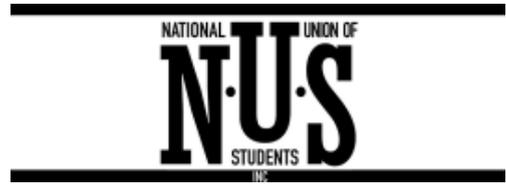


National Executive Meeting

National Union of Students Inc.

Tuesday, 12th April 2022



Minutes

Meeting Details:

Venue: Online

Time: 7:30pm AEDT

Chair: Georgie Beatty (National President)

Minute Taker: Emily Sagolj (National Secretary)

1. Meeting Open - 7:34pm

1.1 Acknowledgement of Country

1.2 Election of Deputy Chair

Action

The National Executive appoints Emily Sagolj as the Deputy Chair of the Committee.

Mover: Georgie Beatty (National President)

Second: Sinead Winn (National Executive Member)

Carried without dissent

1.3 Acceptance of Apologies

Action

The National Executive accepts the apologies of the following:

- Lana Goodman-Tomsett (Qld State Branch President)
- Beatrice Co (Vic State Branch President)
- Tiana Myers (National Executive Member)
- Jonathan De La Pena (National Small & Regional Officer)

Mover: Emily Sagolj (National General Secretary)

Second: Georgie Beatty (National President)

Carried without dissent

1.4 List of Accepted Proxies

The following proxies have been accepted by the National Secretary:

- Emily Sagolj (Lana Goodman-Tomsett)
- Akshay Jose (Beatrice Co)
- Emma Hogan (Tiana Myers)

1.5 Disclosure of Conflicts of Interest

None received.

1.6 Confirmation of Previous Minutes

Action

That National Executive acknowledges the circulated minutes of the previous meeting as a true and accurate reflection of that meeting.

Moved: Georgie Beatty (National President)

Seconded: Jordy Duffey (National Queer/LGBTQIA+ Officer)

Carried without dissent

2. National Officer Reports

- 2.1 President
- 2.2 National Secretary
- 2.3 Education Officer
- 2.4 Welfare Officer
- 2.5 Women's Officer
- 2.6 Queer Officer
- 2.7 LGBTQIA+ Officer
- 2.8 Small & Regional Officer
- 2.9 International Officer
- 2.10 Disability Officer
- 2.11 First Nations Officer
- 2.12 Ethnocultural Officer
- 2.13 **Motion to Accept National Officer Reports**

Action

That National Executive accepts the reports of the National Officers.

Moved: Georgie Beatty (National President)

Seconded: Emily Sagolj (National General Secretary)

Carried without dissent

3. State Officer Reports

- 3.1 Victorian State Branch President
- 3.2 NSW State Branch President
- 3.3 SA State Branch President

3.4 WA State Branch President

3.5 ACT Branch President

3.6 **Motion to Accept State Officer Reports**

Action

That National Executive accepts the reports of the State Officers.

Mover: Georgie Beatty (National President)

Second: Emily Sagolj (National General Secretary)

Carried without dissent

4. Matters for Discussion

4.1 **Profit & Loss**

Emily advised that the P&L for the year to date was attached for members to view and asked if there were any questions. No questions were received.

4.2 **Education Conference Tender**

Emily mentioned the tender process has started for the NUS's Annual Education Conference. She noted that an email had been sent out to all member organisations and that the deadline was soon. She encouraged everyone to reach out to their respective student unions and encourage them to apply.

4.3 **Foundations for Young Australians Funding**

Billy raised that the Foundation for Young Australians had donated \$10,000 to the NUS to assist with our Change the Age campaign. He advised that the funding was actually untied, meaning it could be used for other NUS campaigns too.

4.4 **AUU Regional Officer**

Billy advised that there was a meeting of the Adelaide University SRC where a motion was put forward to introduce an officer for two of their regional campuses. He advised that Socialist Alternative have pushed against this position through abstaining, resulting in the motion failing. Billy recommended reaching out to Jonathan about this to learn more about what he's doing.

Isaac advised that the campuses fall under areas that do not count as regional, but fall under an agricultural belt, for health and transport purposes it's regional, but the university doesn't count them. As a result, people on those campuses are not eligible to run for existing regional officer positions.

Grace said it is worth saying that it would have passed if all the voting members had turned up to the meeting, she noted the issue that this would be an appointed position instead of an elected position.

Isaac advised that not showing up is not a fair argument and that abstaining is

essentially voting against the motion since a $\frac{2}{3}$ majority was needed. He noted that their argument was ridiculous.

4.5 **International Student Course Change Approval**

Georgie advised that her and dhruv met today regarding the changes that international students will need to get approval from the immigration minister to change their course.

They noted the existing issues such as lack of cover for mental health and noted that the focus is on having a big media campaign around it. Georgie advised that they will be reaching out to MPs about this.

Grace voiced that this goes towards why it's important for the NUS to take a consistent stance against imperialism. She noted the trajectory of education being aligned with Australia's defence strategy and that this is an example of the government trying to soften the population against racism and imperialism.

5. Matters for Decision

5.1 **AISA Services Agreement Action**

Emily raised to the National Executive that she had come across an issue regarding a services agreement entered into by Param Mahal (2021 NUS General Secretary) and Samuel Roberts (2020 NUS General Secretary) for the establishment of the Australian International Students' Association.

She advised that:

1. In the October 2021 National Executive meeting, the executive approved the creation of a new budget line (Project Grants) to go towards the creation of a new peak international student representative body, since UMSU had contributed \$9,500 towards this.
2. No other information had been brought to National Executive regarding this project since the October 2021 National Executive meeting.
3. A services agreement was signed by both Param Mahal and Samuel Roberts in November and this was not presented to National Executive, herself, UMSU, or any office bearers at the time.
4. She became aware of this agreement existing in mid-February, upon discovering Param Mahal had already processed the second and final payment (\$6,650) to Samuel Roberts, because he still has access to the NUS's CommBank accounts.
5. Once she saw that the payment had gone through and that the invoice had very few details, she asked Param a series of questions to better understand what had occurred.
6. Param provided a copy of the services agreement upon being questioned by Emily; the agreement has been provided to the National Executive.

To National Executive she raised the issues of:

1. Conflicts of interest not being disclosed;
2. Transparency surrounding the nature of the contract;
3. The amount paid to Samuel Roberts in total (\$9,500); and
4. The lack of work done by Samuel Roberts, which posed a risk to the establishment of AISA.

She noted that she had sought preliminary legal advice, however, Maurice Blackburn was unable to provide legal advice until a costs agreement had been organised. The preliminary guidance provided included the following options:

1. Seeking to terminate the contract;
2. Seeking to retrieve a part or whole of the funds back; or
3. Seeking to amend the services agreement.

She advised the following:

1. That seeking to amend the services agreement is not the optimal pathway, given it would validate the circumstances in which the contract was created.
2. That the NUS National Executive should approve her seeking legal advice in relation to terminating the ISA Services Agreement signed by Param Mahal and Samuel Roberts on 18/11/2021.
3. That the NUS National Executive should approve her seeking legal advice in relation to our reporting obligations to member organisations and ACNC.
4. That the NUS National Executive should approve her seeking legal advice in relation to measures needed to improve financial delegation and account oversight.

She asked if the National Executive had any questions for her regarding her motion or the matter.

Guleid voiced that this behaviour should not be condoned or treated lightly and enquired as to whether any other office-bearers, such as the international officer at the time, were aware of this services agreement. Emily agreed and advised that she was not aware of any other office-bearers knowing about the agreement, but would look into it.

Guleid added that he did not know how the international officer would not notice a movement of this much money from his project's budget line. He voiced the concern he has for any office-bearers not meeting their fiduciary duties and noted that this could have severe impacts for any international students in particular, since it could effect their immigration status.

Kedar left the meeting at approximately 8.40pm.

Kelly voiced her concern about the implications of this for the NUS, particularly in the right-wing media. Kelly highlighted the instances where office bearers misuse their elected positions for personal interests, including supporting the careers of their

friends. She noted that this is not an issue of procedural oversight but a political problem that needs to be discussed.

Beatrice asked when the payment was made and when the contract was signed. Emily explained that the payment was made on the 17th of February 2022 and that she became aware of it on the 19th of February 2022. She advised that the contract was signed on 18th of November 2021 and was not presented to the NUS National Executive.

Beatrice and Luc enquired as to why this was not brought to National Executive earlier, such as in the March meeting (01/03/2022). Emily advised that she had not had the opportunity to enquire enough prior to the March National Executive meeting and that she did not want to take this to National Executive until she had asked all the appropriate questions.

Grace voiced that she thought this situation was a disgrace and that there's a real risk of this ending up on the front pages. She also raised that she felt the creation of this organisation was a waste of money when the NUS campaign's budget should be higher.

Grace complained about SAIt members not being included in NUS office-bearer positions for 2 years. She went on to blame SU for the entire matter and generalised the entire group as "white-collar criminals". She then proceeded to call out National Executive members from NLS and GI for working with SU instead of SAIt.

Luc voiced his frustration for not knowing about this matter earlier and noted that he has been working really hard to get campuses to apply to host EdCon, so he should have known earlier. He advised that the solution going forward is to create a robust structure to ensure it's impossible for General Secretaries to do this in the future.

Luc noted that although Emily is coming to National Executive in good faith, not everyone would be as transparent, in turn the current system is not enough. He also voiced the issue of wearing two hats when being a convenor of a political group and being an NUS office bearer, and the need to not wear a political hat when dealing with financial matters such as this. He suggested that heads of factions should not be President or General Secretary.

Faizan left the meeting at approximately 8.30pm.

Billy advised that he feels that Emily has dealt with this situation well and voiced that the NUS should never be an organisation that is seen to just "give jobs for the boys". He noted that this has hurt our ability to help students and that there need to be consequences for actions here, hence why he is in support of the motion.

Sinead voiced she agrees with this motion, but she is worried about the impact this situation will have on member organisations too. She noted that she will have to speak to her campus (ANU) and convince them to remain affiliated to the NUS. She raised her frustration at SAIt members of National Executive for using this situation

as a reason to complain about not holding any office-bearer positions in the NUS. She implored everyone to remember that we need to deal with this matter together and that starting fights does not help.

Isaac noted his dismay at the situation and advised that the only course of action from here is to seek legal advice. He concurred that it was appropriate for Emily to ask the appropriate questions before proceeding further with notifying the National Executive. He noted that things like this are unavoidable in organisations, but the actions we take to address issues are what define us as an organisation.

Guleid voiced his frustration for SAIt's comments towards SU. He noted that he and others in SU take great pride in how they run their student unions and voiced that two individuals disregarding their obligations to the NUS should not impact the entirety of SU. He added that Emily could have done the wrong thing, but did not, even though she knew she would get questioned heavily.

Georgie Beatty voiced that she wanted to apologise to member organisations for what has occurred. She noted that Emily and her understand the gravity of this and the legal issues at hand, in turn she agreed that this motion is important to ensure accountability and transparency are improved on.

Georgie Beatty advised that she would need to leave the meeting soon, in turn she handed the chair over to Emily Sagolj at 8.55pm.

Grace and Kelly thought that procedural changes to the NUS after seeking legal advice would not be enough to fix the problem at hand. They reiterated their points about the "jobs for the boys" issue and people using the NUS as a political stepping stone. They both voiced that everyone should not just blame Sam and Param, but the entirety of SU.

Billy emphasised that by supporting this motion we are actively addressing the problem, since through receiving legal advice we are trying to resolve the situation and prevent it from happening again.

Kelly voiced that SAIt members would never do this.

Billy voiced that this meeting should not be a pitch from SAIt to try to get NUS office-bearer positions, he noted that they are totally missing the point of this meeting.

Luc voiced agreement with a lot of the points raised by Grace and Kelly. He noted that the political issues are not tangential to the matters at hand and put forward that SU vote according to their convenors, so this vote was somewhat performative.

Georgie McDaid enquired about the legal implications this will have for member organisations such as the SSU. Emily advised that she can enquire about this when seeking legal advice.

Ella voiced that she really resents the idea that only one group are capable of causing problems like this, she advised that regardless of political ideology you always have people that don't do the right thing. She noted that implementing structural and procedural change within the NUS would ensure that regardless of a person's bad intentions, they would not have the ability to do the wrong thing. She added that cultural change can only do so much, policies and procedures are what matter.

Emily reiterated that structural and procedural changes within the NUS are the only way to ensure that this issue does not occur again. She acknowledged that whilst this situation was difficult for her given Sam and Param were her mentors, she knew she had to respond appropriately and ask questions to ensure she had as much information as possible for the National Executive and to ensure the right course of action could be taken.

She emphasised that although SU holds a lot of votes on the National Executive, she does not control how they vote and knows they are supporting this motion because it is the right thing to do. She advised that if SU found out she was trying to cover something up she knows they would not stand by it or by her. She then reiterated that the only course of action from here is seeking legal advice and not proceeding further until advice is sought.

Isaac voiced that we should discuss the issue properly and not use it as an excuse to make cheap shots at each other. He noted that we should take action to hold people accountable and do what is right..

Billy raised that the conversation needs to be grounded, he voiced that SU is not a factional monolith, but a genuine place for thoughts to be voiced. Billy emphasised that the real solution to this issue is the course of action in the motion.

Beatrice Tucker voiced that she is an independent here today and that she had no clue about this all until receiving a heads up from Luc. She noted the similar problems that arose at President's Summit, where there was a lack of communication regarding updates about the Religious Discrimination Bill since the information is usually shared through factions..

Georgie Beatty apologised and advised that she had updated the NUS Queer Officers about the information she had received regarding the bill, however she acknowledged that she should have updated attendees at President's Summit too. She noted that she did not intend to gate-keep any information.

Beatrice Tucker suggested an amendment to motion 5.1. Emily suggested this amendment should be a separate motion. Beatrice agreed.

Emily asked if anyone would like to provide any amendments to motion 5.1 besides enquiring about the impact of this matter to members.

Isaac said we should also seek advice regarding any breach of fiduciary duties of our previous office bearers. Emily agreed with that amendment and tabled it to the national executive.

Georgie Beatty advised that she had to leave the meeting (9.21pm), but noted that she will be voting in favour of both motions 5.1 and 5.2.

Trisha advised that she had to leave the meeting (9.21pm), but noted that she will be voting in favour of both motions 5.1 and 5.2.

Billy requested that a named vote take place for motions 5.1 and 5.2. Emily agreed.

Motion:

- The NUS National Executive approves the General Secretary seeking legal advice in relation to terminating the ISA Services Agreement signed by Param Mahal and Samuel Roberts on 18/11/2021.
- The NUS National Executive approves the General Secretary seeking legal advice in relation to our reporting obligations to member organisations and ACNC.
- The NUS National Executive approves the General Secretary seeking legal advice in relation to measures needed to improve financial delegation and account oversight.
- The NUS National Executive approves the General Secretary seeking advice regarding the breach of any previous office bearers' fiduciary duties that may have taken place.
- The NUS National Executive approves the General Secretary seeking advice regarding the implications of the NUS executive members and its member organisations.

Mover: Emily Sagolj (National General Secretary)

Second: Georgie Beatty (National President)

For: Beatrice Co (proxied to Akshay Jose), Emma Hogan, Isaac Solomon, Lana Goodman-Tomsett (proxied to Emily Sagolj), Beatrice Tucker, Grace Hill, Sinead Winn, Adam Steiner, Guleid Abdullahi, Isobel O'Dwyer, Tiana Myers (proxied to Emma Hogan), Trisha Kaur (noted above), Alex Nancarrow, Jeremy Gilchrist, Kelly Cvetkova, and Sabine Yassine.

Against: None

Abstain: None

Not present: Zebadiah Cruickshank, Jonathan De La Pena, Faizan Akram, and Kedar Krishnan.

Non-voting member support: Georgie Beatty, Emily Sagolj, Luc Velez, Billy Zimmermann, Jacqueline Price, Jrody Duffey, Ella Hickey, Georgie McDaid, Dhruv Sabharwal, and Akshay Jose.

Carried without dissent

5.2 **General Secretary Report**

Emily presented Beatrice Tucker's motion to the National Executive. The motion instructs the National General Secretary to produce a report to be submitted at the next National Executive meeting.

No comments or questions were received regarding the motion.

Motion:

The report will:

- Detail all available information about the procurement, contracting, payment, requests for performance and non-performance of the consultancy work;
- Append all correspondence both internal and external related to the transaction, consultancy work and contracting;
- Detail the processes, policies and procedures that were in place at the time of the procurement of the consultancy that governed the choice of procurement and the payment of the contract;
- Provide an explanation, as best as possible, of why the contract was paid improperly;
- Detail any steps taken to mitigate the issues related to the transaction;
- Detail the complete timeline of when and how NUS office bearers became aware of the problem and how and when they informed other officer bearers; and
- Detail proposed changes in operations, policy and procedure to prevent future similar problems from occurring.

Mover: Beatrice Tucker (ACT State Branch President)

Second: Luc Velez (National Education Officer)

For: Beatrice Co (proxied to Akshay Jose), Emma Hogan, Isaac Solomon, Lana Goodman-Tomsett (proxied to Emily Sagolj), Beatrice Tucker, Grace Hill, Sinead Winn, Adam Steiner, Guleid Abdullahi, Isobel O'Dwyer, Tiana Myers (proxied to Emma Hogan), Trisha Kaur (absent, but noted above), Alex Nancarrow, Jeremy Gilchrist, Kelly Cvetkova, and Sabine Yassine

Against: None

Abstain: None

Not present: Zebadiah Cruickshank, Jonathan De La Pena, Faizan Akram, and Kedar Krishnan.

Non-voting member support: Georgie Beatty, Emily Sagolj, Luc Velez, Billy Zimmermann, Jacqueline Price, Jrody Duffey, Ella Hickey, Georgie McDaid, Dhruv Sabharwal, and Akshay Jose.

Carried without dissent

6. Meeting Close - 9:32pm