



A2546409

7 January 2026

Senator Marielle Smith

Chair

Senate Education and Employment Legislation Committee

via email: eec.sen@aph.gov.au

Dear Chair

Inquiry into the Universities Accord (Australian Tertiary Education Commission) Bill 2025 and a related bill

Thank you for the opportunity to provide a submission to the Committee's inquiry into the Universities Accord (Australian Tertiary Education Commission) Bill 2025 (**the ATEC Bill**) and related bill.

The purpose of the Office of the Commonwealth Ombudsman (**the Office**) is to:

- provide assurance that the agencies and entities we oversee act with integrity and treat people fairly; and
- influence systemic improvement in government administration.

One way the Office achieves its purpose is through my function as National Student Ombudsman (NSO), the independent oversight and complaints-handling body for higher education students. The NSO has a broad remit, including student safety and welfare, racism, course administration, and effectiveness of student complaints processes.

While NSO and the ATEC have distinct roles, I consider that NSO information could usefully inform some of the proposed ATEC functions and responsibilities outlined in the ATEC Bill, including:

- ATEC preparing reports, providing advice and recommendations to the Minister on higher education access, participation and outcomes for persons facing systemic barriers to education, and
- ATEC providing advice to the Minister and TEQSA on the Higher Education Standards Framework.

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The NSO could also furnish ATEC with information arising from investigations on its own motion, which may relate to a single provider, systemic issues across multiple higher education providers or the higher education sector as a whole.

Currently, however, the bills do not provide for information sharing between ATEC and the NSO.

The Committee may therefore wish to consider recommending government amendments to the bills to enable information sharing between the NSO and ATEC. Alternatively, the legislative amendments foreshadowed at paragraph 25 of the Explanatory Memorandum to the ATEC Bill may also provide a vehicle.

Information sharing arrangements between ATEC and NSO could be modelled on those currently in place between NSO, the Tertiary Education Quality and Standards Agency and Department of Education¹.

The Office has engaged directly with the Department of Education on this matter and I understand the Department is considering it further.

If you have questions or would like my Office to provide further information, please contact Sarah Rendall, First Assistant Ombudsman, NSO Branch, (02) 6272 0000.

Yours/faithfully

Iain Anderson
Commonwealth Ombudsman

¹ Section 21AZG of the *Ombudsman Act 1976* (the Act) authorises NSO to share information that would assist TEQSA or the Department of Education to perform their functions. Section 21AV(6) of the Act allows for copies of NSO investigation reports to be given to the Higher Education Minister, the Secretary of the Department of Education or the Chief Executive Officer of TEQSA.