

Senate Education and Employment Legislation Committee

Inquiry into the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023

Submission from the University of Canberra

August 2023

University of Canberra is pleased to provide a submission to the Committee's Inquiry into the *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023*.

This legislation is needed to enact two of the five immediate priorities of the Accord, removing the '50% rule' and extending demand driven Commonwealth Supported Places to metropolitan First Nations students.

The Bill also refers to the *Higher Education Provider Guidelines 2023*. The Guidelines will need to be updated to specify details around the 'support for students policy' to replace the '50% rule'. We note consultation currently underway by the Department of Education and the *Support for students policy, Guidelines discussion paper*.

The University is well placed to comment on this matter. We are committed to equity, diversity, inclusion, and access, and aim to be a university of choice for underrepresented groups. In both 2021 and 2022 University of Canberra was ranked first in the world against SDG10 Reduced Inequalities in the Times Higher Education Impact Rankings. Our record in this area includes high proportions of first-generation students, international students from low-income nations, and students with disabilities.

University of Canberra is a member of the Innovative Research Universities (IRU) and supports the network's position set out on this matter. IRU member universities closely monitor outcomes of their students and are committed to addressing access and equity of under-represented groups.

This submission outlines our views on this Bill, the related Guidelines, and timing around policy consultation currently undertaken by the Department of Education.

Background

The Minister for Education has issued a great challenge in the review that will underpin an Australian Universities Accord, to consider a bold and long-term view of Australia's higher education sector.

Australian universities are world-class and there is much to be preserved and celebrated and the global reputation of the Australian higher education sector is strong.

Yet it is also clear that as the sector has grown, gaps around access and outcomes for equity groups have become even more pronounced.

Revisiting the report of the Bradley Review of Higher Education, from well over a decade ago, we observe that there are recommendations that were not realised and targets that were not met. Many of these around equity, access, and participation, are still pertinent today. University of Canberra understands that an Australian Universities Accord must address this as a matter of priority. An Accord will then need to consider the long-term context for universities and anticipate the needs of the nation.

The strong headline message around this interim stage of the Accord remains the need for improvements in access and equity. While the Accord Panel will finalise its recommendations later this year, the Government has moved quickly on five immediate priorities. These begin to directly address equity outcomes as well as some steps towards funding stability and improved governance arrangements.

University of Canberra comments on the Bill

The *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023* essentially performs three actions.

1. Demand driven places for all First Nations students

We welcome the Government's action to allow all First Nations students, including those living in metropolitan areas, to be eligible for Commonwealth supported places in demand driven higher education courses.

University of Canberra had joined the sector in advocating for this change. In line with its values, the University of Canberra strongly believes that capped funding should not be a barrier to any Aboriginal or Torres Strait Islander undertaking higher education.

Currently, the Australian Government's guarantee is only offered to Aboriginal and Torres Strait Islander students from regional and remote communities. University of Canberra is committed to Closing the Gap and welcomes extension of this guarantee of a Commonwealth supported place to all Aboriginal and Torres Strait Islander students, regardless of where they live.

2. Removing the '50% rule'

We welcome the Government's action to cease the '50% pass rule', given its poor equity impacts.

This policy, introduced under the Job-ready Graduates package was to cancel Commonwealth supported enrolment for students who reached the 'low completion rate threshold' by failing at least 50% of their units after completing eight units.

In practice the policy was blunt, with those from disadvantaged groups impacted the most. University of Canberra internal data showed that students from equity backgrounds are approximately 2.5 times more likely than non-equity cohorts to reach low completion.

Universities had great concerns that a perverse outcome of this policy was the potential to perpetuate disadvantage. A provider would not want to label a student as a 'failure', see them exit from tertiary education and be dissuaded from engaging in the future.

3. Replacing the '50% rule' with strengthened student support requirements

We note the Government's proposal to replace the '50% rule' with strengthened student support requirements.

This is primarily a 'support for students policy', with details as well as reporting and governance arrangements to be contained within a separate legislative instrument, the *Higher Education Provider Guidelines*.

The Department of Education has released a discussion paper on proposed inclusions in the Guidelines and has commenced consultation. University of Canberra is engaging with the Department and the sector on this matter.

Support for students policy

We note the Government's proposed requirements for a higher education provider to have in place, and comply with, a policy that addresses the support it will provide to their students, in order to assist them to successfully complete the units of study in which they are enrolled.

The explanatory memorandum for this Bill suggests that implementing a 'support for students policy' would not be onerous for universities.

“These requirements are not onerous, particularly for a quality provider fulfilling other requirements under law and meeting community expectations. Support for student success and monitoring of student progress is expected of a modern, quality higher education provider.” (Explanatory Memorandum, page 2)

University of Canberra agrees and has an extensive range of student support measures in place across the student life-cycle from pre-admission to graduation. Our range of support is targeted and proactive across academic and non-academic aspects of a student’s university experience. Those identified as ‘at-risk’ are offered a ‘Student Success Coach’ to discuss strategies for progression.

We anticipate that a University of Canberra ‘support for students policy’ would not replace existing policies and procedures but would be an over-arching document to draw these together.

Governance arrangements and reporting

While consultation on the Guidelines is ongoing, the University does have some initial concerns around proposed reporting and governance arrangements.

The discussion paper proposes reporting back to the Department, with data disaggregated by Faculty. There are also some indications that support actions and outcomes will be matched against individual student information in the Tertiary Collection of Student Information (TCSI) system. University of Canberra asserts strongly that support information shouldn’t be shared at such a granular level to breach student and staff privacy.

There are many practical aspects to be worked through on how new reporting would fit with the existing reporting from TCSI. The University notes that official reporting produced from TCSI can be quite lagged.

University of Canberra has questions about regulatory and compliance powers in relation to this policy. Where should accountability and scrutiny sit? The discussion paper indicates that monitoring of student support compliance might now sit with the Department of Education. However, the current regulator is the Tertiary Education Quality and Standards Agency (TEQSA). We know Minister has written to the Higher Education Standards Panel, requesting review of the *Threshold Standards*.

The discussion paper suggests that to gauge compliance the Department of Education will monitor complaints from students and others. The University has strong concerns about Department being the right place to understand student complaints. Legislation must be very clear around processes to accept and respond to student complaints.

We note that the Accord is not yet final. The Interim Report has included ideas on forming a Tertiary Education Commission. Should that occur, arrangements on where this policy sits might have to be reviewed.

University of Canberra will engage with the Department of Education directly to work through these concerns.

Timing

University of Canberra has concerns about timing and implementation.

We appreciate that the Government is keen to move quickly on these priorities. However, the Parliament will potentially be asked to pass a Bill without full policy details.

We note that this Senate Committee Inquiry is due to report by 13 September 2023. This is earlier than the closing date for submissions against the Department of Education discussion paper, on 15 September 2023.

The Minister has also written to the Higher Education Standards Panel to consider whether the current *Higher Education Standards Framework (Threshold Standards)* are sufficiently detailed to cover issues like student retention, completion, and success. It is unclear when the Panel will report back on these matters and what the outcomes might be.

Given the need for policy clarification we suggest that the Bill be amended to be effective from 1 January 2024 or later. This would also allow time for universities to prepare for the new arrangements.

Recommendations

The University has considered the legislation before the Parliament and makes the following recommendations.

1. **Amend the Bill to commence 1 January 2024 or later.**
2. **Pass the Bill later this year, following consultation on discussion paper.**
3. **Closely monitor any updates to the *Higher Education Provider Guidelines* through a disallowable instrument.**