

SUBMISSION



THE UNIVERSITY OF
NEWCASTLE
AUSTRALIA



Senate Education and Employment Legislation Committee

Inquiry into the Higher Education Legislation Amendment (Provider Category Standards and Other Measures) Bill 2020

23 October 2020

The Australian Technology Network of Universities (ATN), in collaboration with The University of Newcastle and Deakin University, is pleased to make this submission to the Senate Education and Employment Legislation Committee on the Higher Education Legislation Amendment (Provider Category Standards and Other Measures) Bill 2020 ('the Bill').

ATN is the peak body representing Australia's four most innovative and enterprising universities: Curtin University, RMIT University, University of South Australia, and University of Technology Sydney. The University of Newcastle and Deakin University are also important community institutions in the regional gateway cities of Newcastle and Geelong. References to ATN below should be read as representing all six universities.

ATN position

ATN is supportive of the Review of the Higher Education Provider Category Standards ('the Coaldrake Review') and the subsequent changes proposed by the Higher Education Standards Panel (HESP) to implement that review. It is important that there is ongoing consultation with HESP and the broader higher education sector as the changes recommended by the Coaldrake Review are implemented.

We support the recognition of the association of universities with 'world standard' research and the importance of the research-teaching nexus. Universities, where teaching is underpinned by world class research, will be the institutions that deliver resilience in a time of uncertainty. It is important that there be sufficient investment in and support for university research so that we can maintain our world class university system – both for teaching and research.

In this submission, ATN makes these points:

1. Consultation on quality of research

Aligned with the tradition of peer review in research, ensuring there is consultation with stakeholders will help ensure that the quality of research requirements on universities are appropriate and fit-for-purpose.

2. Transfer of student records

A more refined definition of student records will help protect students' private and personal information when it is being shared between higher education providers.

3. Protection of the term 'university'

University is an important and trusted mark of quality in the Australian higher education system and ATN supports further protections of this term.

4. Indigenous student assistance grants

ATN is committed to access and equity and welcomes this clarification that prospective Indigenous students can be supported.



Consultation on quality of research

ATN supports the recognition of the association of universities with ‘world standard’ research as recommended by the Coaldrake Review. We also support the subsequent changes proposed by HESP in their draft amendments to Part B of the *Higher Education Standards Framework (Threshold Standards)* 2015 legislative instrument (‘the Standards’).

The Bill seeks to give practical effect to these recommendations of the Coaldrake Review by requiring that the Tertiary Education Quality and Standards Agency (TEQSA) must have regard to the quality of the research undertaken by a university when considering the Standards.

The Bill also enables TEQSA to determine matters relating to the quality of research. TEQSA must give the Minister such information as the Minister reasonably requires to approve this determination (which becomes a legislative instrument).

This makes the quality of research unlike other matters relating the requirements for universities, which are completely specified under the Standards. This also means the requirements for consultation that apply to the Standards do not apply to this determination.

ATN appreciates that the quality of research is a new requirement and it is potentially not possible to codify a definition within the Standards, and that the specific detail must sit outside of the Standards. However, to aid TEQSA and the Minister in making a definition that is appropriate and fit-for-purpose, we suggest there be a mechanism for review or consultation of the quality of research matters.

At a minimum these matters should be decided in consultation with HESP (as it drafts the Standards). Ideally, TEQSA should also consult research grants agencies (such as the Australian Research Council and National Health and Medical Research Council) and other stakeholders (such as the Australian Council of Learned Academies). This would align the process with the system and tradition of peer review that underpins the assessment of research.

Transfer of student records

The Bill proposes that when a student transfers to another higher education provider, the student or the new provider may request a copy of the student’s records be provided to the new provider.

ATN has no issue with intent of this requirement, but is concerned with that the broad definition of ‘higher education student records’ may have unintended privacy consequences. As defined in the Bill, student records are “a document, or an object, ... held by the entity because of [its] connection with a person ...”

This potentially captures a broad range of personal and private information that is not practically necessary for the new provider to carry out its duties.

ATN suggests that the definition of higher education student records be amended to refer to or match the definition of higher education certification documentation (including record of results) as outlined in the Standards. This would include:

- the student’s full name
- the date of issue of qualifications
- the full name of all courses and units of study undertaken and when they were undertaken and completed

- credit granted through recognition of prior learning
- the weighting of units within courses of study
- the grades and/or marks awarded for each unit of study undertaken and, if applicable, for the course overall
- where grades are issued, an explanation of the grading system used
- where a course of study includes a significant particular focus of study such as honours, an area of specialisation or a major study, a definition of that component of significant focus, and
- any parts of a course or units of study or assessment that were conducted in a language other than English, except for the use of another language to develop proficiency in that language.

Protection of the term ‘university’

ATN supports the extension of the ongoing protections of the term ‘university’ (and similar terms) to its use in Australian domain names. University is an important and trusted mark of quality in the Australian higher education system and a signifier of research and teaching excellence, so it should be protected from misuse and dilution.

Indigenous student assistance grants

ATN welcomes the clarification that Indigenous student assistance grants can be used to support prospective Indigenous students. ATN is committed to access and equity in higher education, particularly through enabling programs which help prepare people for further higher education and for first-in-family students, and welcomes any measure which supports these aims.

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