

## **NTEU – Opening Statement (Senate Education & Employment Legislation Committee, ATEC Bills)**

Chair and members of the Committee, thank you for the opportunity to appear on behalf of the National Tertiary Education Union, representing more than 28,000 staff across Australia's higher education and research sector. We support the goal of long-term, evidence-based stewardship of tertiary education. Done well, a commission can help deliver equitable access to education and high-quality teaching and research. But to succeed, the legislation before you must be amended to guarantee independence, protect academic freedom and institutional mission, and put good governance and workforce quality at the centre of mission-based compacts and reporting.

The Explanatory Memorandum says formal independence is “foundational,” but as drafted ATEC sits within the Departmental architecture, Commissioners are ministerial appointees, ATEC must have regard to ministerial priorities, and even the engagement of contractors requires the Secretary's approval. That design risks entangling stewardship with day-to-day politics. If Australians are to have confidence in ATEC's decisions, the body needs greater distance from executive direction and the capacity to provide advice on its own initiative.

Legislating an objective is a positive step, but the current wording does not speak to the *educational* essence of the sector. It omits explicit reference to academic freedom, critical inquiry, institutional autonomy and the public purposes of universities. Framed as it is, the NTEO could apply to almost any arm of government rather than articulating what makes tertiary education distinctive. The objective should be revised to embed academic discovery, robust debate and institutional independence.

Compacts will become the primary lever shaping university behaviour. As drafted, however, they are anchored to ministerial short- and long-term priorities that are **not** legislative instruments, and ATEC is only required to *consider* a provider's mission and the effect on academic freedom. That risks politicising compacts and diminishing institutional purpose. We recommend amendments to require compacts to *support* an institution's goals and *protect* academic freedom; to embed staff and student representation in university decision making; and to set three-to-five-year terms with periodic reviews so compacts remain fit for purpose.

The Bills propose abolishing the Higher Education Standards Panel and shifting Threshold Standards advice to ATEC. The current Panel draws heavily on sector expertise, including staff and a student member. Removing that structure without replacing it with a statutory advisory committee risks weakening the expert, practitioner voice that has underpinned quality. If the Panel is abolished, Parliament should require a statutory Threshold Standards advisory committee with staff and student representation and clear capability requirements.

We welcome an annual *State of the Tertiary Education System* report. But to truly safeguard quality, reporting must illuminate the conditions under which education and research are delivered. That means publishing data on workforce composition and trends—continuing vs fixed-term and casual; student-to-staff ratios; workloads; WHS and psychosocial risks; and industrial matters including the prevention and remediation of wage theft. Without these measures, systemic risks to quality, equity and safety can remain hidden.

**In closing**, the NTEU backs system stewardship that is independent, transparent and anchored in educational values. We ask the Committee to recommend targeted amendments to: strengthen ATEC's independence and capacity for own-motion advice; hard-wire academic

freedom and institutional mission into compacts; restore robust, statutory expert input into Threshold Standards; and require workforce-focused reporting so Parliament and the public can see whether growth is being delivered with quality and fairness. These are constructive changes that will help ATEC succeed—and help universities deliver for students, staff and the nation.