

Universities Accord (Australian Tertiary Education Commission) Bill 2025

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The views expressed here are my own; they are not the views of the Centre, University, or any other body or employer.

Australian tertiary education needs system stewardship

This submission supports the stated ambition of the Bill – securing stronger stewardship of Australia’s tertiary education system – but questions whether the creation of a new statutory body, the Australian Tertiary Education Commission (ATEC), is the right way to achieve it.

The Australian Department of Education already has the legal mandate, scale, and system-wide position to act as steward. Its own 2025 Capability Review¹ explicitly commits it to becoming one. Creating ATEC risks fragmenting accountability, duplicating core functions, and concentrating power in a small number of Commissioners, rather than fixing the underlying stewardship deficit.

The Senate should recommend that ATEC not be established in its current form, and that the Department of Education be legislatively required to discharge the stewardship role with strengthened transparency, consultation and capability.

The Bill correctly identifies the problem

The Explanatory Memorandum argues that the Universities Accord found “the absence of a dedicated steward” is a critical weakness in Australia’s tertiary system. That diagnosis is broadly correct.

Australia’s tertiary system is large, diverse, federally fragmented and facing deep structural pressures, including: ensuring equitable participation and outcomes; securing research quality and sustainability; and enabling skills alignment. And this is all while operating within a context of international volatility.

These are system problems, not institutional ones. They require a body which can:

- see, and plan ahead for, the whole system;
- hold providers to account;
- coordinate across governments and providers (both public and private);
- balance competing missions, including the core goals of education and research;
- manage long-term trade-offs for the benefit of the nation.

That is what system stewardship is, but system stewardship is not the same as creating a new agency.

¹ <https://www.apsc.gov.au/initiatives-and-programs/workforce-information/research-analysis-and-publications/capability-review-program/capability-review-department-education>

Stewardship already sits with the Department of Education

The Public Service Commission's 2025 Capability Review of the Department of Education is explicit:

"The Department of Education's role is to provide strategic direction and national leadership for Australia's education system... The department is a steward for the government's vision for a high performing Australian education system. Its purpose is to create a better future for all Australians through education."

The Review goes further, identifying as core future priorities:

- holistic system leadership,
- partnership with States and providers,
- and cross-sectoral coordination.

The Government has already been advised that system stewardship is the Department's job. ATEC does not fill a missing institutional role, it creates a second steward alongside the first.

Australia does not need a buffer body

ATEC has, in part, parallels to overseas "buffer bodies" such as England's Office for Students or New Zealand's TEC. One reason for these bodies in other systems is that education ministries with greater responsibilities for school-level education struggle to give sustained attention to tertiary systems.

The Australian Department of Education:

- does not run schools or employ teachers,
- does not operate education providers,
- and already oversees TEQSA, ARC, funding and data.

In this context, the Department of Education is better placed than many of its counterparts to provide holistic stewardship across education levels without being weighted to any part of the system.

System stewardship theory² is clear: in complex systems, governance must be distributed, consultative, and adaptive. This design risks concentrating substantial influence over funding, compacts and system priorities in a small number of Minister-appointed roles, with limited institutional checks. This design risks placing too much power in the Commissioners; these positions may impede the ability of the Department to exercise its overarching stewardship role.

One element of the Bill deserves strong support. A First Nations Commissioner, supported by a First Nations Advisory Committee, is exactly what system stewardship should look like: independent, enduring, and focused on equity at system level. This role should be established in any case, and could be modelled on the Regional Education Commissioner.

² <https://www.instituteforgovernment.org.uk/publication/system-stewardship-future-policy-making>

Consolidate stewardship in the Department

Parliament should seek to achieve the Accord's goals with clearer accountability than ATEC provides:

- 1. Legislate the stewardship function for the Department of Education**

Require the Secretary to produce system-level strategy, state-of-the-system reporting, and Commonwealth-State-provider coordination.

- 2. Create strong statutory advisory structures to support stewardship**

Establish mechanisms for effective stakeholder engagement (students, First Nations, industry etc.) to deliver the pluralism ATEC seeks without concentrating power.

- 3. Fund capability development as the platform for success**

Redirect the \$54m allocated to ATEC to data, strategy, consultation and system-design capacity within the Department.