

La Trobe University Student Council

Terms of Reference (draft)

Student Council Establishment

The Student Council is deemed to be a “student led organisation” as per the Higher Education Support Act 2003 (Cth) and the Higher Education Support (Student Services, Amenities, Representation and Advocacy) Amendment (Student Led Organisations) Guidelines 2024.

These Terms of Reference were reviewed and endorsed by the University’s Senior Executive Group and approved by the Deputy Vice-Chancellor (Academic) and Pro Vice-Chancellor (Student Experience and Employability).

Purpose

The Student Council comprises students currently enrolled at La Trobe University and elected by their peers to represent student interests. The purpose of the Student Council is to partner with the University to provide independent student-led input into decision-making of the University.

Through mutual agreement, the Student Council may also be allocated Student Services and Amenities Fees (SSAF) funding, either annually or on a student-led project basis and will be required to deliver the services, events or programs for student benefit pursuant to the *Higher Education Support Act 2003* (Cth) and the Student Services, Amenities, Representation and Advocacy Guidelines made under that Act. Compliance with the requirements and conditions of SSAF is the responsibility of all elected Student Council members, as outlined in this Terms of Reference.

Authority

The Student Council has authority over the matters related to its members and for any SSAF allocated to the Student Council in any calendar year of La Trobe University.

Elected Members and Office Bearer Roles

16 students will be the elected members of the Student Council. Student Council membership is composed of the following representative quotas, applied after votes have been counted:

- a. two (2) students enrolled in either an undergraduate or postgraduate degree, studying in a Rural, Regional and/or Remote (RRR) location;
- b. four (4) students enrolled in an undergraduate degree across the 10 Schools;
- c. one (1) student enrolled in a postgraduate degree (i.e., a degree conducted by coursework that is not a higher degree by research);
- d. one (1) student enrolled in a higher degree by research;
- e. two (2) enrolled international student (as defined in the Education Services for Overseas Students Act 2000);
- f. two (2) students enrolled in an online award course of study;
- g. one (1) student enrolled in a program of study to represent Aboriginal and Torres Strait Islander students;
- h. one (1) student enrolled in a program of study to represent students with a disability;
- i. one (1) student enrolled in a program of study to represent students residing on campus at Living @ La Trobe; and
- j. one (1) President of a Student Club.

A student may be a representative of one or more quota categories (e.g., an international or online student may be a RRR student or representative of a cohort within a School).

Appointment of Student Council officer bearers shall take place at the first meeting of the Student Council after elections are held and induction is completed. Office bearer roles will be elected by the members of the Student Council by a simple vote.

A single individual can hold only one office bearer role. Office bearer roles on the Student Council are as follows:

- a. **Two (2) members elected as Co-Chairs**
- b. **One (1) member elected as Executive Officer**
- c. **One (1) member elected as Treasurer**

Eligibility

A student must meet eligibility criteria to be a member of the Student Council, and/or retain their role as a member at any time in their term.

Nominees for election, and elected representatives, must meet the following eligibility criteria:

- a. have not been found to have breached or be in breach of La Trobe's Student Charter, Student Behaviours Policy or Student Academic Misconduct Policy (these LTU policies are available online at: <https://policies.latrobe.edu.au/>);
- b. must have at least twelve (12) months remaining to complete their course of study;
- c. have satisfactory Academic Standing;
- d. not a full-time employee of the University or any of its controlled entities;
- e. never declared bankrupt;
- f. not been found guilty of committing a crime;
- g. no criminal charges (charged or pending);
- h. are not currently, and have not been in the past two (2) years, an office bearer, elected representative, councillor, director, executive member and/or committee/subcommittee member of another student organisation;
- i. have attended an information session prior to nominating for election.

Elections

Elections of the Student Council must be conducted in accordance with election procedures determined by the Pro Vice-Chancellor (Student Experience and Employability) and outlined in the Election Regulations.

An independent Returning Officer will be appointed by the University.

Individuals with the second and third highest number of votes must have these recorded and stored confidentially by the Senior Advisor, Strategy and Operations of the Pro Vice-Chancellor (Student Experience and Employability). These individuals will be contacted to fill vacancies as they arise.

Terms of Office

The term is commenced after the declaration of electoral poll results by the Returning Officer.

The inaugural Student Council will have an 18-month to two-year term, confirmed in a letter of appointment. The inaugural Student Council will then determine how long terms of office will be, including the option for staggered terms.

Elected students must give a formal notice of resignation, in writing. Any elected student who does not abide by these Terms of Reference or fail to uphold the requirements of eligibility, will be removed from office and formally notified of their removal from office via email with ten (10) business days notice.

Members may appeal any removal from office via email to the Pro Vice-Chancellor (Student Experience and Employability) and the Student Council Executive Officer and have ten (10) business days to appeal a decision.

Any elected student member who does not attend two (2) or more Student Council meetings will be removed from office if the elected student member does not give formal notice of non-attendance (except in extenuating circumstances).

Responsibilities of Members

All members of the Student Council will:

- a. carry out their functions and representative roles in good faith, in the best interests of the student body and of the University as a whole;
- b. act with integrity and in alignment with the University cultural values;
- c. carry out duties in compliance with this Terms of Reference, any further governance documents to be developed, and the Higher Education Support Act 2003 (Cth) and the Higher Education Support (Student Services, Amenities, Representation and Advocacy) Amendment (Student Led Organisations) Guidelines 2024;
- d. not improperly use their elected status as a member of the Student Council to gain, directly or indirectly, an advantage for themselves or any other person, or cause detriment to the University;
- e. advocate for the interests of the Student Council and for students;
- f. assist the University to consult with students and collect important feedback at different times in the year to inform University decision-making;
- g. not improperly use or disclose information gained through their elected role on the Student Council (gained either directly or indirectly), advantage themselves or any other person/student, cause harm or damage to the University, its student or partners;
- h. maintain confidentiality at all times on Student Council and University matters not intended for broader information or communication (except where required by law);
- i. maintain and abide by the La Trobe University Privacy Policy; and
- j. comply with the La Trobe University Student Charter.

Role of the Student Council Co-Chairs

The elected Co-Chairs will:

- a. chair meetings;
- b. ensure the proper functioning of the Student Council;
- c. have oversight, accountability and provide leadership for the running of the Student Council;
- d. liaise with the University as required;
- e. ensure compliance with these Terms of Reference;
- f. delegate meeting chair responsibilities to a relevant member/s when on leave; and
- g. be responsible for the allocation, distribution and reporting of SSAF received by the Student Council.

Role of the Student Council Executive Officer

The elected Executive Officer will:

- a. ensure that accurate minutes of meetings are taken, approved and recorded that reflect the meeting event, attendees/apologies, declared conflicts of interest, matters discussed, description of how matters are deal with, reports presented, decisions/resolutions made, and actions assigned;
- b. support the Co-Chairs in their roles;
- c. ensure minutes of meeting are available for all members and the student body;
- d. ensure this Terms of Reference is made available as a standard agenda item for every meeting;
- e. sufficient and proper notice is given for all meetings;
- f. manage all correspondence and communication between the Student Council and the student body; and
- g. maintain a register of Student Council members, including up-to-date contact information and records that support compliance with this Terms of Reference.

Role of the Student Council Treasurer

The elected Treasurer will:

- a. be responsible for the financial supervision of the Student Council;
- b. support the Co-Chairs with the allocation, distribution and reporting of SSAF received by the Student Council;
- c. lead, with the Co-Chairs, the annual budget process;
- d. maintain accurate records of all income and expenditure; and
- e. present regular financial reports to the Student Council.

Vacant Positions in an Academic Year

When advised by the Chair, the Pro Vice-Chancellor (Student Experience and Employability) will fill a vacancy in any academic year.

The following sequential process will be undertaken to fill the vacancy:

- a. Seek eligible nominees from the most recent election will be appointed to fill the vacancy;
- b. If no eligible nominees, an Expression of Interest call will be offered to the Students as Partners Network;
- c. If no eligible nominees, an Expression of Interest call will be offered to the student body.

All preferred candidates will be considered and approved for appointment by the Pro Vice-Chancellor (Student Experience and Employability) in consultation with the Student Council Co-Chairs.

Remuneration and Expenses

Student Council members will be remunerated for their work via honorarium. Amount will be determined once the inaugural Student Council is elected, the SSAF budget allocation and prioritisation is determined, and an annual plan has been developed.

The Student Council will be provisioned an annual SSAF allocation to operate, to reimburse members for reasonable expenses, training and development, and compliance and governance activities. The annual SSAF allocation will be determined annually with the Student Council.

Attendance at Student Council

Student Council meetings have the following attendance requirements:

- a) Attendees must have prior approval of the Co-Chairs (except for the Vice-Chancellor, members of the Senior Executive Group or the Pro Vice-Chancellor (Student Experience and Employability), who must give notice to the Co-Chairs that they will be attending a meeting and for what purpose).
- b) Enrolled students may attend meetings with the consent of the Co-Chairs, having made a written application detailing the reason(s) for attendance and topics of discussion at least one (1) business week prior to the date of the meeting.
- c) The Co-Chairs reserve the right to decline requests for attendance and must record the request and the approval/decline, and the reasons why, via the meeting minutes.
- d) The Co-Chairs must as soon as practicable notify members of any application to attend a meeting, the applicant's stated reasons for wishing to attend, and any consent given for any person to attend a meeting.
- e) The Co-Chairs reserves the right to revoke or suspend any consent or invitation.

Annual Requirements of the Elected Student Council

The Student Council is responsible for the following annual requirements:

- a. represent and consult with enrolled students across all La Trobe campuses;
- b. consult with student organisations that are recognised by the University;
- c. through advocacy, understand and advance the teaching, learning, research, amenity and support needs of enrolled students at the University;
- d. provide input to University decision-making about any matter within these Terms of Reference and the specific use of proceeds from any compulsory student services and amenities fees;
- e. offer advice and make suggestions to the University, informed by consultation with the student body;
- f. determine the Student Council's annual program and budget;
- g. submit accurate, comprehensive and timely SSAF reporting; and
- h. ensure compliance with this Terms of Reference, any further governing documents to be developed, all current and relevant University statutes, regulations, codes, policies and guidelines and all current state and federal laws in operation in the State of Victoria.

SSAF Allocation, Management and Governance

SSAF allocated to the Student Council in any calendar year will be disbursed in accordance with the delegations of authority, policies and procedures of the University, and will be provisioned to the Student Council via the University's internal financial system.

The Student Council will be supported by the University to understand and comply with the requirements of SSAF funding, management and governance expectations, any annual provisioning of a SSAF budget, variation processes, financial acquittal and SSAF outcomes reporting.

All elected members of the Student Council will be accountable for the proper use, management, governance and reporting of SSAF funding in accordance with University policies and guidelines, and the Higher Education Support Act 2003 (Cth) and the Higher Education Support (Student Services, Amenities, Representation and Advocacy) Amendment (Student Led Organisations) Guidelines 2024 that prescribe compliance requirements for the use of SSAF and reporting on the outcomes for students.

Annual Program and Budget

Before October in each year (after the first year of

establishment which will be considered an inaugural transitional year) the Student Council must provide the Pro Vice-Chancellor (Student Experience and Employability) with a proposed program and budget that includes:

- an annual program of activities proposed for the next year;
- an itemised budget specifying all operational expenditure proposed for the following year to support the annual program of activities; and
- a statement on the benefits for students and their outcomes.

The University will require the Student Council to respond to further requests for information during the year in relation to any of the activities outlined in the annual program and budget.

The University will require the Student Council to develop, plan and deliver any funded annual programs, and associated SSAF budgets, in accordance with University policy and procedures (including finance, and procurement).

The University will provide additional support via specialist teams in the Student Experience and Employability Division to support all elected student members to prepare the annual program and budget (if requested), guide reporting requirements and ensure that associated activities meet the standard required of the University.

The University will aim to confirm approval of the Annual Program and Budget of the Student Council by December of each year, in line with the University's budget planning and approval cycle.

The University may seek to request the Student Council deliver additional or different activities as part of the requested Annual Program and Budget and will consult with the Student Council about this.

The University holds Student Council SSAF funds, which can only be disbursed in accordance with the delegations of authority, policies and procedures of the University, and will be provisioned to the Student Council via the University's internal financial system.

The Student Council must ensure funds are spent on activities permitted under SSAF per subsection 19-30 (tbc) of the Higher Education Support Act 2003 (tbc).

Reporting

Quarterly SSAF Financial Acquittals and Annual Program Activities Reports are required by the Student Council by no later than seven (7) business days following the end of the previous financial quarter.

Unfunded or unbudgeted expenditure and activities must be reported quarterly by the Student Council.

Any requests to rollover SSAF funding for the following year must be made in writing to the Pro Vice-Chancellor (Student Experience and Employability) by no later than 31 October each year, for consideration by the University. Requests must be accompanied by a clear rationale for rollover and a plan that details the use of rollover SSAF funds in the following year.

Any revenue, grants or sponsorship generated by the Student Council must be immediately reported to the University who holds and control funds and financial infrastructure on behalf of the Student Council.

The Student Council must provide an Annual Report by 20 December of every year that includes a statement of revenue, grants, and expenditure and a comprehensive report on the Student Council's performance and deliverables against the Annual Program and Budget. Commentary on the use of SSAF funding within the report will be accurate and descriptive in conveying the benefits to students.

The Student Council's Annual Report will be published to the University website the following year.

Any actual, potential or apparent breaches of this Terms of Reference, or the Higher Education Support Act 2003 (tbc) must be immediately reported by the Student Council to the Pro Vice-Chancellor (Student Experience and Employability).

Responsibilities of the University

The University will provide the Student Council with information, training and support to carry out the functions and responsibilities, and understand the obligations and compliance requirements of this Terms of Reference and any further governing documents to be developed.

The University will adhere to all institutional policies and procedures, including the Student Charter. The University will support the establishment and maintain an online web and social media presence for the Student Council, in consultation with the student body and the Student Council. The provision of online communication assets for the Student Council will be for the purposes of promoting the Student Council's Annual Program, benefits to students and to provide a connection between the student body and the Student Council for two-way communication and feedback.