

**AUSTRALIAN E-RESEARCH INFRASTRUCTURE COUNCIL
AERIC**

**DRAFT RECORD OF MEETING
23 JULY 2007**

Attendees

Council

Professor Tom Cochrane (Chair), Dr Rhys Francis, Mr Chris Hancock, Ms Cathrine Harboe-Ree, Ms Anne-Marie Lansdown, Mr Alan McMeekin, Professor Robin Stanton, Dr Robert Woodcock.

DEST

Dr Evan Arthur (for initial agenda items), Mr Peter Nicholson, Ms Clare McLaughlin, Mr Tony Rothnie, Mr Thien Tran.

Apologies

Professor Iain Wallace.

Note: Actions arising from the meeting are collated in Attachment A.

Agenda Items

Agenda Item 1 – Welcome and Introductions

The meeting was opened at 10.05 am by the Chair, who welcomed the members and invited them to provide short introductory statements.

Agenda Item 2 – Statement by Dr Mike Sargent, Chair, NCRIS Committee

The Chair drew the Council's attention to the statement by Dr Sargent, noting particularly the comments regarding the enduring nature of the Council and also the need for the Council to adopt a strategic approach.

AeRIC Members noted the statement by Dr Sargent.

Agenda Item 3 – Responsibilities and Mode of Operation

The Chair noted that DEST had prepared an Operational Framework which covered Responsibilities and Mode of Operation for the Council (Attachment B). The Council discussed the Operational Framework, noting particularly:

- membership was to be largely expertise-based, although members may be drawn from particular organisations (such as the Council of Australian University Directors of Information Technology), and that membership could be expanded on a needs basis;
- there was no remuneration for being an AeRIC member;
- in general, AeRIC would seek to be forward looking and adopt a strategic viewpoint;

- the quorum for a meeting was the Chair, the DEST Principal Adviser, the Executive Director and two other members;
- meetings would initially be held in Canberra, but could also be held elsewhere; and
- a record of the meeting would be prepared and made publicly available.

There was agreement that the general position would be that discussions would not be kept confidential.

Agenda Item 4 – Work Programme

Under this agenda item, AeRIC discussed its work programme, which includes overseeing:

- the delivery of the National Computational Infrastructure;
- the identification and development of tier one computational facilities;
- the delivery of the initial Interoperation and Collaboration Infrastructure;
- the extension of the Interoperation and Collaboration Infrastructure;
- the implementation of the Australian National Data Service;
- the establishment of NeAT;
- the PfC foundation services, ie the Australian Access Federation and the Australian Research and Education Network;
- the conduct of the e-Research Forum; and
- branding issues associated with the PfC capability and its components.

Dr Francis also tabled a document he had prepared previously on likely issues to be faced during the early stages of the PfC capability. Members agreed to consider the document and provide comments by cob 27 July 2007. The document would then be made public, including, as necessary, any appropriate qualifying statements.

The Council also agreed to consider at a later meeting whether it would be appropriate to establish a system under which specific Council members would take a leading role in relation to items in the AeRIC work programme. This could be modelled on the NRCIS Committee's 'mentoring' system.

Action

1. AeRIC members to comment on Dr Francis's paper by cob 27 July 2007.

Agenda Item 5 – National e-Research Architecture Taskforce

Under this agenda item, Dr Francis gave a presentation on the rationale for, and role of, the National e-Research Architecture Taskforce (NeAT). In summary, this was that a mechanism is needed to undertake a technical examination of future generation of tools for the (1) Interoperation and Collaboration Infrastructure and (2) Australian National Data Service communities¹; and make recommendations on priority projects to be funded.

After discussion, it was agreed that DEST would prepare an 'Operational Framework' for NeAT as it had for AeRIC. A particular focus would be on the scope of NeAT.

¹ Note that a similar developmental role is envisaged through the CT&T element of the National Computational Infrastructure.

Actions

2. DEST to prepare an Operational Framework for NeAT.
3. AeRIC members to consider and advise on further membership suggestions for NeAT.

Agenda Item 6 – AeRIC Executive Director's report

Dr Francis gave a presentation to the Council on progress to date in implementing the key components of the PfC capability, and the next steps, including:

- the signing of a funding agreement between DEST and the Victorian Partnership for Advanced Computing (VPAC) to establish the Interoperation and Collaboration Infrastructure. VPAC and the other former APAC Grid Partners are working towards a joint venture agreement for the delivery, and later expansion, of services in this field;
- the signing of a funding agreement between DEST and the Australian National University for the delivery of a National Computational Infrastructure peak facility; and
- a workshop and meetings to continue to advance the Australian National Data Service (ANDS), in particular the services that it might offer.

Discussion during the presentation noted a number of factors that would be important in AeRIC decision making (and other actions in the PfC capability). These included:

- the need for harmony between institutional requirements and the flexibility of researchers to engage in collaborative research with researchers from other institutions;
- the issues to be addressed by institutions subsequent to their decisions to utilise PfC capability services, such as the Australian Access Federation (AAF);
- the catalytic nature of PfC capability investments, especially for ANDS; and
- the need to take small but effective steps to ensure successful engagement with the research community.

There was discussion of the critical nature of the AAF to services offered through the PfC capability, and mention of the importance of the Australian Research and Education Network (AREN). As a result of this discussion, it was agreed that DEST would arrange a presentation on the state-of-play in the AAF and the issues it faces for the next AeRIC meeting.

The Council also discussed the factors they perceived would influence co-investment by state and territory governments.

Action

4. DEST to arrange a presentation on the AAF for the next AeRIC meeting.

Agenda Item 7 – Developments of interest at the leading-edge of e-Research

The Chair indicated that he wished this item to become a standing item at future AeRIC meetings with the aim of stimulating discussion on matters of strategic importance. He invited members to identify issues and initiatives for discussion at later meetings. These suggestions could possibly be used to help in 'themeing' AeRIC meetings.

The development of social networking tools such as YouTube, MySpace and (to a limited extent) the Research Channel, were cited as examples of developments that should be examined to see what they offered for increasing collaboration between researchers. A

consequence for the research community would be that it could no longer continue to do its 'own thing' in building collaboration tools.

Agenda Item 8 – Managing AeRIC Member Conflicts of Interest

DEST spoke to this item, noting that the Code of Conduct and Guidelines on Conflict of Interest DEST had introduced for AeRIC (Attachment C) were based on those for the NCRIS Committee. DEST will be writing to AeRIC members in the near future asking them to complete statements of their interests, which will then be considered in light of the Guidelines on Conflicts of Interest.

There was general agreement by the Council that managing, and being seen to manage, any conflicts of interest was critically important to AeRIC successfully conducting its activities.

Action

5. DEST to write to AeRIC members seeking a statement of their interests.

Agenda Item 9 – Other business

Under this item, the Council discussed:

- the importance of communicating the outcomes of its meetings, and resolved to promote its work directly, and also to post the Record of each meeting on a suitable wiki or other site; and
- the necessity for a dedicated discussion on branding issues.

Agenda Item 10 – Next meeting

It was agreed that AeRIC meetings would be held in late August, late September and late October. The timing of meetings would be considered again at the October meeting. DEST is to discuss with members the preferred date for the meetings.

The August meeting is to be held in Canberra, with the later meetings to possibly be held elsewhere. Its 'theme' will be in two parts:

- progress towards ANDS; and
- the implementation and adoption steps for the AAF.

Action

6. DEST to discuss with AeRIC members dates for the coming meetings.

The meeting closed at 3.25 pm.

ACTIONS ARISING

1. AeRIC members to comment on Dr Francis's paper by cob 27 July 2007.
2. DEST to prepare an Operational Framework for NeAT.
3. AeRIC members to consider and advise on further membership suggestions for NeAT.
4. DEST to arrange a presentation on the AAF for the next AeRIC meeting.
5. DEST to write to AeRIC members seeking a statement of their interests.
6. DEST to discuss with AeRIC members dates for the coming meetings.

OPERATIONAL FRAMEWORK

AUSTRALIAN E-RESEARCH INFRASTRUCTURE COUNCIL (AeRIC)

RESPONSIBILITIES

The overall mission of AeRIC will be to ensure that world class services and expertise are identified, developed and delivered nationwide in ways that support effective e-Research within and across all research disciplines. This will include services and expertise related to:

- data capture, management, retention, publication, discovery and re-use
- data analysis
- computational modelling
- collaboration systems
- grid inter-connectivity
- trust and access management
- networking.

The PfC components will be the primary means through which a coherent suite of services is developed and delivered to the users of the infrastructure. Where identified services need a high level of development, this will be undertaken, or guided by, a National e-Research Architecture Taskforce (NeAT).

Recognising the risk to a truly national e-Research infrastructure posed by fragmentation due to urgency and independence, AeRIC will articulate a strategic view; work to identify generic tools, practices and services; and match needs to available services.

Activities

Report to, and be guided by, the NCRIS Committee

- Prepare a strategic assessment of the impact of, and issues for, the capability, including identifying impediments to the uptake of e-Research in Australia, and identification of the priority actions to meet PfC's operational and strategic needs. As part of this assessment, monitor developments in Australia and overseas so as to keep the NCRIS Committee apprised of the state-of-play in e-Research and emerging issues.
- Establish and guide NeAT in its work to focus expertise and resources into teams targeting selected communities or new core services.
- Assess the implementation of the PfC capability and keep the NCRIS Committee apprised of that implementation.
- Action directions received from the NCRIS Committee regarding policy and investment intentions.

Oversight PfC investments

- Maintain an effective, ongoing relationship with the managing/coordinating body in each of the PfC components.
- Approve annual business plans prepared by the Executive Director and by the managing/coordinating body for each PfC component.
- Review the progress and impact of specific PfC investments and, where necessary, recommend variations to activities to the NCRIS Committee.

- Make recommendations to the NCRIS Committee on the way funds are to be provided to PfC components, subject to the overall intent of the PfC Investment Plan and subject to annual re-assessment with DEST.

Maintain high levels of engagement with the research community and DEST

- Host a broadly inclusive e-Research forum to gather strategic input to aid in refining the AeRIC business plan and activities.
- Engage collaboratively with DEST in relation to its deliberations and determinations, including through the Principal Adviser DEST who will be a member of AeRIC.
- Undertake other consultative activities as the need arises.

MODE OF OPERATION

Membership of AeRIC

Members and Chair will be identified by DEST in consultation with higher education and research institutions, and other relevant organisations. In forming AeRIC, DEST will take into account the skills and knowledge required for AeRIC to successfully undertake its activities (above).

Membership of AeRIC may be offered on the basis of either the potential member's skills and experience, or, alternatively, their association with a particular organisation.

Membership of AeRIC will generally be for a period of two years.

Members may resign from AeRIC at any time by notifying DEST, or will be taken to have resigned if they separate from the organisation they are representing.

Chair

The Chair will be a person with a broad view of national e-Research requirements.

General Members

The Members of AeRIC will be drawn from the stakeholders and participants in e-Research infrastructure; including providers and users of AeRIC e-Research services and capabilities.

Conflicts of Interest

As its decisions and recommendations will effect funding decisions, AeRIC will adopt a Conflict of Interest policy consistent with that of the NCRIS Committee.

Remuneration

AeRIC positions are honorary positions and no remuneration or sitting fees will be paid.

Travel Expenses

Reasonable travel expenses for AeRIC members to attend AeRIC meetings will be met by the AeRIC Secretariat. Members will need to forward a Tax Invoice to the Secretariat to claim reimbursement.

Conduct of Meetings

Regularity of Meetings

It is expected that AeRIC will meet in sufficient time and with sufficient regularity to successfully undertake its activities.

Quorum

A quorum for an AeRIC meeting will be a minimum of five members, which must include the Chair, the DEST nominee (or representative) and the Executive Director of AeRIC.

Decision making

AeRIC shall seek to reach decisions on a consensus basis.

Records of Meetings

The AeRIC Secretariat will keep appropriate records of decisions and resolutions made by AeRIC.

AERIC CODE OF CONDUCT AND CONFLICT OF INTEREST GUIDELINES

Code of Conduct

Members of the Australian e-Research Infrastructure Council (AeRIC) are expected to observe the following code of conduct.

1. Members should perform the duties of their position impartially, uninfluenced by fear or favour.
2. Members should be frank and honest in official dealings with colleagues.
3. Members should avoid situations in which their private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with their public duty.
4. Members should not use information obtained in the course of official duties to gain directly or indirectly a pecuniary or other advantage for themselves or for any other person.
5. Members should not:
 - a. solicit or accept from any person any remuneration or benefit for the discharge of the duties of their office over and above the official remuneration;
 - b. solicit or accept any benefit, advantage or promise of future advantage, whether for themselves, their immediate family or any business concern or trust with which they are associated from persons who are in, or seek to be in, any contractual or special relationship with government;
 - c. except as may be permitted under the rules applicable to their office, accept any gift, hospitality or concessional travel offered in connection with the discharge of the duties of their office.
6. Members should be scrupulous in their use of public property and services, and should not permit their misuse by other persons.
7. Members should not allow the pursuit of their private interest to interfere with the proper discharge of their public duties.²

² This code is based on the principles set out in the Report of the Committee of Inquiry: Public Duty and Private Interest 1979 (the Bowen Report) referred to in the APSC publication APS Values and Code of Conduct in Practice

Conflict of Interest Guidelines

Conflict of interest arises inevitably from time to time. These guidelines are designed to ensure that all such conflicts are identified, disclosed and managed in a rigorous and transparent way that promotes public confidence in the integrity, legitimacy, impartiality and fairness of AeRIC's decision-making.

1. Three Steps

- Identify and record any conflict of interest
- Assess the materiality of any conflict of interest
- Effectively manage the conflict of interest

2. Identification and Recording

What is a conflict of interest?

2.1 A conflict of interest involves a conflict between the public duty and private interests of a member, in which the member has private-capacity interests which could improperly influence the performance of their official duties and responsibilities.³

2.2 An *apparent* (or perceived) conflict of interest exists where it appears that a member's private interests could improperly influence the performance of their duties and responsibilities but this is not in fact the case. A *potential* conflict of interest arises where a member has a private interest which is such that an actual conflict of interest would arise if the member were to become involved in relevant (ie conflicting) official duties and responsibilities in the future.⁴

2.3 In the context of AeRIC a conflict of interest (apparent or potential) may arise in the following situations (this list is indicative and not exhaustive of the types of private interests that may result in a conflict of interest):

Financial

- Member has a current contractual relationship with an organisation that stands to benefit from NCRIS funding
- Member is a member of or has involvement with an organisation that stands to benefit from NCRIS funding

Other

- A family member is an employee of an organisation that stands to benefit from NCRIS funding
- Membership of an interest or lobby group involved in activities directly related to the NCRIS programme

Procedures for identifying and recording any Conflict of Interest (apparent or potential)

2.4 Prior to undertaking or participating in any official duties or responsibilities, members must disclose in writing the nature of any private interest (financial or other) and conflict of interests in relation to matters to be considered by the member.⁵

³ This definition is set out in *Managing Conflict of Interest in the Public Service: OECD Guidelines and Overview, OECD, 2003* referred to in the Employment, Workplace Relations & Education Committee Inquiry into the Office of the Chief Scientist 5 August 2004

⁴ Definitions based on *Managing Conflict of Interest in the Public Service: OECD Guidelines and Overview, OECD, 2003*

⁵ The information in the Statement will be treated by the Commonwealth as confidential and in accordance with the Information Privacy Principles set out in the Privacy Act.

2.5 Prior to an AeRIC meeting, the Department will provide members with a draft meeting agenda and seek disclosure from members of any potential conflict of interest.

2.6 The agenda of any AeRIC meeting must have an early agenda item involving formal enquiry as to the existence of any conflict of interests in relation to matters under consideration by AeRIC.

2.7 If a member becomes aware of any conflict of interest during discussions in a meeting they must declare it orally in the meeting to the Chair. Such disclosure must be made as soon as the relevant facts come to the member's knowledge, and must be recorded in the minutes of meetings.

2.8 *Completeness of Disclosure* – When disclosing private interests or conflicts of interests a member must provide sufficient detail to enable an adequately informed decision to be made about identification of any conflict of interest, the materiality of any conflict of interest and appropriate management.

3. Assessing Materiality of any Conflict of Interest

A too strict approach to managing private interests and conflicts of interest may conflict with other rights, be unworkable or counter-productive in practice (eg where the member has the greatest expertise in the particular matter), or may deter some people from seeking public office. Therefore these guidelines seek to strike a balance by prohibiting unacceptable forms of conflict and managing other conflict situations appropriately without unduly inhibiting the effectiveness and efficiency of AeRIC.⁶

3.1 If a member declares a potential or apparent conflict of interest AeRIC must assign a level of materiality to the conflict of interest as follows:

- Category 1 – Those conflicts of interest where, while it is appropriate and proper to notify the apparent conflict, it is of such a minor nature that it could not reasonably be construed as affecting the member's ability to give the issue or matter at hand full, unbiased and expert consideration.
- Category 2 – Those conflicts of interest which, although not minor in nature, are not so material that it should deprive AeRIC of the member's expertise and knowledge during the consideration of the issue or matter at hand.
- Category 3 – Those conflicts of interest which are so material that a member could not, or would be perceived as not able to, give the matter or issue at hand full, unbiased and expert consideration.

3.2 In making this assessment of materiality AeRIC may consider:

- How the member stands to benefit eg securing employment for a family member, renewal of a contract or grant funding, increased job security;
- To what extent the member can influence that outcome;

⁶ In accordance with *Managing Conflict of Interest in the Public Service: OECD Guidelines and Overview*, OECD, 2003 p7.

- Is there any capacity for the member to use information gained as a member of the Committee to obtain (either directly or indirectly) an advantage for themselves or another person or organisation.

3.3 AeRIC's assessment of the materiality of a conflict of interest must be made before the member undertakes or participates in any official duties or responsibilities. The assigned category of the conflict of interest and the reasons for that assigned level must be recorded.

4. Effectively managing the conflict of interest

4.1 Where a member has disclosed a potential or apparent conflict of interest to the Department prior to a meeting, the Department, in liaison with the Chair of AeRIC, will determine at first instance the category of conflict of interest. Depending on the category determined the member may not receive reports or information on the matter in relation to which the member has the conflict. AeRIC must confirm or vary the category determined by the Department at the forthcoming meeting and record the decision in the minutes of the meeting.

4.2 Categories of Conflict of Interest must be managed as follows:

- Category 1

Members with category 1 conflicts of interest may undertake and participate fully in official duties and responsibilities relating to that conflict including participating in AeRIC's deliberations and recommendations.

- Category 2

Members with category 2 conflicts:

- may undertake and participate in duties and responsibilities to which that conflict applies which do not involve making decisions or recommendations; and
- will, in relation to the matter to which the conflict applies:
 - not be given access to any confidential material in agenda papers;
 - have their conflict of interest disclosed to AeRIC prior to participating in AeRIC discussions; and
 - not take part in any AeRIC decision.

- Category 3

Members with category 3 conflicts will, in relation to the matter to which the conflict applies:

- physically absent themselves from all or any part of a meeting or other discussion at which the matter is being discussed;
- not receive any papers; and
- not take part in any decision making.

4.3 Compliance with the management of the conflict of interest in accordance with these guidelines must be recorded.

4.4 Where possible, if a member can foresee a potential conflict of interest at some future time, the member should take steps to prevent it from actually arising.

5. Enforcement of the conflict of interest Guidelines

These guidelines seek to impose proportional consequences for a member's breach of them. AeRIC is responsible for enforcing these guidelines including investigating any breach and ensuring procedural fairness is observed during that investigation.

5.1 If AeRIC becomes aware of a member's possible breach of these guidelines, it must investigate and decide whether there is a breach of the guidelines and whether to impose one or more of the following consequences:

- publishing details of the breach in the minutes of AeRIC meetings; or
- publishing details of the breach on the Department's website; or
- excluding or limiting the participation of the member for a period of time from an activity of AeRIC; or
- recommending to DEST that the member's appointment be revoked.

5.2 AeRIC may exclude the member from its deliberations under clause 5.1. However, AeRIC must give the member an opportunity to make written or oral submissions to it prior to making any decision under clause 5.1.

5.3 In making a decision under clause 5.1 AeRIC may have regard to any matter, including whether:

- the breach is of a minor or major nature;
- the breach has occurred before and, if so, how often; and
- the impact of the breach on public confidence in the integrity, legitimacy, impartiality and fairness of AeRIC's decision-making.

5.4 AeRIC must record details of its decisions under clause 5.1 in its minutes and also report those details to the Department.