

UNSA Indigenous Collective - Terms of Reference

1.0 Establishment

The Indigenous Collective has been established to support the needs of its members and to educate on issues relevant to, provide support, and advocate for, this group in the wider community. The Indigenous Collective also advises the UNSA Student Representative Council and its standing committees in matters related to the education, educational experiences and extra-curricular needs of UON students identifying within its membership.

The Collective is also known as **IC**.

2.0 Definitions

In the context of this document the following meanings shall apply:

Active Members are student members of the Collective who have attended multiple activities and/or meetings of that Collective.

Members refer to anyone who has joined and registered in the Collective via the UNSA website group.

Collective or **IC** shall refer to the Indigenous Collective.

Collective Committee (the Committee) shall be made up of a minimum of three (3) Executive members: the Convenor, Deputy Convenor and Secretary.

Executive are defined as the 3 positions required to form the Collective Committee/ Namely, Convenor, Deputy Convenor, Secretary.

Extraordinary Meeting refers to a non-standard and infrequent meeting with only one Agenda item. An extraordinary meeting is used to facilitate the election process, disciplinary matters and any other matters contained herein.

Office Bearers are non-executive members of the Collective Committee, each with defined responsibilities that support the activities and objectives of the Committee.

Student shall mean a person currently enrolled for studies at the University of Newcastle.

Student Representative Council (SRC) is the peak representative body of UNSA and the Convenor is a voting member.

Indigenous refers to any person who identifies as Aboriginal and/or Torres Strait Islander.

First Nations refers to any person who identifies as Aboriginal and/or Torres Strait Islander. It encompasses and acknowledges the diversity of Aboriginal and Torres Strait Islander cultures and identities.¹

¹ Narragunnawali, *Terminology Guide: A Guide to Using Respectful and Inclusive Language and Terminology*, <https://www.narragunnawali.org.au/about/terminology-guide>

Autonomous refers only to the collective's management by community members (i.e., the collective is run by students who identify as Aboriginal and/or Torres Strait Islander, for this community) not its independence from UNSA.

Board of Directors (BOD) refers to the UNSA Board of Directors.

UNSA Support Person(s) refers to a designated third party who assists and oversees Collective grievances and disciplinary processes, as well as provides general support to the Collective Convenor. This may be an UNSA staff member or an Executive SRC member.

3.0 Aims and Objectives

The aims and objectives of the Collective Committee are:

- 3.1 To support, represent and advocate for students at the University of Newcastle who identify as Aboriginal and/or Torres Strait Islander;
- 3.2 To enhance and foster the social atmosphere and sense of community of the members of the Collective;
- 3.3 To inform, advise and educate members of the University community on best practice and issues relevant to members of the Collective;
- 3.4 To act as a key stakeholder in conversations on issues concerning First Nations students for the UNSA SRC and the University at large.
- 3.5 To centre and promote Indigenous perspectives, cultures and voices in both academic and social contexts within the broader community;
- 3.6 To provide information and opportunities to engage with First Nations history and culture, its Members and the broader community; and,
- 3.6 To protect and promote the principles of social justice, fairness and equality.

4.0 Membership

- 4.1 Membership is open to all students at the University of Newcastle that identify as Aboriginal and/or Torres Strait Islander.
- 4.2 There shall be no membership fee charged to join the Collective.
- 4.3 Individual Membership to the Collective must be renewed each calendar year via the UNSA website.

5.0 Meetings and Reporting

- 5.1 The Collective Committee shall meet at least once before each convening of the SRC.
- 5.2 The notice of meeting, Agenda, Minute taking/decision making, and other related protocols must follow and adhere to the UNSA Meeting Guidelines.
 - 5.2.1 To declare a motion carried at any Collective meeting, a supermajority of 70% is required.
- 5.3 The Committee may be convened to attend any urgent matter of business at the request of any two (2) members of the Committee, the UNSA SRC or the UNSA Board of Directors.

- 5.4 The Convenor shall report on the activities of the Collective to each meeting of the SRC via a formal SRC report and oral discussion (as necessary).

6.0 Quorum

- 6.1 Quorum for any Collective meeting shall be the nearest whole number over half of the filled Executive and Office Bearer positions. One of whom must be the Indigenous Collective Convenor.

7.0 Finance and Expenditure

- 7.1 The Collective must approve any expenditure from its budget at a Collective meeting.
- 7.2 The Collective may approve the use of up to \$100 of its allocated budget which must be ratified at the next meeting.
- 7.3 For larger expenditure, the Convenor must submit a completed UNSA Funding Proposal for approval by either the UNSA SRC or UNSA Board of Directors.
- 7.3.1 It is expected that the Convenor has the support of the Collective membership.

8.0 Collective Executive and Office Bearers

- 8.1 Office Bearers of the Collective shall constitute:

- 8.1.1 The Collective Executive comprising of the:

- i. Convenor;
- ii. Deputy Convenor;
- iii. Secretary;

- 8.1.2 Other Office Bearers comprising of:

- i. Events & Social Media Officer;
- ii. Campus Liaison Officer;
- iii. Wellbeing Officer;
- iv. Advocacy & Social Justice Officer;
- v. Queer Officer;
- vi. Community Liaison Officer;
- vii. Undergraduate Officer;
- viii. Education Officer;
- ix. Postgraduate Officer;
- x. Up to two (2) Collective Grievance Officers at the discretion of the Collective.

- 8.2 The Collective may, with consultation and approval from the UNSA SRC and/or UNSA Board of Directors, create additional Office Bearer positions. This must be decided on a needs basis.

8.3 Where the Collective deems an Office Bearer position wholly unnecessary, with the exception of the Convenor, Deputy Convenor and Secretary, the Collective may resolve to remove the position after consultation and approval from the UNSA SRC and/or the Board of Directors.

8.3.1 The Collective Convenor must demonstrate extensive and all necessary consultation in their recommendation for removal. This shall be provided by way of a formal paper to either the UNSA SRC or UNSA Board of Directors depending on the nature of the position.

8.3.2 The Collective cannot remove any of the Executive positions under any circumstances.

9.0 Roles and Responsibilities of Collective Executive Positions

This section outlines the roles and responsibilities of the Convenor, Deputy Convenor and Secretary. The roles and responsibilities of Office Bearers can be found in the UNSA Indigenous Collective Roles and Responsibilities document.

9.1 Convenor

- i. Be the chairperson of all Collective meetings;
- ii. Be the spokesperson for the Collective;
- iii. Attend relevant meetings, working groups, committees, and events;
- iv. Notify Collective members of meetings;
- v. Liaise with the UNSA Office to update and maintain the membership list;
- vi. Liaise with the Vice President of Welfare and Wellbeing;
- vii. Liaise with the President where appropriate;
- viii. Ensure the Collective Executive carries out their responsibilities;
- ix. Explain the obligations and rights of Office Bearers to them;
- x. Submit a written report to every UNSA SRC meeting on the activities of the Collective;
- xi. Conduct the duties of any vacant Collective Executive position where appropriate;
- xii. Be responsible for ensuring their collective is compliant with the Collective Governance Framework.

9.2 Deputy Convenor

- i. Be the chairperson for Collective meetings where the Convenor is absent;
- ii. Assist the Convenor in the management of the Collective and its event and activities;
- iii. Assist the Executive and the Office Bearers in the carrying out of their roles;
- iv. Attend UNSA SRC meetings (non-voting and on a needs basis) and;
- v. Assist the Convenor in preparing regular reports to the SRC.

9.3 Secretary

- i. Receive and send all external correspondence for the Collective;
- ii. Work with the Convenor to prepare an agenda for all meetings;

- iii. Supervise voting during all meetings except during an election process;
- iv. Take Minutes at meetings;
- v. Manage all of the administrative records of the Collective in conjunction with the Convenor;
- vi. Assist the Convenor in preparing a proposed budget for the Collective;
- vii. Work in conjunction with UNSA Staff and the Convenor to monitor the collectives allocated budget; and
- viii. Liaise with relevant UNSA staff and Executive.

10.0 Election of Indigenous Collective Convenor

- 10.1. The Indigenous Collective Convenor is an internally elected position and sits on the UNSA SRC with voting rights.
- 10.2. An external Returning officer will be appointed to oversee the election process. This may be anyone who does not have any active affiliation with the Indigenous Collective, or any conflicts of interest.
 - i. Where possible, the returning officer will be the Vice-President Welfare and Wellbeing or the UNSA Student Representative Support Manager.
- 10.3. The election must be held during the standard UNSA SRC election period in October/November of each calendar year.
- 10.4. The election will take place in an extraordinary Collective meeting which, apart from disclosure to the Returning Officer, must remain autonomous.
- 10.5. Notification of the nomination period for the position must be sent out at least fourteen (14) days prior to the extraordinary collective meeting.
- 10.6. The nomination period shall be seven (7) days.
 - 10.6.1 Nominations must be returned within the nomination period and must include:
 - i. The student's name;
 - ii. Student number; and
 - iii. A valid Candidate Statement.
 - 10.6.2 A valid Candidate Statement answers all components of the form and does not exceed the allocated word count. Any returned Candidate Statement that fails to meet the criteria will be deemed invalid until amended at the request of the Returning Officer.
- 10.7. If only one nomination is received, the sole candidate will be elected unopposed.
- 10.8. Where multiple nominations are received for the same position, the Returning Officer will prepare a ballot listing all nominees and schedule an extraordinary

collective meeting no less than two (2), but no more than seven (7) days after preparing the ballot.

- i. The election will be the only item of business during the meeting.
- ii. This notice of meeting is to be sent to all Collective members and include a list of all nominees and their candidate statements.
- iii. Where the current Convenor is running for re-election, the duty of Chair is to be delegated to an Executive Member who is not a Candidate.
- iv. The chair may vote in the election, but only by anonymous ballot.

10.9. The successful nominee will be determined by a simple majority.

- i. In the event of a tie, the meeting will be terminated, and a new date must be confirmed for election finalisation. This must occur within fourteen (14) days.
- ii. The tied candidates will be provided by the Returning officer, a list of preselected questions to answer. Which will form the basis of member voting.
- iii. Candidates will be given at least 48 hours to draft their answers and at the Returning Officer's discretion, may either present these answers in written form (circulated to all voting members before reconvening) OR/ present their answers orally at the rescheduled Collective meeting.
- iv. A ballot will again be prepared by the Returning Officer and members will be asked to vote on the tied ballot(s). At the discretion of the Returning officer, this process may be a 24 hour open online ballot or an in-person ballot.
- v. At the rescheduled meeting, whichever candidate receives the majority of member votes will be declared and the election shall be finalised.

11.0 Withdrawing from an Executive or Office Bearer Position

11.1 Where a Member holding either an Executive or Office Bearer position wishes to step down from their position and cease all duties, the Member must notify the Collective Convenor in writing outlining their intention to discontinue their role.

- i. A Member may withdraw from their position at any time for any reason, except for the Collective Convenor whom is required to follow all legal employment policies, processes and any contractual obligations.

11.2 Notice of intention to withdraw from their position must be given at least seven (7) business days prior to the Member stepping down.

- i. The Member is expected to continue in their duties until the seven (7) business day timeframe has passed or until such time as the position is filled, whichever occurs first.

- 11.3 Within twenty-four (24) hours of receiving a Member's written notice, the Collective Convenor must notify the UNSA Returning Officer and a call for nominations will be sent out to the Collective membership.
- 11.4 The nomination period shall be open for at least forty-eight (48) hours and up to a maximum of seven (7) days. This shall be at the Returning Officer's discretion.
- 11.5 Where multiple nominations are received for the same position, the Returning Officer may elect to hold an online vote after the nomination period has ended. This may be done via Zoom or any other conferencing software and voting shall be done via a confidential online ballot.
- 11.6 Alternatively, the Returning Officer may elect to hold an in person vote during an extraordinary meeting of the Collective.
 - i. All standard election and meeting protocols must be followed in the event of an in person vote. Refer to Section 10.
- 11.7 Where no nominations are received, the position will remain unfilled and enter into an EOI process. The position may be filled when a member is interested and a vote of the Collective has occurred to affirm their appointment.
- 11.8 Where a single nomination is received for a position, the Member will be appointed unopposed.

12.0 Collective Code of Conduct

- 12.1 All Members must act to be inclusive and treat everyone equitably, consistently, and appropriately.
- 12.2. All Members must behave and communicate in a manner that does not offend, degrade, or humiliate.
- 12.3. All Members must show consideration for the property of UNSA and others.
- 12.4. The Collective will not encourage or tolerate bigoted or otherwise hateful behaviour. Sexism, racism, prejudice relating to sexual orientation and gender, religious intolerance, and all other forms of bigotry will not be tolerated.
- 12.5. The Collective will not tolerate drunk and disorderly behaviour that interrupts its events or adversely affects Collective Members.
- 12.6 The Collective and its Members shall at all times adhere to the University of Newcastle Code of Conduct and the UNSA Code of Conduct.
- 12.7 Where necessary, the Collective will escalate any issues or grievances via the appropriate channels, including but not limited to; UNSA support person(s), UNSA President and Campus Care.

13.0. Inappropriate Behaviour and Incident Reporting

- 13.1 Upon becoming aware of an actual or possible issue of unacceptable or concerning conduct occurring i.e. bullying, harassment, violence, threats, damage to property or person, the Collective Convenor must report this to an UNSA support person(s).
- i. Upon becoming aware of any actual or possible incidents, issues or concerning behaviours, Collective Grievance Officers are required to report these to the Collective Convenor immediately, who will liaise with UNSA supports.
 - ii. Wherever possible the UNSA support person(s) should consist of the Student Representative Support manager, UNSA Vice-President Welfare & Wellbeing or the UNSA President.
 - iii. All matters raised are strictly confidential.
- 13.2 In determining the course of action, the Convenor and UNSA supports must refer to UNSA's Escalating and Reporting Concerning Behaviours document which houses the resources available to students in crisis and disputes, as well as the disciplinary, reporting and expulsion related policies and procedures.
- i. A judgement will then be made as to whether the incident or dispute may be handled by the Collective or whether it requires additional, external intervention.
- 13.3 Collective Grievance Officers may work with the Convenor to address any conflict or disputes arising within the Collective internally if the Convenor and the UNSA support person(s) consider it appropriate.
- i. In determining whether Grievance Officers may intervene, all relevant parties will refer to UNSA's Escalating and Reporting Concerning Behaviours document.
 - ii. Where an intervention is possible and safe to do so, all relevant parties must work toward a resolution in good faith.
 - iii. The Convenor, UNSA support and Collective Grievance Officers are required to engage other University and UNSA resources in their handling of the dispute if the situation requires it. I.e. Campus Care, Counselling, UNSA Board of Directors.
- 13.4 Where a matter can be resolved within the Collective and not through external involvement, the impacted parties must be given access to a support person of their choosing.

14.0. Discipline, Suspension and Expulsion of Members

- 14.1. Where the conduct of a Member is deemed entirely inappropriate and/or unsafe, the Convenor may, upon their reporting to the UNSA support person(s), formally request suspension or expulsion of the Member.
- i. The suspension or expulsion of the Member may only be approved in this capacity in extenuating circumstances, such that to continue the Member's involvement in the Collective seriously jeopardises the safety or standing of another Member, the Collective as a whole or the wider community.

- ii. In such an event, the Convenor and UNSA support cannot in good faith and with safety as the primary concern, continue to allow the Member to operate in the Collective.
 - iii. Where the Convenor and UNSA supports resolve to suspend or expel a Member, the UNSA President and UNSA General Manager should be advised, and Campus Care contacted.
- 14.2. In other instances of misconduct, the Collective Executive may resolve to suspend or expel a member from the Collective via a 75% majority vote if they have reason to believe the conduct of that member has been in violation with the following:
 - i. The Collectives aims and objectives;
 - ii. The Collectives Code of Conduct;
 - iii. UNSA's policies;
 - iv. University of Newcastle's Code of Conduct.
- 14.3. A resolution to suspend or expel a member of the Collective may only take effect:
 - i. If at a meeting of the Collective 75% of the member's present vote in favour of the resolution; or
 - i. The Member has been afforded the right of appeal as per the UNSA appeals process and the appeal is not upheld.
- 14.4. A meeting of the Collective to consider a resolution to suspend or expel a member must be held not earlier than seven (7) days and not later than fourteen (14) days after the notice has been given to the member in accordance with the following:
 - i. The Secretary must, as soon as practicable, give notice to the Member by way of a formal written notice:
 - a) Setting out the resolution of the Collective and the grounds on which it is based, and stating that the member (or their support person) may address the Collective at the meeting, if appropriate and as determined by the Collective Executive and in consultation with the UNSA support person(s);
 - b) Stating the date, place and time of that meeting; and
 - c) Informing the member that if, at that meeting, the Collective confirms the resolution, they may give notice within forty-eight (48) hours of the meeting if they will appeal to the UNSA Board of Directors.
- 14.5. At a meeting of the Collective to confirm or revoke a resolution, the Collective must:
 - I. Give the member (or their representative) an opportunity to be heard;
 - a) the Collective Executive may also decide in extreme circumstances such as violence, sexual assault or harassment or severe misconduct to only allow the member to give a written statement.

- i. Give due consideration to any written statement submitted by the member;
- ii. Determine by resolution whether to suspend or expel the member;
- iii. In the case of suspension of a member, determine the length of suspension;
- iv. In the case of expulsion of a member, determine the length of the expulsion, and whether the member will be permitted to apply for membership again after the period of expulsion.

15.0. Appeals

- 15.1. The right to appeal must be lodged within forty-eight (48) hours of notice of expulsion/suspension.
- 15.2. Appeals are considered at an UNSA Board Meeting and voted on by the UNSA Board.
- 15.3. The decision of the UNSA Board to either uphold or reject the appeal is final.

16.0 Review of the Collective Committee

- 16.1. The performance and functions of the Collective Committee shall be reviewed annually by the Collective Convenor and in consultation with the Vice-President Welfare & Wellbeing, President, Student Representative Support Manager and/ or any other person as deemed appropriate.

17.0 Related Documents

- Code of Conduct
- Collectives Governance Framework
- UNSA Meeting Guidelines
- UNSA Indigenous Collective Roles and Responsibilities
- Escalating and Reporting Concerning Behaviours

Document History	
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21 January 2022	Drafted by Jessica Philbrook
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