

**INQUIRY INTO THE GOVERNANCE OF NSW  
UNIVERSITIES**

**Organisation:** Charles Sturt University  
**Name:** Mr Lawrence Willett AO  
**Position:** Chancellor  
**Date received:** 10/02/2009

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CHANCELLOR

27 January 2009

The Director  
General Purpose Standing Committee No. 2  
Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000  
Email: [gpsc2@parliament.nsw.gov.au](mailto:gpsc2@parliament.nsw.gov.au)

**CONFIDENTIAL**

Dear Sir/Madam

Thank you for your request for submission to the Inquiry into the governance of NSW universities.

As the Committee will be aware, the National Governance Protocols for Higher Education Providers were enacted by the Commonwealth Government under the *Higher Education Support Act* in 2003. The Protocols were intended to improve University governance practices by providing a set of benchmarks to ensure that governing bodies were effectively overseeing University operations and that there was clear lines of demarcation between governance and management, reflecting the needs and circumstances of each institution.

It is widely accepted internationally in both the University sector, as well as public companies, that a 'one size fits all' approach to governance is not appropriate. The particular structures, processes and history of an institution will impact on the appropriate organisation and balance of governance/management responsibilities.

In late 2006, the Ministerial Council on Education, Employment, Training and Youth Affairs decided to commission a review of the impact of the National Governance Protocols and the scope for their enhancement. The Report released in 2007 largely endorsed the effectiveness of the Protocols and the manner in which universities have adapted these to meet the needs and circumstances of their institutions.

Charles Sturt University is of the view that effective governance is critical to the achievement of the objects of higher education institutions and to providing confidence to its stakeholders regarding the stewardship of resources. The demarcation of governance and management roles is a critical aspect of this and has been largely successful across Australian universities in addressing the circumstances of institutions. As governance structures must reflect the circumstances of institutions, it is expected that from time to time institutions will undergo a process of debate regarding the appropriate delineation of responsibilities. This should be viewed as a healthy process.

The University views regulatory arrangements as satisfactory and believes the current legislative scheme for NSW universities is effective and appropriate.

Please find attached, for your information, a copy of the letter I sent on behalf of Charles Sturt University, to the then Minister for Education and Training, the Hon. Carmel Tebbutt, MP, in response to the 2006 review.

Yours faithfully

**Lawrie Willett, AO**  
CHANCELLOR