

## **RESOLVING CONFLICTS IN UNIVERSITY COUNCIL RELATIONSHIPS:**

### **VIGNETTES**

1. The Chancellor has concluded that, given her assessment of the Vice-Chancellor's continuing performance, the time has come to terminate the appointment (consistent with the V-C's contract of appointment). However, on sounding out Council members individually, she finds that there is not majority support for termination. What should the Chancellor do? Resign? And if she resigns what are the implications for the governance of the University? If the Chancellor decides to bring her concerns to a Council meeting, what is the appropriate way to do this? What could be possible outcomes from such a meeting?
2. The finances of the University are in a parlous state and the Chancellor has decided to seek the removal from Council of the two [external] members who chair the Audit and Finance Committees, respectively. How does he go about this at a Council meeting?
3. The Vice-Chancellor seeks Council support for large expenditure cuts that entail the abolition of a faculty and the eventual closure of a campus. How should the Council determine its view?
4. The Vice-Chancellor proposes abolition of the Faculties and Deans and replacement by Pro Vice-Chancellors and Schools. Not surprisingly, the incumbent Deans are opposed and, after meeting with the Chancellor (a meeting of which the Vice-Chancellor was not informed), the Chancellor agrees that the Deans be given an opportunity to voice their opinion at a Council meeting. Is this good practice? How is the Vice-Chancellor likely to react to such a decision? From a Council point of view, how might it have been best handled?
5. The Council has a difficult decision to make: new legislative provisions enable it to change its size and composition. The Student Union approaches the Chancellor with a request that it be permitted to address Council prior to it [the Council] making a decision on the number of staff and student members on Council. The Chancellor denies the request but invites the Student Union to prepare a written submission. Some members of Council are subsequently approached individually by the Student Union. How is the Council meeting likely to play out? What is the appropriate response from the Chancellor and Council members? How should Council go about determining issues of size and composition of Council when legislation allows such changes?
6. The Council has finalised its reactions to proposed legislative provisions regarding the terms of Council members and, after extensive discussion, has settled on ten years as the maximum time that a Council member can serve. Unbeknownst to the Chancellor and other Council members, a member whose appointment would be prejudiced by such a provision lobbies the state government to reject this proposal – without advising the Chancellor and any other Council members. The Chancellor discovers that this has occurred. What action should be taken?

7. A Council Member believes that the Council's decision on a strategic initiative is wrong and not in the best interests of the university. That Council Member leaks his views and details of the Council's confidential deliberations to the media. The Chancellor and the Vice-Chancellor have been able to identify the Council Member concerned. What should the Chancellor and the Vice-Chancellor do?
  
8. The progress of enterprise bargaining discussions was listed on the Agenda for the next Council meeting. The Vice-Chancellor had also indicated that the Council's advice on negotiating strategy and tactics would be sought. Several external members of Council approached the Chancellor and expressed concern about these discussions proceeding in the presence of staff members of Council. How should the Chancellor handle the situation?
  
9. A Council Member's daughter is employed by a controlled entity of the University. The controlled entity is in negotiation with the University regarding its ongoing funding. Confidential details of these negotiations are to be reported by the Vice-Chancellor to Council. What should the Council Member concerned do? What should the Chancellor do?
  
10. An employee of the University is also the CEO of a Cooperative Research Centre in which the University is one of several shareholders. The CRC is a Company Limited by Guarantee under the Corporations Act (C'wlth 2001). It is reported to Council by an individual external to the University that the employee has not acted in the University's interest in discharging his role as CEO. What issues does this present to the University and what action, if any, should the Council take?
  
11. For some time, the Vice-Chancellor of University X has been in discussions with the Institute of Engineers about an alternative admission stream into the engineering programs. The Academic Board has given careful consideration to several ways to respond to this stated need. After a series of meetings, the Board agreed on an admissions route that would take into account experiential learning. The Council was kept informed of these discussions by the Chair of the Academic Board and the Vice-Chancellor. Both the Chair and the V-C assumed that the appearance of the final proposal on the Council Agenda would not be the occasion of any particular comment or surprise. Much to the Chair's consternation, there was spirited opposition to the proposal from several external Council members; so much so that when the question was called there was a tie vote (with several abstentions). The Chancellor's casting vote supported the *status quo*. What action should the Chancellor, Vice-Chancellor and Chair of the Academic Board now take?