



## Higher Education Support Amendment Bill 2023 – IRU Response

### Summary:

The Innovative Research Universities (IRU) supports the proposed amendments to the Higher Education Support Act 2003 to:

- ☐ Extend demand-driven funding to all Indigenous Australians;
- ☐ Remove the requirement that students must pass 50 per cent of the units they study to remain eligible for Commonwealth support (the “50 per cent rule”);
- ☐ Require universities to have a “support-for-students policy” that identifies students at risk of failing and interventions to support completion.

The Amendment Bill does not contain detail on what will become mandatory obligations in the Guidelines or their interaction with the Higher Education Standards Framework (Threshold Standards) 2021. This is to be determined in the Guidelines and following consultation with the Higher Education Standards Panel (HESP). This makes it difficult to assess the efficacy and regulatory burden of the Amendment Bill, but the IRU supports the broad approach to:

- ☐ Release a consultation paper on the proposed content of the support-for-students policies and what could become mandatory obligations in the Guidelines;
- ☐ Consult with the Higher Education Standards Panel (HESP) for their advice on the effectiveness of the current Threshold Standards. We also recommend that the HESP advice be considered prior to finalising the Guidelines.

The Innovative Research Universities (IRU) appreciates the opportunity to offer our support for the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023. The IRU strongly supports extending demand-driven funding to all Indigenous Australians and removing the requirement that students must pass 50 per cent of the units they study to remain eligible for Commonwealth support (the “50 per cent rule”). These changes will assist the higher education sector to achieve greater education equity outcomes. Both were key recommendations in the IRU [submission](#) to the Accord.

The IRU also supports requiring universities to have a “support-for-students policy” that identifies students at risk of failing and outlines support interventions. The Amendment Bill is appropriately broad in its specification of a support-for-students policy, with further detail on identifying at-risk students and appropriate support interventions to be contained in Guidelines following a public consultation process.

We appreciate that the Minister for Education will be consulting with the Higher Education Standards Panel (HESP) for their advice on the effectiveness of the current Threshold Standards and future amendments to the Guidelines. However, the advice from the HESP should be considered in the development of the Guidelines, not just future amendments to the Guidelines or Threshold Standards. If the Threshold Standards are considered adequate to ensure support for student retention, or if the HESP recommend amendments to improve their effectiveness, this will influence the role of the Guidelines. The HESP also has the expertise to advise on how the Guidelines could be implemented, including financial penalties for non-compliance.

Like most universities, IRU members have existing academic progression policies that identify at-risk students. IRU members also have a range of academic and non-academic supports to assist students to complete, including scholarships and housing support. Most of these policies extend beyond the minimum requirements under the Higher Education Standards Framework (Threshold Standards) 2021 reported to TEQSA. At IRU members these include:

- ☐ Academic progression policies that trigger intervention and support communication upon failing a first subject (not just 50% of subjects), with progressive academic counselling for those who fail a single subject for a second time or more subjects for the first time.
- ☐ Proactive identification and intervention for at-risk individual students before they fail (e.g. contacting students who do not access university systems in their first week of study and having early assessments in curriculum to identify risks prior to the census date).
- ☐ Institutional data analysis to identify cohorts typically at greater risk of low completion rates (e.g. equity groups and multiple disadvantage) and ensuring support catered to these group needs.

Reporting these policies to the Department of Education is unlikely to be onerous, but there is a risk that new requirements in the Guidelines could overlap with existing (or new) requirements under the Threshold Standards, leading to regulatory overlap between the Department of Education and TEQSA. The IRU [submission](#) to the Accord recommended a systematic review of university regulation and reporting, with the aim of simplifying the existing regime and reducing duplication. The aim should be to maximise the resources that can be devoted to direct support for students and improvements beyond the minimum standards.

Our main concern with the Amendment Bill is how the interventions to support completion could be specified within the Guidelines, including the academic and non-academic support requirements, and financial penalties for non-compliance. We appreciate that the Minister has released a consultation paper on the proposed content of the support-for-students policies and compliance measures. We understand that quality higher education providers fulfilling existing requirements under law and meeting community and student expectations will likely already have policies in place to support students to succeed. However, there is a risk that the Guidelines could extend beyond what is practical and implementable. This is particularly the case for non-academic supports, such as financial assistance and crisis response. These will differ by individual student, student cohort and university. We agree that a “one size fits all” response to the minimum policy requirements is not appropriate, but in the absence of additional public funding for student support, some of the requirements may be beyond the capability and financial capacity of universities in some geographical localities, particularly those with campuses in disadvantaged communities.

We look forward to providing further feedback as part of the consultation paper process. However, we note that the IRU submission to the Accord recommended that further reporting on equity, progression and completion should be outlined through Accord agreements. We recommend that the Government consider this as an alternative or complementary option. Institution-specific Accord agreements would allow greater flexibility and attention to context. They would also potentially create greater financial and reputational incentives to improve performance, rather merely avoiding civil penalties associated with reporting under the Guidelines.

**25 August 2023**