

SENATE EDUCATION AND EMPLOYMENT LEGISLATIVE COMMITTEE INQUIRY INTO THE ARC AMENDMENT (REVIEW RESPONSE) BILL 2023

19 JANUARY 2024

ACKNOWLEDGEMENT OF COUNTRY

Monash University recognises that its Australian campuses are located on the unceded lands of the people of the Kulin Nations, and pays it respects to their Elders, past and present.

INTRODUCTION

Monash University seeks research excellence with impact, spanning the spectrum from discovery to translational research. Our mission-oriented approach prioritises partnerships with other research institutions, government, industry, NGOs and community for programmatic initiatives aligned with responsible research practices. We would be pleased to discuss this approach with the Committee or to discuss the feedback provided below.

The ARC is one of the pillars of Australia's national research system, supporting discovery, basic and fundamental research, which are the cornerstones of knowledge development, as well as applied research and innovation. We are heartened that the recommendations of the review have largely been incorporated into the Review Response Bill. We strongly support the intent of this amendment to the Act to enshrine and clarify the purpose of the ARC and to establish a robust governance structure that enables it to achieve this purpose for Australia's public benefit.

FEEDBACK ON THE PROPOSED AMENDMENTS

SCHEDULE 1

3 OBJECT OF ACT

Monash supports the expansion of the Objects of the Act to clarify the ARC's broader purposes and its role in supporting universities to undertake research for the benefit of the community.

Given this greater detail, we suggest also including in 3b the ARC's provisioning of equipment and infrastructure as an enabler of research:

3(b) promote and conduct activities to shape and foster the Australian research landscape and community, including by supporting academic career pathways, expanding Indigenous knowledge systems, *enabling leading research infrastructure*, and evaluating the excellence, impact and depth of Australian research.

SCHEDULE 2

PART 3, DIVISION 2 - THE BOARD

11 Membership

We welcome the specific requirements for board membership to include Indigenous and regional representation and note the pitfalls in prescribing other representations.

To ensure a sufficient breadth of research expertise and to meet the requirement for the Minister to 'have regard to the desirability of the Board reflecting the diversity of the general community' (Division 3, 12-4-D) we recommend that the allowable maximum number of the elected board members be raised to nine and a minimum set at seven.

We note that there is no reference to the CEO being on the Board and recommend that they be included 'ex officio' or attend Board meetings as recommended by the Review:

Recommendation 6

iii. the ARC CEO and Secretary of the Department (or delegate) would attend Board meetings to ensure coordination and communication with appropriate separation of advice to and from the Board and to the Minister.

(Trusting Australia's Ability: Review of the Australian Research Council Act 2001 - Final Report March 2023, p39)

PART 3, DIVISION 3 - BOARD MEMBERS

12 Appointment

(3) It is an important inclusion for the Chair to have substantial experience and expertise in research. Research credibility will be essential to maintain the trust of the sector and the broader community, as well as experience and capabilities in research management to manage the complex sectorial, public and research related issues that will be addressed by the Board.

(4) We welcome the requirement for a majority of Board members to have research or research management experience, and suggest that this be recent to ensure relevance to the contemporary research landscape

4(a) ensure that a majority of the Board members are persons whom the Minister is satisfied have *substantial and recent experience and expertise* in one or more fields or research or in the management of research.

As noted earlier, we are concerned that the requisite combination of skills and perspectives to represent the general community cannot be met with the existing cap on board numbers and recommend a maximum of nine board members be allowed and a minimum of seven, with the ARC CEO additional.

30 Designated Committees

The current ARC Advisory Committee is composed of leading academic scholars, higher education sector research leaders and industry representatives. While we welcome the Advisory Committee inclusion in the amendments, further clarity is required on its structure and function. We note from the Minister's speech when introducing the bill to the House, that "The Board will ... be supported by an ongoing ARC Advisory Committee with expertise across research, industry and governance." We suggest that this expertise is noted in the legislation to ensure that the Advisory Committee can fulfil its role in assisting the Board to 'determine priorities, strategies and policies for the ARC'.

34 CEO

(2) As with the eligibility requirements for board membership, we recommend that the CEO should have recent and substantial experience and expertise, professional credibility and significant standing in research to maintain the trust of the sector and the broader community and research management to manage the complex sectorial, public and research related issues for which they will be accountable.

SCHEDULE 3

DIVISION 1 APPROVALS

48 Ministerial approval of grants of financial assistance for designated research programs

The explanatory memorandum mentions the Minister's approval for designated research programs to recognise the role of such programs in creating research capability. This stated role would only be specified in the approved funding rules, and this creates the potential for the design of future designated research programs that are not focused on creating that research capability. We would welcome further information regarding the selection of projects approved by the minister, taking into account recommendations from peer review (pursuant to Section 1, Schedule 3(d)). The explanatory memorandum implies that only Board decisions consider "advice following expert and peer review processes".

Appropriation simplification

We appreciate the removal of the Annual Cap on Funding (49) and understand the removal from the Act of the requirement for the Minister to divide the funding between categories, as recommended by the ARC Review. For transparency, we recommend that there be annual reporting of spend proportion in each category (pure basic, strategic basic and applied research) in the ARC's Annual Report (65 A Annual Report) and that the proportion of the annual appropriation expended in each category to be tabled in Parliament by the Minister (48 (8) Tabling Requirements).

S56 Minister's Obligations in relation to decisions relevant to the security, defence or international relations of Australia

We support the capacity for the Minister to disallow a Board approval for reasons of national security and ask that in such cases the university be invited to a private briefing, before the tabling of the decision. This briefing would serve several purposes:

1. it could provide the lead university with an opportunity to respond to and address the issues that have warranted the disallowance
2. it will be useful for future institutional practices in addressing risks relevant to the security, defence or international relations of Australia
3. it is a matter of courtesy, given the tabling decision will name the university and research program.