



# Senate inquiry into the Australian Research Council Amendment (Review Response) Bill 2023

## University of Western Australia Submission January 2024

### **Acknowledgement of Country**

The University of Western Australia acknowledges the traditional owners and custodians throughout Western Australia, and we pay our respects to Elders past and present.

The University of Western Australia acknowledges that its campuses are situated on Noongar lands, and that Noongar people remain the spiritual and cultural custodians of their lands, and continue to practise their values, languages, beliefs, and knowledge.



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## DVCR Foreword

The University of Western Australia (UWA) appreciates the opportunity to provide a submission to this Senate inquiry. UWA is globally recognised as a leading research-intensive university, producing high-impact research across a range of disciplines, and contributing to social, environmental, and economic development nationally and internationally.

UWA has been a long-standing recipient of Australian Research Council (ARC) funding, participant in significant ARC led evaluation and assessment activities, and contributor to ARC led policy and best practice development across the research sector.

UWA would like to thank Professor Margaret Sheil (AO), Professor Susan Dodds and Professor Mark Hutchinson for the significant work in leading the comprehensive review of the ARC Act (the Review) and confirm our support for the recommendations therein.

On review of the proposed *Australian research Council Amendment (Review Response) Bill 2023*, UWA provides the following points for consideration by the Senate.

Yours sincerely,

Professor Andrew Page  
Acting Deputy Vice-Chancellor, Research

## Role of the Minister

The removal of the ability of the Minister to veto grants that have been recommended for funding through the Minister's nominated peer review process is warmly welcomed by UWA. We trust that this will reduce delays in funding announcements and minimise perceived politicisation of the funding process.

UWA supports the retention of funding approval by the Minister for designated research programs, but is concerned that the Bill, as proposed, does not adequately link peer review to the assessment process. Nominating an agreed process can avoid the potential for perceived politicisation of major funding decisions. As the Minister will retain approval rights for significant funding, the requirements for the assessment of that funding, in terms of priorities, discipline areas and focus (for example) should be articulated in the process, which includes peer-review in the assessment phase, rather than in a post peer-review judgment. Note further comments on this in the below section on peer review.

UWA hold some concern that the Board appointees, and ARC Advisory Committee appointments are both made by the Minister. Further consideration could be given to introducing a greater level of independence by formalising the method of Ministerial consultation and decision.

We note that funding rules becoming disallowable legislative instruments, and the requirement to notify Parliament of grants not approved, or approved grants terminated on national security grounds, are positive measures that will increase transparency in the funding processes.

## ARC Board

The introduction of the new ARC Board is a welcome improvement, and UWA supports that the Bill reflects the recommendation from the Review, including the total number of representatives and diversity of the Board.

UWA welcomes the changes in the Bill that allow the Board to approve most ARC grants, though again we would encourage a stronger link between the approval decisions and the peer review in the assessment process.

UWA notes that both research and research management experience are valuable to this Board and supports the requirements for Board members as stated in the new Bill.

Further consideration, as noted above, should be given to independence in the Ministerial process of appointment of the Board and the ARC Advisory Committee to minimise potential politicisation of the membership.

## CEO Appointment

UWA welcomes the new requirement, in the proposed Bill, for the CEO to have research/research management experience, as recommended by the Review.

## Peer Review

UWA recognises the inclusion of upholding the peer review process, in the objects of the Act, as an excellent outcome. However, the legislation could include a stronger link between this object and the assessment process (undefined) that is referenced throughout the legislation. It is critical that the assessment process includes peer review, as outlined in the Review.

This is particularly, but not solely, important in relation to the relative support for designated research programs. As the Minister will retain approval capacity for these large funding allocations, it is critically important that peer review remains central to the recommendation for, and approval of, funding.

## Funding

Presently the proposed Bill does not reference the timely approval of funding. UWA recognises the positive procedural changes the ARC has made to expedite the funding review and approval processes, and that the introduction of the new Board and associated approval powers will assist in this regard. However, the consequences of lengthy delays in funding processes have been well-documented in the Review, including the loss of highly talented academics and research staff across the sector. Sustainability of the research workforce is in the national interest. Accordingly, the Bill should include additional measures to ensure the timely processing of funding rounds to further prevent lengthy processing and delays.

The Review speaks to protecting funding available for basic research, yet there is nothing presently encapsulated in the proposed Bill that specifically protects basic research funding. Universities Australia have previously advised in a publicly released response to an earlier request for consultation<sup>1</sup> of their concern that the lack of a protection mechanism in the proposed Bill, along with the retention of Ministerial approval for designated research programs, has the potential to further erode funding for basic research. This remains a major concern and further consideration should be given to specifying the extent or mechanism of protection.

Building upon the previous point, the Review specifically advises that the Act should include an explicit statement about the value of investigator-led basic research<sup>2</sup> and UWA would like to see such a statement included.

Similarly, the current revisions do not address the recommendation that the Act include a legislative basis for supporting long-term research collaborations<sup>3</sup>. This is crucial and a key component of the

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<sup>1</sup> Universities Australia. (2023). <https://universitiesaustralia.edu.au/wp-content/uploads/2023/11/UA-response-to-proposed-amendments-to-the-ARC-Act-2001.pdf>. p.2.

<sup>2</sup> Sheil M, Dodds S, Hutchison M. (2023). *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*. <https://www.education.gov.au/higher-education-reviews-and-consultations/resources/trusting-australias-ability-review-australian-research-council-act-2001>. p.47.

<sup>3</sup> Sheil M, Dodds S, Hutchison M. (2023). *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*. <https://www.education.gov.au/higher-education-reviews-and-consultations/resources/trusting-australias-ability-review-australian-research-council-act-2001>. p.19.



Review recommendations. UWA would like to see this more explicitly outlined to support sustainable national research.

UWA is pleased that the Government has advised that it will be to Annual Appropriation for the ARC budget but would reiterate previous requests to include an indexation formula within the ARC Act, as per the Review<sup>4</sup>.

Further, UWA notes some concern that there is no additional funding allocated to the ARC in the forward estimates. It would be unlikely that all changes and expectations of outcomes would be possible within the existing funding profile.

## Assessment and impact

UWA welcome the inclusion of the evaluation of research within the Object of the Act, along with matters of integrity, ethical research, and accessibility of research. The Review provides a very strong recommendation that a metrics-based exercise should not replace the discontinued ERA/EI exercises.<sup>5</sup> UWA recognises difficulty in further specified inclusions around evaluation in the Act but recommends that this is given further consideration so that this strong recommendation from the Review is better reflected and an alternative to a solely metrics-based approach be identified.

## Variations to Funding Approval

The current Act includes a note after clause 55.3.c which states the following:

Note: It may be possible to vary the funding approval to accommodate a change that would otherwise result in the financial assistance ceasing to be payable because of this subsection (see section 54).

It is not clear in the proposed Bill if this note is to be retained, although variations are mentioned elsewhere. For absolute clarity, UWA request that this note, or similar, is retained as there are a significant number of variations to projects across the entire sector every year, and Universities regularly manage changes with the ARC through the variation process to ensure that research can be completed satisfactorily.

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<sup>4</sup> Sheil M, Dodds S, Hutchison M. (2023). *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*. <https://www.education.gov.au/higher-education-reviews-and-consultations/resources/trusting-australias-ability-review-australian-research-council-act-2001>. p.54.

<sup>5</sup> Sheil M, Dodds S, Hutchison M. (2023). *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*. <https://www.education.gov.au/higher-education-reviews-and-consultations/resources/trusting-australias-ability-review-australian-research-council-act-2001>. p.60.