrastructure Committee: Oversees the University's financial and infrastructure strategies, including monitoring financial performance, reviewing the University's budget, and overseeing and monitoring strategic developments and projects.

Risk, Audit and Compliance Committee: Oversees risk management and risk assessment across the University, including compliance with legislation and standards, its internal control structure and audit requirements, and its external reporting responsibilities.

People and Culture Committee: Oversees the University's workforce strategies relating to human resources, culture and health and the safety and wellbeing of the University Community.

Program Control Board: Provides oversight and guidance for the University of Wollongong's (UOW) transformation program, ensuring alignment of Council-initiated reviews, 2030 strategy development and budget remediation efforts with strategic objectives.

Performance and Remuneration Committee: Reviews the performance and remuneration of senior executives, ensuring alignment with industry standards and University objectives. The Committee receives reporting of the University's Senior Executive remuneration against the Mercer University Remuneration data. The University of Wollongong has also recently reviewed the size and responsibility of Senior Executive roles under the Korn Ferry Hay Guide Chart-Profile Method to support appropriate executive remuneration practices.

Nominations Committee: Acts as the selection panel for the shortlisting and recommendation to Council of candidates for Ministerial appointments to the University Council and for Council appointments.

Honorary Awards Committee: Advises Council on candidates for the award of Honorary Fellowships and Doctorates, the title of Emeritus Professor and the award of Community Fellowships.

UOW has policies in place to manage conflicts of interest, requiring Council members and staff to disclose any potential conflicts to maintain integrity in decision-making. Council members also provide a Fit and Proper Person Declaration and a Foreign Ownership Control and Influence (FOCI) declaration as part of their appointment to Council.

External reviews of the University's Corporate Governance and Academic Governance were completed in 2023 ahead of the University's TEQSA re-registration submitted in September 2024.

Both external reviews report that the University is fulfilling its responsibilities under the TEQSA Higher Education Standards Framework (2021).

Further to the external reviews, Council approved a UOW Council Governance Review Framework at its meeting on 22 March 2024. The Council Governance Review Framework includes:

- Annual Council member self-evaluations whereby each member completes a confidential questionnaire and has an individual meeting with the Chancellor to discuss their contribution throughout the year, their views on how Council is performing collectively and opportunities for further engagement,
- Council Committee Reporting to Council from every meeting whereby a formal report from each Council Committee is provided to Council after each Council Committee meeting to provide Council members with strategic oversight of significant items and key discussions from meetings of its Committees, and
- Annual Council Committee Effectiveness Reviews which provide an overview of key committee activities tracked against the Committee's Terms of Reference and may also include recommendations around a Committee's remit or recommendations about matters that should be brought to the Committee the following year.

To support members of Council to perform their roles, each member undergoes a series of inductions on commencement of appointment, including a governance induction. This induction includes the framework within which they carry out their functions and the duties imposed upon them by that legal framework and by any statement of duties, roles and responsibilities adopted by Council. The General Counsel also delivers an annual briefing to Council members on their duties and obligations, with the last briefing provided to Council members at the Council meeting on 23 August 2024.

FINANCIAL REPORTING AND SAFEGUARDS

UOW recognises that universities must balance financial sustainability with their core mission of education and research. Robust financial reporting standards and independent audits are essential for financial integrity. The University complies with Australian Accounting Standards and TEQSA financial requirements.

UOW publishes detailed annual reports and financial statements which are also presented to the NSW Parliament. These reports are publicly accessible and audited by the NSW Auditor General.

The University is facing unprecedented financial pressures, in part because of a significant and sustained reduction in international student onshore revenue due to the impact of changes to Australian Government migration policy. To meet these financial challenges, the University has been undertaking a comprehensive review of its operational model(s) across the entire institution. Our priority is to strengthen our foundations and deliver a sustainable future for the University while ensuring that UOW remains competitive and innovative.

COMPLIANCE WITH LEGISLATIVE REQUIREMENTS

UOW has processes in place to support its compliance with workplace laws, regulatory requirements and higher education standards. An internal compliance framework ensures adherence to the *Higher Education Standards Framework* (HESF) and TEQSA's regulatory requirements. Dedicated compliance officers oversee workplace laws, student protections and regulatory reporting.

EMPLOYMENT PRACTICES, EXECUTIVE REMUNERATION AND USE OF CONSULTANTS

UOW prioritises secure employment pathways, fair pay and workforce stability, supporting staff retention, engagement and academic freedom. Staff conditions and remuneration structures are regularly reviewed, with executive remuneration benchmarked to ensure alignment with sector standards, validated independently.

Similar to the sector, the University faces challenges applying complicated employee remuneration enterprise arrangements. UOW has undertaken a significant pay remediation program following the discovery of staff underpayments. In UOW's case, this related to the underpayment of approximately 4,900 current and former staff, totalling approximately $10 million. The program of work commenced in July 2023, when UOW self-disclosed to the Fair Work Ombudsman (FWO), the anomalies and issues it had identified. UOW has worked closely with affected staff, former staff, and the FWO to remediate the outstanding payments and ensure systems and processes were implemented to prevent reoccurrence. The main remediation payment to approximately 4,500 individuals was paid in November 2024, with the remainder of individuals expected to be paid in 2025.

SUMMARY

While strong governance is essential to preserving the integrity and quality of Australia's higher education sector, it is important to note that universities face the challenging task of balancing robust governance and prudent financial management alongside their core mission of education and research. In this context, UOW acknowledges TEQSA's vital oversight role.

However, the University cautions that overregulation may hinder institutional autonomy, and advocates instead for sector-wide benchmarking and best practice sharing. UOW remains dedicated in its commitment to continuous improvement in governance while delivering excellence in education and research.

We welcome the opportunity to discuss this submission further. For additional information, please contact UOW Director, Government and Community Relations Canio Fierravanti – caniof@uow.edu.au or 0411 244 491.