

APPENDIX 3

Higher Education Advisory Committees Characteristics, Responsibilities and Conduct

Preamble

This statement forms part of the administrative guidelines for the *Higher Education Act 2001* and sets out general principles for advisory committees appointed under section 20 of the Act. The Director-General may appoint advisory committees to assist in the administration of the Act and will determine their constitution, functions and procedures. Advisory committees will provide expert, independent and impartial advice to the Director-General on matters such as:

- the recognition and establishment of universities in New South Wales
- the registration of education institutions as higher education institutions
- the accreditation of courses of study as higher education courses
- approval to provide courses of study to overseas students
- internal appeals against decisions taken by the Director-General under the provisions of section 17 of the Act.

Register of higher education advisory committees

The Department of Education and Training will establish a register of people to serve on advisory committees. The Department will appoint suitably qualified people and will provide appropriate training where required. Those appointed to the register will form a pool from which the Director-General may select members for advisory committees as the need arises.

- Those appointed to the register will be drawn from a range of backgrounds, including universities, non self-accrediting higher education institutions, professional or other relevant associations, practitioners, and public and private employers of graduates.
- They will be selected for their breadth of experience and knowledge of higher education and their acknowledged expertise in relevant leadership, administrative and/or disciplinary areas.
- They will have sufficient academic, professional or industry standing to have a high degree of credibility in the education and general communities.
- Attention will be paid to gender balance and the inclusion of people with an appreciation of access and equity issues in the provision of higher education.

Responsibilities and conduct of advisory committees

- An advisory committee will undertake its responsibilities in a professional and ethical manner and be objective, independent and constructive.
- Where an advisory committee is responsible for assessing an application, any personal or interpersonal factors not relevant to an assessment of criteria will not influence the outcome of the assessment.
- An advisory committee will take all reasonable steps to verify claims made in documentation presented for its consideration.

Declaration of interest

- Members of an advisory committee will be impartial. In assessing an application, conflicts of interest could arise from past or present financial, professional or personal relationships with the applicant or employees of the applicant.
- People invited to accept membership of an advisory committee will disqualify themselves if they have an actual, potential or perceived conflict of interest or if they have strong opinions about a type of institution or a type of course that are likely to prevent impartiality.
- People accepting an invitation for appointment to an advisory committee will be requested to complete the Department of Education and Training's *Declaration of Conflict of Interest for Members of Advisory Committees*. (See the attached format for the declaration.) Any actual, potential or perceived form of conflict of interest in the assessment process and its outcomes must be declared. Where it appears from the declaration that a conflict of interest may arise, the Department will determine whether it is appropriate for the person concerned to participate in the assessment.
- Where a conflict of interest emerges during an assessment, the person concerned will inform the Chair as soon as the conflict becomes apparent. The Chair will consult with the Department and decide whether it is appropriate for that member of the advisory committee to continue participating in the assessment

Confidentiality

Information obtained by an advisory committee will be treated confidentially. All matters dealt with in documentation or discussion will be held in confidence. An advisory committee will not disclose information, except for reporting to the Director-General, making relevant information available to the Department of Education and Training and for liaising, where required, with other government agencies. All documentation provided to an advisory committee is to be returned to the Department of Education and Training at the conclusion of the advisory committee's deliberations.

Intellectual property

An advisory committee is to take all reasonable steps to protect ownership of intellectual property and commercial-in-confidence material disclosed to it.

Members of advisory committees

An advisory committee typically will have up to five members, including the Chair and Secretary, though a committee appointed to assess an application for course accreditation may have additional members, as the Department considers appropriate. The members, including the Chair and Secretary, will be selected by the Director-General or the Director-General's delegate so that the committee as a whole has the expertise and experience required, regardless of the interests of individual members or organisations that may have nominated them.

- Members of an advisory committee will be familiar with the general principles for advisory committees appointed under section 20 of the Act.
- Where members are nominated by an organisation, they will not allow sectional interests to impede their objectivity and impartiality.
- Members will be aware of the advisory committee's purpose and terms of reference.

- Members will be conversant with the documentation provided to the advisory committee.

Responsibilities of the Chair of an advisory committee

The Chair will be responsible for:

- ensuring that an advisory committee carries out its deliberations in an atmosphere that encourages open, professional and courteous exchange of opinions
- during the advisory committee's meetings, observing agreed time frames without being inflexible
- guiding the advisory committee to conclusions that are fair, appropriate and clearly expressed
- ensuring that the advisory committee's report accurately reflects its findings and conclusions
- making recommendations to the Director-General that are in accordance with the advisory committee's terms of reference.

The particular responsibilities of the Chair and Secretary of an advisory committee appointed to assess an application for registration of an institution as a higher education institution and/or an application for accreditation of a higher education course are described in Appendix 7 of these guidelines.

Administrative arrangements for advisory committees

Members of course advisory committees will be paid an honorarium based on the number of full days spent in meetings and site visits in accordance with guidelines issued by the New South Wales Premier's Department.

Reasonable travel and accommodation expenses will be met by the Department of Education and Training. Details about these arrangements can be obtained from the Department on request.

**Declaration by Members of Advisory Committees
Appointed under the Provisions of the *Higher Education Act 2001***

I, (full name)

declare I have no past or present involvement with the business of the applicant that might constitute a conflict of interest.

Details of any past or present financial, professional or personal or relationships with the applicant or employees of the applicant are:

I also undertake:

not to disclose information provided by the applicant to the Department of Education and Training for the purposes of assessment;

to maintain the confidentiality of the assessment proceedings; and

to return to the Department of Education and Training all documentation provided by the applicant for the purpose of assessment.

Signature

Date

Please return to:
Manager
Accreditation and Regulation
Recognition Services Directorate
Department of Education and Training
Locked Bag 53 Darlinghurst NSW 1300.

Telephone: (02) 9244 5335
Fax: (02) 9244 5344