




Speech By
Hon. Grace Grace

MEMBER FOR MCCONNEL

Record of Proceedings, 16 November 2021

QUEENSLAND UNIVERSITY OF TECHNOLOGY AMENDMENT BILL

Second Reading

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (12.02 pm): I move—

That the bill be now read a second time.

The purpose of the bill before the House is to streamline the governance of the Queensland University of Technology, QUT, by reducing the size of its council from 22 to 15 members. The amendments support effective governance while maintaining an appropriate balance of skills and experience on the council. After a two-year consultation process with its university community, QUT requested the government consider a proposal to reduce the size of its council. The bill implements QUT's proposal and amends the Queensland University of Technology Act 1998, QUT Act, by reducing the size of the QUT Council from 22 to 15 members. The bill also includes consequential amendments to the QUT Act as a result of the reduction in council membership as well as transitional provisions to enable an ordered and timely transition from the current structure to the proposed new council structure.

The committee report states—

The bill proposes to reduce the size of the QUT Council from 22 to 15 members and to change its composition to:

- 3 official members—the chancellor, the vice chancellor, and the chairperson of the academic committee
- 3 appointed members, appointed by the Governor in Council
- 5 elected members, consisting of
 - o 2 members of the full time and part time academic staff
 - o 1 member of the full time and part time professional staff
 - o 1 undergraduate student
 - o 1 postgraduate student
- 4 additional members—at least 2 of whom must be alumni of QUT.

The bill does not change the terms of office of members of any category. While the bill replaces the category of 'student' elected members with 'undergraduate student' and 'postgraduate student', the term of office for the new student member categories remains the same as previously applied to student members, ie 2 years.

The bill was referred to the Education, Employment and Training Committee for consideration on 1 September 2021. The committee then tabled its report on 15 October 2021. I would like to thank the committee for their detailed and thorough consideration of the bill. I especially want to thank the committee chair, the member for Redlands, Kim Richards, for all the work that she has done.

The committee's inquiry into the bill included a call for public submissions, a public hearing and a public briefing. I take this opportunity to thank all the stakeholders who provided submissions to the committee and those who took the time to appear before the committee to brief them on the various aspects arising from the bill.

The committee has prepared a comprehensive report on the bill, which includes two recommendations: first, that the bill be passed—and thanks for that—and, second, that an amendment be made to clarify the effect of two of the transitional provisions in the bill. I would like to thank the committee for its bipartisan support of the bill. I table a copy of the government's response to the report, which supports the recommendations made by the committee.

Tabled paper: Education, Employment and Training Committee: Report No. 11, 57th Parliament—Queensland University of Technology Amendment Bill 2021, government response [1939](#).

I would like to talk briefly about the recommendation that the committee has made to amend the bill. The committee recommended the bill be amended to clarify that an elected academic staff member or an elected professional staff member of the council who ceases to be a member under new sections 77 and 78 of the bill will continue to be eligible to fill a casual vacancy under section 20A of the QUT Act during the current council term. As I mentioned previously, the government accepts this recommendation. The recommendation seeks to address a possible unintended consequence of the transitional provisions for an elected professional or academic staff member.

The current drafting of these provisions may result in an elected professional or academic staff member becoming ineligible to be later appointed to fill a casual vacancy in the council should this arise. It is not—and I repeat it is not—the intention of the bill to preclude members who cease to be an elected member under these transitional provisions of the bill from being eligible to be appointed to fill the casual vacancy during the current council term. I propose to move an amendment during consideration in detail that will clarify that an elected member removed from the council under the new sections 77 and 78 who is an academic staff or professional staff member of QUT may continue to be eligible under the QUT Act to fill a casual vacancy arising during the current council term as if the person had not been elected.

It was always the intention that this would occur. I think the committee had before it some evidence that there may be something unintended in the wording. As we know, the role of the committee is to tease this wording out to make sure that it is clear. We are happy to go by what some people may have interpreted that section as meaning. As I said, it was not an intention in the legislation.

I really welcome when these matters are discussed because sometimes outside bodies read the words and they can interpret them a different way. Then obviously the Office of Parliamentary Counsel, which drafts this legislation, can have a look at that and make it a bit clearer. I welcome the committee's work because this is what they are really set up to do: to scrutinise the legislation for unintended consequences. It is a very sensible approach. Sometimes words mean one thing to the people writing them and it is always good to have fresh eyes looking at these things.

It is great to see that our committee system is working very well. If we can iron out any wrinkles about unintended consequences or misinterpretation of some words, we are more than happy to do it as a government. Mr Deputy Speaker, as you will see in our response, we are more than happy to clarify that and I am more than happy to move those amendments. I say thank you to the committee. It is great to see them doing their work. It is great to see people coming forward. It is great to see those stakeholders with an interest in this area ensuring the wording is something they understand and that we get it right the first time. I thank them for that recommendation. We will be more than happy to move those amendments during consideration in detail.

I note that three submissions were received by the committee on the bill. Let's be frank: this is a bill about the size of the council. With 22 members, it is even bigger than the cabinet, which runs the whole of the Queensland government, and the shadow cabinet. Twenty-two members is a lot of members. I think it makes sense to reduce membership to 15.

There has been a lot of consultation on this proposal. I mentioned that there was two years of consultation. It is never easy to reduce a council of 22 people to 15. Inevitably, someone will miss out. Obviously no-one wants to miss out on being on the council. I have been on a number of boards throughout my career. I have never been on one that had 22 people. Sometimes I think that a committee of more than one is a bit too big! I jest, of course. When I consider the size of some boards—Energex, Sunsuper, South Bank Corporation, Easy Super, QSuper—and some of the boards on which I have been a member, for example the health and safety board and the reconciliation committee, I think 22 people is a lot. I think this is a very sensible step in the right direction.

I note that three submissions were received by the committee—we cannot make everybody happy—and that the submission by the NTEU did not support the bill. The NTEU raised some concerns in its submission. The first was that the bill did not represent the views and preferences of the broad QUT community but those of QUT management. QUT has consulted on this for two years. The NTEU also said that there is no evidence to support the policy rationale for the bill that smaller councils are more effective and that the proposed structure of the council will lead to reduced public transparency

and accountability. My department—I thank it—has provided a thorough written response to each of the concerns raised with the committee. It is important to note that all four membership categories—official, appointed, elected and additional—will remain represented on the QUT Council.

When you compare this model to the model of other Queensland public universities, you see that QUT has the second highest percentage of elected members, at 33 per cent of the total council membership. This is just behind the University of Queensland, which has 36 per cent elected members. The number of academic and professional staff as well as students on the council is also comparable to other universities in Queensland. The reduction in the number of QUT Council members is in line with the Universities Australia 2018 voluntary code of best practice for the governance of Australian universities, which states that a university governing body would desirably be no more than 15 members. QUT will be in line with the code. I understand that some people may not support a reduction in membership, but 15 is the desirable number according to the code and this bill reflects that. Further, the bill does not affect the existing public reporting, audit and accountability requirements placed on universities as statutory bodies.

In summary, QUT's 22-member council is one of the largest governing bodies of Queensland's public universities. It is the view of the QUT Council that reducing its membership from 22—I think the Queensland cabinet has 18—to 15 will achieve a well-balanced membership in terms of skill, experience, gender and diversity. It is also the view of the council that a smaller council will allow greater participation, effectiveness and agility in council meetings and operations, including streamlined decision-making. As I said, having been a member of many boards during my career, I cannot imagine how you would get around the whole 22 on issues. I think 15 is actually not a bad size. I can understand that it will streamline decision-making while still having the representation we need for a university to operate effectively. QUT also believes that the proposed structure will ensure appropriate representation for the entire university community, importantly including students. I endorse my department's response and the rationale for a reduction in the size of the QUT Council as proposed in the bill.

The bill will provide a contemporary governance structure for QUT as it looks to continue in its goal of providing quality higher education in an increasingly challenging and complex environment. COVID has not been kind to universities, particularly with the reduction in the number of international students because the international borders have been closed. International students have been a big part of universities. I do not think QUT is immune to the effects of their absence. The university needs to get back on its feet. I am really happy that the reduction in the council is happening now and that it has bipartisan support. I think it needs streamlined and effective decision-making. It has a lot of challenges ahead. Our international borders will hopefully open soon, when we get to the vaccination rate of 90 per cent. It will obviously need to rebuild in a world that has changed since the start of the COVID-19 world health pandemic.

QUT does an excellent job. It would be remiss of me to not take the opportunity to commend QUT, which has partnered with Fortitude Valley State Secondary College. It is a lovely partnership. They are really evolving what that partnership means—how the two can work together for the benefit of not only the students at Fortitude Valley but also the students at QUT. We want to make sure that the pedagogy at Fortitude Valley is world class, as we want it to be at all schools. This partnership between this brand new school and the modern, inner-city university of QUT—the university and school sectors working together to get the best out of both school students and university students—is a partnership I enjoy watching evolve. I commend both parties, which are working well together to ensure that both entities get the best out of that relationship. I thank the QUT vice-chancellor and the whole council board for their commitment to the Fortitude Valley State Secondary College. I also thank the Fortitude Valley State Secondary College principal and staff, who are also committed to enhancing the relationship. With those few words, I commend the bill to the House.