

International Education Advisory Board (IEAB) Charter

1 May 2024
Study NSW



NSW International Education Advisory Board Charter

1 Introduction

The NSW International Education Advisory Board (the Advisory Board) Charter (the Charter) sets out the objectives, authority, composition and tenure, roles, responsibilities, reporting and administrative arrangements of the Advisory Board.

2 Objective and functions of the Advisory Board

The objectives and functions of the Advisory Board are outlined in the Terms of Reference.

3 Composition and tenure

The composition of the Advisory Board reflects the diversity of the international education sector in NSW and ensures a combination of national and state-based bodies, as well as key education subsectors (English Language Intensive Courses for Overseas Students [ELICOS], School, Vocational Education and Training [VET] and Higher Education), are represented. The Advisory Board is to comprise of the following designated office holders, appointed by the Minister with portfolio responsibility for Study NSW:

- An independent senior industry expert (to serve as Chair)
- Secretary of the NSW Department with portfolio responsibility for Study NSW (or nominated representative) (Ex-officio)
- Secretary, NSW Department of Education (or nominated representative) (Ex-officio)
- NSW Chief Scientist & Engineer (Ex-officio)
- CEO, NSW Metropolitan Local Government Council (or nominated representative);
- CEO, NSW Regional Local Government Council (or nominated representative);
- President, International Student Peak Body (or nominated NSW-based member)
- Sydney-based Vice-Chancellor
- NSW Regional-based Vice-Chancellor
- Chair of the NSW Deputy/Pro Vice-Chancellor's (International) Committee
- Managing Director, TAFE NSW (or nominated representative);
- CEO, Peak Body (Independent Tertiary Education) (or nominated NSW-based member)
- CEO, Peak Body (ELICOS) (or nominated NSW-based member)
- CEO, Peak Body (Independent Schools) (or nominated NSW-based member)
- CEO, International Education Peak Body (or nominated NSW-based member)
- CEO, Student Accommodation Peak Body (or nominated NSW-based member)
- CEO, EdTech Peak Body (or nominated NSW-based member)

A member (including the Chair) holds office for such period (not exceeding two years) as is specified in the member's instrument of appointment but is eligible (if otherwise qualified) for reappointment for two-year terms up to a maximum of ten years in total, unless otherwise provided in legislation, or where such limitation would be contrary to the public interest.

A transition to alternating years is required for half of the Advisory Board members to ensure that all members are not replaced every two years and to ensure continuity and retention of knowledge.

The Advisory Board may delegate to an authorised person any of the functions of the Advisory Board, other than this power of delegation.

Members of the Advisory Board will not be remunerated for their service.

4 Control of the Advisory Board

The Advisory Board is, in the exercise of its functions, subject to the control and direction of the Secretary with portfolio responsibility for Study NSW.

5 Reporting

In conjunction with Study NSW, the Advisory Board will provide the Minister with portfolio responsibility for Study NSW with an annual report on its activities.

The Secretary with portfolio responsibility for Study NSW can direct the Advisory Board to consider specific issues for future reference relating to international education and research and seek its assistance on priority government initiatives.

If a member does not support any report, advice, or recommendation to be made to the Secretary with portfolio responsibility for Study NSW, by the Advisory Board, the report, advice, or recommendation may, if the member so requires, be accompanied by a minority report.

6 Meetings

The Advisory Board shall meet at least twice annually or more frequently as required.

Participation via teleconference is considered valid attendance for Advisory Board members.

Meetings of the Advisory Board may be convened by the Chair or by Study NSW.

The quorum for a meeting of the Advisory Board is six members.

7 Duties of the Chair

The Chair shall preside at all meetings of the Advisory Board. It is the responsibility of the Chair to conduct the meeting in an orderly manner.

In the absence of the Chair, the Advisory Board shall agree to appoint an interim Chair. If the Advisory Board cannot agree on an interim Chair, the Secretary with portfolio responsibility for Study NSW shall preside and exercise all the powers and duties of the Chair.

The Chair has the same right to raise issues for discussion and contribute to meeting agendas as the other Advisory Board members.

The Chair will take up the items of business in the order listed in the predetermined agenda. However, when the circumstances warrant, the Chair may modify the order of business.

8 Voting

All Advisory Board members will have equal voting rights.

A decision supported by a majority of the votes cast at a meeting of the Advisory Board at which a quorum is present is the decision of the Advisory Board.

9 Administrative arrangements

Full and accurate minutes will be kept of Advisory Board meetings.

Secretariat support for the Advisory Board will be provided and funded by Study NSW.

10 Committees

The Advisory Board may, with the approval of the Secretary with portfolio responsibility for Study NSW, establish committees for the purpose of assisting the Advisory Board to exercise its functions.

All such committees must be chaired by a member of the Advisory Board. It does not matter that some or all of the other members of any committee are not members of the Advisory Board.

Committee chairs must provide the Advisory Board with a regular update of Committee activities, findings and opportunities based on their respective terms of reference.

11 Transparency & Accountability

All Advisory Board members must disclose interests which include positions and pecuniary interests in corporations, partnerships or other businesses that may be relevant to the activities of the Advisory Board or committee.

All Advisory Board members must complete the Board & Committee Member's pecuniary interest declaration and undertaking form. When an issue arises, the member must as soon as practicable disclose full and accurate details of the interest or issues to the Advisory Board Chair. All declarations are to be recorded within a register maintained by Study NSW and noted within the minutes of the meeting.

The Advisory Board must record a decision as to how to manage the conflict of interest. A decision may include:

- a. agreeing that the member will not take part in any discussion of the Advisory Board or committee relating to the interest or issue, not receive any relevant Advisory Board or committee papers, be absent from the meeting room when any discussion or vote is taking place and not vote on the matter
- b. divestment of the interest/issue that is creating the conflict
- c. severing the connection, for example resignation from a position in another organisation giving rise to the conflict
- d. resignation of the member from the Advisory Board or committee.

12 Vacancy in office of members

The office of a member becomes vacant if the member:

- a. dies, or
- b. completes a term of office and is not reappointed, or
- c. resigns the office by instrument in writing addressed to the Secretary with portfolio responsibility for Study NSW, or
- d. is removed from office by the Minister with portfolio responsibility for Study NSW under this Charter or under Chapter 5 of the Public Sector Employment and Management Act 2002, or
- e. is absent from two consecutive meetings of the Advisory Board of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Advisory Board or unless, before the expiration of four weeks after the last of those meetings, the member is excused by the Advisory Board for having been absent from those meetings, or
- f. becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
- g. becomes a mentally incapacitated person, or
- h. is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable, or
- i. ceases to hold the designated office.

The Secretary with portfolio responsibility for Study NSW may remove a member from office at any time, after consultation with the Minister with portfolio responsibility for Study NSW.

If the office of any member becomes vacant, a person may be appointed, subject this Charter, to fill the vacancy.

If the vacancy is in the office of an Ex-officio Member, the person who fills the vacancy must be an officer of the NSW Department with portfolio responsibility for Study NSW.

A person who fills a casual vacancy as a member is to hold office for the balance of the term of office of the person's predecessor or until the person sooner vacates the office. Such a person is eligible (if otherwise qualified) for reappointment for one term only.

13 Performance

The Chair of the Advisory Board, in consultation with Study NSW, will conduct a review of the performance of the Advisory Board annually. The evaluation will take account of its performance in relation to this Charter and serve to ensure that it is operating in line with accepted practice for NSW Government Advisory Boards.

14 Review of the charter

The Advisory Board will review this Charter annually. Any material changes to the Charter will be recommended to the Secretary with portfolio responsibility for Study NSW for formal approval.

NSW International Education Advisory Board – Terms of Reference

Objective

To provide expert insight and opinion on Study NSW's strategic direction, key performance indicators and business plan.

Functions

The International Education Advisory Board will:

- provide expert advice and insight into matters affecting the NSW international education and research sector
- identify opportunities and challenges to foster sustainable growth of the NSW international education and research sector, including ways to build stakeholder engagement and commitment in delivering long-term sector development needs
- advise on the Study NSW annual business plan and key performance indicators, including input and advice on proposed core initiatives and partner initiatives as they arise
- review the outcomes of the annual business plan and progress against key performance indicators
- at the Secretary's request, consider specific issues related to international education and research, and assist on priority government initiatives.

Appointment of members and accountability

- Members will be appointed by the Minister with portfolio responsibility for Study NSW
- In conjunction with Study NSW, the Advisory Board will provide the Minister with portfolio responsibility for Study NSW with an annual report on its activities.