

NUPSA Special Executive Meeting Agenda –December 2018

A special meeting (2018/11) of the Newcastle University Postgraduate Students’ Association Executive, was held at 4pm on Wednesday, 12th December 2018 in HA158, Hunter Building.

Present:	<ul style="list-style-type: none"> ▪ Ash McIntyre (President) ▪ Anish Saini (Vice President) ▪ Faria Quoreshi (Coursework Representative)- <i>by phone</i> ▪ Barrie Shannon (GLBTI Representative) ▪ Amber Sauni (Equity Representative) 	<ul style="list-style-type: none"> ▪ Daniel Akeremale (Research Representative) ▪ Kirsty Richards (Satellite Representative)- <i>by phone</i>
Minute Taker:	<ul style="list-style-type: none"> ▪ Georgia Killick 	

Meeting opens: 4.20pm (Due to the President being notified by the Vice-President that he was running late due to another commitment).

The Vice-President was asked to step outside and would be invited to join the meeting for item 3.3 after it was confirmed that no written submissions had been made.

1. WELCOME AND APOLOGIES

Satellite Rep joined by phone at 4.21pm

1.1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land, the Pambalong clan of the Awabakal people and pay my respects to the elders both past, present and future, for they hold the memories, the traditions, the culture and hopes of Aboriginal and Torres Strait Islander Australia.

I would like to acknowledge the loss of lands, cultures and treasures, acknowledge the consequences of this loss for the people, communities and nations.

We meet today, believing we can walk together to a better future.

1.2. APOLOGIES

None received

2. CONFLICTS OF INTEREST

At this point in the meeting the chair calls on the Executive to declare any conflicts of interest regarding any matters on the agenda.

None declared

3. BUSINESS DISCUSSED

3.1 Complaint

There was a complaint lodged with the NUPSA Executive regarding the conduct of the Vice President on 28.11.2018 and a special executive meeting was called to address this issue and the Vice President was invited to submit any written submissions they felt appropriate. They were also invited to the meeting to make any oral submissions. This complaint alleges that the Vice President failed to declare a conflict of interest regarding a current NUPSA matter which places NUPSA in a vulnerable position and breaches not only the constitution but also fiduciary duties and the executive contract the Vice President signed. It is identified there were multiple opportunities for this disclosure to be made. The complaint also identifies that the Vice President continued communication with a person who is involved with legal action against NUPSA after they became aware of this and has shared information regarding NUPSA’s finances and practices. This complaint also point out that the Vice President sought assistance from this person in writing their candidate statement for the NUPSA 2019 Executive elections.

3.2 Review of written representations

None received

3.3 Opportunity for Vice President to make oral representation

The Vice President advised he did not believe he had received a written notice under section 9.6a (ii) of the constitution and therefore it is not applicable in this case. The Vice-President refuted multiple points of the

complaint. The Vice President asserts that he did not share confidential NUPSA information or discuss confidential NUPSA issues. The Vice President advised that part of the reason he consulted with an external party was they had detailed knowledge of NUPSA policies, procedures & circumstances, and they had this information without it being provided to them. It was also stated that as the Vice President had long intended to run for the Presidency in 2019 and therefore the assistance with writing his candidate statement was unrelated. There was some debate between the Vice President and various Executive members. The Vice-President identified that they did not believe their behaviour was inappropriate and they would “do it again” when asked if they thought there was anything they could have changed.

3.4 Executive resolution

The Executive considered the submissions made by the Vice President. It was discussed that this matter is more effectively addressed under section 4.9 of the Constitution. It was decided that section 9.6a (ii) is not applicable but a general meeting could be called under 9.3(b), however the Vice President will no longer be an Executive member in 2019. It was discussed that the Vice Presidents conduct has breached the constitution, has not been in the best interests of NUPSA and satisfies the criteria for expulsion under 4.9 (d) of the constitution. It was also pointed out that this conduct could cause NUPSA to be viewed in a negative light and its governance procedures questioned, therefore bringing NUPSA into disrepute. It was discussed that there had been multiple opportunities to declare the conflict of interest and to modify behaviour in order to protect the best interests of NUPSA. There had also been support and advice provided to the Vice-President which was disregarded.

Motion: Under section 4.9 (i) & (ii) of the Constitution the NUPSA Executive expels Anish Saini from NUPSA membership under precedent set by previous Executive and our readings of the Constitution.

Moved: President

Seconded: Equity Representative

In favour: 5

Opposed: 1

Motion Carried

Meeting closes: 5.08pm