



The University of Queensland's submission in response to the Universities Accord (Australian Tertiary Education Commission) Bill 2025

The University of Queensland consents to the publication of this submission and has no wish for any of it to be treated as confidential.

The University of Queensland (UQ) welcomes the opportunity to comment on the Universities Accord (Australian Tertiary Education Commission) Bill 2025 (the Bill). UQ strongly supports the Bill's intent to establish the Australian Tertiary Education Commission (ATEC) as the independent steward of the higher education system. UQ has long supported the creation of an independent body to provide strategic oversight of an integrated, student-focused tertiary education system¹. The establishment of the ATEC is an opportunity to recalibrate relationships between the Australian Government and the higher education and vocational education sectors. A balanced, mutually beneficial tripartite relationship between government, the ATEC and universities is essential to delivering optimal outcomes for students, the sector and broader Australian society.

This submission highlights opportunities to strengthen the Bill, including:

- enhancing the ATEC's independence and capacity to provide proactive, evidence-based advice
- providing the ATEC with strategic levers and workforce capability to drive innovation, differentiation, and sector-wide reform
- improving transparency, timeliness, and coordination of reporting
- safeguarding research autonomy while integrating teaching, research, and system stewardship.

UQ also acknowledges and strongly supports several aspects of the Bill, including:

- the objects of the proposed *Universities Accord (Australian Tertiary Education Commission) Act 2025* (subsection 3(1))
- the commitment to improving outcomes for specific cohorts, including Aboriginal and Torres Strait Islander peoples, people with disability, those from low socioeconomic backgrounds, and people living in regional or remote areas (subsection 12(14)). This is consistent with UQ's [Queensland Commitment](#).
- the appointment of a First Nations Commissioner (section 19) and establishment of a First Nations Advisory Committee (subsection 25(1))
- a strengthened mission-based compact process that considers higher education providers' goals, missions, strategic plan, geographic location and local community (subsection 29(2)) and is intended to be an active and collaborative process between the ATEC and the provider (subsection 29(3))
- the publication of a statement of strategic priorities (section 43)
- the eligibility requirements for the Chief Commissioner, First Nations Commissioner and Commission, ensuring appropriate and substantial qualifications, skills, knowledge and experience, as well as professional credibility and significant standing in the higher education system or VET system (subsections 56(3), 57(3), 58(3))
- scheduled independent reviews of the Act's effectiveness (section 74).

¹ See UQ's submissions in response to the [Accord discussion paper](#) and [Accord Interim Report](#).



Strengthening stewardship

To support the ATEC's stewardship role, the Bill should ensure the ATEC has the authority and capability needed to take a long-term, system-wide view. Effective stewardship requires: the ability to provide independent and proactive advice; access to appropriate levers to encourage innovation, differentiation, and system-wide reform; and a specialist workforce with the capability and continuity to undertake sophisticated policy, data, and analytical work.

As currently drafted, the Act constrains the ATEC in each of these areas. The following sections outline amendments that would strengthen the ATEC's independence, authority, and capability, enabling it to fulfil its intended role as a strategic steward of the sector.

Independent and proactive advice

While the Explanatory Memorandum states that 'formal independence is a foundational element of the ATEC's design'² the independence afforded to the ATEC under the proposed Act is limited in practice. UQ supports the principle that the Minister is primarily responsible for directing the work of the ATEC in relation to the preparation of reports and advice (section 4), and the Act's clear safeguard that the Minister must not interfere with the substance of the ATEC's advice (subsection (2)). This appropriately preserves Ministerial accountability while protecting the independence and integrity of the Commission's advice.

However, we consider it important that the Act also expressly empower the ATEC to proactively develop and provide advice and recommendations, in addition to responding to Ministerial directions. Any proactive advice should align with the Act's object and the ATEC's strategic priorities. This would recognise the Commissioners' expertise and their system-wide insights from sector engagement and data access. It would also acknowledge the value of the Commission's long-term, strategic perspective, enabling it to identify emerging issues and opportunities and to provide timely advice in the national interest.

Recommendation: The Committee should consider the following amendments to strengthen the ATEC's capacity to proactively provide independent advice to steward the sector effectively.

Section	Suggested amendment
Section 4	In point (b), omit the words 'if requested by the Minister'
Section 11	Add the following to the list of functions: to prepare reports, and to provide advice and recommendations that advance the objectives of the Act, having regard to its statement of strategic priorities
Subsection 11(d)	Omit the words 'if requested by the Minister to the Minister'
Section 40, subsection 41(1), subsection 41(2)	Add the following: In addition, the ATEC may, on its own initiative, give advice and make recommendations to the Minister that advance the objectives of this Act and have regard to the ATEC's statement of strategic priorities.

² Explanatory Memorandum, *Universities Accord (Australian Tertiary Education Commission) Bill 2025* (Cth), p.1.



Evidence-based funding recommendations

The Australian Universities Accord Final Report identified the Job-ready Graduates (JRG) package as requiring ‘urgent remediation’³ and recommended its replacement with ‘a student contribution system based on potential lifetime earnings’⁴. The JRG package has had a disproportionate impact on students enrolled in humanities, arts, and social sciences—disciplines that often provide critical pathways into higher education for students from underrepresented backgrounds.

The Final Report also recommended that the ATEC serve as the ‘pricing authority for the higher education sector’, positioning the ATEC as a natural vehicle for JRG reform. This expectation was reinforced when the Chief Commissioner of the Interim ATEC established a Pricing and Costing Working Group to examine costing and pricing issues, a key foundation for reforming JRG.

However, under the proposed legislation, the ATEC may only provide advice on ‘Commonwealth contribution amounts for places’, and only when requested by the Minister. The Bill does not grant the ATEC the authority to examine or advise on student contribution settings, nor to recommend appropriate funding clusters and rates.

Empowering the ATEC to consider both Commonwealth and student contributions would enable independent, evidence-based recommendations on funding clusters and rates. Amending section 11 of the Bill to clarify the ATEC’s remit would provide the legislative authority needed to deliver these recommendations, advancing the Final Report’s vision of a fairer, more sustainable higher education contribution system.

Recommendation: The Committee should consider explicitly empowering the ATEC to examine Commonwealth and student contributions and to recommend funding clusters and rates. To achieve this, section 11 of the Bill should be amended to clarify that the ATEC’s remit extends beyond Commonwealth contributions to include student contributions.

This recommendation is complemented by previous recommendations that would enable the ATEC to proactively provide independent advice.

Strategic levers to support innovation and differentiation

There is an opportunity to further strengthen the ATEC’s capacity to strategically steward the higher education sector by equipping it with financial levers to enable it to influence institutional priorities, which in turn would support sector transformation.

Under the proposed Act, the ATEC’s primary mechanism for shaping sector outcomes is the compact process, and the only financial mechanism is the allocation of Commonwealth-supported places (CSPs) and international student commencements. Although there are no details in the proposed Act about this function, the Explanatory Memorandum states that future amendments to the *Higher Education Support Act 2003* and the ATEC’s enabling legislation will be made to establish the ATEC’s role in the implementation of domestic managed growth and needs-based funding for higher education providers and allocating international student commencements⁵.

These mechanisms offer limited scope for the ATEC to actively incentivise or support universities to pursue innovation or advance sector-wide strategic priorities beyond the allocation of student places. In particular, they constrain the ATEC’s ability to encourage diversification, differentiation, and transformational change across the sector.

To enhance the Commission’s effectiveness, consideration should be given to establishing strategic or start-up funding pools that the ATEC could deploy to support universities in piloting and scaling initiatives aligned with government and sector priorities. Such funds would provide the ATEC with a

³ <https://www.education.gov.au/australian-universities-accord/resources/final-report>, p. 12

⁴ <https://www.education.gov.au/australian-universities-accord/resources/final-report>, p. 5

⁵ Explanatory Memorandum, *Universities Accord (Australian Tertiary Education Commission) Bill 2025* (Cth), p.2, 8, 20.



proactive mechanism to encourage experimentation, reward innovation, and support evidence-based reform. By complementing CSP allocations with dedicated financial instruments, the ATEC would be better positioned to foster a higher education ecosystem that is responsive, innovative, and aligned with national objectives.

Recommendation: The Committee should consider providing the ATEC with access to funding to enable it to drive institutional differentiation and support transformational change across the higher education sector. While operationalising such mechanisms would require amendments to the *Higher Education Support Act 2003* rather than the Bill currently under consideration, section 11 could be amended to explicitly recognise the ATEC's role and capability in this area.

Specialist capability and workforce independence

The effectiveness of the ATEC's stewardship role is closely linked to its access to specialist capability and appropriate workforce arrangements. UQ recognises that an entity such as the ATEC will necessarily have certain functional and operational dependencies. Accordingly, for the purposes of the *Public Governance, Performance and Accountability Act 2013*, it is acceptable—although not ideal—that the ATEC Commissioners and staff be engaged as officials of the Department of Education.

Notwithstanding this arrangement, the Act must ensure that the ATEC can operate with genuine independence and effectiveness. To achieve this, the Commissioners should have clear and substantive discretion over staffing arrangements, including the ability to recruit and retain staff with deep expertise in higher education policy, data, and system stewardship. This includes the capacity to draw on expertise from across the sector, as well as to invest in developing the ATEC's own specialist capability over time.

As currently drafted, the Act provides no explicit capacity for the ATEC to determine its own staffing profile, including external expertise. While subsection 22(3) appropriately provides that departmental staff assisting the ATEC are subject to the directions of the ATEC Commissioners when performing those services, this alone is insufficient to support the development of sustained institutional capability. The Explanatory Memorandum indicates that the ATEC and the department will enter into a Memorandum of Understanding to formalise operational requirements, including staffing⁶; however reliance on administrative arrangements does not provide the certainty required for an independent body. Key parameters should therefore be articulated in the Act.

In particular, the Act should provide for the establishment of a dedicated ATEC workforce, with safeguards against routine departmental rotation. In practice, this would involve appointing staff within a distinct ATEC workforce stream, with movement into and out of the ATEC occurring only with the agreement of the ATEC. These arrangements are essential to develop and retain specialist expertise and to safeguard the ATEC's long-term credibility and effectiveness. Without such authority, there is a risk that staffing decisions are driven by departmental availability rather than the skills and experience required to support the ATEC's functions.

⁶ Explanatory Memorandum, *Universities Accord (Australian Tertiary Education Commission) Bill 2025* (Cth), p.18.



Recommendation: The Committee should consider the following amendments to the Bill to enable the ATEC to develop deep and sustained expertise and provide independent advice. In relation to:

- **departmental staff:**
 - That section 22 be amended to provide that departmental staff assisting the ATEC are allocated on the basis of the skills, experience, and expertise necessary to support the ATEC's functions, rather than departmental workforce availability.
 - That subsection 22(2) be amended to require consultation with the ATEC before the services of any departmental employee are made available to the ATEC, not only Senior Executive Service (SES) employees. For example: 'The Secretary must consult the ATEC before making the services of an SES employee or a departmental employee available to the ATEC'.
- **other persons assisting the ATEC:** Similar to the approach in the *Jobs and Skills Australia Act 2022*, the ATEC Commissioner, rather than the Secretary, should have the authority to appoint other persons assisting the ATEC. In the following subsections, replace the word 'Secretary' with 'the ATEC Commissioner': subsection 22(2), subsection 24(1), subsection 24(2).

Enhancing transparency and timeliness of reporting

We strongly support the publication of a State of the Tertiary Education System report, both as a valuable sector resource and a means of promoting government policy transparency. However, the proposed Act permits publication up to 12 months after the end of the calendar year to which the report relates (section 42(3)(a)). An earlier publication timeline would better support the sector. Bringing the deadline forward to 9 months would ensure that insights into the ATEC's policy positions and strategic priorities are available in time to inform universities' planning and decision-making for the forthcoming year.

The transparent provision of advice to government—particularly high-level policy advice—supports informed public debate and strengthens sector-wide understanding of system-level challenges and reform directions. To enhance transparency, the ATEC should be able to publish its reports and recommendations without requiring ministerial approval (section 69) or being subject to an undefined 'public interest' test (subsection 70(b)). As currently drafted, these provisions limit the ATEC's capacity to provide transparent, independent, evidence-based advice to the sector.

Amendments to sections 69 and 70 are recommended to ensure that, over time, the publication of the ATEC's work builds a credible and accessible body of analysis, strengthening confidence in the Commission's role and supporting evidence-based policy development across the higher education system. This approach is consistent with existing practice for comparable bodies. *Jobs and Skills Australia* has a similar governance structure and advisory function to the ATEC, yet the *Jobs and Skills Australia Act 2022* does not require ministerial approval or impose a broad public interest threshold before publication.

Recommendation: To promote transparency and support informed sector-wide debate, the Committee should consider:

- requiring the State of the Tertiary Education System report to be published on the Commission's website no later than 9 months after the end of the calendar year to which the report relates. Subsection 42(3)(a) could be amended to read: 'published on the ATEC's website no later than 9 months after the end of the calendar year in relation to which the report relates; and'
- removing section 69
- amending subsection 70(b) to omit the words 'would be contrary to the public interest, including because the information or data'. Subsections 70(b)(i) and 70(b)(ii) would then become subsections 70(b) and 70(c) respectively.



Minimising duplication and enhancing system coordination

The Explanatory Memorandum indicates that the ATEC is expected to work closely with other relevant agencies and bodies in performing the function set out in section 11⁷; however, this is not reflected in the Bill. While section 12 provides a list of persons or bodies that the ATEC may consult in performing its functions, the provision could be strengthened to ensure coordination, draw on existing expertise, and minimise duplication of effort and regulatory overlap—particularly between the ATEC, the Tertiary Education Quality and Standards Agency and the Department of Education. Explicitly embedding this expectation in the legislation would also better support the ATEC in identifying and addressing opportunities to reduce or streamline overlapping functions across the tertiary education system.

Recommendation: The Committee should consider amending section 12 with the following wording:

'In performing its functions, the ATEC must, where appropriate, consult and work with relevant governments, authorities, and bodies to draw on existing expertise and ensure there is no unnecessary duplication of effort. This may include, but is not limited to:

- (a) the Minister;
- (b) if the Minister is not the VET Minister—the VET Minister;
- (c) if the Minister is not the Research Minister—the Research Minister;
- (d) if the Minister is not the Science Minister—the Science Minister;
- (e) the Ministers for each State and Territory responsible for higher education;
- (f) the Ministers for each State and Territory responsible for VET;
- (g) higher education system stakeholder representatives;
- (h) higher education student representatives;
- (i) the Tertiary Education Quality and Standards Agency;
- (j) the Australian Research Council;
- (k) Jobs and Skills Australia;
- (l) the National Centre for Vocational Education Research;
- (m) any other person or body that the ATEC considers appropriate.'

⁷ Explanatory Memorandum, *Universities Accord (Australian Tertiary Education Commission) Bill 2025* (Cth), p.20.



Integrating research, teaching and system stewardship

Integrating research and teaching

The proposed Act appropriately recognises the central role of research in one of the objects: to strengthen the higher education system to enable the delivery of quality teaching and learning and internationally competitive research and research training (subsection 3(1)(b)). This inclusion is critical, as it reflects the interdependence between teaching excellence, research capability, research training, and Australia's long-term economic and national productivity.

To reinforce this, we recommend an explicit statement that the ATEC's advice and system stewardship functions recognise the research–teaching nexus, including the structural and funding arrangements necessary to deliver excellent teaching and high-quality research.

Recommendation: The Committee should consider including the following wording in section 11: 'When providing advice and recommendations, the ATEC must take into consideration the interdependence of teaching, research, and research training, including the structural and funding arrangements necessary to support excellent teaching and high-quality research.'

Safeguarding research autonomy

Through statements of strategic priorities and biennial work plans, the ATEC will play a significant role in shaping system-wide priorities. It is therefore essential that the proposed model explicitly safeguards institutional research autonomy. Compacts must not impose prescriptive research agendas or priorities that could undermine university independence or restrict curiosity-driven research.

Further clarification is needed on how statements of strategic priorities will interact with existing research frameworks and regulators. In particular, alignment with national science and research priorities, Australian Research Council programs, and other regulatory and compliance requirements should be clearly articulated to avoid duplication, inconsistency, or unintended regulatory burden.

Recommendation: The Committee should consider clarifying how research autonomy will be protected under the proposed model and how the ATEC will interact with existing research frameworks and regulators.

Evidence-based metrics and reporting

As the ATEC drafts the statements of strategic priorities and guides the development of each institution's mission-based compacts, it is imperative that research-focused performance indicators are evidence-based, transparent, and discipline-sensitive. Any metrics adopted should recognise the diversity of disciplines across the research sector and avoid creating unnecessary compliance burdens.

To minimise duplication and to reduce reporting effort for higher education institutions, the ATEC should leverage existing, high-quality data collections, including, but not limited to HERDC, SCOPR, and ABS datasets. This would alleviate any complexities that may be introduced if new, duplicative compliance layers were created.

Recommendation: The implementation of the Act should commit to the transparent and responsible use of any research-related performance indicators and/or metrics, while also minimising administrative and time burdens on higher education institutions. This can be achieved by utilising established, nation-wide data collections wherever possible.