



THE UNIVERSITY OF
SYDNEY

Responses to Supplementary questions for the University of
Sydney from the Legislative Council Portfolio Committee No.3 –
Education, Budget Estimates 2024-2025 hearing held Wednesday
4 September 2024

2 October 2024

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Questions from Ms Abigail Boyd MLC

1. What is the volume of remediation payments made to casual academic staff under the University's current wage theft reviews?

The University has made 842 payments to 514 casual academic staff for a total value of \$2.8M (including interest and superannuation) as at 16 September 2024.

a) What is the volume of remediation payments made to other professional staff under the University's current wage theft reviews?

Across all remediation work streams within the Employee Payments Review program, the University has made 12,137 payments to 10,602 professional staff for a total value of \$17.4M (including interest and superannuation) as at 16 September 2024.

2. What is the University's expenditure to date on casual wage theft reviews, other than remediation payments made to casual staff?

The Employee Payment Review Program costs (excluding remediation payments) to complete historical reviews and calculate remediation payments from 2020 to August 2024 is \$21.6M (note this is for casual and non-casual staff as costs are unable to be separated for casual staff only).

3. Has the University engaged external contractors, advisors or consultants in its casual wage theft reviews to date?

Yes

(a) What work has it engaged them to perform?

External contractors, advisors and consultants have been engaged to perform the following work:

- Program/project managers and Project Management Office services
- Legal and industrial relations advice
- Data collection and analysis
- Modelling and calculation of remediation payments

4. What is the University's expenditure to date on external consultants, contractors and advisors for its casual wage theft reviews?

The University's expenditure on external consultants, contractors and advisors to support the Employee Payments Review Program reviews and remediation processing from 2020 to August 2024 is \$12.3M (note this is for casual and non-casual as costs are unable to be separated for casual staff reviews only).

5. How much remains in the \$70 million reservation made in the University's Annual Report for remediation payments?

The University's 2023 annual report includes a provision of \$70.1 million for potential further underpayment liabilities from the casual academic review. However, this estimate was based on a series of extrapolated assumptions while we continue these investigations.

As of 19 September 2024, \$69.5M remains against the \$70M remediation provision for casual academic employees that was included in the University's accounts for the year ended 31 December 2023. In accordance with the accounting standards, the provision will be reviewed at the end of 2024 and adjusted to reflect the current best estimate.

Questions from Hon Chris Rath MLC

6) Was the encampment on the University Law[n]s at the front of the Quadrangle one which was allowable under the University's policies and rules?

In April 2024, University policies and rules did not specifically deal with the unprecedented circumstance of encampments on campus.

The University introduced a new Campus Access Policy in July 2024 to set out the University's expectations for users of its lands and provide for the safe and orderly conduct of demonstrations. The policy seeks to balance the University's commitment to freedom of speech and academic freedom with our legislative obligations to protect the health and safety of our community.

a) What legal advice did you rely on for that?

Our legal advice is privileged.

b) How many people were at this encampment on average over the period?

i) How many were students or faculty?

ii) How many were external to the university?

The number of people attending the encampment varied. Larger numbers were present during the day in the early stages of the encampment attending activities including planned protests. During the day, it is estimated that numbers would fluctuate between 30 to 150 based on these events. The number of people in the encampment overnight reduced over time to between 0 and 10.

Operational observations, regular walk throughs and daily interactions with security personnel indicated that attendees were primarily students rather than staff or people external to the University.

c) At what level was the decision taken to remove the encampment made?

The Vice-Chancellor made a request to encampment representatives to end the encampment following consultation with other members of the University Executive.

i) What was the reason given for the removal of the encampment?

The Vice-Chancellor's request to the encampment representatives indicated that their continued occupation had become exclusionary and would have disrupted the operations of the University, specifically the "Welcome Program" planned for all students and staff at the commencement of Semester 2, 2024.

d) What were the terms of the deal made with a section of the encampment in order for them to leave?

The negotiation to end the encampment peacefully included commitments to:

- double expenditure over the next three years to support academics and PhD students under the Scholars-at-Risk Program
- convene a working group to provide feedback on investment policies with a lens to ensure they reflect our commitment to human rights, including consideration of the position of defence- and security-related industries in our Investment Policy and our Integrated ESG Framework
- disclose defence- and security-related research activities including research contracts and research grants, subject to contractual, legal and privacy obligations.

The terms of the agreement are available publicly at <https://www.sydney.edu.au/news-opinion/news/2024/04/24/statement-regarding-peaceful-protests-on-campus.html> (see Update: Monday 24 June) .

The agreement was in line with those made by universities around the world in the management of their encampments.

i) Were the terms of that deal different to those offered to other students?

No.

ii) Why was this deal made when the encampments were operating illegally and could simply be removed?

The University does not accept that the encampment was operating illegally.

e) When was the University Senate informed of the deal that was struck to remove the encampment? When did they approve it?

Members of the University Executive met daily to manage the encampment. The University Senate was updated regularly on the negotiations with encampment representatives to conclude the encampment and was informed on 24 June that the encampment had ended peacefully.

f) How many disruptions to lectures and classes have been referred to Registrar?

Two students have been referred to the Registrar in relation to disrupting lectures and classes.

g) How many cases of harassment have been investigated during the period of the encampment?

The University has received 289 complaints in total since 7 October 2023 relating to issues arising from the Israel-Hamas conflict and protest activity on campus – this includes complaints involving allegations of harassment.

h) How many of the encampment protestors have been referred to disciplinary proceedings for damaging the lawns?

None of the encampment protestors have been referred to disciplinary proceedings for damaging the lawns.

i) How many complaints relating to antisemitic activity by students or staff have been received by the University of Sydney since October 7, 2023?

The University has received 289 complaints in total since 7 October 2023 relating to issues arising from the Israel-Hamas conflict and protest activity on campus – these include complaints relating to allegations of antisemitism.