

Higher Education, Research and International

Group Summary

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Hot Topic Briefs

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| 2 | Accord implementation - Antisemitism – university response | SB23-000567 |
| 3 | Accord implementation - Draft Action Plan Addressing Gender-based violence in higher education | SB23-000568 |
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Response/Facts
<p>SB23-000567 - Accord implementation - Antisemitism – university response</p> <p>Following Hamas' attack on Israel on 7 October 2023, the Minister for Education wrote to all Vice Chancellors seeking their urgent advice about measures in place to address antisemitism and other forms of racism on campus and to ensure student and staff safety at this time.</p> <p>As at 8 January 2024, 42 out of 43 institutions have responded to the Minister's letter, with only the Batchelor Institute of Indigenous Tertiary Education outstanding.</p> <p>Responses received from Vice Chancellors indicate that, alongside pre-existing policies and procedures to prohibit all forms of discrimination, harassment and bullying, universities have introduced specific actions to ensure student and staff safety, including:</p> <ul style="list-style-type: none"> • Communications to the university community to advise members of support and security services available as well as expectations of behaviour. • Direct contact with students of Israeli or Palestinian citizenship or country of residence to ensure academic, practical and pastoral support is provided. • Establishing dedicated and/or priority counselling support for impacted staff and students. • Increased security patrols on campus and at events as well as dedicated incident teams and additional safety and security assessments. • Increased engagement with Jewish and Muslim student societies, local law enforcement and community groups. <p>The Minister for Education asked the Cross-jurisdictional Working Group established to progress the Australian Universities Accord Interim Report Priority Action 5 to engage with relevant stakeholders and explore specific issues of concern to Jewish students about their safety on campus.</p> <p>As at 8 January 2024, the Cross-jurisdictional Working Group and the department itself have engaged with a number of relevant stakeholders to discuss these matters, including:</p> <ul style="list-style-type: none"> • Parliamentary Friends of International Holocaust Remembrance Alliance (IHRA) • Australasian Union of Jewish Students (AUJS) • Executive Council of Australian Jewry (ECAJ) • Zionist Federation of Australia (ZFA).
<p>SB23-000568 - Accord implementation - Draft Action Plan Addressing Gender-based violence in higher education</p> <p>Priority Action 5 from the Australian Universities Accord Interim Report recommended the Australian Government immediately commence engagement with the states and territories to strengthen university governance, with a specific focus on:</p> <ul style="list-style-type: none"> • student and staff safety • universities being good employers • governance. <p>Following significant consultation, on 22 November 2023, Education Ministers released a Draft Action Plan Addressing Gender-based Violence in Higher Education (Draft Action Plan) for public consultation.</p> <p>It proposes a multi-pronged approach to create higher education communities free from gender-based violence through 7 actions:</p> <ul style="list-style-type: none"> • establish a National Student Ombudsman • higher education providers should implement a whole of institution approach to prevent gender-based violence • introduce a National Higher Education Code to Prevent and Respond to Gender-based Violence • enhance the oversight and accountability of student accommodation services • identify opportunities for potential legislative/regulatory reform to ensure providers can prioritise victim-survivor safety • increase data transparency and scrutiny • regular review of progress against the Action Plan.

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Following the public release of the Draft Action Plan, the department undertook over 30 targeted group consultations and sessions with individuals/individual organisations.

Public feedback on the Draft Action Plan was invited via the department's website until 31 January 2024. The department received 81 submissions.

A final Action Plan will be considered by Education Ministers in early 2024.

SB23-000569 - Accord implementation – Priority Action Implementation

The Interim Report included over 70 considerations for change and 5 priorities for immediate actions, which the Government is implementing ahead of the Accord Panel's Final Report.

1. University Study Hubs

- Double the number of University Study Hubs with up to 20 new Regional University Study Hubs and up to 14 new Suburban University Study Hubs.

Suburban University Study Hubs

- A consultation paper seeking feedback on the design of the new Suburban Hubs was open between 3 September and 2 October 2023, with 44 submissions received.

Regional University Study Hubs

- A competitive application process to select the first up to 10 new Regional University Study Hubs opened on 28 September 2023 and closed on 15 December 2023. 34 applications were received.
- The department has established an Assessment Panel, of senior departmental staff and the Regional Education Commissioner to assess applications and make funding recommendations to the Minister for Education.
- A future round to select a further up to 10 new Regional University Study Hubs will be undertaken, with Hubs expected to be operational from 2025. Further information on this round will be available in due course and published on the department's website.

2. Fifty per cent pass rate rule

- The Government has abolished the 50% pass rule and introduced a requirement for Higher Education Providers (HEPs) to have a Support for students policy that they must comply with (SB23-000578 refers).

3. Demand driven funding for First Nations Students

- From 2024, all First Nations peoples are guaranteed a Commonwealth supported place for bachelor level courses (excluding medicine) when accepted into their chosen course of study at a Table A university.
- This measure passed both houses on 19 October 2023 and gained Royal Assent on 6 November 2023.

4. Higher Education Continuity Guarantee (HECG) extension

- The HECG is being extended for 2024 and 2025. Consultation with providers on the implementation process for this measure is currently underway and will continue until early March.

5. Strengthening university governance

- Following significant consultation with a range of stakeholders, on 22 November 2023 Education Ministers released a Draft Action Plan Addressing Gender-based Violence in Higher Education for public consultation (SB23-000568 refers).
- Ministers agreed to task the Working Group to provide Ministers with a Draft Action Plan on workplace compliance and university governance in early 2024 for consideration.

SB23-000570 - Australian Economic Accelerator

The Australian Economic Accelerator (AEA) is part of the Government's \$1.6 billion university research translation and commercialisation program that will run from 2023–2034.

The AEA program will help transform Australia's research translation and commercialisation ecosystem supporting economic growth, real world innovations and productivity gains.

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The AEA grants program is being delivered through 2 independent grant stages. The scope of these 2 AEA stages were informed by a pilot grant program, AEA Seed. AEA Seed was launched in 3 separate tranches over the course of 2023 and early 2024.

Tranche One - 25 successful applications:

6. renewables and low emissions technologies
7. medical science, including veterinary science.

Applications open between 6 February 2023 and 17 March 2023. 27 universities submitted 206 applications.

Tranche Two – 24 successful applications:

8. value-add in agriculture, forestry, and fisheries sectors
9. value-add in resources.

Applications open between 27 March 2023 and 5 May 2023. 30 universities submitted 156 proposals.

The outcomes of Tranche One and Two were published on the department website on 17 October 2023.

On 15 December 2023, Tranche Three was announced. The program provides a further \$12 million in funding to suitable projects focussed on advanced manufacturing applications in the remaining 3 NRF priorities of:

- transport;
- defence capabilities; and
- enabling technologies.

SB23-000571 - Australian Research Council Amendment (Review Response) Bill 2023

On 29 November 2023, the Hon Jason Clare MP, Minister for Education, introduced the Australian Research Council Amendment (Review Response) Bill 2023 (the Bill) into Parliament.

The amendments in the Bill are in response to the Final Report of the ARC Review Panel Trusting Australia's Ability: Review of the Australian Research Council Act 2001.

The Government agreed or agreed in principle to all 10 of the ARC Review recommendations.

The department consulted on proposed amendments with higher education research peak bodies and representative groups, and other interested parties. Eleven formal submissions were received.

The Bill:

- Establishes an ARC Board with responsibility for appointing the ARC Chief Executive Officer and approval of grants within the National Competitive Grants Program (NCGP).
- Strengthens integrity of the ARC grant allocation process, with the ARC Board approving research grants following recommendations by the College of Experts. Ministerial authority to approve nationally significant program investments, such as Centres of Excellence, is retained.
- Allows for ARC grant guidelines to be set by the Minister for Education on advice from the newly created ARC Board.
- The guidelines will be disallowable legislative instruments, subject to the scrutiny of Parliament.
- Provides the Minister for Education with the power to direct the ARC not to fund, or to recover funds from, research grants where a national security risk is identified.

It is expected that the Bill will come into effect on 1 July 2024.

SB23-000572 - Australian Universities Accord - Final Report

\$2.7 million has been committed over 2 years from 2022–23 to deliver the Australian Universities Accord through a 12-month review of Australia's higher education system.

The Minister for Education received the Accord Panel's Final Report on 28 December 2023. The Minister is expected to release the report prior to the Budget.

The Panel was appointed on 14 November 2022 for a fixed term ending 31 December 2023, approved by the Prime Minister in line with the requirements of significant appointments. The panel met a total of 53 times.

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The Chair is remunerated at a rate of **s 47F** . Members are remunerated at a rate of **s 47F** who is remunerated in line with **s 47F**

Accord Interim Report (released 19 July 2023) recommended 5 priority actions, which are at various stages of implementation as of 31 December 2023.

- 1: the development of more University Study Hubs, including, based on regional Hubs, University Study Hubs in metro areas.
- 2: cessation of the 50% pass rule and increased reporting on student progress.
- 3: extending demand driven funding for First Nations peoples in metropolitan areas.
- 4: extension of the Higher Education Continuity Guarantee (the Guarantee) into 2024 and 2025, ensuring funding security for universities, with funding resulting from the Guarantee to be used to support delivery of supports for equity students.
- 5: engaging with state and territory governments and universities to improve university governance through National Cabinet, particularly in relation to student and staff safety, and being good employers.

SB23-000573 - HELP Indexation and repayments

Indexation applied to unpaid HELP loans on 1 June 2023 was 7.1%.

Indexation on HELP repayment thresholds for the 2023–24 income year is 6.6%, and the minimum repayment income is \$51,550 (it was \$48,361 in 2022–23).

For an average HELP debt as at 30 June 2022 of \$24,771, the indexation on 1 June 2023 was \$1,759.

Repayment of unpaid HELP loans

The amount of compulsory repayments has been consistently growing at more than 10% annually since 2016–17, when the amount was \$2.074 billion, to an amount of \$4.782 billion in 2022–23.

The amount of voluntary repayments has been consistently growing at more than 15% annually since 2018–19, when the amount was \$326 million, to an amount of \$780 million in 2021–22.

As at 30 June 2023, the average time taken to repay HELP for those who have fully repaid was 9.6 years.

SB23-000574 - Migration Strategy and Integrity in International Education

The department is addressing serious integrity issues in the sector identified in the Rapid Review into the Exploitation of Australia's Visa System (the Nixon Review) and highlighted in the 2023 Review of the Migration System (the Parkinson Review):

An International Education Strategic Framework being developed in consultation with the Council for International Education to articulate the purpose of Australia's international education sector.

- Targeted reform of the Education Services for Overseas Students (ESOS) regulatory framework including but not limited to:
 - strengthening the fit and proper provider test for international education providers
 - encouraging transparency by publishing agent performance information
 - banning agent commissions for onshore student transfers to eliminate instances of profiteering
 - development of a whole-of-system risk framework to drive targeted compliance by the regulators, and
 - increasing English language reporting requirements by providers.

Implementation of reforms

A loophole has already been removed that was used to move students who had been in the country less than 6 months to new providers to facilitate work instead of study.

As at the end of January 2024 the department has held [5] Integrity Forum meetings in addition to continued sector engagement on reform through the Council for International Education and through conferences and other meetings with sector leaders.

Cross-agency working groups on legislation reform and on risk were established with relevant agencies and regulators including Home Affairs, TEQSA and ASQA.

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SB23-000575 - MYEFO

The Government is investing \$102.6 million (2023–24 to 2026–27) to implement the immediate actions from the Australian Universities Accord interim report.

The funding to implement the priority actions from the Accord interim report will be offset by a redirection of \$55.9 million in uncommitted funds from the Regional Research Collaboration program and \$46.2 million from Australia's Economic Accelerator program (2023–24 to 2026–27), announced in the 2023–24 Mid-Year Economic Fiscal Outlook (MYEFO).

The priority actions include:

- \$66.9 million for up to 20 additional Regional University Study Hubs and up to 14 Suburban University Study Hubs.
- \$34.1 million to extend demand driven funding to all First Nations students who are eligible for a higher education course they apply for.
- \$1.1 million to remove the 50% pass rule introduced as part of the Jobs-Ready Graduates scheme.
- \$0.5 million to work with state and territory government to strengthen university governance.

SB23-000576 - National Skills Passport

The Department of Education (the department) received \$5.6 million in 2023–24 to support preparation of a business case to define the scope, outcomes and benefits of a National Skills Passport, ahead of further consideration by Government in the second half of 2024.

The department is working with the Department of Employment and Workplace Relations (DEWR) to develop the business case.

A Skills Passport aims to be a practical tool, available throughout life to all Australians who choose to participate, that enables them to view, share and assess their skills and qualifications through a trusted, seamless, and integrated digital system.

In the coming months the department, in collaboration with DEWR and a consultancy, will be engaging widely with individuals (such as learners, jobseekers, employees), industry, unions, tertiary institutions and across governments. This engagement will inform a solution that considers their needs and that is fit-for-purpose.

Subject to the outcomes of this work, Government is expected to consider next steps for a National Skills Passport in the second half of 2024.

Consultation

The Department is seeking responses from a public consultation released on 17 January 2024.

SB23-000577 - Startup Year

In the October 2022–23 Budget, the Government allocated \$15.4 million over 4 years from 2022–23 to 2025–26 to establish the Startup Year program. This funding is to cover flow-on costs for student income support payments and IT system upgrades.

After the initial 4 years an ongoing \$2.8 million per year (indexed) will be provided to support the program.

Startup Year is a new program to support participation in accelerator programs at Australian higher education providers, by providing access to income-contingent loans under the broader HELP system.

A pilot has been established to test program design, student demand and course delivery approaches prior to full implementation. The department has selected 11 universities to provide up to 650 places under the pilot, with courses commencing from February 2024.

Universities were selected through a two-stage application process including an expression of interest open to all eligible Higher Education Providers, and a course design phase. Universities were advised of their allocations in December 2023, and will publish course details as the program is rolled out over 2024.

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SB23-000578 - Support for Students Policy

The *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Act 2023* (Accord Act) amended the *Higher Education Support Act 2003* (HESA) for the Support for Students policy requirements.

These requirements commenced 1 January 2024 and apply to all Higher Education Providers (HEPs) approved under HESA.

HEPs are required to have, and comply with, a Support for Students policy. HEPs policies must include information on identifying students at risk and the supports available to students.

The Minister for Education signed the Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023 (the Amendment Instrument) on 14 December 2023.

Implementation will occur in a staged approach:

- The Amendment Instrument commences on 1 April 2024 to allow HEPs time to make internal adjustments to comply with requirements.
- The first annual report is due by 1 March 2025. HEPs will provide de-identified information on their Support for Students policy for the period from 1 April to 31 December 2024.
- Future reports will be due on 1 March every year in relation to activities in the previous calendar year.

Consultation

On 16 August 2023 the department released a Consultation Paper on the Support for Students policy. Submissions were open until 22 September 2023. A total of 56 submissions were received.

The Minister for Education released an exposure draft of the Amendment Instrument on 13 October 2023. The department subsequently engaged with higher education sector peak bodies to seek comment on the exposure draft before holding a series of focused workshops with stakeholders across the sector.

The department held a working group meeting on Wednesday 29 November 2023 to provide a final opportunity for the sector to review the Amendment Instrument in full.

SB23-000579 - University Places - 20,000 extra places

Providing up to \$485.5 million over 2022–23 to 2025–26 (\$587 million to the end of 2027) to deliver a one-off boost of 20,000 commencing Commonwealth supported places (CSPs).

These CSPs are for commencement in 2023 and 2024 only, to increase opportunities for students from under-represented groups to access higher education, and meet national skills needs.

Places can be delivered for approved sub-bachelor and bachelor level courses only. 42 providers will receive \$587 million from 2023 to 2028 to deliver 2,038 places commencing in 2023 and 2024. Funding comprises:

- 35 Table A universities: 19,329 additional places - \$566 million
- One university college: 170 additional places - \$7 million
- 3 Table B universities (including Avondale University): 340 additional places - \$6 million
- 3 eligible non-university higher education providers: 199 additional places - \$8 million.

Allocations were based on the outcomes of a competitive assessment process. Of a total 51 providers eligible to apply for these CSPs, the department received applications from 42 providers.

Issue: Accord implementation - Antisemitism – university response
Contact: Ben Rimmer
Ph: s 22
Deputy Secretary

Key Points

- There is nothing more important than the safety of students and staff, and there is no place for antisemitism, Islamophobia, or any kind of racism on university campuses.
- Following Hamas' attack on Israel on 7 October 2023, the Minister for Education wrote to all Vice Chancellors seeking their urgent advice about measures in place to address antisemitism and other forms of racism on campus and to ensure student and staff safety at this time. The Minister's letter is provided at [Attachment A](#).
- By 15 January 2024, all 43 institutions had responded to the Minister's letter.
- Responses received from Vice Chancellors indicate that, alongside pre-existing policies and procedures to prohibit all forms of discrimination, harassment and bullying, universities have introduced specific actions to ensure student and staff safety, including:
 - Communications to the university community to advise members of support and security services available as well as expectations of behaviour.
 - Direct contact with students of Israeli or Palestinian citizenship or country of residence to ensure academic, practical and pastoral support is provided.
 - Establishing dedicated and/or priority counselling support for impacted staff and students.
 - Increased security patrols on campus and at events as well as dedicated incident teams and additional safety and security assessments.
 - Increased engagement with Jewish and Muslim student societies, local law enforcement and community groups.
- A complete summary of responses is provided at [Attachment B](#).
- Acknowledging the ongoing nature of the conflict, the Minister for Education asked the Cross-jurisdictional Working Group established to progress the Australian Universities Accord Interim Report Priority Action 5 to engage with relevant stakeholders and explore specific issues of concern to Jewish students about their safety on campus.

- As at 5 February 2024, the Cross-jurisdictional Working Group and the Department itself have engaged with a number of relevant stakeholders to discuss these matters, including:
 - Parliamentary Friends of International Holocaust Remembrance Alliance (IHRA)
 - Australasian Union of Jewish Students (AUJS)
 - Executive Council of Australian Jewry (ECAJ)
 - Zionist Federation of Australia (ZFA).
- Stakeholders noted heightened anxiety and stress faced by Jewish university students following the Hamas attack on Israel. They acknowledged elements of good practice and support across universities, while also advocating for greater understanding of antisemitism, support for student complaints, and sharing of best-practice prevention and response across the sector.
- Engagement with stakeholders and consideration of matters raised is ongoing by the Department and Cross-jurisdictional Working Group.

Stakeholder Response

Stakeholder	Response summary
National Tertiary Education Union (NTEU)	The NTEU issued a statement on Israel and Palestine on 20 October 2023. The statement called for an immediate ceasefire, for Israel to end its siege of Gaza, and for supplies to be provided to Gaza. The statement was condemned by Jewish groups.
Zionist Federation of Australia (ZFA) and Australasian Union of Jewish Students (AUJS)	Prior to the attack of 7 October 2023, the ZFA and AUJS released their 'Jewish University Experience Survey' which stated that almost two-thirds of Jewish students experienced antisemitism at university. The ZFA and AUJS called for the establishment of a working group to assess actions for universities and governments to address these issues. <u>Response:</u> Minister Clare met with ZFA and AUJS on 11 September 2023. After this meeting, the Minister asked the Cross-jurisdictional Working Group to engage and consider these issues. On 12 September 2023, Minister Clare received a letter from Dr Larry Stillman from Monash University, on behalf of several Jewish academics, outlining concerns with the quality of the survey.
Opposition	Shadow Minister for Education, Senator the Hon Sarah Henderson wrote to Minister Clare on 10, 11 and 17 October and released a statement regarding the safety of Jewish university and school students and calling for increased support and funding. <u>Response:</u> All letters have been responded to, and Senator Henderson was also provided with a summary of university responses to the Minister's letter (as at 26 October 2023).

Media

- Greens, campuses driving extremist hatred of Jews, The Weekend Australian, 27 January 2024***

This op-ed by Julian Leeser, Liberal member for Berowra, argues that antisemitism is “festering in universities where vice-chancellors are turning a blind eye” and calls for a formal independent enquiry into antisemitism at universities.
- War in Gaza tests free speech limits at Sydney University, Sydney Morning Herald, 8 November 2023***

The article provided an overview of tensions at the University of Sydney following communication from Vice-Chancellor Mark Scott that the university would not tolerate pro-terrorist statements or commentary.
- ‘Pure hate’: Jewish academics quit union, The Australian, 26 October 2023***

This article noted a growing number of Jewish academics are quitting the National Tertiary Education Union (NTEU) in protest of the union’s anti-Israel stance.
- New research shows widespread antisemitism in universities and online, ABC News, 14 August 2023***

This article summarises findings from the ‘Jewish University Student Experience’ survey, also noting antisemitism incidents on social media and the federal government’s plans to ban Nazi symbols.

Attachments

- [Attachment A](#)** – Letter from Minister Clare to Vice-Chancellors, following the Hamas attack on Israel of 7 October 2023.
- [Attachment B](#)** – Complete summary of university responses to Minister Clare’s letter.

Date Last Cleared	06 February 2024
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BACKGROUND

Responses from Vice-Chancellors to Minister Clare's letter

- Following Hamas' attack on Israel on 7 October 2023, the Minister for Education wrote to all Vice Chancellors on 11 October 2023 seeking their urgent advice about measures in place to address antisemitism and other forms of racism on campus and to ensure student and staff safety at this time.
- By 15 January 2024, all 43 institutions responded to the Minister's letter.
- Responses from Vice-Chancellors highlight universities' existing policies and procedures to prevent bullying, harassment and racism and support student welfare and wellbeing, while also identifying specific actions taken to support students more directly impacted by the conflict.
- Examples of specific actions universities have taken include:
 - Monash University established a dedicated counselling hotline for impacted staff and students, and contacted students from Israel, the Gaza Strip and West Bank by phone and email to ensure affected students receive academic, practical and pastoral support. The University has also contacted students in these impacted areas to ensure safety, paying for passage home and relocation of belongings.
 - Western Sydney University (WSU) wrote to all staff and students expressing concern about the conflict and providing advice on support services. WSU also established a daily security report to identify and report problematic behaviour or incidents of concern and is engaging with their Crime Prevention and Multicultural Community Liaison Officers at their Local Area Police Commands to establish clear lines of support and communication if safety concerns arise on campus.
 - The University of Sydney has written directly to students of Israeli and Palestinian citizenship or country of residence to offer additional support, including information about special consideration, wellbeing and counselling services, financial support, and peer support advisors. The University has increased its security profile across campus and stood up an Incident Response Team to monitor developments.

IHRA adoption status

- In November 2021, former Minister for Education and Youth Alan Tudge wrote to Vice-Chancellors requesting they adopt the IHRA definition of antisemitism.
- Two organisations (the New Israel Fund and Australian Palestinian Advocacy Network) wrote to the Minister expressing concern about the IHRA definition and its impact on freedom of speech and academic freedom in universities.
- There is no official list of IHRA definition adoption status at universities. Based on the latest information available to the Department, the following universities are understood to have adopted either the full IHRA working definition, or the definition with additional caveats:
 - La Trobe University
 - Monash University
 - University of Melbourne
 - University of the Sunshine Coast
 - Macquarie University
 - University of Wollongong



The Hon Jason Clare MP
Minister for Education

Reference: MC23-004764

Professor Chris Moran
Vice-Chancellor and Chief Executive Officer
University of New England

By email: vc@une.edu.au

Dear Professor Moran

I am writing to seek your urgent advice regarding student and staff safety on university campuses in the wake of the attack by Hamas on Israel.

There is nothing more important than the safety of staff and students. This is why in response to the recommendation of the Universities Accord Interim Report on university governance, I have established a Working Group to advise Education Ministers on what steps should be taken to improve student and staff safety on campus. As you know, the Working Group is currently considering how to improve responses to sexual harassment and violence on university campuses and in student accommodation.

A few weeks ago I met with the Australasian Union of Jewish Students and the Zionist Federation of Australia to discuss concerns about the safety of Jewish students on campuses. We agreed that the Working Group's role would be expanded to look at the specific issues of concern to Jewish students about their safety on campus.

The events of the past few days make this work more pressing. I therefore seek your urgent advice about measures you have currently in place to help ensure that antisemitism, Islamophobia and any other form of racism, harassment, discrimination or intimidation do not threaten the safety of students and staff and what additional measures you are taking or intending to take to address this.

Yours sincerely



JASON CLARE

11 / 10 / 2023

Student and Staff Safety on University Campuses

There is nothing more important than the safety of all students and staff, and there is no place for antisemitism, Islamophobia or any kind of racism on our campuses.

Following the Hamas attack on Israel, the Minister for Education wrote to all Vice-Chancellors on 11 October seeking urgent advice about the measures universities are taking or intending to take to help ensure that antisemitism, Islamophobia and any other form of racism, harassment, discrimination or intimidation do not threaten the safety of and staff.

Some of the specific actions universities are taking include:

- Monash University has established a dedicated counselling hotline for impacted staff and students, and contacted students from Israel, the Gaza Strip and West Bank by phone and email to ensure affected students receive academic, practical and pastoral support. The University has also contacted students in these impacted areas to ensure safety, paying for passage home and relocation of belongings.
- The University of Wollongong has written to all staff and students and contacted all students who are citizens of countries in the region. The University has also stood up a Critical Incident Management Team and introduced proactive measures, including increased security patrols and contact with local police and religious leaders.
- Western Sydney University has written to all staff and students expressing concern about the conflict and providing advice on support services. WSU has also established a daily security report to identify and report problematic behaviour or incidents of concern and is engaging with their Crime Prevention and Multicultural Community Liaison Officers at their Local Area Police Commands to establish clear lines of support and communication if safety concerns arise on campus.
- La Trobe University is currently developing its inaugural Anti-Racism Action Plan, in partnership with students and staff, and has communicated its strengthened approach to antisemitism and all forms of racism to staff and students. The university has also strengthened its whole-of-institution approach to respectful behaviour. La Trobe have expanded the remit of the student-facing Safer Community service to be

the single point of reporting for all issues of racism and to support staff. The Student Wellbeing Service is prioritising support for students affected by the current conflict, and students affected by the conflict can access special considerations for upcoming assessments and exams.

- Victoria University has written to their university community expressing support and strongly encouraging impacted staff and students to reach out to Student Wellbeing Services and Employee Assistant Program. Victoria University's Critical Incident Team is on alert to respond if any incidents of antisemitism and Islamophobic behaviour occur, and students can request a Security Escort through the VU Safe Mobile App.
- The University of Melbourne has written to all staff and students to urge respect and kindness and to provide information about available services and has been contacting affected members within their community to offer support. The University of Melbourne has a range of support and response services available for students and staff including a Safer Communities program, a SafeZone mobile app and counselling and psychological services.
- The University of Sydney has written directly to students of Israeli and Palestinian citizenship or country of residence to offer additional support, including information about special consideration, wellbeing and counselling services, financial support, and peer support advisors. The University has increased its security profile across campus and stood up an Incident Response Team to continually monitor developments and direct resources.

Summary of responses

University	Summary of response
Deakin University (VIC)	<ul style="list-style-type: none"> • As well as Codes of Conduct and policies and process for raising a complaint, support services available to students include: <ul style="list-style-type: none"> ○ Harassment and Discrimination Contact Officers (HDCOs) – volunteers trained to provide confidential information and support to staff and students with concerns relating to discrimination, harassment, bullying, vilification, and victimisation. ○ Safer Community – a free and confidential service for staff and students experiencing threatening or inappropriate behaviour. Staffed by professionals with expertise in psychology, counselling, criminology and social work. The team regularly work with staff and students to develop personalised safety plans. ○ Deakin University Student Association (DUSA) Advocacy and Support Service – provides qualified, experienced and confidential advice and support regarding academic matters. ○ Multifaith Chaplaincy – provides spiritual and personal advice, counsel, support and referrals. Multi-faith Chaplains are volunteer positions within the University and are accredited by the Council for Chaplaincies in Tertiary Institutions (CCTI). Rabbi Bochi Broh is available to support the Jewish community at Deakin. • Staff responsible for Student and Staff Codes of Conduct and relevant policies and procedures have been provided copies of International Holocaust Remembrance Alliance (IHRA) document. • Staff have been instructed to report any cases arising, actions taken and issues of concern.
Federation University Australia (VIC)	<ul style="list-style-type: none"> • Policies and procedures, including Equal Opportunity and Valuing Diversity Guidelines and Discrimination Complaints (Students) Procedure • In the process of releasing Respectful and Inclusive Communities Action Plan 2024-2026 • Security program systematically identifies and controls risks
La Trobe University (VIC)	<ul style="list-style-type: none"> • Communicated with all students and staff regarding zero tolerance for racism, process of reporting racism, and supports available to those who experience it. • Promoted to their community the working definition of antisemitism (La Trobe has recently adopted the IHRA definition), and advised that they will review and respond to all allegations of antisemitic behaviour in light of this new definition. • Expanded the remit of student-facing Safer Community service to be single point of reporting for all issues of racism, and also to support staff.

	<ul style="list-style-type: none"> • Offering special consideration for upcoming assessments and exams for those affected by the conflict, and have directed staff to support those requests as a matter of priority. • Student Wellbeing Service is prioritising support for students affected by the conflict. • Engaging with representatives from Jewish groups, including student groups. • Currently developing the University’s inaugural Anti-Racism Action Plan, in partnership with students and staff. • Enhanced focus on student safety and respect across the entire university community, including ‘Respect at Uni’ week and a refreshed Respectful Behaviour and Culture module that will be made compulsory for all students from 2024.
<p>Monash University (VIC)</p>	<ul style="list-style-type: none"> • Identified all students in Israel, Gaza Strip and West Bank and ensured safety, paying for passage home and relocation of belongings (insurance doesn’t cover due to declaration of war). • Individually contacted by phone and follow up email all students from Israel, Gaza Strip, West Bank to ascertain academic, practical, pastoral support needed. • Contacted Monash Jewish Students’ Society (MonJSS), students can contact David Slucki, Director Australian Centre for Jewish Civilisation. Established communications between MonJSS, senior Monash staff and Executive Director of Campus Community Division. • Established dedicated counselling hotline for staff and students impacted. • Provided information on Safety and security reporting and offered security escorts. • Enacted academic support, including relaxation of special consideration provisions to impacted students. • Monash-wide student notice reminding students University does not tolerate racial vilification, discrimination or harassment and provided information about how to take action as a bystander. Wrote to all Student Associations. • Released public statement about the conflict. • Published an anti-racism statement earlier this year which directly addresses antisemitism.
<p>RMIT (VIC)</p>	<ul style="list-style-type: none"> • Inclusion, Diversity, Equity and Access (IDEA) Framework with related Action Plans to support the implementation of Diversity and Inclusion principles and to raise awareness and understanding of different forms of racism.
<p>Swinburne University of Technology (VIC)</p>	<ul style="list-style-type: none"> • Direct contact with Israeli students • Recently committed to initiatives to simplify student reports of racism and requests for religious holidays following meeting with President of Jewish student society. • Active Islamic Students Society.

	<ul style="list-style-type: none"> • Strong regulations, policies, and procedures to respond to any discrimination, harassment or bullying.
University of Melbourne (VIC)	<ul style="list-style-type: none"> • Acting Provost sent email to all staff and students, and university has been contacting affected members within community to offer support • University released its Anti-racism Commitment in January 2023 which includes adoption of IHRA definition of antisemitism. • Support and response services available to staff and students includes: <ul style="list-style-type: none"> ○ Safer Community Program. ○ Campus security services (including security escort; campus-wide blue help phones; 24 hour security patrols; and a SafeZone mobile app). ○ Counselling and psychological services.
Victoria University (VIC)	<ul style="list-style-type: none"> • Vice-Chancellor Adam Shoemaker and Chancellor, The Hon. Dr Steve Bracks AC, wrote to VU community on Monday 9 October encouraging students and staff to reach out to Student Wellbeing Services and Employee Assistance Program, and students were reminded to download the VU Safe App. • VU Safer Community – central point of enquiry, response, and support for concerning, threatening or inappropriate behaviour. Includes reporting portal and VU Safe Mobile App which provides access to services such as Emergency Alert (locate individual on a map in real-time); Safety Notifications; Request a Security Escort (to and from university buildings, public transport or to their vehicle); and Report a Concern (alert Campus Security and Safer Community of a safety issue).
University of New England (NSW)	<ul style="list-style-type: none"> • Assurance that UNE does not condone discrimination. • Communicated to the university community regarding freedom of speech and individual rights. • Communicated the various supports available to vulnerable or distressed staff, as well as the safety and grievance mechanisms available to affected individuals. • Diversity Advisory Committee provides oversight and advise to VC on issues relating to diversity and equity. • Student Wellness Centre support program available on campus and online to all students.
University of Newcastle (NSW)	<ul style="list-style-type: none"> • Written to university community to notify of support available • Range of policies, activities and services to protect and support students and staff. Code of Conduct sets out positive actions to promote diversity and inclusion. Student Conduct Rule provides further rules. • ‘Racism not Welcome’ campaign with City of Newcastle. International Student Ambassador and Welcome Program for international students. Equity, Diversity and Inclusion Strategy

	<ul style="list-style-type: none"> • Proactive approach to risk management through Behavioural Risk Group. 24/7 security services • Students can contact Campus Care and have access to counselling services and interfaith chaplaincy services. Staff have access to counselling through Employee Assistance Program
<p>University of Technology Sydney (NSW)</p>	<ul style="list-style-type: none"> • Public campaigns against racism as visible signs of UTS' commitment, including 'Racism. It Stops With Me' and Addi Road's Racism Not Welcome campaign. • Comprehensive system of policies and processes developed in consultation with staff and students. • Regular, tailored training sessions for international students around rights, obligations and security. • Staff enabled to extend grace periods to students, and encouraged staff and students to access support services, including Employee Assistance Program, UTS Counselling, TalkCampus, Multi-faith Chaplaincy, UTS security. • Extra security officer patrols
<p>University of Wollongong (NSW)</p>	<ul style="list-style-type: none"> • Distributed communications to all staff and students to provide assurance and support. Directly contacted all students who are citizens of countries from the region. • Stood up a Critical Incident Management Team • Proactive Measures including: <ul style="list-style-type: none"> ○ Frequent contact with the Wollongong Police District to establish a strong collaboration and sharing of intelligence. ○ Monitoring social media and media websites for any signs of planned protest activity. ○ Increased physical security patrols around campus providing a visible presence. ○ Contact with local religious leaders. ○ Monitoring of advice from authorities including ASIO, the Australian National Security website and the Association of University Chief Security Officers. • Other services: <ul style="list-style-type: none"> ○ Safe and Respectful Communities Team. ○ 24-hour hotlines. ○ Anti-Racism and Cultural Safety Policy. ○ Statement on Antisemitism (adopts IHRA definition).
<p>Western Sydney University (NSW)</p>	<ul style="list-style-type: none"> • Communications from Vice Chancellor to all students and staff expressing deep concern about the conflict and advising of support services available. • Proactive outreaches to students, including with a focus on Palestinian and Israeli students, from the University's Equity, Safety and Wellbeing Unit. • The University's Campus Safety and Security (CSS) team have engaged with Crime Prevention and Multicultural Community Liaison Officers at our Local Area Police Commands, to establish

	<p>clear lines of communication and support channels should safety concerns arise.</p> <ul style="list-style-type: none"> • The University has increased security patrols across campuses, including our student residences. • A daily security report has been introduced to identify and report problematic behaviour or incidents of concern and is reviewed by both the Director of Campus Safety and senior executive. • University’s CCS team and Office of General Counsel have conducted a workshop to discuss and test various scenarios which may arise and to identify strategies on how and when to approach an individual or group of people where there is potential for a safety concern. • The University has proactively been reviewing and guiding events proposed to be held on campuses, ensuring appropriate risk assessments are conducted based on the nature of the event, including consultation with Local Area Police Commands, and due diligence is undertaken on invited speakers before an event is allowed to proceed. • Has had one instance of a student being removed from campus due to disruptive behaviour related to the conflict.
<p>Macquarie University (NSW)</p>	<ul style="list-style-type: none"> • Written to all staff and students to remind them expectations for respectful engagement and support services available. • Office of the Dean of Students is meeting with Muslim and Jewish student group executives to understand if they have experienced any inappropriate or harmful behaviour and if they have any particular needs at this time. • Subtle security presence at events run by Muslim and Jewish student groups and prayer rooms on campus.
<p>Charles Sturt University (NSW)</p>	<p>Correspondence doesn’t highlight any new initiatives put in place since the conflict escalated but identified current policies in place, including:</p> <ul style="list-style-type: none"> • Education and awareness initiatives that educate students about the history of discrimination its manifestations, and its impact. • Support services to provide networks for disadvantaged student groups, such as culturally sensitive counselling services and support groups.
<p>University of New South Wales (NSW)</p>	<ul style="list-style-type: none"> • Communicated to all students and staff to ensure they understand expectations of behaviour whilst acknowledging the challenging nature of the conflict. • Maintaining contact with representative student groups including Jewish student leaders and Shalom College. • Closely monitoring, by campus security, both online and campus-based activity.

	<ul style="list-style-type: none"> • Engaging closely and proactively with NSW Police in relation to understanding their threat assessment, and the requirement for any additional security measures. • Put campus security on high alert. • Increased the number of security officers on campus, particularly visible patrols, which will continue until the risk decreases • Monitoring social media closely to provide crucial information for threat assessments.
University of Sydney (NSW)	<ul style="list-style-type: none"> • Increased security profile across campus as a precautionary measure and also stood up an Incident Response Team • Communicated directly to students of Israeli and Palestinian citizenship or country of residence to offer support, including information about consideration, wellbeing and counselling services, financial support, and peer support advisors. • Wellbeing team is liaising with Jewish residential college Mandelbaum House, the Australasian Union of Jewish Students, the Sydney University Muslim Students' Association and other student representative organisations • Staff and families have access to 24/7 support and counselling hotline. • Campus protective services team operates 24/7 • University will soon be releasing its first anti-racism statement
Southern Cross University (NSW)	<ul style="list-style-type: none"> • Policies on harassment, discrimination, intimidation and racism. • Training modules on sexual harassment and racial and religious vilification. • Designated first points of contact for students and staff who require assistance. • Direct contact with student with Israeli citizenship to ensure safety and support
Avondale University (NSW)	<ul style="list-style-type: none"> • University has several policies and procedures addressing safety and respect among students and staff, including a Student Charter which outlines expectations of anti-racism, as well as Bullying, Harassment and Discrimination and Misconduct policies and procedures. • Offers a comprehensive wellbeing and chaplaincy support program, including free and confidential counselling and 24/7 emergency support access • Weekly student and staff 'check-ins' throughout the semester • VC and Chief Student and Engagement Officer have met with the Student President and held Student Town Hall to discuss immediate support needs and concerns arising from the conflict.
Australian Catholic University	<ul style="list-style-type: none"> • Staff monitor closely for any signs of harassment or threats towards students and staff across campuses; no reports to date. • Operates free and confidential 24-hour mental health support service for students, counselling service for students, and an employee assistance program for staff.

	<ul style="list-style-type: none"> • Provide a student safety network that comprises academic and professional staff who are trained in trauma-informed response and available to respond students who have experienced or witnessed harassment or discrimination. • Communicated to all students and staff about the most recent events in Israel and Gaza to ensure that our entire community feels supported during this difficult time and to reinforce the range of services available to them.
<p>Australian National University (ACT)</p>	<ul style="list-style-type: none"> • Communicated to all students about need for respectful conduct in newsletter. • Increased general security presence around campus. • Implemented for students: <ul style="list-style-type: none"> ○ Regular meetings with student representatives to reinforce the University's commitment to an environment free from ○ bullying, harassment, racism or intimidation. ○ Regular communication through multiple channels advising of support options available. ○ Expanded operating hours at the ANU Health and Wellbeing Centre. ○ A meeting of the Jewish Students' Association was relocated to a more secure location and provided with additional ○ security. • For staff: <ul style="list-style-type: none"> ○ Counselling support is available for staff through the on-campus Advisor to Staff and through two externally engaged ○ Employee Assistance Providers, Assure and Relationships Australia. ○ Any employee experiencing racism, discrimination, harassment or sexual harassment can approach the Staff ○ Respect Consultant. This position uses trauma-informed, person-centred practices to listen to staff and provide ○ personalised options to connect to support services such as counselling or Human Resources teams. ○ Our Human Resources teams can also work with staff experiencing conflict, harassment or discrimination. These ○ teams can introduce a number of support measures from facilitated discussions through to safety measures. ○ Our Diversity and Inclusion staff also implement proactive initiatives that build education, respect and collaboration in the workplace.
<p>University of Canberra (ACT)</p>	<ul style="list-style-type: none"> • The University has a rigorous framework in place to manage and mitigate the risk of discrimination and racial violence on campus, including a student charter, rules of conduct, and grievances process. Similar policies are in place for staff. • A Human Rights and Discrimination Policy and Academic Freedom and Freedom of Speech Policy cover the entire university community.

	<ul style="list-style-type: none"> • The University’s Wellbeing team has communicated directly with students who are likely to be affected by the conflict between Hamas and Israel. • Security Team met as a group to discuss the conflict, provide support for the guarding cohort and clarify strategies and escalation processes should an incident occur. Security Team is maintaining a higher level of vigilance on campus for racial violence incidents until global tensions ease. • ‘Respect Now. Always’ committee continues to raise awareness about the University’s commitment to inclusivity, diversity and respectful behaviour
Queensland University of Technology (QLD)	<ul style="list-style-type: none"> • QUT has had no reports of violence towards or complaints from Jewish students and staff. • QUT Chaplain has been active in connecting to the local faith leaders and regularly checking in for areas where more support is needed. Chaplain has been very active in supporting Jewish members of staff and offered support from with the Spiritual inclusion Support team. • Regularly remind staff to be mindful of events overseas in relation to special consideration for students with different backgrounds. • Proactively provide training in resilience and dealing with harassment. • Counselling support for students is managed such that students in crisis or need do no experience any wait time for appointments.
Bond University (QLD)	<ul style="list-style-type: none"> • Bond Security staff are available and contactable on campus 24/7. Reviewed crisis management strategies and protocols in place and all security staff have been briefed regarding the possibility of student unrest on campus. • Provides regular training for students and staff on inclusivity, diversity, and the importance of a cohesive environment • Ongoing student success and wellbeing initiatives include: <ul style="list-style-type: none"> • Counselling and psychological services • Student Wellbeing Support Advisors • Bond Care • Distributed correspondence to all students and staff, reminding them of the available support services and advocating for tolerance • Electronic boards across the university campus have been updated with reminders about support services available.
CQUniversity (QLD)	<ul style="list-style-type: none"> • Policies for staff and students outlining behaviour deemed as misconduct and corresponding consequences. • Actively extended its support to both staff and students in response to ongoing conflict.
James Cook University (QLD)	<ul style="list-style-type: none"> • Relevant policies in place include: <ul style="list-style-type: none"> ○ Student Code of Conduct. ○ Bullying, Discrimination, Harassment and Sexual Misconduct Policy. ○ Academic Freedom and Freedom of Speech Policy. ○ Visiting Speaker and Event Policy.

	<ul style="list-style-type: none"> • 24hr 7 day a week Security presence on Campus including mobile patrolling. • Actively monitoring media and communication channels for any security or safety concerns. • Undertaking regular threat and security assessments as part of the University’s Incident Management policies and procedures and Behaviour Risk Group considerations.
University of Sunshine Coast (QLD)	<ul style="list-style-type: none"> • Suite of policies and procedures addressing staff and student conduct which have been updated to include IHRA definition. • Staff induction and professional development training addresses staff conduct, mandatory Respect at UniSC module for students. • Proactive in reaching out to students following global events.
University of Queensland (QLD)	<ul style="list-style-type: none"> • Wrote to impacted students and staff offering condolences and providing details of support available, including access to free and confidential counselling, support with managing work and study commitments and financial hardship help. • Support teams in HR, student services, security and health safety and wellness have been briefed. • Additional safety and security assessments have been factored in as part of regular evaluations of authorised events • Normal safety measures, including 24/7 security, the UQ SafeZone mobile application, safety buses and security escorts.
University of Southern Queensland (QLD)	<ul style="list-style-type: none"> • UniSQ strictly prohibits discrimination, harassment and bullying in all work and educational contexts, and has robust policies and procedures in place to take direct action when any form of discrimination is reported or observed. • Safer Communities provides a single point of contact for reports of unwanted behaviours, available through the UniSQ Wellbeing team which also provides advice and support to staff and students. • In specific response to the conflict: <ul style="list-style-type: none"> • Shared communications with all staff and students expressing understanding of the potential for distress. • Reminded staff of the free and confidential support available to them and their families through the University’s Employee Assistance Program (EAP) and provided the direct contact details for this service. • Reminded students of the free and confidential support available to them through the UniSQ Wellbeing team and provided direct contact details for this service. • Sent a targeted email to students with connections in impacted areas of the Middle East, inviting them to a morning tea and vigil with Wellbeing staff and community. • Re-stated the University’s commitment to coming together as a community and supporting each other in times such as these. • Campuses have a 24/7 security presence to ensure the safety and security of staff, students and visitors. This service is supplemented by a mobile app that can be accessed to obtain assistance.

	<ul style="list-style-type: none"> • Security staff are briefed and remain alert to the current environment, to ensure any incidents are managed quickly and effectively.
Griffith University (QLD)	<ul style="list-style-type: none"> • Vice Chancellor wrote to all staff and students about the conflict and condemning racism in all forms. • Separately reached out to Jewish Students Association. • Reminded university community of support services available and provided advice on what steps students can take if they feel unsafe on campus. • Announced they will soon undertake a process around creating campuses where all students and staff feel safe.
Charles Darwin University (NT)	<ul style="list-style-type: none"> • Undertook review several months ago and have had no instances of antisemitism against students since 2021 • Very few students who identify as Jewish, no student group • CDU has communicated with staff over the past week to reiterate that there is no tolerance for antisemitism and to remind staff of support services available.
Edith Cowan University (WA)	<ul style="list-style-type: none"> • Monitoring staff and student population • Range of policies and procedures to combat discrimination, harassment and bullying. • ECU Student and Staff Code of Conduct • Student Success Team proactively identifies and reaches out to students who may be affected by global events to offer support services. • Confidential reporting mechanisms available to staff and students. • Social media and campus based campaigns to promote safety and inclusivity. • Peer Support Teams.
University of Western Australia (WA)	<ul style="list-style-type: none"> • Contacted all international student visa holders who have Israel recorded as a home address or country of birth in student records and providing individual, personalised support. • Working to repatriate any UWA students who may be currently in Israel to return to Australia. • Liaising with the UWA Student Guild President and the University's cultural clubs to ensure students have any support that they need.
Murdoch University (WA)	<ul style="list-style-type: none"> • Reaching out to Israeli and Palestinian students and staff to offer one-to-one support and advise of other supports that are available. • Prepared a whole-of-university communication strategy which directly reflects the current conflict and reiterates that Murdoch does not tolerate harassment or discrimination
University of Notre Dame (WA)	<ul style="list-style-type: none"> • Student Experience Team on standby to assist. • Planning to contact Jewish and Muslim students and staff members individually. • Chaplaincy team is inviting staff and students to pray for peace in the Middle East.

	<ul style="list-style-type: none"> • Code of Conduct and University General Regulations prohibit antisemitism, Islamophobia and other forms of racism, harassment and discrimination.
Curtin University (WA)	<ul style="list-style-type: none"> • University has a framework of policies and procedures to safeguard members of the Curtin community from discrimination, vilification, victimisation, bullying and harassment. • If an instance of racist behaviour or hate speech occurs it is addressed through General Misconduct Rules and Complaints Procedures.
University of Tasmania (TAS)	<ul style="list-style-type: none"> • Have Safety and Wellbeing Policy, Behaviour Policy and Behaviour Procedure to set out their commitment to a safe and health workplace free of racism and harassment • Safe and Fair Community Unit is the University’s central point of contact for receiving and responding to complaints, concerns and notifications, staffed with trauma-informed practitioners • Network of staff trained as Behaviour Contact Officers throughout the University, as well as Mental Health First Aiders.
Flinders University (SA)	<ul style="list-style-type: none"> • Immediately suspended staff and student travel to Israel and occupied Palestinian Territories • Increased security personnel during large campus events and gatherings • Preexisting measures to ensure safety include: 24/7 onsite security presence, CCTV surveillance systems, emergency response plans, student and staff education on safety procedures and emergency protocols, students support services (dedicated Student Equal Opportunity Advisor; Health, Counselling and Disability Service; cohort specific support units including International Student Services and Indigenous Student Services), staff support services, messaging controls and a close working relationship with local law enforcement
Torrens University (SA)	<ul style="list-style-type: none"> • Relevant policies and procedures (including Critical Incident Management Policy (and procedure), Diversity and Inclusion Policy, Student Conduct Policy (and procedure), Workplace Health and Safety Policy, First Aid Procedure, Health and Safety Consultation Statement, Sexual Harassment and Sexual Assault Prevention Policy (and procedure), Staff Fair Treatment and Equal Opportunity Policy, Staff Misconduct Policy) • Recently created <i>respect and safety on campus and online</i> assets displayed on campus digital screens and information included in staff newsletter • Online student hub promotes: Respect and Safety Responsibilities, Student Conduct Policy, Consent Matters sexual harassment training provided through the Learning Management System, Safer Communities – where student can report bullying, sexual harassment, domestic violence, mental health and wellbeing concerns, Safety, Respect at Uni – Torrens is a member of this

	Victorian university campaign initiative, 24 hour crisis line, Student Counsellors
University of Adelaide (SA)	<ul style="list-style-type: none"> • Directly affected students have been contacted with offers of assistance and support available either on campus or online. • Counselling Support and International Student Support teams are ready to support students who are impacted either directly or indirectly • Reached out to Adelaide University Jewish Students Society (AUJSS) to offer support • Integrity Unit, part of University’s Safer Campus Community Program, available to receive reports and complaints, which are followed through in formal processes. • Aware of upcoming pro-Palestinian rally but no indication it will be held on campus. Security Team monitoring any material posted on campus to immediately remove material considered to be discriminatory.
University of South Australia (SA)	<ul style="list-style-type: none"> • Code of Conduct for Students and Code of Ethical Conduct for staff establishes basis on which University members expected to abide. Policies include ‘anti-racism’, ‘inclusive language’, equal opportunity’. • Staff are offered training in unconscious bias. • Targeted communications reiterating support options have been sent to staff and students in response to recent domestic and world events. • Staff and students have access to an Employee Assistance Program and UniSA counsellors respectively. • University’s out of hours Crisis Line is available 24/7 over the two weeks following referendum and Israel-Hamas war.
University of Divinity	<ul style="list-style-type: none"> • Reached out directly to students who publicly identify as Jewish or Muslim or as Israeli or Palestinian to establish a direct line of communication and provide support on a case by case basis. • Code of Conduct outlines clear respect for difference, including religious differences. • University members have engaged through partner churches in a range of prayer services and activities, including occasions where Jewish, Muslim and Christian leaders have come together to grieve and pray for peace. • Ongoing discussion between VC and senior colleagues and University Council on further steps needed, including education and advocacy.
Batchelor Institute	<ul style="list-style-type: none"> • Noted the very small Jewish population and small Muslim population in the Northern Territory. • Not aware of any Jewish or Muslim students in their student cohort. • Small number of Muslim staff. • Noted that main campuses in Batchelor and Alice Springs are not in locations readily accessed by the public.

	<ul style="list-style-type: none">• Considers risk profile for their community, relating to the Israel-Hamas conflict, to be low.• To protect students and staff in general, both are subject to Staff Code of Conduct and a Student Code of Conduct and any breach of these codes would lead to disciplinary action and sanctions accordingly.
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Issue: Accord implementation - Draft Action Plan Addressing Gender-based violence in higher education

Contact: Ben Rimmer
Ph: s 22
Deputy Secretary

Budget – Draft Action Plan Addressing Gender-based Violence in Higher Education

Financial year	2022–23	2023–24	2024–25	2025–26	2026–27	Total
Budget Allocation	0.0	0.5	0.0	0.0	0.0	0.0
Committed	0.0	0.5	0.0	0.0	0.0	0.0
Uncommitted	0.0	0.0	0.0	0.0	0.0	0.0

Key Points

- Priority Action 5 from the Australian Universities Accord Interim Report recommended the Australian Government immediately commence engagement with the states and territories to strengthen university governance, with a specific focus on:
 - student and staff safety
 - universities being good employers
 - governance.
- Following significant consultation with a range of stakeholders (see [Attachment A](#)), on 22 November 2023, Education Ministers released a Draft Action Plan Addressing Gender-based Violence in Higher Education (Draft Action Plan) for public consultation.
- The Draft Action Plan is framed by the National Plan to End Violence Against Women and Children 2022–2032 and would position the higher education sectors as leaders in progressing the government’s vision to end gender-based violence in one generation.
- It proposes a multi-pronged approach to create higher education communities free from gender-based violence through seven actions:
 - establish a National Student Ombudsman
 - higher education providers should implement a whole of institution approach to prevent gender-based violence
 - introduce a National Higher Education Code to Prevent and Respond to Gender-based Violence
 - enhance the oversight and accountability of student accommodation services

- identify opportunities for potential legislative/regulatory reform to ensure providers can prioritise victim-survivor safety
- increase data transparency and scrutiny
- regular review of progress against the Action Plan.
- The National Student Ombudsman would be a single point of contact for students across Australia to escalate complaints if they are not satisfied with their university’s response. [Handling note: refer to SB23-000120 for more information.]
- Following the public release of the Draft Action Plan (22 November 2023), the Department undertook over 30 targeted group consultations and sessions with individuals/individual organisations (see [Attachment B](#)). Stakeholders included:
 - student leaders and victim-survivor advocates
 - higher education peak bodies and individual providers
 - accommodation providers
 - student services staff
 - union representatives.
- Public feedback on the Draft Action Plan was invited via the Department’s website until 31 January 2024. The Department received 81 submissions: 46 on the Draft Action Plan and 35 on the National Student Ombudsman.
- A summary of stakeholders’ comments on the Draft Action Plan is at [Attachment C](#).
- A final Action Plan will be considered by Education Ministers in early 2024.

Stakeholder Response	
Government (Minister for Education)	Speaking to the Daily Telegraph on 23 November 2023, Minister Clare said “All students and staff should feel and be safe on campus and in residential colleges. More needs to be done to make this possible, and more needs to be done to support student and staff when the worst happens. This draft action plan sets out to achieve this. I particularly thank the victim-survivor advocates and students involved in its development.”
Universities Australia	Universities Australia released its own Charter on Sexual Harm on 17 November 2023.
Opposition (Shadow Minister for Education)	Shadow Minister for Education, Senator the Hon Sarah Henderson, welcomed the release of the Draft Action Plan.
Fair Agenda, End Rape on Campus, the	In a joint statement, the organisations welcomed the release of the Draft Action Plan and noted that while specific sanctions available for universities and residences who put student safety at risk are

STOP Campaign, National Union of Students	not specified in the Plan, they are encouraged that the Action Plan provides a pathway to holding those institutions to account.
Our Watch	Our Watch welcomed the release of the Draft Action Plan, with Patty Kinnersly (CEO) saying the proposed actions could be catalyst for significant change.
National Tertiary Education Union	The NTEU welcomed the release of the Draft Action Plan, saying it is a positive step forward and the result of the hard work of many student and staff advocates for change, including NTEU members. NTEU encouraged universities and states to adopt this plan without delay.

Media

- Uni warning over victims' rights, Sydney Morning Herald, 2 February 2024***
Provides a summary of Universities Australia's submission to the public consultation process on the Draft Action Plan. Highlights issues raised in the submission such as ensuring procedural and natural justice, extending the National Code and Ombudsman to all education sectors, and concerns regarding the scope of the Ombudsman and its impact on university governance.
- Call for campus sexual assault watchdog to tackle sexual violence at Australian universities, The Guardian, 23 November 2023***
Outlines the release of the Draft Action Plan, shares positive stakeholder views on the plan as well as Universities Australia's concerns about duplication and regulatory overlap. Notes that Ministers did not adopt the plan, instead opting for further consultation.
- Ombudsman could step in on uni sexual assaults, Australian Financial Review, 23 November 2023***
Focuses on the role of the proposed ombudsman, quoting supportive stakeholders as well as Universities Australia's concerns.
- Unis to ban campus rapists and sex predators, The Australian, 23 November 2023***
Highlights that universities will be required to punish rapists and sexual predators on campuses, and shares Senator Sarah Henderson's support for the ombudsman. Notes Universities Australia's hesitations.

- ***New safety strategy for campuses, The Age, 23 November 2023***
Notes release of the Draft Action Plan and references the Senate inquiry finding that universities can't be trusted to handle sexual assault cases themselves, and that they should be policed by a new taskforce.
- ***State, territory and federal governments put forward plan to curb sexual assaults at universities, ABC, 22 November 2023***
Notes release of the Draft Action Plan and quotes victim-survivor stakeholders. It also highlights Universities Australia's Charter on Sexual Harm and its hesitation regarding the proposed ombudsman.
- ***'Need to be accountable': Draft action plan to end gender-based violence at university released, News.com.au, 22 November 2023***
Shares supportive quotes from victim-survivor advocates and Patty Kinnersly's quotes on the need for change and how the Draft Action Plan will drive action.
- ***Student safety ombudsman still a work in progress, Canberra Times, 22 November 2023***
Notes there's still work to be done before a university safety ombudsman can be appointed. Includes quotes from Patty Kinnersly supporting the Draft Action Plan and Universities Australia's concerns about the scope of the ombudsman.

Attachments

[Attachment A](#) – List of members in Stakeholder Reference Group

[Attachment B](#) – List of stakeholder meetings

[Attachment C](#) – Stakeholder feedback on Draft Action Plan

Date Last Cleared	07 February 2024
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BACKGROUND

- Priority Action 5 from the Australian Universities Accord Interim Report recommended the Australian Government immediately commence engagement with the states and territories to strengthen university governance.
- The Minister for Education established a Working Group of Commonwealth, state and territory officials with responsibility for higher education to lead the development of an Action Plan, based around 3 core themes:
 - as an urgent priority, ensuring student and staff safety particularly sexual assault and sexual harassment
 - positioning universities as exemplary employers through strengthened responses to workplace rights and
 - ensuring contemporary and responsive governance of university councils.

Role of TEQSA

- Student wellbeing and safety is an important element of the Higher Education Standards Framework, which the Tertiary Education Quality and Standards Agency (TEQSA) assesses and monitors university compliance against.
- TEQSA and the Department have been working with the sector to implement recommendations 11 and 12 from the Respect@Work report that relate to tertiary education:
 - **Recommendation 11:** Building on work already underway in response to the recommendations in Change the course, all tertiary and higher education providers deliver evidence-based information and training on sexual harassment for staff and students that addresses the drivers of gender-based violence and includes content on workplace rights.
 - **Recommendation 12:** Recognising that some smaller tertiary and higher education providers lack the necessary resources and expertise to deliver the information and training identified in Recommendation 11, the Australian Government should support those providers to do so, for example through the Tertiary Education Quality Standards Authority and the Australian Skills Quality Authority.
- The Australian Human Rights Commission and TEQSA have developed online resources to assist the higher education sector to prevent workplace sexual harassment.

Senate inquiry into current and proposed sexual consent laws in Australia

- The Senate inquiry into current and proposed sexual consent laws in Australia made a number of recommendations relating to higher education providers and gender-based violence:
 - **Recommendation 6:** The committee recommends that the Commonwealth government provides ongoing funding for research into the prevalence of sexual violence in Australia and the impact of responses to it, including through regular surveys of students (including those living in university residences) and young people.
 - **Recommendation 15:** The committee recommends that Universities Australia conducts a second National Student Safety Survey, with survey results made publicly available no later 2025, and commits to conducting a national student safety survey on an ongoing basis every three years, to provide all stakeholders with up-to-date and accurate information about sexual violence on campus. This survey should encompass students of all ages on campus, including 17-year-old students who are at no less risk of sexual harm by virtue of not yet being 18.
 - **Recommendation 16:** The committee recommends that the Commonwealth government implements an independent taskforce with strong powers, to oversight universities' policies and practices to prevent and respond to sexual violence on campus and in residences. The committee recommends that the taskforce provides:
 - an effective and accessible complaints process
 - meaningful accountability for both universities and residences if standards are not met
 - transparency around which institutions are providing appropriate and effective responses and prevention initiatives.
 - **Recommendation 17:** The committee recommends that the Commonwealth government commissions an independent review of the Tertiary Education Quality and Standards Agency's response to sexual violence on university campuses.

Stakeholder Reference Group members

Name	Organisation/Title
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s 47F

Observers:

- s 47F Behaviour Change and Response, Department of Social Services
- s 47F , Director, Australian Human Rights Commission

ATTACHMENT B

Consultations on Draft Action Plan following public release

(list correct as at: 24/01/2024)

#	Date	Stakeholder
1	24 November	Higher education peaks (Universities Australia, Group of Eight, Australian Technology Network, Innovative Research Universities, Regional Universities Network, Independent Higher Education Australia, Independent Tertiary Education Council Australia, TAFE Directors Australia, International Education Association of Australia)
2	30 November	Commonwealth Ombudsman/Attorney-General's Department
3	4 December	National Plan Advisory Group
4	4 December	Commonwealth Ombudsman
5	4 December	Victorian officers on National Student Ombudsman
6	5 December	Group of Eight
7	6 December	Students and victim-survivor advocates (Fair Agenda, CAPA, NUS, EROC, NATSIPA, CISA, the STOP campaign, UoM Grad Student Association)
8	6 December	Cross-jurisdictional Working Group (Meeting 9) Special guests: Parliamentary Friends of IHRA
9	6 December	Commonwealth Ombudsman
10	7 December	Student accommodation providers (University Colleges Australia, Asia-Pacific Student Services Accommodation Association and their members)
11	11 December	QLD officers on National Student Ombudsman
12	12 December	NT officers on National Student Ombudsman
13	12 December	Prime Minister and Cabinet on National Student Ombudsman
14	12 December	Higher education peak bodies (Universities Australia, Group of Eight, Australian Technology Network, Innovative Research Universities, Regional Universities Network, Independent Higher Education Australia, Independent Tertiary Education Council Australia, TAFE Directors Australia, International Education Association of Australia, University Chancellors Council)
15	12 December	Commonwealth Ombudsman/ Attorney-General's Department
16	13 December	Meeting of Officers Supporting cross-jurisdictional Working Group
17	13 December	Independent Higher Education Australia
18	14 December	ACT officers on National Student Ombudsman
19	14 December	Victorian Universities Roundtable on Draft Action Plan
20	15 December	Independent Tertiary Education Council Australia
21	15 December	Australian and New Zealand Student Services Association
22	15 December	Commonwealth Ombudsman and Victorian Government (Department of Jobs, Skills, Industry and Regions; Ombudsman; Justice, Equal Opportunity and Human Rights)
23	18 December	Commonwealth Ombudsman/ Attorney-General's Department
24	18 December	Domestic, Family and Sexual Violence Commission
25	20 December	National Tertiary Education Union
26	22 December	Professor Kris Ryan, Deputy Vice-Chancellor Academic, University of Queensland
27	5 January	Domestic, Family and Sexual Violence Commission
28	10 January	ANU
29	22 January	Student Accommodation Association

Consultation on the Draft Action Plan

Consultation developing the Draft Action Plan

From September to November 2023, the Department and Ms Kinnersly held over 40 consultations with stakeholders as the Draft Action Plan was developed, including with the following:

Victim-survivor advocates	End Rape on Campus, Fair Agenda and the STOP campaign
Student associations	National Union of Students, Council of International Students Australia, Council of Australian Postgraduate Associations, National Aboriginal and Torres Strait Islander Postgraduate Association, University of Melbourne Graduate Association
Employee associations	National Tertiary Education Union
Higher education peak/representative bodies	Universities Australia, International Higher Education Association, Group of Eight, Regional Universities Network, Australian Technology Network, Innovative Regional Universities, International Education Association of Australian, International Tertiary Education Council Australia

Consultation following the release of the Draft Action Plan

- In December 2023, the Department undertook 10 targeted consultations with key stakeholder groups on the Draft Action Plan.
- Most stakeholders were broadly supportive of the Draft Action Plan. Strongest support for the Draft Action Plan came from victim-survivor advocates, students and student leaders, staff representatives, student services staff, IHEA, student accommodation peak body executives, and several senior leaders from individual institutions.
- The public consultation period closed on 31 January 2024, with a total of 81 responses received by the Department. A summary of key consultation findings is provided below.

Action item	Stakeholder group					
	Students and victim-survivor advocates	Higher education sector	Staff	Student services	Student accommodation providers	Women's safety sector
Consultation undertaken	<ul style="list-style-type: none"> Targeted consultation and regular meetings with End Rape on Campus, STOP campaign, Fair Agenda, National Union of Students and other student leaders 	<ul style="list-style-type: none"> Targeted consultation with peak bodies and regular meetings with individual providers and sub-peak bodies 	<ul style="list-style-type: none"> Targeted consultation with National Tertiary Education Union and regular meetings with individual members 	<ul style="list-style-type: none"> Targeted consultation and individual meetings with student services directors 	<ul style="list-style-type: none"> Targeted consultation and individual meetings 	<ul style="list-style-type: none"> Consultation with National Plan Advisory Group and Our Watch
National Student Ombudsman (NSO)	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> there is a need for ongoing outreach, consultation and engagement following implementation of the NSO it must have sufficient scope and resourcing to be effective 	<ul style="list-style-type: none"> Primarily concerned with implementing a traditional ombudsman model, and reducing duplication with existing state/territory ombudsmen functions Sought to understand potential barriers to implementation across different providers and jurisdictions Some concerns on the policy rationale Need to promote NSO to students and it must be as accessible as possible 	<p>Strongly supportive</p>	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> need for clarity regarding the ability of the NSO to hear historic cases considerations for dual-sector providers 	<p>Supportive, noting:</p> <ul style="list-style-type: none"> some providers requested scope of NSO to be broadened to include grievances from residents of student accommodation providers 	<p>Strongly supportive</p>
Whole-of-organisation approach	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> students and victim-survivors must be involved in design, implementation and embedding 	<ul style="list-style-type: none"> Must be flexible so providers can scale to their size and communities 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> inclusion of staff and unions in design, implementation and embedding need to address structural issues that act as barriers to staff reporting 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> must be led from the top requires explicit and ongoing resourcing smaller providers will need support to increase understanding of gender-based violence and its effects 	<p>Supportive, noting:</p> <ul style="list-style-type: none"> education and training on gender-based violence is required to establish a baseline understanding of gender-based violence across its sector 	<p>Strongly supportive</p>
National Code	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> needs to set best practice standards there must be penalties for failure to comply must prioritise the safety of victim-survivors 	<ul style="list-style-type: none"> some concerns regarding scope and specificity some concerns about bounds of responsibility of providers in preventing gender-based violence some concerns regarding reporting obligations and potential duplication with other reporting 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> service level standards for staff and students should be the same need to upskill human resources staff to appropriately support staff victim-survivors 	<p>Strongly supportive, requesting:</p> <ul style="list-style-type: none"> setting of service level standards recognition of expertise required to support victim-survivors outlining expertise needed to conduct trauma-informed investigations and disciplinary processes 	<p>Supportive, noting:</p> <ul style="list-style-type: none"> need to set standards for pastoral care need to consider providers that house students from multiple providers need to support closer relationships between student accommodation and providers where there is no formal link 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> stronger connections between providers and the women's safety sector will improve provider performance expertise required to support victim-survivors in all aspects of response and recovery and healing, including investigations
Measures for student accommodation providers	<p>Strongly supportive</p>	<p>Supportive, noting:</p> <ul style="list-style-type: none"> higher education providers have varying levels of oversight and responsibility over different types of student accommodation 	<p>Supportive</p>	<p>Strongly supportive</p>	<p>Strong support from executives of peak bodies and some members, noting some individual commercial providers expressed concern over shareholders' views</p>	<p>Strongly supportive</p>
Prioritising safety of victim-survivors in disciplinary processes	<p>Strongly supportive</p>	<ul style="list-style-type: none"> must recognise natural justice while prioritising victim-survivors some concern regarding potential legal challenges to findings of misconduct 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> need to upskill human resource areas on handling formal processes relating to complaints about gender-based violence 	<p>Strongly supportive, requesting:</p> <ul style="list-style-type: none"> details on expertise required for conducting trauma-informed investigations and disciplinary processes 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> resourcing constraints often prevent some accommodation providers from engaging experts 	<p>Strongly supportive</p>
Increased data transparency and scrutiny	<p>Strongly supportive</p>	<ul style="list-style-type: none"> concern from some about reporting burden and resourcing required to meet new requirements 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> data on staff experiences is needed to provide complete picture 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> need for consistent definitions of gender-based violence data should be comparable 	<p>Strongly supportive, requesting:</p> <ul style="list-style-type: none"> formalised data-sharing arrangements between accommodation providers and higher education providers 	<p>Strongly supportive, noting:</p> <ul style="list-style-type: none"> need for alignment with existing definitions of gender-based violence, including those used in National Plan

Issue: Accord implementation – Priority Action Implementation**Contact:** Ben Rimmer
Ph: s 22
Deputy Secretary**Budget – Accord Implementation – Priority Action Implementation**

Financial year	2022–23 (\$m)	2023–24 (\$m)	2024–25 (\$m)	2025–26 (\$m)	2026–27 (\$m)	Total (\$m)
University Study Hubs - Expand RUCs	0.0	5.2	5.3	13.4	10.6	34.4
University Study Hubs - Suburban University Study Hubs	0.0	6.2	7.8	9.1	9.5	32.5
Demand Driven First Nations Students	0.0	2.1	6.0	10.8	15.2	34.1
50% pass rule	0.0	0.5	0.3	0.2	0.1	1.1
HECG extension	0.0	0.0	0.0	0.0	0.0	0.0
University Governance	0.0	0.5	0.0	0.0	0.0	0.5
Total Budget Allocation	0.0	14.4	19.3	33.4	35.4	102.6

Note: figures are rounded to one decimal place and as a result totals may not add**Key Points**

- The Australian Universities Accord Review commenced in November 2022.
- The Australian Universities Accord Review Panel's (Accord Panel's) Interim Report was provided to the Australian Government in June 2023 and was released by the Hon Jason Clare MP, Minister for Education, on 19 July 2023.
- The Interim Report included over 70 considerations for change and 5 priorities for immediate actions, which the Government is implementing ahead of the Accord Panel's Final Report.

- The funding to implement the priority actions will be offset by a redirection in research program funding announced in the Mid-Year Economic and Fiscal Outlook (MYEFO) 2023–24 ([SB23-000575](#) refers).
- The Final report was provided to the Minister on 28 December 2023.

Priority Action 1: University Study Hubs

- The Government will double the number of University Study Hubs by establishing:
 - up to 20 new Regional University Study Hubs
 - up to 14 new Suburban University Study Hubs.

Suburban University Study Hubs

- A consultation paper seeking feedback on the design of the new Suburban Hubs was open between 3 September and 2 October 2023 with 44 submissions received.
- The department has engaged Deloitte Access Economics to undertake a research and analysis project to support the identification of locations in outer metropolitan and peri-urban Australia, with the greatest level of need for a Suburban Hub.

Regional University Study Hubs

- A competitive application process to select the first up to 10 new Regional University Study Hubs opened on 28 September 2023 and closed on 15 December 2023. 34 applications were received.
- The Department of Education has established an Assessment Panel, of senior departmental staff and the Regional Education Commissioner to assess applications and make funding recommendations to the Minister for Education.
 - The assessment process is currently underway.
- A future round to select a further up to 10 new Regional University Study Hubs will be undertaken, with further information to be available in due course and published on the department's website.
 - Applicants who are unsuccessful in the current round are encouraged to reapply in future rounds.
- The new Hubs will be in addition to the 34 existing Hubs currently funded under the Regional University Study Hubs Program. 33 of these Hubs are in operation with one further Hub expected to commence operations in 2024.
- Further information about these measures and the existing Regional University Study Hubs Program is in [SB24-000105](#).

Priority Action 2: 50% rule

- The Government has abolished the 50% pass rule and introduced a requirement for Higher Education Providers (HEPs) to have a Support for students policy that they must comply with.
- The *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report)* Bill 2023, received Royal Assent on 6 November 2023, with the above measures commencing from 1 January 2024.
- On 14 December 2023 the Hon Jason Clare MP, Minister for Education, signed the *Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023*. These provide additional detail of the requirements in relation to a HEP's Support for students policy and commence from 1 April 2024.
- The department consulted with the higher education sector on the Support for students policy requirements throughout the latter half of 2023 via webinars and working groups, which included representatives from across the sector.
- Throughout 2024 and into 2025 the department will work with providers, aided by a select working group, to clarify requirements for the first report on the Support for students policy due on 1 March 2025.
- The department's approach to compliance for the first 12 months will be educational, with significant compliance action to be considered only in the unlikely event that serious and systematic issues are identified during this period.
- Further information on this measure is set out in [SB23-000578](#).

Priority Action 3: Demand driven funding for First Nations students

- From 2024, all First Nations peoples are guaranteed a Commonwealth supported place for bachelor level courses (excluding medicine) when accepted into their chosen course of study at a Table A university.
- This measure was introduced by the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Act 2023 which passed both houses on 19 October 2023 and gained Royal Assent on 6 November 2023.
- A 2026 review will assess the effectiveness of demand driven funding for First Nations students.
- Further information about the measure is set out at [SB24-000101](#).

Priority Action 4: Higher Education Continuity Guarantee (HECG) extension

- The HECG is being extended for 2024 and 2025.
- Extending the HECG will ensure funding certainty for universities and avoid disruption to the sector during this time while future funding arrangements are considered as part of the Universities Accord process.
- Universities will be required to invest any remaining funding from their grant each year to support initiatives that improve access and outcomes for underrepresented groups.
- A detailed list of permissible uses, approved by the Minister, was distributed to providers in late 2023.
- Consultation with providers on the implementation process for this measure is currently underway and will continue until mid-late March.
- Further information about the measure is set out in [SB24-000103](#).

Priority Action 5: Strengthening university governance**Action Plan Addressing Gender-based violence in higher education**

- Following significant consultation with a range of stakeholders, on 22 November 2023 Education Ministers released a Draft Action Plan Addressing Gender-based Violence in Higher Education (Draft Action Plan) for public consultation.
- The Draft Action Plan proposes a multi-pronged approach to create higher education communities free from gender-based violence through 7 actions, including the establishment of a National Student Ombudsman and the introduction of a National Higher Education Code to Prevent and Respond to Gender-based Violence.
- Following the release of the Draft Action Plan, the Department of Education undertook targeted consultation with key stakeholder groups during December 2023.
- Further information about this measure and consultation undertaken is set out in [SB23-000568](#).

Workplace relations compliance and governance

- In December 2023 Education Ministers were briefed on work underway to address workplace relations compliance, strengthening university governance and current approaches to supporting student and staff safety in university contexts.

- Ministers agreed to task the Working Group to provide Ministers with a Draft Action Plan on workplace compliance and university governance in early 2024 for consideration.
- Further information about this measure and consultation undertaken is set out in **SB23-000123**.

Early Offers

- During the review of higher education, the Australian Universities Accord observed that the practice of universities making early, at-school, offers to school students was an emerging issue.
- Education Ministers have also considered early offers. They agreed to consider advice from the Accord Panel on this issue.
- While early offers are not a new practice, there is evidence that the practice has increased in recent years.
- There are perceived risks (based on anecdotal evidence) that early offers made to school students may:
 - contribute to disengagement from studies during the final weeks of the Senior Secondary Certificate of Education
 - tend to favour students with existing educational and socioeconomic advantages
 - exacerbate competition for enrolments between institutions.
- However, there is limited data on the number/extent of early offers or on the effect of early offers on either school students or institutions.

Stakeholder Response

Stakeholder	Response summary
Associations	National Union of Students – broadly supports the creation of the Accord to design and champion change in tertiary education sector.
Rep Body/ies	Universities Australia – supportive of the 5 priority actions outlined in the Interim Report, which have been accepted by the Government. Regional Universities Network – supportive of the 5 priority actions outlined in the Interim Report.
Opposition	Nil.
Greens	The Greens released a statement on 19 July 2023 criticising the Government’s response to the Interim Report as a ‘missed opportunity’. The statement notes the 11 priorities for action that had previously been outlined by the Greens.
Independents	David Pocock – welcomed Government commitment to abolish 50% pass rule and expand demand driven funding for First Nations students in metropolitan areas.

Media

- ***From Medicare to preschool: the Australian laws changing in the new year, the Guardian, 31 December 2023***

The article mentions the introduction of the support for students policy in replacement of the 50% pass rule.

- ***Are WA's universities making unconditional early offers to year 12 students?, WAtoday, 7 September 2023***

The article expresses concern on the lack of transparency around the number of unconditional early university offers, and the difficulty in obtaining clear information or data on this issue.

- ***Australian universities must provide more places for poorer students to meet future labour market demands, report says, The Guardian, 19 July 2023***

The article summarises the 5 priority actions of the Australian Universities Accord Interim Report.

- ***Government to unis: get governing bodies in order, Australian Financial Review, 19 July 2023***

The article provides an overview of the 5 priority actions set out in the Interim Report, including an action to improve university governance.

- ***Australian universities report 'squibs a once-in-a-generation chance' on research, science leader says, the Guardian, 19 July 2023***

The article criticises the Interim Report for not including research funding as a priority for immediate action. Quotes Minister as noting the Accord Panel is giving consideration to range of research funding options.

Date Last Cleared	08 February 2024
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Issue: Australian Economic Accelerator
PBS Pg No. 59
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary, HERI

Budget – Australia’s Economic Accelerator

Financial year	2022–23 ('000)	2023–24 ('000)	2024–25 ('000)	2025–26 ('000)	2026–27 ('000)	Total ('000)
Budget Allocation	0	102,901	157,812	161,771	178,134	600,618
Committed*	0	6,347	1,315	0	0	0
Uncommitted	0	81,050	152,349	161,771	178,134	600,618

- Committed funding is subject to finalisation of Conditions of Grants for AEA Seed, including for AEA Seed Tranche 3.
- A further \$7.652 million in AEA Seed funding has been committed from the 2023–24 and 2024–25 financial years to support 17 reserve applications from Tranche One and Tranche Two that are currently being finalised.

Key Points

Australia’s Economic Accelerator (AEA)

- The AEA is part of the Government’s \$1.6 billion university research translation and commercialisation program that will run from 2023–2034.
- The AEA program will help transform Australia’s research translation and commercialisation ecosystem supporting economic growth, real world innovations and productivity gains.
- The program focuses on university-led projects with commercial potential that address at least one of the Australian Government’s National Reconstruction Fund priority areas:
 - value-add in resources
 - value-add in the agriculture, forestry and fisheries sectors
 - transport
 - medical science
 - renewables and low emissions technology
 - defence capability
 - enabling capabilities.

- The AEA grants program is being delivered through 2 independent grant stages, Ignite and Innovate.
 - The scope of these two AEA stages were informed by a pilot grant program, AEA Seed.
 - AEA Seed was launched in three separate tranches over the course of 2023 and early 2024.
- AEA Ignite will support universities to establish commercially viable proof-of-concept projects through provision of a grant of up to \$500,000 over a period of 12 months.
- AEA Innovate provides mid-stage research commercialisation grants of up to \$5 million and up to 24 months, for universities, in partnership with businesses, to build prototypes and pilot systems to establish proof of scale.
 - Funding provided through the AEA Innovate program will not be dependent upon a university having received funding through AEA Seed or Ignite.

Recent announcement of MYEFO savings from AEA

- As part of the Government's 2023/2024 Mid-Year Economic and Fiscal Outlook a 2.4% savings reduction was announced from the AEA program.
 - As the AEA program is a decadal program it is not foreseen that this small reduction in funding will adversely affect the program's research commercialisation efforts.
Refer [SB23-000575](#): MYEFO.
- Among other changes, this funding will help remove the 50% pass rule that disproportionately impacted students from poor backgrounds and from the regions. It will also help extend demand driven funding to all First Nations students who are eligible for a higher education course they apply for.

AEA Seed Pilot Program – Overview

- AEA Seed was established and conducted to test and refine processes and procedures for the full AEA grant program.
- As of 5 February 2024, across AEA Seed Tranche One and Tranche Two received a total of **362 applications** requesting **\$97.827 million** in funding was received.
 - Of these **45 applications** have been granted **\$10.393** million in funding.

Priority Area	Successful Proposals	Total Funding Granted (\$ million)
Renewables and low emission technologies (Tranche One)	13	\$2.791
Medical science (Tranche One)	12	\$2.899
Value-add in agriculture, forestry, and fisheries sectors (Tranche Two)	9	\$2.416
Value-add in resources (Tranche Two)	11	\$2.287
Total	45	\$10.393

- Tranche One focussed on projects in:
 - renewables and low emissions technologies
 - medical science, including veterinary science.
- Tranche Two focussed on projects in:
 - value-add in agriculture, forestry, and fisheries sectors
 - value-add in resources.
- The department published the outcomes of successful Tranche One and Tranche Two projects on 17 October 2023.
- Seventeen applications from Tranche One and Tranche Two that were deemed suitable but were not funded at the close of those processes, were placed on a reserve list.
 - In December 2023, applicants on this list were offered funding pending confirmation of their project arrangements remaining current.
 - Applicants were given until 31 January 2024 to confirm acceptance of the offer, with all applicants responding with an intention to accept funding.
- On 15 December 2023 AEA Seed Tranche Three was announced. The program provides a further \$12 million in funding to suitable projects focussed on advanced manufacturing applications in the remaining three NRF priorities of:
 - transport;
 - defence capabilities; and
 - enabling technologies.

AEA Seed Tranche One Overview

- On Monday 1 August 2023, all 206 applicants to AEA Seed Tranche One were notified, under embargo, of the outcomes.
- As part of the initial eligibility checking process eight applications were incorrectly deemed ineligible. These applications were re-assessed through an out-of-session moderation process (**included in Table A**).
 - Four were subsequently deemed successful and were notified on 24 October 2023.

Tranche One Overview (Table A)

Applications opened	6 February 2023			
Applications closed	17 March 2023			
Total number of universities that applied	27			
Total number of regional universities that applied [‡]	6 (3 per cent)			
Total number of applications received	206			
Total number of successful applications	25			
Total funding requested	\$55.867 million			
Total funding granted	\$5.689 million			
[‡] Universities were classified as regional universities based on the Australian Statistical Geography Standard (ASGS).				
T1 Priority Area Breakdown	Proposals Received	Total Funding Requested (\$ million)	Successful Proposals	Total Funding Granted (\$ million)
Renewables and low emission technologies	83	\$22.308	13	\$2.791
Medical science	116	\$31.786	12	\$2.899
Other	7	\$1.773	0	\$0
Total	206	\$55.867	25	\$5.689

Tranche One – Gender Equity (Table B)

- Twenty-four per cent of the Lead Entrepreneurs identified as female.

Priority Areas	% of Females	% of Males
Renewables and low emissions technologies	16%	84%
Medical science	29%	71%
Value-add in agriculture, forestry and fisheries sectors	40%	60%
Transport	0%	100%
Defence capability	0%	100%

EA Seed Tranche One – Regional Universities (Table C)

Priority Area	Proposals Received	Total Funding Requested (\$ million)	Successful Proposals	Total Funding Granted (\$ million)
Renewables and low emissions technologies [‡]	5	\$1.455	1	\$0.16
Medical science [‡]	1	\$0.199	0	\$0
Total	6	\$1.654		\$0.16

Tranche One – Reserve List

- Nine applications from Tranche One that were deemed suitable but were not funded at the close of AEA Seed Tranche One processes, were placed on a reserve list.
- In December 2023, applicants on this list were offered funding pending confirmation of their project arrangement remaining current. Applicants had until the 31 January 2024 to confirm acceptance of the offer. All reserve list applicants responded with an intention to accept funding.

Tranche One Reserve (Table D)

Priority Area	Proposals Received	Total Funding Requested (\$ million)
Renewables and low emissions technologies	3	\$0.585
Medical science	6	\$1.779
Total	9	\$2.362

AEA Seed Tranche Two Overview

- On Tuesday 24 October 2023, all 156 applicants to AEA Seed Tranche Two were notified of the outcomes.
- As part of the eligibility process two applications were incorrectly deemed ineligible. These applications were re-assessed through an out-of-session moderation process (**included in Table E**).
 - Neither of these applications were ultimately deemed successful (**included in Table E**).

Tranche Two Overview (Table E)

Applications opened	27 March 2023			
Applications closed	5 May 2023			
Total number of universities that applied	30			
Total number of regional universities that applied [‡]	13 (5 per cent)			
Total number of applications received	156			
Total funding requested	\$41.960 million			
Total funding granted	\$4.703			
[‡] Universities were classified as regional universities based on the Australian Statistical Geography Standard (ASGS).				
Priority Area	Proposals Received	Total Funding Requested (\$ million)	Successful Proposals	Total Funding Granted (\$ million)
Value-add in agriculture, forestry, and fisheries sectors	90	\$24.023	9	\$2.416
Value-add in resources	43	\$10.374	11	\$2.287
Other	23	\$7.563	0	\$0
Total	156	\$41.960	20	\$4.703

Tranche Two – Regional Universities (Table F)

Priority Area	Proposals Received	Total Funding Requested (\$ million)	Successful Proposals	Total Funding Granted (\$ million)
Value-add in agriculture, forestry and fisheries sectors [‡]	10	\$3.329	0	\$0
Value-add in resources [‡]	1	\$0.252	1	\$0.252

Renewables and low emissions technologies	1	\$0.300	0	\$0
Medical science	1	\$0.204	0	\$0
Enabling capabilities	0	\$0	0	\$0
Total	13	4.085	1	\$0.252
* Indicates Tranche Two National Reconstruction Fund (NRF) priority area.				

Tranche Two – Gender Equity (Table G)

- Twenty-eight per cent of the Lead Entrepreneurs identified as female.

Priority Area	% of Females	% of Males	% of Unspecified
Value-add in agriculture, forestry and fisheries sectors	31%	69%	0%
Value-add in resources	26%	72%	2%
Renewables and low emissions technologies	25%	75%	0%
Medical science	15%	85%	0%
Enabling capabilities	0%	100%	0%

Tranche Two – Reserve List

- Eight applications from Tranche Two that were deemed suitable but were not funded at the close of AEA Seed Tranche Two processes, were placed on a reserve list.
- In December 2023, applicants on this list were offered funding pending confirmation of their project arrangement remaining current. Applicants had until the 31 January 2024 to confirm acceptance of the offer. All reserve list applicants responded with an intention to accept funding.

Tranche Two Reserve (Table H)

Priority Area	Proposals Received	Total Funding Requested (\$ million)
Value-add in agriculture, forestry and fisheries sectors [‡]	5	\$1.625
Value-add in resources [‡]	3	\$0.857
Total	8	\$2.482
* Indicates Tranche Two National Reconstruction Fund (NRF) priority area.		

Stakeholder Response

Stakeholder	Response summary
AEA Seed applicants/Researchers opening of rounds	AEA Seed Tranche One - 173 emails (eligible lead entrepreneurs/employees of eligible institution) seeking further guidance or clarification pertaining to AEA Seed Tranche One were received and responded to, usually within 24 hrs. AEA Seed Tranche Two - No enquiries were recorded for Tranche Two as the department had amended advice on website advising potential applicants to contact their relevant Research Office for support and advice.
Applicants who received notification of outcomes of AEA Seed Tranche One	16 applicants have written seeking to appeal the outcome. The AEA Seed Guidelines and FAQ clearly state that there is no appeals process for AEA Seed.
Applicants to Tranche Two	Nine applicants have written seeking advice on when outcomes for Tranche Two will be provided. On 24 October 2023, the department published the list of 24 successful Tranche Two projects. All 156 applicants to AEA Seed Tranche Two were notified of the outcomes of the funding round.

Media

- ***\$12 million AEA Seed Grants Tranche 3 is now open for applicants, Australia’s Economic Accelerator, 15 December 2023***

This article announces the opening of AEA Seed Tranche 3, discusses the AEA program and provides details to applicants about how to apply ([Attachment A](#)).

- ***Research raid undermines industry confidence and certainty, Science & Technology Australia, 13 December 2023***

The article contended that the savings cut to AEA program funding undermines confidence in R&D investment. The article perceives this cut in funding to be a part of a wider ‘chipping away’ of R&D investment by the Government ([Attachment B](#)).

- ***\$1.6 billion research commercialisation program’s false start, InnovationAus, 17 October 2023***

The article focusses on the delays to the full AEA program rollout due to oversubscription of the Seed round. The article quotes a department spokesperson who stated that the AEA program is expected to launch in 2024 and that the department is in the process of setting up interim arrangements for the advisory board. ([Attachment C](#)).

- ***Brilliant ideas rejected as scheme overwhelmed by demand, Australian Financial Review, 11 August 2023***

The article contended that the AEA Seed program had been overwhelmed by applications and that proposals were unfairly rejected due to lack of capacity and a desire to improve the program's success rates ([Attachment D](#)).

Attachments

- [Attachment A](#) '\$12 million AEA Seed Grants Tranche 3 is now open for applicants' Australia's Economic Accelerator launch 15 December 2023
- [Attachment B](#) 'Research raid undermines industry confidence and certainty' in *Science & Technology Australia* 13 December 2023
- [Attachment C](#) '\$1.6 billion research commercialisation program's false start' *InnovationAus* 17 October 2023
- [Attachment D](#) 'Brilliant ideas rejected as scheme overwhelmed by demand' *Australian Financial Review* 11 August 2023

Date Last Cleared	08 February 2024
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BACKGROUND

Australia's Economic Accelerator (AEA) Program

- The \$1.6 billion AEA program is part of the Government's university research translation and commercialisation agenda.
- The AEA program is a stage-gated competitive grant program designed to bridge the gap between basic research and commercialisation. The program is aligned with the 7 National Reconstruction Fund priorities.

AEA Assessment Process

- The Australian Research Council's (ARC) Research Management System (RMS) was used to manage the application and assessment processes as Australian universities are familiar with the system.
- Applications were assessed against the following weighted criteria:
 - Project impact: 40%.
 - Capacity, capability, and resources to deliver project: 30%.
 - Commercial opportunity: 10%.
 - Research feasibility: 10%.
 - Engagement with industry and/or commercial partners: 10%.

AEA Executive Director

- In April 2022, Mercer was retained to identify a suitable candidate to perform the role of Senior Priority Manager, also known as the AEA Executive Director.
 - Total cost of the consultancy was \$46,200 (GST inclusive) contract number CN3865609 (Austender).
- A talent map identified 17 potential candidates as having the desired mix of knowledge, skills and experience in investment management, commercial and licensing negotiation, intellectual property, and technology transfer, as well as in the establishment of research industry partnerships. Of the 17 candidates, 11 were male and 6 were female.
- The department held 2 socialisation workshops, chaired by the First Assistant Secretary Research Division, to further assess the candidates' skills and suitability for the role.
 - The first was held in Canberra on Tuesday 5 July 2022, with 7 candidates. The second workshop took place in Melbourne on Tuesday 9 August 2022, with 8 candidates.
- The First Assistant Secretary Research Division made the final selection decision following reference checks. The successful candidate commenced as AEA Executive Director on 1 May 2023.

AEA Expert Advisers

- On 1 July 2023, a cohort of 15 Expert Advisers commenced, (11 male and 4 female) bringing a range of relevant skills and experience in research, research translation and commercialisation, business development and industry partnerships. Two female Expert Advisers have since resigned to pursue other opportunities in the research commercialisation ecosystem.



[Home](#) > [News & Media](#) > AEA Seed Grants – Tranche 3 applications now open

AEA Seed Grants – Tranche 3 applications now open

Posted on 15 December 2023



The \$12 million AEA Seed Grants Tranche 3 is now open for applications.

Grants between \$50,000 and \$500,000 are available to support applicants seeking to test research relevance against commercial outcomes.

Tranche 3 will support projects for research commercialisation activity in the following 3 priority areas identified in the [National Reconstruction Fund](#), with a special emphasis on projects that focus on advanced and additive manufacturing technologies in:

- transport,
- defence capability, and
- enabling capabilities.

Projects outside of these priorities may be considered if funding allocations are not fully utilised.

The \$1.6 billion AEA program is supporting the translation and commercialisation of Australia's world-leading research.

Collaboration among business, industry, research organisations and universities is critical to commercialising and translating Australia's great ideas. They are also integral to solving important societal challenges, driving business innovation, and improving Australia's long-term economic prosperity.

Nearly 50 projects have already been awarded over \$10 million as part of the AEA Seed Grants to advance projects in areas such as medical science, and renewables and low emission technologies.

AEA is funding projects that align with national priorities to help take innovative ideas through to proof of concept and scale as projects progress towards commercialisation – and to new businesses.

All entrepreneurial-minded researchers at Australian universities are encouraged to apply.

AEA Seed is a pilot program running ahead of the full implementation of the AEA and is supporting proof-of-concept projects equivalent to Technology Readiness Level 3 to 5.

AEA Seed is an opportunity to test and refine program assumptions and demonstrate the capacity of the program to deliver on its intended outcomes prior to the full implementation of AEA.

Tranche 3 opened on 15 December 2023 and will close 9 February 2024.

For more information on the grants, visit the [AEA Seed webpage](#) and for regular updates on the AEA, follow the [AEA LinkedIn page](#).

Related articles



13 December 2023 (<https://scienceandtechnologyaustralia.org.au/research-raid-und>)

Research raid undermines industry confidence and certainty





A \$46.2 million cut to research commercialisation unveiled in today's Mid-Year Economic and Fiscal Outlook

(https://budget.gov.au/content/myefo/download/O8_App_A_WEB.pdf) undermines confidence – with R&D the investment capital for Australia's future prosperity.

The cut of \$46.2 million over four years to Australia's new research commercialisation fund – Australia's Economic Accelerator – amounts to seven percent of the fund capital allocated in the last Budget.

The fund was announced and funded under the Morrison Government and legislated under the Albanese Government, and it has strong cross-party support across the Australian Parliament.

The cut comes as Australia's government investment in R&D has already plunged to a four-decade low – when Australia urgently needs to lift its investment in R&D, rather than raid it.

Science & Technology Australia President Professor Sharath Sriram called it a step in the wrong direction.

"Australia urgently needs to invest more – not less – in research and development to generate the next wave of new jobs and income to secure the living standards of our kids and grandkids," he said.

"Australia cannot afford to chip away at our investment in commercialising our research breakthroughs – delivering major dividends takes strategic, stable, and bold investment."

"We cannot afford to undermine certainty and confidence – which are crucial to the willingness of Australian industry to engage in research commercialisation."

"We urge the Government and Education Minister Jason Clare to rethink this cut – especially as the Government considers the final report of the Australian Universities Accord in the months ahead."

“The Accord urgently needs to deepen Australia’s ambition and investments in R&D to secure Australia’s economic future – starting in the May Budget in 2024.”

Science & Technology Australia welcomed the MYEFO confirmation of investments in expanding access to university for Aboriginal and Torres Strait Islander people, expanding Paid Parental Leave and the establishment of a new Board for the Australian Research Council.

Media contact: Martyn Pearce, STA: 0432 606 828



Research (<https://www.innovationaus.com/category/research/>)

\$1.6bn research commercialisation program's false start

By [Joseph Brookes](https://www.innovationaus.com/authors/joseph-brookes/) (<https://www.innovationaus.com/authors/joseph-brookes/>) Senior Reporter



17 October 2023

Share (<https://www.innovationaus.com/category/research-commercialisation-programs-false-start%2F8>)

The federal government's \$1.6 billion research commercialisation program has stalled again, keeping universities and researchers on hold for the second time. But an administrative process has revealed the first recipients ahead of an official announcement.

Government documents published this month show at least eight universities will share in \$2.5 million in the protracted pilot phase of Australia's Economic Accelerator (AEA) program.

The bipartisan research commercialisation push was announced 18 months ago and legislated by the Albanese government in March. The first announcements of 'seed' grants were planned for May and June, ahead of full program launch later in the year.



False start: The \$1.6bn AEA program has missed both start dates for its \$10 million pilot

But an inundation of 358 applications seeking 10-times the \$10 million on offer in the pilot forced a delay in assessing and announcing the recipients. The Education department in June set a new target (<https://www.innovationaus.com/australias-economic-accelerator-stalls/>) of quarter three this year and has

pushed the full launch back to 2024.

The revised deadline for the pilot has passed without an announcement of the first or second tranches of seed grants, but determinations made under the Higher Education Support Act have revealed the first recipients.

Researchers from Macquarie University, UNSW, Monash University, RMIT, University of Melbourne, University of Queensland, University of Southern Queensland, University of Adelaide are all set to receive grants, according to the determination.

Exactly which projects are not revealed in the determination, which also does not necessarily represent an exhaustive list and accounts for only a quarter of the \$10 million slated for the seed stages.

The Education department declined to provide a specific reason for the delay but indicated an official announcement will be made shortly.

There also appears to be delays in announcing the advisory board that will guide the program (<https://www.innovationaus.com/minister-mulls-1-6bn-research-commercialisation-leaders/>) and formulate a five-year strategy and investment plan. InnovationAus.com understands the minister received recommendations for the board and its chair as early as June.

"The AEA program is expected to launch in 2024," an Education department spokesperson said.

"The department is in the process of setting up interim arrangements for the AEA Advisory Board."

The AEA was announced by the Morrison government in February last year as the largest component of a \$2 billion response to a review of Australia's research commercialisation system.

It offers \$1.6 billion in stage-gated funding for university research projects with high translation and commercialisation potential that also align with national research priorities.

The AEA is part of a more strategic federal policy approach to Australian innovation, with successful projects seen as the start of a pipeline that continues with the \$393 million Industry Growth Program and \$15 billion National Reconstruction Fund.

An initial \$10 million has been allocated for the pilot phase of the AEA, which began taking applications in February. The pilot is offering competitive seed grants up to \$500,000 for proof of concept research projects over two tranches.

Tranche one seed grants are for either medical science or renewables or low emissions technologies projects. The second tranche is for either value-add in resources or value add in the agriculture, forestry and fisheries sectors.

The full program launches next year. Eventually, larger grants up to \$5 million over two years will also be available under an AEA Innovate stream for "proof of scale" mid-stage commercialisation projects. These projects need to be farther along the Technology Readiness Level scale and with clear commercial potential.

The AEA received bipartisan support when enabling legislation passed Parliament in March (<https://www.innovationaus.com/500m-research-commercialisation-package-sails-through-parliament/>) with the support of the Greens and independents, with only minor amendments.

Do you know more? Contact James Riley via [Email \(mailto:james@innovationaus.com\)](mailto:james@innovationaus.com).

Related: Australia's Economic Accelerator (<https://www.innovationaus.com/tag/australias-economic-accelerator/>) | commercialisation (<https://www.innovationaus.com/tag/commercialisation/>) | research (<https://www.innovationaus.com/tag/research/>)

Brilliant ideas rejected as scheme overwhelmed by demand



Julie Hare *Education editor*

Aug 13, 2023 - 3.28pm

A new \$1.6 billion research program intended to build national capacity in advanced manufacturing for medical sciences, renewables and low emissions technologies has been accused of overlooking brilliant ideas simply because the bureaucracy was overwhelmed with applications [<https://www.afr.com/policy/health-and-education/careers-on-hold-as-researchers-wait-for-grants-20211202-p59ebr>].

The first round of Australia's Economic Accelerator, which is designed to "develop a pipeline from discovery through to commercialisation" has rejected dozens of applications seeking more than \$200,000.



Millions of tonnes of coffee waste could be redirected to compostable plastics, but the idea was rejected by a government commercialisation fund. **Natalie Boog**

They include one project with proven intellectual property that produces bacteriophages – or viruses that infect and kill bacteria – and are at the forefront of antibiotic resistance in hospital patients.

Microbiologist Jeremy Barr from Monash University says the discovery has already been used successfully in one patient at the Alfred Hospital in Melbourne.

“The patient had a life-threatening infection and had exhausted all antibiotic options. We have a small manufacturing ability here in our laboratories and this grant was to scale up our capacity,” he said.

Dr Barr applied for \$370,000 but was told his application was ineligible because it did not identify and cost at least two phases of the project.

“I was well aware of that requirement and, in my opinion, had three stages that were broken down and fully costed,” he said.

“I know of two other colleagues at Monash who also requested over \$200,000 and received the exact same wording in their rejection letter.”

At Australian National University, chemical engineer Luke Connal is creating compostable plastic made from coffee waste. He, too, applied for just under \$400,000 and he, too, was rejected because his application did not meet the criteria of breaking the application down into at least two fully costed stages.

He disagrees.

“We had two six-month phases with a full business case for the second six months so we could start commercialising the technology,” Professor Connal said.

Both researchers questioned whether the department had simply been overwhelmed and unable to fully assess the applications on their merit.

Seed funding

A spokeswoman said the first tranche had attracted 206 applications from 27 universities asking for a combined total of \$55.8 million.

In an email to applicants and research officers on June 14, Dom English, first assistant secretary for research with the Department of Education, wrote that the first two tranches of seed funding would be capped at around \$10 million, but the

14/08/2023, 09:10

Brilliant ideas rejected as scheme overwhelmed by demand

department had received applications seeking a total of \$97 million – \$55 million for tranche one and \$42 million for the second tranche.

“In light of this we have a tough job in selecting successful projects and have been rigorously applying the eligibility criteria in the assessment process,” Mr English wrote.

A research expert, who remains anonymous but appears on X (Twitter) under the handle @ARC_Tracker, said by rejecting so many high-quality applications [<https://www.afr.com/policy/health-and-education/researchers-furious-over-nit-picking-by-grants-funding-council-20220821-p5bbi3>] it was possible the scheme could claim to have a high success rate.

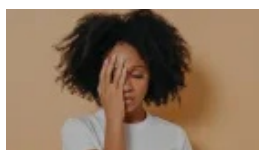
“This scheme was poorly planned. It faced huge oversubscription, they’ve deemed larger requests ineligible, and moved the goalposts during the competition,” he said.

“This means that huge amounts of researchers’ time has been wasted applying to a (possibly) unfair system, where the rules changed mid-stream,” he said.



RELATED
Careers on hold as researchers wait for grants

<https://www.afr.com/policy/health-and-education/careers-on-hold-as-researchers-wait-for-grants-20211202-p59ebr>


RELATED
Researchers furious over NIT-picking by grants funding council

<https://www.afr.com/policy/health-and-education/researchers-furious-over-nit-picking-by-grants-funding-council-20220821-p5bbi3>

Julie Hare is the Education editor. She has more than 20 years’ experience as a writer, journalist and editor. *Connect with Julie on [Twitter](#). Email Julie at julie.hare@afrc.com*

Issue: Australian Research Council Amendment (Review Response) Bill 2023

Contact: Ben Rimmer
Ph: s 22
Deputy Secretary, Higher Education, Research and International

Key Points

- On 29 November 2023, the Hon Jason Clare MP, Minister for Education, introduced the Australian Research Council Amendment (Review Response) Bill 2023 (the Bill) into Parliament (see [Attachment A](#)).
- The Bill amends the *Australian Research Council Act 2001* (ARC Act) to enhance the Australian Research Council's (ARC) role to better support Australia's dynamic research landscape.
- The amendments in the Bill are in response to the Final Report of the ARC Review Panel *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*.
- The Government agreed or agreed in principle to all 10 of the ARC Review recommendations (see [Attachment B](#)).
 - Recommendations not requiring legislative change are being pursued separately.
- The department conducted consultations on proposed amendments to the ARC Act with higher education research peak bodies and representative groups, and other interested parties. Eleven formal submissions were received which have informed the final policy settings and development of the Bill.
- The Bill:
 - Establishes an ARC Board with responsibility for appointing the ARC Chief Executive Officer and approval of grants within the National Competitive Grants Program (NCGP).
 - Strengthens integrity of the ARC grant allocation process, with the ARC Board approving research grants following recommendations by the College of Experts. Ministerial authority to approve designated research programs, such as Centres of Excellence, is retained.
 - Allows for ARC grant guidelines to be set by the Minister for Education on advice from the newly created ARC Board.
 - The guidelines will be disallowable legislative instruments, subject to the scrutiny of Parliament.

- Provides the Minister for Education with the power to direct the ARC not to fund, or to recover funds from, research grants where a national security risk is identified.
- The Bill was debated in the House of Representatives and subsequently in the Federation Chamber on Tuesday 6 February 2024.
- It is expected that the Bill will come into effect on 1 July 2024.

Education and Employment Legislation Committee

- On 7 December 2023, the Senate referred the Bill to the Education and Employment Legislative Committee for inquiry and report by Monday 5 February 2024.
- On 5 February 2024, the Education and Employment Legislation Committee released its Inquiry report, recommending the Bill be passed.
- The department lodged its submission to this Inquiry on 19 January 2024 (see [Attachment C](#)).
- On 24 January 2024, the department lodged a supplementary submission for the Inquiry to provide additional detail on ARC indexation arrangements (see [Attachment D](#)).

Senate Scrutiny of Bills Committee

- On 19 January 2024, the Senate Scrutiny of Bills Committee requested further information on the Bill in relation to:
 - Minister and Board powers to vary funding approvals
 - CEO powers to vary funding agreements
 - Rationale as to why independent merits review is not specified in the Bill.
- On 5 February 2024, the Minister’s submission letter was lodged to the Committee (see [Attachment E](#)).

Stakeholder Response

Stakeholder	Response summary
Associations and peak bodies	<p>Group of Eight</p> <p>The Group of Eight (Go8) expressed that these were “long overdue governance reforms” to the ARC that was “essential to the nation’s long-term interests” and will “improve the governance of the ARC, strengthen the integrity of decision-making processes and minimise political interference, which has impacted the capacity of our universities to attract and retain world leading researchers”.</p>

	<p>Innovative Research Universities</p> <p>Innovative Research Universities (IRU) welcomed the introduction of the Bill stating that “these reforms to the ARC Act will strengthen its ability to support university research that delivers the broadest benefits to the Australian community and economy”.</p> <p>Regional Universities Network</p> <p>The Regional Universities Network (RUN) was particularly pleased to see that the ARC Board will include a regional Australia representative, as it will generate “an increased diversity of opinion expertise, and ultimately will increase the chances for regional Australia to further benefit from the world leading research occurring at regional universities”.</p> <p>Universities Australia</p> <p>Universities Australia (UA) applauded the introduction of the Bill, stating it was “vital to the smooth and effective running of our world-class university system”, and describing the legislative changes as “game-changing steps to create a stronger, more stable environment for researchers to continue preparing Australia for the opportunities and challenges ahead”.</p> <p>Australasian Research Management Society</p> <p>The Australasian Research Management Society (ARMS) supported the amendments to the Objects of the ARC as set out in the Consultation paper and welcomed the proposed functions of the Board. However, ARMS expressed concern with disallowable instruments, stating the process is not timely and would not guarantee unwanted political interference. ARMS suggested that the ARC Board consider and recommend directly to the Minister approval of the Funding Rules.</p> <p>Science and Technology Australia</p> <p>Science & Technology Australia (STA) welcomed the introduction of the Bill and congratulated Minister Clare on strengthening Australia’s research funding system. The peak body wrote that “the sector is deeply grateful to [Minister Clare] for implementing the review recommendations and to the panel for their thoughtful blueprint for modernisation”.</p>
Universities	<p>University of Melbourne</p> <p>The University of Melbourne stated that, overall, proposed legislative amendments in the Consultation paper would “better enable and equip the ARC to undertake its independent, expert, and influential role as the leading national funding agency for non-medical research”. The university welcomed the establishment of an ARC Board with grant approval responsibilities.</p>

	<p>Western Sydney University</p> <p>Western Sydney University expressed that the proposed amendments are "predominantly positive and supportive of a strong national research culture". They were pleased to see the Government's "commitment to transparency proposed by the establishment of an ARC Board", and that the "importance of independent and informed decision making is crucial to maintaining transparency in funding decisions and similarly vital in ensuring Australia produces world leading research across all disciplines".</p>
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Media

- Ministers will no longer approve Australian Research Council grants under bid to stop 'political interference', *The Guardian*, 29 November 2023**

This article reported the introduction of the Bill into Parliament to amend the ARC Act. It has a particular focus on the establishment of an ARC Board, and the Minister's power in funding approval.
- Education minister moves to end research grant veto powers, *Innovation Australia*, 29 November 2023**

The article comments on the introduction of the Bill, providing a summary of key legislative amendments. Refers to intent of the Bill to "strengthen governance and accountability arrangements". Mentions commitment to end unwarranted political interference and establish an independent ARC Board to approve grants under the NCGP.
- Independent ARC Board now responsible for national competitive grants program, *The Mandarin*, 1 December 2023**

This article gave an overview of the ARC Review, the Government Response to the recommendations, and the introduction of the Bill. It focused on the governance reforms to the ARC, including the establishment of an ARC Board, Parliament scrutiny for funding guidelines, and the Minister's power to veto on national security grounds.
- Response to Australian Research Council Review, *Media Release the Hon Jason Clare MP, Minister for Education*, 22 August 2023**

The Minister released the Australian Government response to the ARC Review and thanked the Panel. The Minister commented on the key future reforms to the ARC.

Attachments

- [Attachment A](#) – *Australian Research Council Amendment (Review Response) Bill 2023*
- [Attachment B](#) – Australian Government response to *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*
- [Attachment C](#) – Department of Education submission to the Education and Employment Legislative Committee
- [Attachment D](#) – Department of Education supplementary submission to the Education and Employment Legislative Committee
- [Attachment E](#) – Minister's submission to the Senate Scrutiny of Bills Committee

Date Last Cleared	07 February 2024
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BACKGROUND

Government Response to ARC Review Final Report

- On 22 August 2023, the Hon Jason Clare MP, Minister for Education, announced the Australian Government response to the ARC Review ([Attachment C](#)). The Government agreed, or agreed in principle, to all 10 recommendations of the ARC Review led by Professor Margaret Sheil AO.
- In particular, the ARC Review recommended amendments to the ARC Act to:
 - provide greater clarity on the ARC's purpose and functions,
 - strengthen governance and accountability arrangements by establishing an Australian Research Council Board (the Board), and
 - reduce legislative burden and increase accounting flexibility to fund research programs.
- In addition to legislative changes being introduced by the Bill, the Minister for Education requested, and the ARC has commissioned, work that does not require legislative changes – supporting fellowships and academic careers (recommendation 3), advancing Indigenous Australians (recommendation 4), management and consultation (recommendation 8), and simplifying and streamlining best practice for the NCGP (recommendation 9iii).
- The Minister for Education also requested the Australian Universities Accord panel consider measuring impact and engagement in university research (recommendation 10).

ARC Review

- On 30 August 2022, the Hon Jason Clare MP, Minister for Education, announced an independent ARC Review and appointed Professor Margaret Sheil AO (Panel Chair), Professor Susan Dodds and Professor Mark Hutchinson to manage the review process.
- The ARC Review considered the role and purpose of the ARC within the university research system so it can meet current and future needs, how the ARC's legislation can be refined to provide clarity on its objectives and processes, and whether the scope of the current legislation was sufficient to support an effective and efficient university research system.
- It was the first comprehensive review of the ARC since it was established in 2001 as an independent statutory agency.
- The ARC Review Panel released a consultation paper on 9 November 2022 and invited public submissions, which closed on 14 December 2022. A total of 223 submissions were received from stakeholders in response to the consultation paper. The Review Panel also held targeted consultations with a range of stakeholders through meetings and focus groups.
- On 20 April 2023, the department published the Final Report: *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*.
- The Final Report provided 10 recommendations that go to the need for governance reform, clarification of purpose and improvements to administration to ensure expert decision-making drives research funding allocations with integrity and transparency, in line with leading international best practice.

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2022-2023

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Australian Research Council Amendment (Review Response) Bill 2023

No. , 2023

(Education)

A Bill for an Act to amend the *Australian Research Council Act 2001*, and for related purposes

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OPC drafter to complete	
1. Does this Bill need a message? (See H of R Practice, sixth ed, pp. 423-427, and OGC advice.) If yes: <ul style="list-style-type: none"> List relevant clauses/items—Schedule 2, Board members and Schedule 3, expanded purposes of Special Account Prepare message advice (see Drafting Direction 4.9) Give a copy of the message advice to the Legislation area. 	Yes
2. Does this Bill need a notice? (See H of R Standing Order 178 and Drafting Direction 3.2.) If no list relevant clauses/items—	Yes
3. Is there any constitutional reason why this Bill should not be introduced in the Senate? (See Constitution sections 53 and 55 and Drafting Direction 3.2.)	Yes

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A Bill for an Act to amend the *Australian Research Council Act 2001*, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act is the *Australian Research Council Amendment (Review Response) Act 2023*.

2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of	1 July 2024.	1 July 2024

No. , 2023 *Australian Research Council Amendment (Review Response) Bill 2023* 1
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Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
this Act		

1 Note: This table relates only to the provisions of this Act as originally
 2 enacted. It will not be amended to deal with any later amendments of
 3 this Act.

4 (2) Any information in column 3 of the table is not part of this Act.
 5 Information may be inserted in this column, or information in it
 6 may be edited, in any published version of this Act.

3 Schedules

8 Legislation that is specified in a Schedule to this Act is amended or
 9 repealed as set out in the applicable items in the Schedule
 10 concerned, and any other item in a Schedule to this Act has effect
 11 according to its terms.

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Object of Act Schedule 1

Schedule 1—Object of Act

Australian Research Council Act 2001

1 Section 3

Repeal the section, substitute:

3 Object of Act

The object of this Act is to establish a national body to:

- (a) support Australian universities in conducting excellent research, including collaborative research with local, national and international partners, for Australia's economic, social, environmental and cultural benefit; and
- (b) promote and conduct activities to shape and foster the Australian research landscape and community, including by supporting academic career pathways, expanding Indigenous knowledge systems and evaluating the excellence, impact and depth of Australian research; and
- (c) support research integrity, promote ethical research and facilitate access to research publications and research data; and
- (d) uphold peer review as a core process to identify excellent research; and
- (e) administer funding of excellent pure basic research, strategic basic research and applied research in all disciplines under the National Competitive Grants Program, except experimental development; and
- (f) administer funding for nationally significant research programs; and
- (g) provide expert advice on research to the Commonwealth Government; and
- (h) partner with other Commonwealth entities to deliver research grants by those other entities.

Note: **Research** does not include medical research (see section 4). The *National Health and Medical Research Council Act 1992* deals with funding for medical research.

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Schedule 1 Object of Act

1 **2 Section 4**

2 Insert:

3 *medical research* has the same meaning as it has in the *National*
4 *Health and Medical Research Council Act 1992*.

5 *research* does not include medical research.

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Australian Research Council Board and CEO Schedule 2

Schedule 2—Australian Research Council Board and CEO

Australian Research Council Act 2001

1 Section 4

Insert:

Board means the Australian Research Council Board established by section 8.

Board committee means a committee established under section 29.

Board member means a member of the Board and includes the Chair and Deputy Chair.

Chair means the Chair of the Board.

Commonwealth entity has the same meaning as in the *Public Governance, Performance and Accountability Act 2013*.

Deputy Chair means the Deputy Chair of the Board.

2 Section 4 (definition of *designated committee*)

Repeal the definition, substitute:

designated committee means a committee established under section 30.

3 Section 4

Insert:

Indigenous person has the same meaning as in the *Indigenous Education (Targeted Assistance) Act 2000*.

paid work means work for financial gain or reward (whether as an employee, a self-employed person or otherwise).

4 Before paragraph 5(2)(a)

Insert:

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Schedule 2 Australian Research Council Board and CEO

1 (aa) the Board; and

2 **5 Paragraph 5(3)(b)**

3 Repeal the paragraph, substitute:

4 (b) the members of the Board are the accountable authority of
5 the ARC; and

6 **6 After subparagraph 5(3)(c)(i)**

7 Insert:

8 (ia) the members of the Board;

9 (ib) the members of the Board committees;

10 **7 Subparagraph 5(3)(d)(i)**

11 Omit “function”, substitute “functions”.

12 **8 After subparagraph 5(3)(d)(i)**

13 Insert:

14 (ia) the functions of the Board referred to in section 9; and

15 **9 Section 6**

16 Repeal the section, substitute:

17 **6 Functions of ARC**

18 The functions of the ARC (other than the Board and the CEO) are
19 the following:

20 (a) to assist the Board in the performance of the Board’s
21 functions;

22 (b) to assist the CEO in the performance of the CEO’s functions.

23 **10 After Part 2**

24 Insert:

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Australian Research Council Board and CEO Schedule 2

1 Part 3—The Australian Research Council Board

2 Division 1—Introduction

3 7 Simplified outline of this Part

4	The Australian Research Council Board is established.
5	The Board's functions include determining priorities, strategies and
6	policies for the ARC.
7	The Board consists of the Chair, the Deputy Chair and up to 5
8	other members. The Minister appoints the members of the Board.
9	This Part also deals with the terms and conditions of appointment
10	for Board members, meetings of the Board and Board committees.

11 Division 2—The Board

12 8 Establishment

13 The Australian Research Council Board is established by this
14 section.

15 9 Functions and powers of the Board

- 16 (1) The functions of the Board are:
- 17 (a) to determine priorities, strategies and policies for the ARC
 - 18 and to advise the Minister of those priorities, strategies and
 - 19 policies; and
 - 20 (b) to assist the Minister in the performance of the Minister's
 - 21 functions under this Act; and
 - 22 (c) to provide advice to the Minister on research matters; and
 - 23 (d) any other functions that are specified in an instrument under
 - 24 subsection (2); and
 - 25 (e) any other functions conferred on the Board by this Act.

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Schedule 2 Australian Research Council Board and CEO

- 1 (2) The Minister may, by legislative instrument, specify functions for
2 the purposes of paragraph (1)(d).
- 3 (3) The Board has power to do all things necessary or convenient to be
4 done for, or in connection with, the performance of its functions.
- 5 (4) The Board may engage consultants or contractors to assist in the
6 performance of the Board's functions.

7 **10 Minister may give directions to the Board**

- 8 (1) The Minister may, by legislative instrument, give directions to the
9 Board about the performance of its functions or the exercise of its
10 powers.

11 Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the
12 *Legislation Act 2003* do not apply to the directions (see regulations
13 made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that
14 Act).

- 15 (2) However, the Minister must not give a direction in relation to the
16 making of a decision by the Board about whether or not to give a
17 particular funding approval.
- 18 (3) The Board must comply with a direction under subsection (1).

19 **11 Membership**

20 The Board consists of the following members:

- 21 (a) the Chair;
22 (b) the Deputy Chair;
23 (c) not fewer than 3, and not more than 5, other members.

24 **Division 3—Board members**

25 **12 Appointment**

- 26 (1) The Board members are to be appointed by the Minister by written
27 instrument.

28 Note: Board members may be reappointed: see section 33AA of the *Acts*
29 *Interpretation Act 1901*.

- 30 (2) A Board member holds office on a part-time basis.
-

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Australian Research Council Board and CEO Schedule 2

- 1 (3) A person is not eligible for appointment as the Chair unless the
2 Minister is satisfied that the person has:
3 (a) substantial experience or expertise; and
4 (b) professional credibility and significant standing;
5 in one or more fields of research or in the management of research.
- 6 (4) In appointing Board members, the Minister must:
7 (a) ensure that a majority of the Board members are persons
8 whom the Minister is satisfied have substantial experience or
9 expertise in one or more fields of research or in the
10 management of research; and
11 (b) ensure that one of the Board members is an Indigenous
12 person; and
13 (c) ensure that one of the Board members is a person whom the
14 Minister is satisfied will represent regional, rural and remote
15 Australia; and
16 (d) have regard to the desirability of the membership of the
17 Board reflecting the diversity of the general community.

18 **13 Term of appointment**

19 A Board member holds office for the period specified in the
20 instrument of appointment. The period must not exceed 5 years.

21 Note: Board members may be reappointed: see section 33AA of the *Acts*
22 *Interpretation Act 1901*.

23 **14 Acting appointments**

24 *Acting by operation of law*

- 25 (1) The Deputy Chair is to act as the Chair:
26 (a) during a vacancy in the office of Chair (whether or not an
27 appointment has previously been made to the office); or
28 (b) during any period, or during all periods, when the Chair:
29 (i) is absent from duty; or
30 (ii) is, for any reason, unable to perform the duties of the
31 office.

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Australian Research Council Board and CEO Schedule 2

1 (2) A Board member is to be paid the allowances that are prescribed
2 by the regulations.

3 (3) This section has effect subject to the *Remuneration Tribunal Act*
4 *1973*.

5 **16 Leave**

6 (1) The Minister may grant the Chair leave of absence on the terms
7 and conditions that the Minister determines.

8 (2) The Chair may grant leave of absence to any other Board member
9 on the terms and conditions that the Chair determines.

10 (3) The Chair must notify the Minister if the Chair grants a Board
11 member leave of absence for a period that exceeds 6 months.

12 **17 Paid work**

13 A Board member must not engage in any paid work that, in the
14 Minister's opinion, conflicts or could conflict with the proper
15 performance of the member's duties.

16 **18 Disclosure of interests**

17 (1) A disclosure by a Board Member under section 29 of the *Public*
18 *Governance, Performance and Accountability Act 2013* (which
19 deals with the duty to disclose interests) must be made to the
20 Minister.

21 (2) Subsection (1) applies in addition to any rules made for the
22 purposes of that section.

23 (3) For the purposes of this Act and the *Public Governance,*
24 *Performance and Accountability Act 2013*, the Board member is
25 taken not to have complied with section 29 of that Act if the Board
26 member does not comply with subsection (1) of this section.

27 **19 Resignation of appointment**

28 (1) A Board member may resign the member's appointment by giving
29 the Minister a written resignation.

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Schedule 2 Australian Research Council Board and CEO

- 1 (2) The resignation takes effect on the day it is received by the
2 Minister or, if a later day is specified in the resignation, on that
3 later day.

4 20 Termination of appointment

- 5 (1) The Minister may terminate the appointment of a Board member:
6 (a) for misbehaviour; or
7 (b) if the member is unable to perform the duties of the
8 member's office because of physical or mental incapacity.
- 9 (2) The Minister may terminate the appointment of a Board member if:
10 (a) the member:
11 (i) becomes bankrupt; or
12 (ii) applies to take the benefit of any law for the relief of
13 bankrupt or insolvent debtors; or
14 (iii) compounds with the member's creditors; or
15 (iv) makes an assignment of the member's remuneration for
16 the benefit of the member's creditors; or
17 (b) the member is absent, except on leave of absence, from 3
18 consecutive meetings of the Board; or
19 (c) the member engages in paid work that, in the Minister's
20 opinion, conflicts or could conflict with the proper
21 performance of the member's duties (see section 17); or
22 (d) the member fails, without reasonable excuse, to comply with
23 section 29 of the *Public Governance, Performance and*
24 *Accountability Act 2013* (which deals with the duty to
25 disclose interests) or rules made for the purposes of that
26 section.

27 21 Other terms and conditions

- 28 A Board member holds office on the terms and conditions (if any)
29 in relation to matters not covered by this Act that are determined
30 by the Minister.

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Australian Research Council Board and CEO Schedule 2

1 Division 4—Procedures of the Board

2 22 Convening meetings

3 (1) The Board must hold such meetings as are necessary for the
4 efficient performance of its functions.

5 (2) The Chair:

6 (a) may convene a meeting at any time; and

7 (b) must convene a meeting within 30 days after receiving a
8 written request to do so from:

9 (i) a majority of the Board members; or

10 (ii) the Minister.

11 23 Quorum

12 (1) At a meeting of the Board, a quorum is constituted by a majority of
13 Board members.

14 (2) However, if:

15 (a) a Board member is required by rules made for the purposes
16 of section 29 of the *Public Governance, Performance and*
17 *Accountability Act 2013* not to be present during the
18 deliberations, or to take part in any decision, of the Board
19 with respect to a particular matter; and

20 (b) when the Board member leaves the meeting concerned there
21 is no longer a quorum present;

22 the remaining Board members constitute a quorum for the purposes
23 of any deliberation or decision at that meeting with respect to that
24 matter.

25 24 Presiding at meetings

26 (1) The Chair must preside at all meetings of the Board at which the
27 Chair is present.

28 (2) If the Chair is not present at a meeting of the Board, the Deputy
29 Chair, if present, must preside at the meeting.

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Schedule 2 Australian Research Council Board and CEO

- 1 (3) If neither the Chair nor the Deputy Chair is present at a meeting of
2 the Board, the other Board members present must appoint one of
3 themselves to preside.

4 25 Voting at meetings

- 5 (1) A question arising at a meeting of the Board is to be determined by
6 a majority of the votes of the Board members present and voting.
- 7 (2) The person presiding at the meeting of the Board has a deliberative
8 vote and, if the votes are equal, a casting vote.

9 26 Minutes

10 The Board must keep minutes of its meetings.

11 27 Conduct of meetings

12 The Board may, subject to this Division, regulate proceedings at its
13 meetings as it considers appropriate.

14 Note: Section 33B of the *Acts Interpretation Act 1901* contains further
15 information about the ways in which Board members may participate
16 in meetings.

17 28 Decisions without meetings

- 18 (1) The Board is taken to have made a decision at a meeting if:
19 (a) without meeting, a majority of the Board members entitled to
20 vote on the proposed decision indicate agreement with the
21 decision; and
22 (b) that agreement is indicated in accordance with the method
23 determined by the Board under subsection (2); and
24 (c) all the Board members were informed of the proposed
25 decision, or reasonable efforts were made to inform all the
26 Board members of the proposed decision.
- 27 (2) Subsection (1) applies only if the Board:
28 (a) has determined that it may make decisions of that kind
29 without meeting; and
30 (b) has determined the method by which Board members are to
31 indicate agreement with proposed decisions.

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Australian Research Council Board and CEO Schedule 2

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- 1 (3) For the purposes of paragraph (1)(a), a Board member is not
2 entitled to vote on a proposed decision if the Board member would
3 not have been entitled to vote on that proposal if the matter had
4 been considered at a meeting of the Board.
- 5 (4) The Board must keep a record of decisions made in accordance
6 with this section.

7 **Division 5—Board committees**

8 **29 Board committees**

- 9 (1) The Board must establish a committee to be known as the College
10 of Experts to assist the Board in the performance of its functions or
11 the exercise of its powers.
- 12 (2) The Board may establish other committees:
13 (a) to assist the Board in the performance of its functions or the
14 exercise of its powers; and
15 (b) to assist the CEO in the CEO's performance of the CEO's
16 functions.
- 17 (3) A committee is to consist of such persons (whether Board members
18 or not) as the Board determines.
- 19 (4) The Board may determine:
20 (a) a committee's terms of reference; and
21 (b) the terms and conditions of appointment of the members of a
22 committee; and
23 (c) the procedures to be followed by a committee.
- 24 (5) The Board may abolish a committee established under
25 subsection (2) at any time.

26 **11 Section 30 (heading)**

27 Repeal the heading, substitute:

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Schedule 2 Australian Research Council Board and CEO

1 **30 Designated committees**

2 **12 Subsection 30(1)**

3 Repeal the subsection, substitute:

4 (1) The Minister must establish a committee to be known as the ARC
5 Advisory Committee to assist the Board to determine priorities,
6 strategies and policies for the ARC.

7 (1A) The Minister may establish other committees to assist the Board to
8 determine priorities, strategies and policies for the ARC.

9 **13 Section 33B (heading)**

10 After “Functions”, insert “and powers”.

11 **14 Section 33B**

12 Before “The”, insert “(1)”.

13 **15 Paragraph 33B(a)**

14 Repeal the paragraph.

15 **16 Paragraph 33B(c)**

16 Omit “Minister”, substitute “Board”.

17 **17 After paragraph 33B(c)**

18 Insert:

19 (ca) to assist the Board in the performance of its functions and to
20 provide advice to the Board on the priorities, strategies and
21 policies for the ARC;

22 (cb) to evaluate the excellence, quality and impact of research in
23 Australian universities;

24 (cc) to provide administration services to other Commonwealth
25 entities in relation to research grants by those other entities;

26 (cd) any other functions that are specified in an instrument under
27 subsection (2);

28 **18 At the end of section 33B**

29 Add:

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Australian Research Council Board and CEO Schedule 2

- 1 (2) The Minister may, by legislative instrument, specify functions for
2 the purposes of paragraph (1)(cd).
- 3 (3) The CEO has power to do all things necessary or convenient to be
4 done for, or in connection with, the performance of the CEO's
5 functions.
- 6 (4) The CEO may, on behalf of the Commonwealth, engage
7 consultants or contractors to assist in the performance of the CEO's
8 functions.

9 19 Section 33C

10 Repeal the section.

11 20 Subsection 34(1)

12 Omit "Minister", substitute "Board".

13 21 Subsection 34(2)

14 Repeal the subsection, substitute:

- 15 (2) A person is not eligible for appointment as the CEO unless the
16 Board is satisfied that the person has:
17 (a) substantial experience or expertise; and
18 (b) professional credibility and significant standing;
19 in one or more fields of research or in the management of research.
- 20 (3) The Board must:
21 (a) give the Minister details of at least 2 possible candidates for
22 appointment as CEO; and
23 (b) give the Minister a reasonable opportunity to make
24 representations to the Board about those candidates.
- 25 (4) A person must not be appointed as the CEO unless the Board is
26 satisfied that the selection of the person for the appointment is the
27 result of a process that:
28 (a) was merit-based; and
29 (b) included public advertising of the position.

30 22 Section 35

31 Omit "Minister", substitute "Board".

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Schedule 2 Australian Research Council Board and CEO

- 1 **23 Subsection 38(1)**
2 Repeal the subsection, substitute:
3 (1) The CEO must not engage in paid work outside the duties of the
4 CEO's office without the Board's approval.
- 5 **24 Subsection 38(2)**
6 Omit "Minister", substitute "Board".
- 7 **25 Subsection 38(3)**
8 Repeal the subsection.
- 9 **26 Section 39**
10 Omit "Minister", substitute "Board".
- 11 **27 Section 40**
12 Omit "Minister", substitute "Board".
- 13 **28 At the end of Subdivision B of Division 1 of Part 5**
14 Add:
- 15 **40A Termination of appointment**
- 16 (1) The Board may terminate the appointment of the CEO:
17 (a) for misbehaviour; or
18 (b) if the CEO is unable to perform the duties of the CEO's
19 office because of physical or mental incapacity.
- 20 (2) The Board may terminate the appointment of the CEO if:
21 (a) the CEO:
22 (i) becomes bankrupt; or
23 (ii) applies to take the benefit of any law for the relief of
24 bankrupt or insolvent debtors; or
25 (iii) compounds with the CEO's creditors; or
26 (iv) makes an assignment of the CEO's remuneration for the
27 benefit of the CEO's creditors; or
28 (b) the CEO is absent, except on leave of absence, for 14
29 consecutive days or for 28 days in any 12 months; or

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Australian Research Council Board and CEO Schedule 2

- 1 (c) the CEO engages, except with the Board's approval, in paid
2 work outside the duties of the CEO's office (see section 38);
3 or
4 (d) the CEO fails, without reasonable excuse, to comply with
5 section 39 (which deals with the duty to disclose interests); or
6 (e) the CEO fails, without reasonable excuse, to comply with
7 section 29 of the *Public Governance, Performance and*
8 *Accountability Act 2013* (which deals with the duty to
9 disclose interests) or rules made for the purposes of that
10 section.
- 11 (3) The Board may terminate the appointment of the CEO if the Board
12 is satisfied that the performance of the CEO has been
13 unsatisfactory for a significant period of time.
- 14 (4) The Board must consult the Minister before terminating the
15 appointment of the CEO.

16 40B CEO to act in accordance with directions of Board

- 17 (1) The Board may give written directions to the CEO about the
18 performance of the CEO's functions, which may include a
19 direction to provide advice to the Minister on the priorities,
20 strategies and policies for the ARC.
- 21 (2) The CEO must comply with a direction under subsection (1).
- 22 (3) Subsection (1) does not apply to the extent that the direction relates
23 to the CEO's performance of functions or exercise of powers under
24 the *Public Service Act 1999* in relation to the ARC.
- 25 (4) A direction under subsection (1) is not a legislative instrument.

26 29 Application provisions—CEO

- 27 (1) The amendments of sections 34 and 39 of the *Australian Research*
28 *Council Act 2001* made by this Schedule apply in relation to the
29 appointment of a person as CEO on or after the commencement of this
30 item.
- 31 (2) The amendments of sections 33B, 35, 38 and 40 of the *Australian*
32 *Research Council Act 2001* made by this Schedule, and sections 40A

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Schedule 2 Australian Research Council Board and CEO

1 and 40B of that Act as added by this Schedule, apply in relation to a
2 person appointed as CEO before, on or after the commencement of this
3 item.

4 **30 Saving provision—directions**

5 Paragraph 33C(3)(a) of the *Australian Research Council Act 2001*, as in
6 force immediately before the commencement of this item, continues to
7 apply on and after that commencement in relation to a direction given
8 before that commencement.

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Funding of research Schedule 3

Schedule 3—Funding of research

Australian Research Council Act 2001

1 Section 4

Before “In”, insert “(1)”.

2 Section 4

Insert:

approved funding rules means the rules approved by the Minister under section 59 (including as varied under section 60).

designated research program means the following research programs:

- (a) the research program known as the ARC Centres of Excellence scheme;
- (b) the research program known as the Industrial Transformation Training Centres scheme;
- (c) the research program known as the Industrial Transformation Research Hubs scheme;
- (d) any other research program specified in an instrument under subsection (2).

foreign government body has the same meaning as in Division 70 of the *Criminal Code*.

foreign intelligence agency means an intelligence or security service (however described) of a foreign country.

foreign law enforcement agency means:

- (a) a police force (however described) of a foreign country; or
- (b) any other authority or person responsible for the enforcement of the laws of the foreign country.

foreign military body means:

- (a) the armed forces of the government of a foreign country; or
- (b) the civilian component of:
 - (i) the Department of State of a foreign country; or

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Schedule 3 Funding of research

1 (ii) a government agency in a foreign country;
2 that is responsible for the defence of the country.

3 *funding agreement* means an agreement under subsection 49(1)
4 (including as varied).

5 *funding approval* means an approval under subsection 47(1) or
6 48(1) (including as varied).

7 **3 At the end of section 4**

8 Add:

9 (2) The Minister may, by legislative instrument, specify a research
10 program for the purposes of paragraph (d) of the definition of
11 *designated research program* in subsection (1).

12 **4 Paragraph 33B(b)**

13 Omit “the regimes”, substitute “grants”.

14 **5 Paragraph 33B(b)**

15 Omit “Divisions 1 and 2”, substitute “Division 1”.

16 **6 Division 1 of Part 7**

17 Repeal the Division, substitute:

18 **Division 1—Grants of financial assistance for research** 19 **programs**

20 **47 Board approval of grants of financial assistance for research** 21 **programs**

22 *Approval*

23 (1) The Board may, in writing, approve the making of a grant of
24 financial assistance to an organisation for a research project in
25 relation to a research program.

26 (2) If the Board does so, the Board must specify in the approval the
27 total amount of financial assistance to be paid to the organisation in
28 relation to the approval.

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Funding of research Schedule 3

1 Note: The terms and conditions on which a grant of financial assistance is to
2 be made to an organisation are to be set out in a funding agreement:
3 see section 49.

4 (3) Subsection (1) does not apply in relation to a designated research
5 program.

6 Note: Section 48 deals with designated research programs.

7 (4) The Board must not give an approval under subsection (1) unless:
8 (a) approved funding rules, to which the application for the
9 approval relates, are in force; and
10 (b) the eligibility criteria set out in those rules are satisfied in
11 relation to the application; and
12 (c) the application satisfies the requirements set out in those
13 rules; and
14 (d) the assessment process set out in those rules has been
15 complied with in relation to the application.

16 *Variation of approval*

17 (5) The Board may, in writing, vary an approval under subsection (1).

18 *Board to give details of approval or variation to Minister*

19 (6) If the Board gives or varies an approval under this section, the
20 Board must give the Minister:
21 (a) for an approval—the following details:
22 (i) the name of the organisation that is the subject of the
23 approval;
24 (ii) a description of the research program the subject of the
25 approval;
26 (iii) the total amount of financial assistance to be paid to the
27 organisation in relation to the approval; or
28 (b) for a variation—details of the variation.

29 *Board to give copy of approval or variation to CEO*

30 (7) If the Board gives or varies an approval under this section, the
31 Board must give the CEO a copy of the approval or variation.

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Funding of research Schedule 3

-
- 1 (3) The Minister must not give an approval under subsection (1)
2 unless:
3 (a) approved funding rules, to which the application for the
4 approval relates, are in force; and
5 (b) the eligibility criteria set out in those rules are satisfied in
6 relation to the application; and
7 (c) the application satisfies the requirements set out in those
8 rules; and
9 (d) the assessment process set out in those rules has been
10 complied with in relation to the application.

11 *Variation of approval*

- 12 (4) The Minister may, on behalf of the Commonwealth and in writing,
13 vary an approval under subsection (1).

14 *Minister to give copy of approval or variation to CEO*

- 15 (5) If the Minister gives or varies an approval under this section, the
16 Minister must give the CEO a copy of the approval or variation.

17 *Limitation—security, defence or international relations of*
18 *Australia*

- 19 (6) The Minister must refuse to give an approval under subsection (1)
20 if the Minister considers that, for reasons relevant to the security,
21 defence or international relations of Australia, the approval should
22 be refused.

23 *Notice to Board*

- 24 (7) The Minister must give the Board written notice of a decision
25 under subsection (6).

26 *Tabling requirement*

- 27 (8) The Minister must cause a statement setting out the following to be
28 tabled in each House of the Parliament within 15 sitting days of
29 that House after the day on which the Minister gives an approval
30 under this section:

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- 1 (a) the name of the organisation that is the subject of the
2 approval;
3 (b) a description of the designated research program the subject
4 of the approval;
5 (c) the total amount of financial assistance to be paid to the
6 organisation in relation to the approval.

7 **49 Funding agreements**

- 8 (1) The terms and conditions on which a grant of financial assistance
9 is to be made to an organisation under this Division are to be set
10 out in a written agreement (the *funding agreement*) between the
11 organisation and the CEO.
- 12 (2) Without limiting subsection (1), the agreement must:
- 13 (a) specify the one or more periods to which the grant relates;
14 and
15 (b) specify the amount of financial assistance to be paid in each
16 of those periods; and
17 (c) specify the times at which each amount of financial
18 assistance is to be paid; and
19 (d) include a description of the research project concerned; and
20 (e) include the name and title of the person leading the research
21 project concerned; and
22 (f) include terms or conditions relating to the organisation giving
23 the CEO regular independent auditor statements relating to
24 the organisation's compliance with some or all of the terms
25 and conditions set out in the agreement.

26 *CEO may enter into funding agreement*

- 27 (3) The CEO may, on behalf of the Commonwealth, enter into a
28 funding agreement.

29 *Notification to Board or Minister of breach of term or condition*

- 30 (4) If the CEO is satisfied that the organisation that is a party to a
31 funding agreement has breached a term or condition of the
32 agreement, the CEO must:

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-
- 1 (a) if the agreement relates to a funding approval given under
 2 subsection 47(1)—give the Board:
 3 (i) a notice in writing to this effect, including specifying
 4 the term or condition and the reasons for the CEO’s
 5 view; and
 6 (ii) a copy of the agreement; and
 7 (b) if the agreement relates to a funding approval given under
 8 subsection 48(1)—give the Minister:
 9 (i) a notice in writing to this effect, including specifying
 10 the term or condition and the reasons for the CEO’s
 11 view; and
 12 (ii) a copy of the agreement.
 13 (5) Subsection (4) does not apply if the breach is of a minor nature.

50 Termination or variation of funding agreement or proposals

CEO may terminate or vary funding agreement

- 15
 16 (1) If the CEO is satisfied that the organisation that is a party to a
 17 funding agreement has breached a term or condition of the
 18 agreement, the CEO may, on behalf of the Commonwealth:
 19 (a) terminate the agreement; or
 20 (b) vary the agreement.
 21 (2) The CEO may vary the funding agreement in any other
 22 circumstances.
 23 (3) Subsections (1) and (2) do not limit the terms and conditions that
 24 may be set out in a funding agreement.

Board may terminate or vary funding approval

- 25
 26 (4) The Board may terminate or vary a funding approval given under
 27 subsection 47(1) in relation to an organisation if:
 28 (a) the CEO gives the Board a notice under subsection 49(4)
 29 about a term or condition of the funding agreement that
 30 relates to the funding approval; and
 31 (b) the Board is satisfied that the organisation has breached the
 32 term or condition.

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1 Note: The Board also has a general power to vary a funding approval: see
2 subsection 47(5).

3 *Minister may terminate or vary funding approval*

- 4 (5) The Minister may terminate or vary a funding approval given
5 under subsection 48(1) in relation to an organisation if:
6 (a) the CEO gives the Minister a notice under subsection 49(4)
7 about a term or condition of the funding agreement that
8 relates to the funding approval; and
9 (b) the Minister is satisfied that the organisation has breached the
10 term or condition.

11 Note: The Minister also has a general power to vary a funding approval: see
12 subsection 48(4).

13 *Process for making decisions under this section*

- 14 (6) Before making a decision under paragraph (1)(a) or subsection (4)
15 or (5), the CEO, Board or Minister (as the case requires) must give
16 the organisation notice in writing:
17 (a) stating the decision the CEO, Board or Minister is
18 considering making; and
19 (b) stating the reasons why the CEO, Board or Minister is
20 considering making the decision; and
21 (c) inviting the organisation to make written submissions to the
22 CEO, Board or Minister within 28 days concerning why the
23 decision should not be made.
- 24 (7) In deciding whether to make a decision under paragraph (1)(a) or
25 subsection (4) or (5), the CEO, Board or Minister (as the case
26 requires) must consider any submissions received from the
27 organisation within the 28-day period.

28 *Notice of decision*

- 29 (8) The CEO, Board or Minister (as the case requires) must give the
30 organisation notice in writing of a decision under subsection (1),
31 (2), (4) or (5) and of the reasons for the decision.
- 32 (9) The CEO must give the Board notice in writing of the CEO's
33 termination of a funding agreement that relates to a funding
34 approval under subsection 47(1).

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- 1 (10) The CEO must give the Minister notice in writing of the CEO's
 2 termination of a funding agreement that relates to a funding
 3 approval under subsection 48(1).

4 **51 Cessation and repayment of financial assistance—breach of**
 5 **terms of conditions of funding agreement**

6 *Cessation of financial assistance*

- 7 (1) Financial assistance to an organisation under a funding agreement
 8 is not payable at a time after a decision is made under
 9 subsection 50(1), (4) or (5) to terminate the funding agreement or
 10 the funding approval concerned.

11 *Repayment of financial assistance*

- 12 (2) If the CEO makes a decision under paragraph 50(1)(a) to terminate
 13 a funding agreement covering an organisation, the CEO may give
 14 the organisation a notice in writing:
 15 (a) requiring the organisation to pay a specified amount to the
 16 Commonwealth that is equal to the whole or a part of the
 17 financial assistance already paid to the organisation under the
 18 agreement; and
 19 (b) specifying the period within which the organisation must pay
 20 that specified amount, which must be a period of at least 28
 21 days starting on the day on which the notice is given.
- 22 (3) If the Board or the Minister makes a decision under
 23 subsection 50(4) or (5) to terminate a funding approval for an
 24 organisation, the Board or Minister (as the case requires) may give
 25 the organisation a notice in writing:
 26 (a) requiring the organisation to pay a specified amount to the
 27 Commonwealth that is equal to the whole or a part of the
 28 financial assistance already paid to the organisation under the
 29 funding agreement relating to the approval; and
 30 (b) specifying the period within which the organisation must pay
 31 that specified amount, which must be a period of at least 28
 32 days starting on the day on which the notice is given.
- 33 (4) Without limiting the matters that the CEO, Board or Minister may
 34 consider in deciding whether it is appropriate to give a notice under

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- 1 subsection (2) or (3), the CEO, Board or Minister may consider
2 any or all of the following matters:
3 (a) the nature of the breach of the term or condition;
4 (b) the impact of the breach on the research provided by the
5 organisation and on the organisation's research partners or
6 reputation;
7 (c) the impact of the breach on Australia's reputation as a
8 provider of high quality research;
9 (d) the nature of any other breaches by the organisation of terms
10 or conditions of the funding agreement in the last 12 months.

11 *Debt*

- 12 (5) If an amount payable by the organisation under subsection (2) or
13 (3) remains unpaid at the end of the period specified in the notice
14 under that subsection, the amount:
15 (a) is a debt due to the Commonwealth; and
16 (b) may be recovered by the CEO, on behalf of the
17 Commonwealth, by action in a court of competent
18 jurisdiction.

19 *Set-off*

- 20 (6) The CEO may, on behalf of the Commonwealth, set off the whole
21 or a part of the amount payable to the Commonwealth under
22 subsection (2) or (3) against a later payment of financial assistance
23 to the organisation under this Division in relation to another
24 funding approval.
25 (7) The debt under subsection (5) is reduced by the amount of the
26 set-off.

27 **52 Cessation and repayment of financial assistance—security, 28 defence or international relations of Australia**

- 29 (1) The Minister may, on behalf of the Commonwealth, terminate a
30 funding approval in relation to an organisation if the Minister
31 considers that, for reasons relevant to the security, defence or
32 international relations of Australia, the approval should be
33 terminated.

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1 Note: The funding approval may have been given by the Board or the
2 Minister.

3 *No further payments of financial assistance*

4 (2) If the Minister does so, no further payment of financial assistance
5 to the organisation in relation to that funding approval is to be
6 made under this Division.

7 *Notice to organisation*

8 (3) The Minister:

9 (a) must give the organisation written notice of the decision
10 under subsection (1); and

11 (b) may in that notice:

12 (i) include a requirement for the organisation to pay a
13 specified amount to the Commonwealth that is equal to
14 the whole or a part of the financial assistance already
15 paid to the organisation under the funding agreement
16 relating to the approval; and

17 (ii) specify the period within which the organisation must
18 pay that specified amount, which must be a period of at
19 least 28 days starting on the day on which the notice is
20 given.

21 *Notice to Board and CEO*

22 (4) The Minister must give the Board and CEO a copy of the notice
23 given to the organisation under subsection (3).

24 *Debt*

25 (5) If an amount payable by the organisation under subsection (3)
26 remains unpaid at the end of the period specified in the notice
27 under that subsection, the amount:

28 (a) is a debt due to the Commonwealth; and

29 (b) may be recovered by the CEO, on behalf of the
30 Commonwealth, by action in a court of competent
31 jurisdiction.

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54 Overpayments of financial assistance

Set-off

- (1) The CEO may, on behalf of the Commonwealth, set off the whole or a part of an overpayment of an amount of financial assistance to an organisation under this Division against another payment of financial assistance to the organisation under this Division.

Notice requiring organisation to pay amount to Commonwealth

- (2) If the CEO is not able to do so, the CEO may give the organisation a written notice:
- (a) specifying the amount the Commonwealth is not able to set off; and
 - (b) requiring the organisation to pay to the Commonwealth the amount specified in the notice; and
 - (c) specifying the period within which the organisation must pay the amount specified in the notice, which must be a period of at least 28 days starting on the day on which the notice is given.

Debt

- (3) If the organisation is required by a notice under subsection (2) to pay an amount to the Commonwealth and an amount payable by the organisation remains unpaid at the end of the period specified in the notice, the amount unpaid:
- (a) is a debt due to the Commonwealth; and
 - (b) may be recovered by the CEO, on behalf of the Commonwealth, by action in a court of competent jurisdiction.

55 Reasons relevant to the security, defence or international relations of Australia

- (1) The Minister must, in deciding whether there are reasons relevant to the security, defence or international relations of Australia for the making of a decision under subsection 47(8), 48(6) or 52(1), have regard to the following:

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- 1 (a) the nature and extent of the organisation's research activities
2 (if any) that are being, or have been, carried out and the
3 financial support (if any) the organisation has received for
4 those activities from a foreign government body;
- 5 (b) whether the organisation or a person involved in the research
6 project concerned has, or has had, an association with a
7 tertiary education institution (however described) located
8 outside Australia and, if so, the nature of that association;
- 9 (c) whether the organisation or a person involved in the research
10 project concerned has, or has had, an association with a
11 foreign government body, foreign law enforcement agency,
12 foreign military body or foreign intelligence agency and, if
13 so, the nature of that association;
- 14 (d) whether the organisation or a person involved in the research
15 project concerned has, or has had, an association with a
16 foreign country upon which the Security Council of the
17 United Nations or Australia has imposed a sanction and, if
18 so, the nature of that association;
- 19 (e) whether the organisation or a person involved in the research
20 project concerned has, or has had, an association with a
21 person or entity proscribed by an instrument under the
22 *Autonomous Sanctions Act 2011* and, if so, the nature of that
23 association;
- 24 (f) whether the organisation or a person involved in the research
25 project concerned has, or has had, an association with a
26 proscribed person or entity within the meaning of Part 4 of
27 the *Charter of the United Nations Act 1945* and, if so, the
28 nature of that association.
- 29 (2) The Minister may have regard to any other matters that the
30 Minister considers appropriate.

56 Minister's obligations in relation to decisions relevant to the security, defence or international relations of Australia

Notice to Parliamentary Joint Committee on Intelligence and Security

- 35 (1) The Minister must:

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-
- 1 (a) give the Parliamentary Joint Committee on Intelligence and
2 Security a written statement of any decision under
3 subsection 47(8), 48(6) or 52(1); and
4 (b) do so as soon as practicable after the decision is made.

5 *Tabling requirement*

- 6 (2) The Minister must cause a statement specifying the following to be
7 tabled in each House of the Parliament within 15 sitting days of
8 that House after the day on which the Minister makes a decision
9 under subsection 47(8), 48(6) or 52(1):
10 (a) the day on which the Minister made the decision and the
11 subsection under which the decision was made;
12 (b) a description of the research program to which the decision
13 relates.

14 **57 Relationship with other laws**

15 To avoid doubt, the power of the Board or Minister to approve the
16 making of a grant of financial assistance to an organisation under
17 this Division must be disregarded for the purpose of
18 paragraph 32B(1)(a) of the *Financial Framework (Supplementary
19 Powers) Act 1997*.

20 Note: The effect of this section is to make clear that this Division does not
21 effectively limit the operation of section 32B of the *Financial
22 Framework (Supplementary Powers) Act 1997*. The Commonwealth
23 has the power to make, vary or administer an arrangement or grant
24 under that section whether the Board or Minister also has the power to
25 approve the making of a grant of financial assistance to an
26 organisation under this Division.

27 **58 Board to prepare rules**

- 28 (1) The Board must:
29 (a) prepare written rules dealing with the following:
30 (i) the eligibility criteria to be met in order for the Board or
31 the Minister to approve the making of grants of
32 financial assistance to organisations under this Division;
33 (ii) the making of applications by organisations for such an
34 approval;

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- 1 (iii) the assessment process for deciding which applications
2 will receive such an approval;
3 (iv) any other matters that the Board considers appropriate;
4 and
5 (b) give the rules to the Minister for approval under section 59.
- 6 (2) Without limiting subparagraph (1)(a)(i), the eligibility criteria may
7 relate to the kinds of organisation that may receive financial
8 assistance and the kinds of research projects in respect of which
9 financial assistance may be approved.

10 **59 Ministerial approval of rules**

- 11 (1) After receiving rules under section 58, or revised rules under this
12 section, from the Board, the Minister must, in writing:
13 (a) approve the rules; or
14 (b) request the Board to give the Minister revised rules to take
15 account of specified concerns of the Minister.
- 16 (2) If the Minister makes such a request, the Board must comply with
17 the request as soon as reasonably practicable.
- 18 *Approved rules are legislative instruments*
- 19 (3) Rules (including revised rules) prepared by the Board and
20 approved by the Minister are a legislative instrument made by the
21 Minister on the day on which the rules are approved.

22 **60 Variation of funding rules**

- 23 (1) The Board may prepare a proposed variation of the approved
24 funding rules and give the proposed variation to the Minister.
- 25 (2) After receiving a proposed variation (including a revised
26 variation), the Minister must, in writing:
27 (a) approve the variation; or
28 (b) request the Board to give the Minister a revised variation to
29 take account of specified concerns of the Minister.
- 30 (3) If the Minister makes such a request, the Board must comply with
31 the request as soon as reasonably practicable.

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1 *Approved variation is a legislative instrument*

2 (4) A variation (including a revised variation) of the approved funding
3 rules prepared by the Board and approved by the Minister is a
4 legislative instrument made by the Minister on the day on which
5 the variation is approved.

6 **7 Section 63 (note)**

7 Repeal the note, substitute:

8 Note: An Appropriation Act may contain a provision to the effect that, if any
9 of the purposes of a special account is a purpose that is covered by an
10 item in the Appropriation Act (whether or not the item expressly
11 refers to the special account), then amounts may be debited against the
12 appropriation for that item and credited to that special account.

13 **8 Sections 64 and 65**

14 Repeal the sections, substitute:

15 **64 Purpose of Account**

16 The purpose of the Account is paying financial assistance under
17 Division 1.

18 **9 Subsection 66(1)**

19 Repeal the subsection, substitute:

20 *Minister*

21 (1) The Minister may, in writing, delegate all or any of the Minister's
22 powers or functions under Division 1 of Part 7, except those under
23 provisions covered by subsection (1A), to:

- 24 (a) the CEO; or
25 (b) a member of the staff referred to in section 41 who is an SES
26 employee or an acting SES employee.

27 (1A) The provisions are subsections 47(8) and (11), 48(1), (2), (4), (6)
28 and (8), 50(5), 51(3) and 52(1) and (3) and sections 56, 59 and 60.

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Schedule 3 Funding of research

- 1 *Board*
- 2 (1B) The Board may, in writing, delegate all or any of the Board's
3 powers or functions under Division 1 of Part 7, except those under
4 provisions covered by subsection (1C), to:
- 5 (a) a Board member; or
6 (b) the CEO; or
7 (c) a member of the staff referred to in section 41 who is an SES
8 employee or an acting SES employee.
- 9 (1C) The provisions are subsections 47(1), (2) and (5), 50(4) and 51(3).
- 10 **10 Before subsection 66(2)**
- 11 Insert:
- 12 *CEO*
- 13 **11 Subsection 66(2)**
- 14 Omit "(including powers or functions delegated to the CEO by the
15 Minister)", substitute "under this Act".
- 16 **12 Before subsection 66(3)**
- 17 Insert:
- 18 *Directions*
- 19 **13 Subsection 66(3)**
- 20 After "A delegate must", insert "perform a function or".
- 21 **14 Subsection 66(3)**
- 22 Omit "Minister or the CEO" (wherever occurring), substitute "Minister,
23 Board or CEO".
- 24 **15 Transitional provisions—existing funding approvals**
- 25 (1) Subject to this item, Division 1 of Part 7 of the *Australian Research*
26 *Council Act 2001* (including the approved funding rules under that
27 Division), as in force immediately before the commencement of this
28 item, continues to apply on and after that commencement in relation to

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-
- 1 a funding approval (within the meaning of that Part) in force
2 immediately before that commencement.
- 3 (2) If that funding approval (the *old approval*) is in force immediately
4 before 1 July 2025:
- 5 (a) subject to subitem (3), that Division (including the approved
6 funding rules under that Division) ceases to apply in relation
7 to the old approval on and after that day; and
- 8 (b) Division 1 of Part 7 of the *Australian Research Council Act*
9 *2001* (the *new Division*), as substituted by this Schedule
10 applies in relation to the old approval on and after that day as
11 if it were:
- 12 (i) if the old approval was in relation to a designated
13 research program within the meaning of that Act as
14 amended by this Schedule—a funding approval (the
15 *new approval*) under subsection 48(1) of that Act as
16 amended by this Schedule; or
- 17 (ii) otherwise—a funding approval (the *new approval*)
18 under subsection 47(1) of that Act as amended by this
19 Schedule; and
- 20 (c) no financial assistance is to be paid in relation to the new
21 approval under the new Division unless a written agreement,
22 in relation to the new approval, is entered into under
23 subsection 49(1) of that Act as amended by this Schedule.
- 24 (3) Paragraphs 58(1)(c) and (d) of the *Australian Research Council Act*
25 *2001*, as in force immediately before the commencement of this item,
26 continue to apply on and after that commencement in relation to
27 financial assistance paid before 1 July 2025 in relation to the old
28 approval.

16 Transitional provisions—pending funding proposals

- 29
- 30 (1) Subject to this item if:
- 31 (a) before the commencement of this item, under the *Australian*
32 *Research Council Act 2001* an application for financial
33 assistance for a proposal for expenditure by an organisation
34 on a research program was made; and

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- 1 (b) immediately before the commencement of this item, the
 2 Minister had not made a decision under section 51 of that Act
 3 whether or not to approve the proposal;
- 4 then Division 1 of Part 7 of that Act (including the approved funding
 5 rules under that Division), as in force immediately before the
 6 commencement of this item, continues to apply on and after that
 7 commencement in relation to that proposal and any funding approval of
 8 that proposal by the Minister.
- 9 (2) If, under that Division, there is a funding approval (the *old approval*) of
 10 that proposal and the old approval is in force immediately before 1 July
 11 2025:
- 12 (a) subject to subitem (3), that Division (including the approved
 13 funding rules under that Division) ceases to apply in relation
 14 to the old approval on and after that day; and
- 15 (b) Division 1 of Part 7 of the *Australian Research Council Act*
 16 *2001* (the *new Division*), as substituted by this Schedule
 17 applies in relation to the old approval on and after that day as
 18 if it were:
- 19 (i) if the old approval was in relation to a designated
 20 research program within the meaning of that Act as
 21 amended by this Schedule—a funding approval (the
 22 *new approval*) under subsection 48(1) of that Act as
 23 amended by this Schedule; or
- 24 (ii) otherwise—a funding approval (the *new approval*)
 25 under subsection 47(1) of that Act as amended by this
 26 Schedule; and
- 27 (c) no financial assistance is to be paid in relation to the new
 28 approval under the new Division unless a written agreement,
 29 in relation to the new approval, is entered into under
 30 subsection 49(1) of that Act as amended by this Schedule.
- 31 (3) Paragraphs 58(1)(c) and (d) of the *Australian Research Council Act*
 32 *2001*, as in force immediately before the commencement of this item,
 33 continue to apply on and after that commencement in relation to
 34 financial assistance paid before 1 July 2025 in relation to the old
 35 approval.

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Reporting Schedule 4

Schedule 4—Reporting*Australian Research Council Act 2001***1 Part 6**

Repeal the Part.

2 Before section 66

Insert:

65A Annual report

The annual report prepared by the members of the Board and given to the Minister under section 46 of the *Public Governance, Performance and Accountability Act 2013* for a period must also:

- (a) include particulars of any directions given by the Minister under section 10 in that period; and
- (b) include particulars of any directions given by the Board under section 40B in that period; and
- (c) specify the number of decisions made by the Minister in that period under each of subsections 47(8), 48(6) and 52(1); and
- (d) deal with any other matters that the Minister, by notice in writing to the Chair, requires to be dealt with in the report.

3 Application and saving provisions—annual report

- (1) Paragraph 33C(3)(b) of the *Australian Research Council Act 2001*, as in force immediately before commencement of this item, continues to apply on and after that commencement in relation to a reporting period that began before that commencement.
- (2) Section 46 of the *Australian Research Council Act 2001*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a reporting period that began before that commencement.
- (3) Section 65A of the *Australian Research Council Act 2001*, as inserted by this Schedule, applies in relation to a reporting period beginning on or after the commencement of this item.

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Schedule 5 Transitional rules

1 **Schedule 5—Transitional rules**
2

3 **1 Transitional rules**

- 4 (1) The Minister may, by legislative instrument, make rules prescribing
5 matters of a transitional nature (including prescribing any saving or
6 application provisions) relating to the amendments or repeals made by
7 this Act.
- 8 (2) To avoid doubt, the rules may not do the following:
9 (a) create an offence or civil penalty;
10 (b) provide powers of:
11 (i) arrest or detention; or
12 (ii) entry, search or seizure;
13 (c) impose a tax;
14 (d) set an amount to be appropriated from the Consolidated
15 Revenue Fund under an appropriation in this Act;
16 (e) directly amend the text of this Act.
- 17 (3) Schedules 2 to 4 do not limit the rules that may be made under this
18 item.



Australian Government

Australian Government response to:

*Trusting Australia's Ability: Review of the Australian Research
Council Act 2001*

AUGUST 2023

Message from the Hon Jason Clare MP, Minister for Education

Australia is home to some of the most brilliant researchers and the most cutting-edge research in the world.

And the Australian Research Council (ARC) plays a fundamental role in supporting, shaping and sustaining that research.

The work of the ARC is vital, but it needs reform to ensure it is set up for the future.

That's why in August 2022, I appointed Professor Margaret Sheil AO (Panel Chair), Professor Susan Dodds and Professor Mark Hutchinson to oversee an independent review of the *Australian Research Council Act 2001*.

This was the first comprehensive review of the ARC and its enabling legislation since its inception in 2001.

I asked the panel to consider the role and purpose of the ARC within the university research system so it can meet current and future needs, how the ARC's legislation can be refined to provide clarity on its objectives and processes, and whether the scope of the current legislation was sufficient to support an effective and efficient university research system.

On 20 April 2023, the panel's final report – *Trusting Australia's Ability: Review of the Australian Research Council Act 2001* – was publicly released, and included ten recommendations which aim to:

- provide greater clarity of the contemporary role and purpose of the ARC through its enabling legislation
- advance support for Indigenous Australian academics through better consultation and additional fellowships
- strengthen governance by establishing an ARC Board
- reduce legislative burden and increase accounting flexibility through the ARC Endowment Account
- reform the evaluation of research excellence and impact.

The Government has agreed or agreed in principle to all the panel's recommendations.

I thank Professor Sheil, Professor Dodds and Professor Hutchinson for overseeing this important review, and all stakeholders who gave their time to contribute.

The Hon Jason Clare MP
Minister for Education

Review of the Australian Research Council Act 2001

Overview

On 30 August 2022, the Hon Jason Clare MP, Minister for Education, announced the *Review of the Australian Research Council Act 2001* (ARC Review) to consider the role and purpose of the ARC within the university research system so it can meet current and future needs.

The Hon Jason Clare MP appointed an independent three-person panel to oversee the review:

1. Professor Margaret Sheil AO (Panel Chair), Vice-Chancellor and President, Queensland University of Technology
2. Professor Susan Dodds, Senior Deputy Vice-Chancellor and Vice President (Research & Industry Engagement), La Trobe University
3. Professor Mark Hutchinson, Director of the Centre for Nanoscale BioPhotonics, University of Adelaide.

A total of 223 public submissions were received in response to the review consultation paper. Targeted meetings and focus groups were also held with diverse stakeholders across the research ecosystem, including individuals, higher education providers, traditional knowledge owners, research organisations (national and international), industry groups, peak bodies and government.

The Final Report and public submissions to the Review were released on 20 April 2023 (www.education.gov.au/higher-education-reviews-and-consultations/review-australian-research-council-act-2001).

Terms of Reference

The Terms of Reference asked the panel to consider:

1. whether the role and purpose of the ARC as set out in the legislation remains relevant, including consideration of the contribution the ARC can make to identifying reforms to its programs to actively shape the research landscape in Australia and better align with comparable research agencies
2. the ARC governance model and management functions and structures to ensure they are contemporary, fit for purpose, and meet the needs of stakeholders
3. opportunities to improve the legislation to better facilitate globally competitive research and partnerships, reduce unnecessary administrative and legislative burden and increase agility
4. how the legislation could be revised to reflect the breadth of functions of the ARC and its evolution, including the measurement of the impact and excellence of Australian research and advise on contemporary best practice for modernising and leveraging these measures.

Government response to the ARC Review recommendations

Recommendation and summary	Full recommendation description	Government response and next steps
<p>1. Purpose of the National Competitive Grants Program</p> <p>Clarifying the purpose of the ARC to give a legislative basis for funding basic, strategic basic and applied research via the NCGP, to fund research that may have a positive impact on Indigenous Knowledge systems and Peoples.</p>	<p>We recommend the ARC Act be amended to give a stronger legislative basis for the purpose of the Australian Research Council (ARC) and clearer scope for the National Competitive Grants Program (NCGP) by specifying that:</p> <ul style="list-style-type: none"> (i) the ARC provides funding through NCGP to support research in Australian universities and their partners (ii) the NCGP supports pure basic, strategic basic and applied research, but not experimental development (iii) the supports collaborative research that expands Indigenous knowledge systems and provides economic, commercial, environmental, social and/or cultural benefits for Australia (iv) the NCGP supports research in all academic disciplines except clinical health and medical and dental research (v) the NCGP supports universities to attract and retain academic researchers in response to changing needs and priorities. 	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to clarify the purpose of the ARC and scope for the NCGP in funding basic, strategic basic and applied research.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>2. The National Research Landscape</p> <p>Giving a legislative basis and clarity to the role of the ARC in underpinning and shaping the national research landscape over and above the impact of the administration of the NCGP.</p>	<p>We recommend that the ARC Act be amended to provide a legislative basis for those functions through which the ARC actively shapes the research landscape over and above the impact from the NCGP.</p> <p>These include:</p> <ul style="list-style-type: none"> • evaluation of the excellence, quality, and impact of research in Australian Universities • evaluation of the depth and capability of researchers in Australian universities, within and across disciplines • promoting and upholding research integrity • promoting ethical conduct of research • promoting accessibility of publications and research data • promoting excellence, equity, and diversity in Australian universities • supporting significant, long term research collaborations • partnering with other Government agencies that use ARC systems and processes to deliver peer-reviewed and other research grant programs. 	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to clarify the role of the ARC in underpinning and shaping the national research landscape over and above the impact of the NCGP, including in relation to research integrity.</p>
<p>3. Fellowships and Academic Careers</p> <p>Giving further clarity and insight to the role and impact of the ARC in relationship to academic careers.</p>	<p>We recommend that:</p> <ol style="list-style-type: none"> (i) the ARC Act be amended to include within the scope that the ARC assists Australian universities to attract and retain talented academics (ii) the ARC reviews and consults on the purpose and effectiveness Fellowships at different stages of academics' career including clarifying the different responsibilities of the ARC and universities (iii) notwithstanding (ii), the ARC give priority to reviewing the support and assessment criteria for early career fellowships prior to any further rounds (iv) the ARC review and simplifies the criteria used to assess research opportunities in respect to academic careers. 	<p>Agreed.</p> <p>The Minister for Education has requested the ARC commission this work.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>4. Advancing Indigenous Australians</p> <p>Advancing the support for Indigenous Australian academics through better consultation and additional fellowships. Separately the Panel heard the need to facilitate the engagement of Indigenous Community organisations as partners with universities in ARC Linkage programs.</p>	<p>We recommend that:</p> <ul style="list-style-type: none"> (i) the ARC establishes a Designated Committee for engagement and consultation with Indigenous Australian academics and their research partners (ii) that the ARC develops as a high priority within the NCGP Discovery Fellowships for Aboriginal and Torres Strait Islander academics across the full career spectrum (iii) the ARC enhances opportunities within the NCGP for Indigenous Australian community organisations to participate in ARC Linkage Programs (iv) the ARC introduces two named Fellowships for leading Indigenous Researchers in the ARC Australian Laureate Fellow Scheme, modelled on and adapted from the Georgina Sweet and Kathleen Fitzpatrick Laureate Fellowships. 	<p>Agreed.</p> <p>The Minister for Education has requested the ARC commission this work.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>5. Alignment with comparable Research Agencies</p> <p>Aligning administration of the NCGP to comparable research agencies within Australia and internationally and in accordance with Commonwealth Guidelines for Grant Administration.</p>	<p>We recommend that the ARC Endowment Account be utilised to administer the NCGP with the following provisions:</p> <ul style="list-style-type: none"> (i) a legislated purpose directs the Account to be used to make grants supporting basic, strategic basic and applied research across all areas of activity in Australian universities excluding clinical health, medicine, and dentistry (ii) that grants comply with Guidelines and total funding recommended by the Chief Executive Officer (CEO) and approved by the Minister in compliance with the provisions and requirements of the Commonwealth Grant Rules and Guidelines 2017 (iii) grants recommended by the CEO may be approved by the Board when: <ul style="list-style-type: none"> • the requirements under (i) and (ii) have been met • the recommendations have been informed by appropriate expert and peer review • the recommendations demonstrate the potential outcomes of the proposed research to the Australian community which may include enhanced research capability and advancement an academic discipline to the benefit of the Australian community (iv) the obligations of the ARC (i.e. Board and CEO) in relation to national security and NCGP are transparent; and that provision is made over and above these so the Minister may direct the CEO to not fund or to recover funds from grants made under the NCGP if the Minister were to become aware of national security concerns in relation to the grant or proposal. In the event of such a direction, the Minister must notify Parliament, stating the reasons for the direction; and/or report to the Parliamentary Joint Committee on Intelligence and Security or its successor where the security concern precludes the Minister reporting the detail of such a direction to Parliament. 	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to enable the ARC Endowment Account to be utilised to administer the NCGP, noting that requirements will be put in place to ensure that funds in the ARC Endowment Account be expended in the designated year of appropriation and purpose.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>6. ARC Board</p> <p>Strengthening the governance by establishing an ARC Board with responsibilities for appointment of the ARC CEO, the College of Experts and approvals of individual grants awarded under the NCGP in addition to supporting other functions of the Agency.</p>	<p>We recommend that:</p> <p>(i) the ARC Act be amended to enable the establishment of an Australian Research Council (ARC) Board with the following functions:</p> <ul style="list-style-type: none"> • to appoint a Chief Executive Officer (CEO) • to provide advice to the CEO and the Minister on priorities, policies and strategies • to approve the appointment of the College of Experts • to establish and appoint members to other such committees as it deems beneficial for the effective functioning of the ARC • to approve recommendations for funding within the National Competitive Grants Program • to undertake any other functions as requested by the Minister <p>(ii) the Board be appointed by the Minister and comprise:</p> <ul style="list-style-type: none"> • a Chair, who is a prominent Australian, held in high regard by the universities and their partners in the research community • up to six other members with a combination of skills, experience, and perspectives relevant to the functions of the ARC across the spectrum of ARC disciplines, Aboriginal and Torres Strait Islander leadership, research administration and evaluation, and university industry partners <p>(iii) the ARC CEO and Secretary of the Department (or delegate) would attend Board meetings to ensure coordination and communication with appropriate separation of advice to and from the Board and to the Minister.</p>	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to enable the establishment and operation of an ARC Board as the accountable authority for the ARC.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>7. Appointment of the Chief Executive Officer</p> <p>Recommending new arrangements for the appointment and conditions of the CEO.</p>	<p>We recommend that:</p> <ul style="list-style-type: none"> (i) the ARC legislation be amended to reflect that the ARC Chief Executive Officer (CEO) be appointed by the Board after consultation with the Minister in accordance with other Government requirements for the appointment of statutory office holders (ii) the Board must have regard to the research experience and standing in a relevant academic discipline in addition to a record in management when making such an appointment (iii) the CEO's terms of the appointment be aligned to the CSIRO CEO. 	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to devolve the appointment process for the ARC Chief Executive Officer (CEO) to the ARC Board, in consultation with the Minister for Education and with Cabinet oversight, consistent with the requirement to comply with the Government policy for the merit appointment of statutory office holders.</p>
<p>8. Management and Consultation</p> <p>Encouraging the CEO and other academic expertise within the ARC to consult more directly with stakeholders, especially in relation to the impact of changes to grant guidelines.</p>	<p>We recommend that:</p> <ul style="list-style-type: none"> (i) the ARC CEO work and the Secretary of the Department of Education review arrangements to achieve a balance of the senior academic expertise required by the ARC, <i>vis-a-vis</i> the Senior Executive Service (SES) appointments within the constraints of the ARC Departmental funding (ii) the ARC CEO and Academic Executive Directors be expected to engage in broad and direct consultation with the academic and research community; university research administrators; other government departments; and key stakeholders, when evaluating and adapting grant programs to ensure the original purpose remains relevant and that any changes are made with full consideration of the consequences. 	<p>Agreed.</p> <p>The Minister for Education has requested the ARC commission this work.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>9. Reduction of Legislative and Administrative Burden</p> <p>Reducing the legislative burden by simplifying the appropriation and indexation of funding, and adopting more streamlined, processes including two-stage application processes where possible.</p>	<p>We recommend that:</p> <ul style="list-style-type: none"> (i) the Special Appropriation for the National Competitive Grants Program (NCGP) within the ARC Act be replaced with a provision for annual appropriation into the Australian Research Council (ARC) Research Endowment Account including an agreed formula for indexation of new grants and those that extend over multiple years (ii) the ARC Act be simplified to remove the provisions from legislation that relate to the split between Discovery and Linkage and that the commitment to funding pure basic, strategic basic and applied research be incorporated into the purposes of the NCGP Program in the ARC Act (iii) guidelines for the NCGP be simplified and streamlined to reflect international best practice with consideration of reducing the administrative burden on academic and research organisations through, for example, a two-step application process for rapid initial assessment of expressions of interest and eligibility criteria. 	<p>Agreed.</p> <p>Amendments to the ARC Act will be introduced to replace the current Special Appropriation arrangements with a more durable arrangement for managing the allocation of Administered funding, including an agreed formula for indexation.</p> <p>In addition, provisions to split funding commitments between ARC Discovery and Linkage Programs within NCGP will be removed.</p> <p>Recommendation 9(iii) The Minister for Education has requested the ARC commission this work.</p>

Recommendation and summary	Full recommendation description	Government response and next steps
<p>10. Evaluation of Excellence and Impact</p> <p>Acknowledging that the ERA and Engagement and Impact (EI) initiatives have played a valuable and important role in raising the quality and relevance of research in Australian universities. These considerations have reaffirmed the important role the ARC should continue to play in evaluating excellence, impact and research capability within Australian universities but recognise those resources could be more effectively redeployed and utilised to guide the current and future design of the NCGP and the identification of future research priorities.</p>	<p>We recommend that:</p> <ul style="list-style-type: none"> (i) the role of the ARC in relation to evaluation of excellence, impact and research capability within Australian universities be re-affirmed by inclusion in the ARC Act (ii) the Excellence in Research for Australia (ERA) and Engagement and Impact (EI) exercises be discontinued (iii) the resourcing for evaluations be maintained so the ARC retains and internally recognised expert evaluation capability (iv) the ARC collaborates with TEQSA to develop assessment processes that enable TEQSA to draw on the expertise of the ARC to make decisions on the extent to which current and future higher education providers meet research provider standards (v) the ARC develops a framework for regular evaluation and reporting on the outcomes of the NCGP program over a timeframe that allows the full impact of research funding to be assessed and the public benefit explained (vi) the ARC develops a program to evaluate current and future research capabilities within Australian universities, giving priority in the first instance to the capability of Aboriginal and Torres Strait Islander researchers and research that impacts on Indigenous Australian communities. <p>We <u>do not recommend</u> that ERA and EI be replaced by a metrics-based exercise because of the evidence that such metrics can be biased or inherently flawed in the absence of expert review and interpretation.</p>	<p>Agreed in principle.</p> <p>The Government agrees that evaluation of excellence, impact and research capability within Australian universities needs reform. The Government will not continue ERA and EI in their current form.</p> <p>Research remains a key element of all Australian universities, and reform of the performance measurement and management of university research is critical to ensure that the future contribution of universities is driven effectively.</p> <p>As such, the Minister for Education has requested the Australian Universities Accord Panel consider the recommendation on measuring impact and engagement in university research.</p> <p>Recommendations on a new model are to be provided to the Minister for Education for consideration alongside the Universities Accord Panel’s Final Report, due in December 2023.</p>

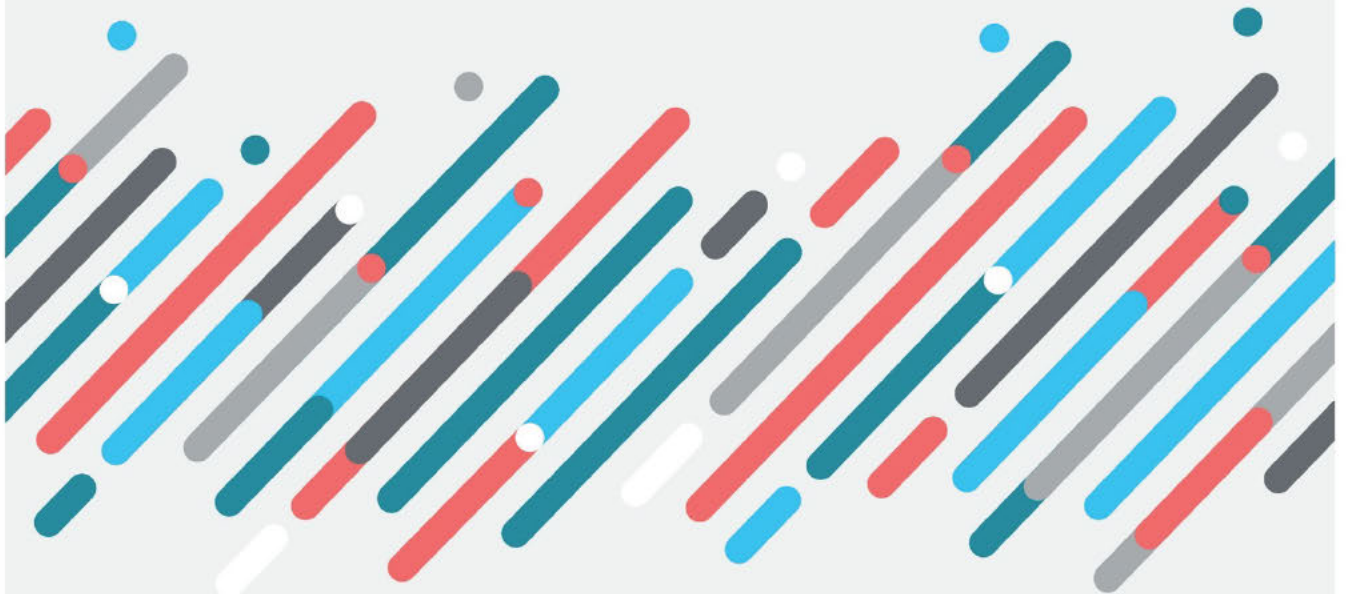


Australian Government
Department of Education

Inquiry into the Australian Research Council Amendment (Review Response) Bill 2023

Submission to the Senate Standing Committee on
Education and Employment Legislation

January 2024



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Introduction

The Department of Education (the department) welcomes the opportunity to provide the Education and Employment Legislation Committee with this submission, as part of the Committee's inquiry into the Australian Research Council Amendment (Review Response) Bill 2023 (the Bill). This submission has been prepared in collaboration with the Australian Research Council (ARC).

On 30 August 2022, the Minister for Education, the Hon Jason Clare MP, announced an independent Review of the Australian Research Council Act 2001 (ARC Review), to determine a clear pathway for strengthening the ARC to support Australian world-class research, now and into the future. This was the first review of the ARC and its enabling legislation, the *Australian Research Council Act 2001* (ARC Act), in more than 20 years. In announcing the Review, the Minister for Education acknowledged the ARC plays a fundamental role in supporting, shaping and sustaining Australia's research. The Review was to make recommendations to ensure the ARC is fit for today's research environment and prepare it for the future.

On 20 April 2023, the Minister for Education released the ARC Review Panel's Final Report, *Trusting Australia's Ability: Review of the Australian Research Council Act 2001*. The Report provided 10 recommendations that go to the need for governance reform within the ARC, clarification of the ARC's purpose, and improvements to administration of ARC funding to ensure expert decision-making drives research funding allocations with integrity and transparency, in line with leading international best practice.

On 22 August 2023, the Australian Government announced its response to the ARC Review and agreed, or agreed in principle, to all 10 recommendations of the ARC Review.

On 29 November 2023, the Bill was introduced into Parliament. The Bill responds to the recommendations of the ARC Review, informed by further targeted consultation with the higher education research community.

The Bill represents a substantial refresh to the ARC's Act, providing clear and empowered governance for the ARC to enable the independence and integrity of the institution and its decision-making processes.

A strong, well managed ARC will ensure Australia's world-leading research continues to be at the forefront of international practice and national importance. In doing so, it will enhance our reputation as a leading nation in research through the Australian Government's commitment to independence and expertise in the management of investment in basic non-medical research. It will also provide reassurance for government and the Australian higher education research sector that there is day-to-day scrutiny of decisions and processes, based on sound governance, accountability, and funding arrangements.

The ARC in a changing research landscape

Research is a key driver of productivity. Benefits diffuse through the wider economy as new knowledge and innovation is applied. For Australia to realise new opportunities, there needs to be a



well-functioning research ecosystem driving world-class pure basic, strategic basic and applied research, with pathways to translation into real world innovations and productivity gains. As Industry Innovation and Science Australia notes, “Australia is part of a global innovation race, and we need to step up our pace to avoid being left behind by other countries.”

The ARC has played a key role as an innovator and incubator within the higher education sector; it supported the technology underpinning solar cells and quantum computing, just to name a few benefits. The ARC’s programs have helped to attract and retain thousands of outstanding academics and led changes to policy and practice within and outside of Australian universities. A recent *Impact Assessment of ARC-funded research* undertaken by ACIL Allen found that every \$1 of National Competitive Grants Program (NCGP) research funding generated \$3.32 in economic output.

The ARC will invest over \$895 million in 2023-24 in non-medical research undertaken by the most dynamic researchers in Australia — a significant component of the Australian Government’s investment in research and development¹. It is a central pillar in Australia’s research landscape, administering the NCGP, assessing the quality, engagement and impact of research, safeguarding research integrity, and providing advice and support to the Australian Government on research matters. The ARC also facilitates partnerships between researchers, industry, government, community organisations and the international community. However, the ARC’s Act had not been reviewed since its inception in 2001 and it is timely to refresh the Act to ensure it provides the framework required to support the ongoing evolution of the agency.

Review of the Australian Research Council Act 2001

In announcing the ARC Review on 30 August 2022, the Minister for Education outlined the critical role the ARC plays in supporting world-leading Australian researchers. The review was commissioned to look at the role and purpose of the ARC within our research system so it can meet current and future needs and maintain the trust of the research sector.

The Minister for Education also announced on 30 August 2022 the appointment of Professor Margaret Sheil AO (Panel Chair), Professor Susan Dodds and Professor Mark Hutchinson to manage the review process. This Panel was asked to consider how the ARC Act can be refined to provide clarity on its objectives and processes, and whether the scope of the current legislation was sufficient to support an effective and efficient university research system.

The ARC Review Panel released a consultation paper on 9 November 2022 and invited public submissions. Submissions closed on 14 December 2022. A total of 223 submissions were received from stakeholders in response to the consultation paper. The Review Panel also held targeted consultations with a range of stakeholders through meetings and focus groups.

In undertaking the ARC Review, the Panel consulted across government, with universities, peak bodies, and individuals involved in supporting the work of the ARC, or who have benefited from the grants received from the ARC to conduct ground-breaking research. Importantly, the ARC Review

¹ The ARC funds non-medical research. The *National Health and Medical Research Council Act 1992* deals with funding for medical research in Australia. All references to ARC-funded research throughout this submission should be taken to mean non-medical research.



shared examples of how Australian university research had yielded new technology and policy innovation, provided reminders of the origins and role of basic research as a source of new knowledge and reiterated the immense returns for Australia and its society from ARC-funded research.

A strong theme emerging from consultations as part of the ARC Review was the high level of trust and respect and historical goodwill towards the ARC and the work it has done, in support of the university and broader research sector. The Panel wrote that this trust has been built on:

- a. a distinctive combination of academic and research expertise
- b. peer review and research excellence being the paramount consideration in grant approvals
- c. transparent, merit-based assessments free of conflict of interest, underpinned by a strong research integrity and ethical framework which minimises inherent biases
- d. regular engagement and consultation by the ARC with leading researchers and institutions
- e. transparency and Parliamentary oversight of the ARC and the respective Ministers responsible for the ARC over that time.

The Review recommended major governance change to the ARC and the ARC Act, to enhance the organisation's role, purpose, oversight, and budgetary arrangements, so that it may best support Australia's dynamic research landscape. The Final Report, *Trusting Australia's Ability*, was released on 20 April 2023 and outlined 10 recommendations summarised as follows:

1. clarify the purpose of the ARC to give a legislative basis for funding basic, strategic basic and applied research
2. give a legislative basis and clarity to the role of the ARC in underpinning and shaping the national research landscape
3. give further clarity and insight to the role and impact of the ARC in relation to supporting academic careers
4. advance the support for Indigenous Australian academics through better consultation and additional fellowships
5. align administration of the NCGP to comparable research agencies within Australia and internationally and in accordance with Commonwealth Grants Rules and Guidelines
6. strengthen the governance of the ARC by establishing an ARC Board with responsibilities for appointment of the ARC CEO, the College of Experts and approvals of individual grants awarded under the NCGP in addition to supporting other functions of the ARC
7. establish new arrangements for the appointment and conditions of the CEO
8. encourage the CEO and other academic experts within the ARC to consult more directly with stakeholders, especially in relation to the impact of changes to funding rules (also referred to as grant guidelines)
9. reduce the legislative burden by simplifying the appropriation and indexation of funding and adopting more streamlined processes including two-stage application processes where possible
10. reaffirm the important role the ARC should continue to play in evaluating excellence, impact and research capability within Australian universities while modernising evaluation and reporting methods.

On 22 August 2023, the Minister for Education announced the Government's response to the ARC Review. The Government agreed, or agreed in principle, to all 10 recommendations of the ARC Review.



In October and November 2023, the department conducted consultations seeking comments on proposed amendments to the ARC Act, including with higher education research peak bodies and representative groups, and across government. Eleven formal submissions were received which have informed the final policy settings and amendments to the ARC Act.

On 23 November 2023, at the Tertiary Education Quality Standards Agency (TEQSA) Seventh Annual Conference², Minister Clare announced his intention to introduce the legislation into Parliament.

Key amendments to the Australian Research Council Act 2001

The Bill updates the ARC Act to give effect to the following measures agreed in response to the ARC Review:

- clarifying the role and mission of the ARC by making changes to the object of the ARC Act
- enabling the establishment and operation of an ARC Board as the accountable authority for the ARC
- enabling the ARC Board to appoint the CEO who will be responsible for the day-to-day-operations of the ARC
- enabling the ARC Board to approve grants of financial assistance to organisations for research programs under the NCGP
- enabling the Minister for Education to approve grants of financial assistance to organisations for certain nationally significant grant programs (referred to as designated research programs in the Bill)
- enabling the Minister for Education to terminate grants to organisations, or determine that certain proposals should not receive funding, if there are reasons relevant to the national security, defence, or international relations of Australia
- strengthening research integrity measures to support the ARC's functions, including by enhancing accountability measures regarding obligations on organisations' use of approved grants by enabling the termination and variation of funding agreements and approvals, and the recovery of grant amounts in certain circumstances
- updating the current Special Appropriation arrangements with a more durable annual appropriation arrangement for managing the allocation of administered funding.

Establishing a clear purpose for the ARC

The ARC Review recommended that the ARC Act be amended to provide a legislative basis for those functions through which the ARC actively shapes the research landscape over and above the impact of the administration of the NCGP.

² Ministers' Media Centre, the Hon Jason Clare MP (23 November 2023), *Tertiary Education Quality Standards Agency (TEQSA) 7th Annual Conference – Reshaping Higher Education*, <https://ministers.education.gov.au/clare/tertiary-education-quality-standards-agency-teqsa-7th-annual-conference-reshaping-higher>



The object set out in section 3 of the current ARC Act establishes the ARC as a statutory Commonwealth entity with limited functions. The ARC Review identified a need to establish a clear and contemporary overarching purpose for the ARC – one which clearly defines the role and mission of the organisation in terms of impact across Australia’s research system, as opposed to the current legislation that only highlights grant processing.

The updated object in the Bill gives the ARC an invigorated strategic mandate to shape the national research landscape. It clarifies and confirms a broader focus for the organisation – from a dominant focus on management of the NCGP to the wider ambition of impact on economic, social, environmental, and cultural outcomes. It also provides a clear mandate for engagement with researchers and the broader community of interest.

Role and purpose – Objects

The Bill expands the object of the ARC Act to establish a national body to:

- (a) support Australian universities in conducting excellent research, including collaborative research with local, national, and international partners, for Australia’s economic, social, environmental and cultural benefit; and
- (b) promote and conduct activities to shape and foster the Australian research landscape and community, including by supporting academic career pathways, expanding Indigenous knowledge systems, and evaluating the excellence, impact, and depth of Australian research; and
- (c) support research integrity, promote ethical research and facilitate access to research publications and research data; and
- (d) uphold peer review as a core process to identify excellent research; and
- (e) administer funding of excellent pure basic research, strategic basic research, and applied research in all disciplines under the National Competitive Grants Program, except experimental development; and
- (f) administer funding for nationally significant research programs; and
- (g) provide expert advice on research to the Commonwealth Government; and
- (h) partner with other Commonwealth entities to deliver research grants by those other entities.

Note: Research does not include medical research. The *National Health and Medical Research Council Act 1992* deals with funding for medical research.

Establishment of an ARC Board

The ARC Review recommended enhanced governance and accountability arrangements for the ARC through the establishment of an ARC Board.

The Bill establishes a Board with the necessary powers and functions to provide independence for the ARC and decision-making on core elements of the NCGP. For the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), the Board will become the accountable authority of the ARC, with responsibility for the key governance of the ARC, and each member of the Board will be an official for the purposes of the Act.

The Board’s powers and functions will include making grant decisions for the NCGP. At the centre of the ARC’s peer review process is the appointed College of Experts, made up of highly qualified



disciplinary experts with experience and judgement to determine funding recommendations for research proposals. The ARC's trusted peer review process will be upheld as the core process for determining successful outcomes in grant allocations, with the College of Experts providing advice to the ARC Board in achieving quality in research outcomes as part of the grant assessment process.

ARC Board
<p>The Bill amends the ARC Act to establish an ARC Board. Under <i>the Public Governance, Performance and Accountability Act 2013</i>, the Board will be the accountable authority of the ARC, ensuring responsibility for the key governance of the ARC, and each member of the Board will be an official for the purposes of that Act.</p> <p>The Board, to be appointed by the Minister for Education, will comprise of an appropriate mix of skills-based appointees with sector experience, industry and governance experience, and broader social and economic perspectives to be able to support Australia's world-class research effort.</p> <p>The Board members are significant appointments and will comprise:</p> <ul style="list-style-type: none">• a Chair• Deputy Chair, and• up to 5 other members. <p>In appointing the Chair, the Minister must be satisfied that the Chair has professional credibility and significant standing in one or more fields of research or in the management of research.</p> <p>A First Nations person will be appointed to the Board, as well as a member who the Minister is satisfied will represent regional, rural, and remote Australia.</p> <p>The Board will be responsible for individual grant outcomes, with the Minister for Education approving funding rules, setting research priorities in consultation with the Minister for Industry and Science, and identifying key performance measures for the Board.</p> <p>The Board will be making grant funding decisions that benefit individual researchers, research groups and organisations. For this reason, the composition of its membership will be carefully considered to ensure that conflicts of interest are mitigated. The Board will be supported by an ongoing ARC Advisory Committee with expertise across research, industry, and governance, including membership from research grant beneficiary organisations.</p>

CEO appointment and role

The ARC Review recommended that appointment of the CEO should become a function of the Board, due to the Board's familiarity with the needs of the organisation at any given point in time, and likelihood of the Board having detailed knowledge of potential applicants, their reputation and trajectory.

Under the amended legislation, the CEO will be appointed by the Board, and the Board will inform the Minister of possible candidates prior to appointment. This will change the existing section 34 of the current ARC Act, under which the CEO is appointed by the Minister for Education.

Once the Board is operational, the CEO will be responsible for managing the day-to-day operations of the ARC and working with the Chair of the Board to give support to the Board and to give effect to their directions.



CEO appointment

The Bill amends the ARC Act to provide for the Board to appoint the CEO, in consultation with the Minister for Education and with Cabinet oversight, and consistent with the requirement to comply with the Government policy for the meritorious appointment of statutory office holders.

Approval of funding rules

The Board will have responsibility for preparing funding rules (otherwise known as grant guidelines) and providing advice, with the Minister having authority to approve the rules consistent with the requirements in the ARC Act and the Commonwealth Grants Rules and Guidelines.

This enables the Minister to set priorities within the ARC allocations and grant assessment processes, and to inform the balance between basic and applied areas of research. The determination of the funding rules, together with the direction provided through the Minister for Education's Statement of Expectations, ensure that the outcomes sought through ARC funding reflect national research needs.

To further strengthen the integrity of the ARC grant allocation process, the funding rules will be disallowable legislative instruments. This means that an instrument made by the Minister under this provision will be subject to Parliamentary scrutiny as part of the normal disallowance processes specified in the *Legislation Act 2003*.

Funding rules

The Bill amends the ARC Act to make the Board responsible for preparing funding rules for the Minister for Education to make, and to subject the making of funding rules to disallowance, open to the scrutiny of Parliament as a regular element of managing the ARC funding.

Approval of grants

The Board will have responsibility for approving ARC grants in accordance with the funding rules made by the Minister, with the exception of three identified designated research programs.

Grants in the following major funding programs will be approved by the Minister for Education, in recognition of their role in creating research capability:

- ARC Centres of Excellence
- Industrial Transformation Training Centres
- Industrial Transformation Research Hubs.

The Minister for Education will also be able to designate additional major research programs outside of the NCGP legislative instruments, enabling greater flexibility for Government to invest in specific research priorities.

Grant approval

The Bill amends the funding arrangements currently set out in Part 7 of the ARC Act. Significantly, under the new arrangements, the Board will approve grants of financial assistance for research projects in relation to research programs under the NCGP, except for decisions to approve grants of financial assistance for designated research programs which will be made by the Minister.



Grant approval

Board decisions will be made in accordance with the funding rules made by the Minister. This will better align the ARC's funding of research to comparable research agencies within Australia and internationally, reflecting recommendation 5 of the ARC Review.

The Minister will make funding rules consistent with the requirements in the ARC Act and the Commonwealth Grants Rules and Guidelines. This enables the Minister to implement priorities within the ARC allocations and grant assessment processes, and to rebalance the focus of the ARC between basic and applied areas of research if desired.

The Minister will approve grants for designated research programs to recognise their nationally significant role in creating research capability. These programs are the ARC Centres of Excellence scheme, the Industrial Transformation Training Centres scheme, and the Industrial Transformation Research Hubs scheme. Additional designated research programs can be specified by the Minister in a legislative instrument made under the ARC Act, if desired.

These instruments made by the Minister will be subject to Parliamentary scrutiny as part of the normal disallowance processes specified in the *Legislation Act 2003*.

Funding arrangements

The ARC Review recommended reducing legislative burden on the ARC by simplifying its appropriation arrangements through Annual Appropriation. The Bill amends the ARC's current administered funding for grants from special appropriation to annual appropriation and simplifies the funding arrangements by removing the requirement to divide funding between different categories of research programs.

The ARC is currently funded through Special Appropriation with a funding cap requiring annual amendments to the ARC Act to apply indexation. The Minister for Education is also currently required to split funding for Discovery and Linkage programs within the NCGP

Funding arrangement

The Bill implements recommendation 9 of the ARC Review by amending the current funding arrangements in the ARC Act to enable greater flexibility for the future.

The Bill amends the ARC's current administered funding for grants from special appropriation to annual appropriation. As a result, this removes requirements to specify annual funding caps relating to specific funding years and to split funding between categories of research programs.

Indexation based on the Consumer Price Index (CPI) will be applied as part of the annual appropriation on 1 July each financial year.

The Bill also makes changes to the ARC Research Endowment Account to enable the special account to be utilised to administer funding for the purposes of the ARC Act.

National security reporting

The ARC Review recommended making transparent the obligations of the ARC in relation to national security reporting and action. In addition, if the Minister for Education were to become aware of



national security concerns in relation to a grant or proposal, the ARC Review recommended that the Minister may direct the ARC to not fund or to recover funds from grants made under the NCGP.

Through the proposed amendments to the ARC Act, the Minister is empowered to consider reasons relevant to the security, defence, or international relations of Australia that a grant to an organisation should not be approved or should be terminated. If this happens, the Minister may recover the amount of the grant that was paid to the organisation, or a portion of that grant amount. This power is being included in the ARC Act to ensure that Australia is protected against any threats from foreign actors.

The exercise of this power will have significant consequences for an organisation. As such, it is appropriate for the Minister, as the relevant representative of the Commonwealth, to be empowered to make these decisions. It is expected that this power will only be exercised in relation to those organisations or research projects that have ongoing national security concerns or those specifically identified by Commonwealth entities as of concern.

Australian universities will continue to hold a primary role in identifying national security risks associated with grant applications and research, which are subsequently assessed by the ARC. Funding rules and program documentation, such as funding agreements, will clearly articulate university due diligence responsibilities.

National security reporting

The Bill amends the ARC Act to provide the Minister for Education with the right to direct the ARC to not fund, or to terminate or recover funds from research grants based on national security concerns, including those identified by National Intelligence Community agencies. If the Minister for Education intervenes in a grant decision outcome, the Minister will be required to write to the Parliamentary Joint Committee on Intelligence and Security (PJCIS) as soon as practicable after the decision is made advising of the decision and offering a private briefing.

If the Ministerial power to intervene on a grant at award or post award stage has been exercised, the Minister will report the use of that power in writing to both houses of Parliament, and the ARC will be required to report the number of occurrences in their Annual Report to Parliament.

Under the ARC's current standard assessment process, due diligence will continue to be undertaken based on the University Foreign Interference Taskforce Guidelines in consultation with national security agencies, including the adoption of risk-based frameworks.

Integrity and accountability measures

The Bill clarifies research integrity arrangements for grant recipients. The Act will specify that organisations will be required to enter into funding agreements with the CEO to receive grants and the CEO will be able to terminate an agreement if a term or condition is breached. These clarifications ensure the ARC's research integrity functions are underpinned by legislative standards.

The amendments also ensure the Board and, in the case of designated research programs, the Minister are able to terminate a funding approval for breach of an agreement. If an organisation's agreement or approval is terminated, the CEO, the Board or the Minister may recover any amounts paid, and the CEO is also able to set-off a debt to the Commonwealth against payments for future grants under the ARC Act. This ensures that the ARC's debt recovery powers are consistent with similar legislative grant schemes.



Response from the higher education research sector

Overall, responses from the higher education research sector have been overwhelmingly positive towards the changes to the ARC being implemented through this Bill. Stakeholders have welcomed the government’s commitment to implement reforms to the ARC to provide greater autonomy and independent oversight for the organisation.

Universities Australia (UA) supported the introduction of the Bill, stating it was “vital to the smooth and effective running of our world-class university system”, and describing the legislative changes as “game-changing steps to create a stronger, more stable environment for researchers to continue preparing Australia for the opportunities and challenges ahead”.³

The Go8 expressed that these were “long overdue governance reforms” to the ARC that were “essential to the nation’s long-term interests” and will “improve the governance of the ARC, strengthen the integrity of decision-making processes and minimise political interference, which has impacted the capacity of our universities to attract and retain world leading researchers”.⁴

Innovative Research Universities welcomed the introduction of the Bill stating that “these reforms to the ARC Act will strengthen [the ARC’s] ability to support university research that delivers the broadest benefits to the Australian community and economy”.⁵

The Regional Universities Network was particularly pleased to see that the ARC Board will include a member to represent regional, rural and remote Australia’s interests, as it will generate “an increased diversity of opinion expertise, and ultimately will increase the chances for regional Australia to further benefit from the world leading research occurring at regional universities”.⁶

Science & Technology Australia (STA) also welcomed the introduction of the Bill and congratulated Minister Clare on strengthening Australia’s research funding system. STA wrote that “the sector is deeply grateful to [Minister Clare] for implementing the review recommendations and to the panel for their thoughtful blueprint for modernisation”.⁷

³ Universities Australia (29 November 2023), *ARC reforms to support Australia’s research future*, <https://universitiesaustralia.edu.au/media-item/arc-reforms-to-support-australias-research-future/>

⁴ Group of Eight (22 August 2023), *Media release: A world class research sector is critical to Australia’s future prosperity*, <https://go8.edu.au/media-release-a-world-class-research-sector-is-critical-to-australias-future-prosperity>

⁵ Innovative Research Universities (1 December 2023), *IRU welcomes changes to Australian Research Council Act*, <https://iru.edu.au/news/iru-welcomes-changes-to-australian-research-council-act/>

⁶ Regional Universities Network (1 December 2023), *Changes to the ARC Act strengthen opportunities for regional Australia*, <https://www.run.edu.au/changes-to-the-arc-act-strengthen-opportunities-for-regional-australia/>

⁷ Science & Technology Australia (29 November 2023), *ARC Bill a welcome end to Ministerial meddling*, <https://scienceandtechnologyaustralia.org.au/arc-bill-ends-ministerial-meddling/>



Commencement of new arrangements

The Bill proposes the whole of its provisions commence on 1 July 2024, subject to the passage of legislation. Prompt passage of legislation will therefore support establishment of the ARC Board by 1 July 2024.

Importantly, the Bill includes transitional provisions for funding rules and funding proposals which are in place prior to the changes in the Bill taking effect and which provide certainty for applicants. Any funding rules approved prior to this date will continue to be able to be used to support funding approvals until 1 July 2025. After 1 July 2025, all existing funding approvals, and any funding approval made in relation to pending funding applications, will transition to the new arrangements, with approvals being deemed to be made by either the Board or the Minister under the amended ARC Act.





Australian Government
Department of Education

Our Ref IS24-000001

Committee Secretary
Senate Education and Employment Committees
PO Box 6100
Parliament House
Canberra ACT 2600
By email: eec.sen@aph.gov.au

Dear Committee Secretary

This letter is supplementary to the Department of Education submission lodged on 19 January 2024 to the Inquiry into the Australian Research Council Amendment (Review Response) Bill 2023 [Provisions]. Noting a number of submissions have highlighted indexation arrangements for the Australian Research Council (ARC) grant funding, I seek to provide clarity on these arrangements proposed for the ARC from 1 July 2024.

Historically, the Australian Research Council Act 2001 included a special appropriation for grant funding (section 49). This appropriation was expressed as a cap on available funding. The way in which this cap on appropriation was expressed in the Act required annual legislative amendments to update the value of the cap to apply indexation and policy decisions.

The Review of the Australian Research Council Act 2001 (ARC Review) recommended reducing administrative and legislative burden on the ARC by introducing reformed funding arrangements. Recommendation 9 of the ARC Review recommended that:

The Special Appropriation for the National Competitive Grants Program (NCGP) within the ARC Act be replaced with a provision for annual appropriation into the Australian Research Council (ARC) Research Endowment Account including an agreed formula for indexation of new grants and those that extend over multiple years.

Recommendation 9 of the ARC Review has been addressed through:

- a. the Government's agreed changes to the funding arrangements for the ARC, which will now be provided as an annual appropriation through Budget Bill No.1 presented each year in the Portfolio Budgets Statements
- b. the value of the appropriation indexed every year by CPI at each successive estimates update, the process of which is made clear on page 27 of the Explanatory Memorandum to the Bill
- c. the ARC Amendment (Review Response) Bill 2023 (Bill) making changes to repurpose the ARC Research Endowment Account to enable the special account to be utilised to administer funding for the purposes of grants of financial assistance for research programs.

Accordingly, the Bill does not contain an indexation formula as this is not necessary or relevant under annual appropriation arrangements, with the process for varying or indexing annual appropriations managed through the relevant Appropriation Bills.

As set out in the Explanatory Memorandum to the Bill, Government has also agreed to an indexation floor to protect against CPI fluctuations below zero per cent, consistent with the arrangements in sections 198-10(1) and (2) of the Higher Education Support Act 2003.

I trust this additional information is useful to clarify the Government's approach to ensuring a more durable arrangement for managing the allocation of Administered funding, including the application of indexation arrangements for ARC grants.

Yours sincerely

s 47F

Dom English
Acting Deputy Secretary
Higher Education, Research and International
24 January 2024



The Hon Jason Clare MP
Minister for Education

Reference: MC24-000228

Senator Dean Smith
Chair
Senate Scrutiny of Bills Committee
Suite 1.111
Parliament House
CANBERRA ACT 2600

By email: scrutiny.sen@aph.gov.au

Dear Chair

Thank you for your correspondence of 19 January 2024 on behalf of the Senate Standing Committee for the Scrutiny of Bills (the Committee), regarding Scrutiny Digest 1 of 2024 in relation to the Australian Research Council (ARC) Amendment (Review Response) Bill 2023 (the Bill).

The Committee has requested the following advice about certain provisions in the Bill, addressed in turn below.

1. Why it is necessary and appropriate to provide the minister and the board with a broad power to vary funding approvals under proposed subsections 47(5) and 48(4)

The approval of grants of financial assistance under subsection 47(1) (relating to research grants under the National Competitive Grants Program) and subsection 48(1) (relating to designated research programs) typically provide authority for multi-year projects with a number of key considerations, such as identification of a lead researcher and other named participants, along with allocation of budget to periods within the project, description of the project, and auditor details. Changes to these parameters require the agreement of the Board or the Minister.

Enabling these variations to be made in a simple and robust process is necessary to support the management of long-lived projects to deliver quality research outcomes from public investment. Variations are an essential part of grants administration, enabling compliance with the Commonwealth Grants Rules and Guidelines principle of Governance and Accountability, which among other things requires the ARC to 'ensure grant agreements are supported by ongoing communication, active grants management and performance monitoring requirements that are proportional to the risks involved.'

The ability to apply variations under these subsections will generally be given in circumstances requested by the organisation to avoid the organisation breaching a term or condition of the funding agreement, which could then lead to the Board or the Minister varying or terminating the approval under subsections 50(4) and 50(5).

Parliament House, Canberra ACT 2600

2. Why it is necessary and appropriate to provide the Chief Executive Officer (CEO) with a broad power to vary funding agreements under proposed subsection 50(2)

The CEO (or their delegate) has a broad power to vary funding agreements under subsection 50(2) as it is the CEO who has responsibility to ensure the efficient day-to-day administration of the ARC's funding with respect to research projects, and to manage such agreements. As set out above, the ability to make variations is an essential part of grants administration as highlighted in the Commonwealth Grants Rules and Guidelines.

A variation of a funding agreement under subsection 50(2) will generally be made in circumstances as requested by the organisation, where it may be necessary to avoid the organisation breaching a term or condition of the funding agreement, which could lead to the CEO varying or terminating the agreement under subsection 50(1) (and also the Board or the Minister varying or terminating the approval under subsections 50(4) and 50(5)).

Subsection 50(2) is broad to ensure it can cover all circumstances in which a variation to an agreement may be given. For example, the CEO can vary milestone dates for certain deliverables set out in the funding agreement's terms and conditions if the organisation has a reasonable explanation as to why they are unable to meet them. Recent examples include the challenges experienced by the Australian research community to human resources, infrastructure and supply chains through the COVID-19 pandemic and major flooding events, which created unexpected and unavoidable obstacles in meeting planned milestone delivery. Under such circumstances, it is reasonable to support milestone date variations to funding agreements, approved by the CEO.

As an indication of the number of variations each year, in 2022–23 the ARC processed 10,946 variations to funding agreements. Most variations were minor – for example, a number of these related to a change of chief investigator.

3. Whether guidance can be provided as to how the CEO must be satisfied that a breach of a condition of the funding agreement has occurred under proposed subsection 50(1)

Whether there has been a breach of a term or condition of the funding agreement will be determined on a case-by-case basis by the CEO (or their delegate), considering all the circumstances in which the breach has occurred.

Subsection 49(1) of the Act will specify that organisations will be required to enter into funding agreements with the CEO to receive grants, subsection 49(2) identifies elements that must be included in the agreement, and subsection 49(4) sets out the process that the CEO must follow when they have formed the view that the a party to the funding agreement has breached a term or condition of the agreement.

Additionally, ARC funding agreements include termination and dispute resolution clauses that impose an obligation on the ARC to act reasonably or in good faith – and in many instances there is a requirement to give the research organisation an opportunity to remedy the breach.

The CEO may discover that an organisation has breached a term or condition of their funding agreement by various means, including the organisation self-reporting to the ARC, a third party giving information to the ARC, or through the ARC conducting an audit of the organisation's compliance with their agreement. The CEO will investigate and assess the breach by reference to the specified terms and conditions as set out in the agreement to determine if the power under subsection 50(1) should be exercised.

Subsection 50(6) of the Act will define the requirements for advising the organisation affected by a potential decision to terminate or vary.

4. Whether independent merits review will be available in relation to a decision made under proposed subsection 50(1), 50(4) or 50(5) of the Bill or if not, why not

and

5. Why it is necessary and appropriate to exclude independent merits review of a decision made under proposed subsection 50(1), 50(4) or 50(5) of the Bill, with reference to the Administrative Review Council's guidance document, *What decisions should be subject to merits review?*

Independent merits review through the Administrative Appeals Tribunal (or the newly established Administrative Review Tribunal if that tribunal is operational at the commencement of these provisions) is not available in relation to a decision made under subsections 50(1), 50(4) or 50(5).

The exclusion of independent merits review of a decision under subsection 50(1), 50(4) or 50(5) reflects the balance of the likely impact of these decisions and the costs of managing such a review process, in line with the considerations set out in paragraphs [4.56][4.57] in the Administrative Review Council's guidance document, *What decisions should be subject to merits review?*

The ARC manages thousands of grants each year. It is expected that the majority of decisions made under section 50 will involve variations to funding agreements. For example, the ARC approved 10,946 variations to agreements in 2022–23 (by way of comparison, the ARC approved 1,254 new agreements in the same year). To include a merits review for each of these decisions would increase the cost to Government without much broader benefit to the overall quality of Government decision-making.

As a matter of grants administration, many Government agencies including the ARC have standard processes and procedures to ensure that grant recipients are accountable for their results and are achieving outcomes underpinning the purposes of the grant. Based on this routine model which ensures efficient oversight that grants are being spent as specified, an independent merits review process may lead to significant delays and resourcing implications which impact on the ability of the ARC to continue with administering research grants and its primary functions to support the conduct of research, and research activities, for the benefit of Australian communities.

In line with the greater potential impact of a decision to terminate an agreement or approval under subsections 50(1), 50(4) or 50(5), subsection 50(6) provides greater detail of the requirements on the CEO, Board or Minister (as the case may be) to give the organisation procedural fairness before making these decisions. This preliminary step provides a clear opportunity for the organisation to make submissions as to why a funding agreement or funding approval should not be varied (for approvals only) or terminated for the breach of a term or condition.

I note that subsection 50(6) does not apply to the CEO's decision to vary a funding agreement under paragraph 50(1)(b) where the CEO is satisfied that the organisation has breached a term or condition of the funding agreement. A variation in these circumstances will generally be beneficial to the organisation so that the agreement and approval is not terminated and the funding for the research project can continue. If the variation may cause some detriment to the organisation, for example, it may vary the periods or amounts in which funding is given, the ARC will notify and discuss this with the organisation at an early stage so as to minimise any disruptions to the continuation of the research project.

An affected organisation is also able to apply for judicial review of these decisions under the *Administrative Decisions (Judicial Review) Act 1977* if there has been an error of law in the decision.

I trust this information is of assistance.

Yours sincerely



JASON CLARE

5/2/2024

Issue: Australian Universities Accord - Final Report
PBS Pg No. 23
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary

Key Points

BUDGET - Australian Universities Accord

Financial year	UCB \$'000				Total
	2022–23	2023–24	2024–25	2025–26	
Budget Allocation	2,100	600	-	-	2,700
Committed	775	1,070	-	-	1,845
Uncommitted	1,325	-470	-	-	855

The committed costs reflect amounts paid as at 31 December 2023, and includes amounts accrued but not yet paid. All figures exclude GST. This funding includes remuneration for panel members, consultation costs and work packages.

Key Points

- The Australian Government committed \$2.7 million over 2 years from 2022–23 to deliver the Australian Universities Accord through a 12-month review of Australia’s higher education system, led by a Panel of eminent Australians.
- The Minister for Education, the Hon Jason Clare MP, received the Accord Panel’s Final Report on 28 December 2023. The Minister is expected to release the report prior to the Budget.
- The Government is considering the recommendations of The Panel’s Final Report.

Appointment and operation of the Panel

- The review commenced on 16 November 2022, when the Hon Jason Clare MP, Minister for Education, announced at the Bradley Oration the Terms of Reference at [Attachment A](#) and the Panel of eminent Australians (the Panel) to lead the review:
 - Professor Mary O’Kane AC (Chair)
 - The Hon Jenny Macklin AO
 - Ms Shemara Wikramanayake
 - Professor Barney Glover AO
 - Distinguished Professor Larissa Behrendt AO
 - The Hon Fiona Nash
 - Deputy Secretary, Higher Education, Research and International Group, Department of Education (ex-officio).

- The Panel was appointed on 14 November 2022 for a fixed term ending 31 December 2023, approved by the Prime Minister in line with the requirements of significant appointments.
- The Chair is remunerated at a rate of **s 47F**. Members are remunerated at a rate of **s 47F**, who is remunerated in line with **s 47F**.
 - Travel expenses are based on Tier 2 rates identified in the Remuneration Tribunal (Official Travel) Determination 2022.

Panel meetings

- The panel met a total of 53 times.
- Panel meetings are detailed at **Attachment B**.

Interim Report Priority Actions

- Accord Interim Report (released 19 July 2023) recommended 5 priority actions, which are at various stages of implementation as of 31 December 2023.
 - Priority Action 1: the development of more University Study Hubs, including, based on regional Hubs, University Study Hubs in metro areas.
 - Priority Action 2: cessation of the 50% pass rule and increased reporting on student progress.
 - Priority Action 3: extending demand driven funding for First Nations peoples in metropolitan areas.
 - Priority Action 4: extension of the Higher Education Continuity Guarantee (the Guarantee) into 2024 and 2025, ensuring funding security for universities, with funding resulting from the Guarantee to be used to support delivery of supports for equity students.
 - Priority Action 5: engaging with state and territory governments and universities to improve university governance through National Cabinet, particularly in relation to student and staff safety, and being good employers.

Accord Panel Consultation

- The Panel engaged with a broad range of stakeholders through targeted meetings, direct and one-on-one engagements, roundtables, a survey and three submissions processes.

Interim report consultation and submissions

- Submissions in response to the Accord Interim Report closed on 1 September 2023.
- The department received **322 submissions**.

- Submissions are published on the Accord website with permission.

Parliamentary consultation

- The Accord Panel offered briefings to interested senators and members of Parliament on 22 June 2023 and again on 8 and 9 August 2023.
- The Panel also held individual meetings with interested ministers, with the shadow minister, and with other senators and members of Parliament, as well as some state and territory ministers.

Roundtables and stakeholder meetings

- The Chair met individually with many stakeholders and held roundtables with targeted stakeholder groups, including peak bodies from the university, independent and tertiary, and business and industry sectors, student and staff representatives and sector experts.

Cross-Government Consultation

- The department established an Interdepartmental Committee (IDC), with members from 17 Commonwealth agencies. The IDC met a total of 5 times as of 31 December 2023.

Ministerial Reference Group

- The Minister for Education announced a Ministerial Reference Group on 14 December 2022. The reference group is chaired by the Minister and included representatives of higher education institutions, business, staff representatives, students, and other experts.
 - The group acts as a sounding board for the Minister to engage critical stakeholders, share developments and seek advice from the higher education sector and key stakeholders on issues.
 - The group met for the first time on Tuesday 21 February 2023 (Parliament House, Canberra) and for a second time on Friday 26 May 2023 (Western Sydney University, Bankstown). The third and final meeting was held on 2 November 2023 (Central Queensland University, Rockhampton).

Work Packages

- The department undertook multiple external work packages on a range of topics to inform the deliberations of the Panel and support the development of the Accord Final Report.

Media (to be updated closer to estimates)

- ***'HECS prof backs tax on foreign students', Sydney Morning Herald, 5 February 2024***
 - Bruce Chapman says universities should pay an international student tax, it would give the government a way to compensate the whole system.
- ***'Stakes couldn't be higher ahead of Accord implementation', The Australian, 31 January 2024***
 - Paul Wellings, former Vice-Chancellor of University of Wollongong, discusses the potential breadth of functions of proposed Tertiary Education Commission; refers to John Uhrig's review of governance of statutory authorities.
- ***'PM facing a fight on university fees rejig', The Australian, 31 January 2024***
 - Andrew Norton says government should move to model where fees are based on future earning potential, but this would increase student contributions for nurses and teachers.
- ***Professor Barney Glover, 'Equity the foundation of Accord's ambition', The Australian, 23 August 2023***
 - Highlighted previous successful education reforms and discussed how the theme of equity is at the heart of the accord review's recommendations to meet Australia's future skills needs and positive social outcomes.
- ***'Latest university funding plan is a game-changing own goal', Australian Financial Review, 22 August 2023***
 - Vicki Thomson, chief executive of the Group of Eight universities, states that an international student levy would undermine the sector and lead to an estimated decline of 30,000 students.
- ***Australian Universities Accord Interim Report and immediate actions, Media Release, 19 July 2023***
 - The Minister announced that the Government will act on the five immediate actions identified in the report ahead of the Accord Panel's Final Report.

Date Last Cleared	06 February 2024
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Review of Australia's Higher Education System

Review terms of reference

Purpose of the review

The Government has committed to establish an Australian Universities Accord to drive lasting reform in Australia's higher education system. The Accord is a review (the review) of Australia's higher education system, led by the Minister for Education with advice from a panel of eminent Australians (the panel).

The panel will make recommendations for Government, the sector and other relevant stakeholders to deliver a higher education system that meets the current and future needs of the nation, and targets to achieve this. The panel will report to the Minister for Education, providing an interim report on priority actions by June 2023, with a final report to be delivered by December 2023.

Key areas for review

1. Meeting Australia's knowledge and skills needs, now and in the future

- Enhance the delivery of quality education that meets the needs of students across all stages of lifelong learning and develops the skills needed now, and in the future. This will include recommendations for new targets and reforms recognising that more than nine in ten new jobs will require post-school qualifications, and fifty per cent of new jobs are expected to require a bachelor's degree or higher.

2. Access and opportunity

- Improve access to higher education, across teaching, learning and research. This will include recommendations for new targets and reforms to support greater access and participation for students from underrepresented backgrounds (including First Nations Australians, those from low socio-economic backgrounds, people with disability, and regional and rural Australians).

3. Investment and affordability

- Explore funding and contribution arrangements that deliver equity, access, quality and longer-term investments to meet priorities in teaching, research, workforce and infrastructure. This will include a review of the Job-ready Graduates Package.

4. Governance, accountability and community

- Enhance regulatory and workplace relations settings to support universities to meet their obligations to both staff and students.
- Explore the contribution that higher education makes to the Australian community, national security, and sovereign capability.

5. The connection between the vocational education and training and higher education systems

- Explore possible opportunities to support greater engagement and alignment between the vocational education and training (VET) and higher education systems. In particular, the panel will have regard to the experience of students in navigating these systems and ensuring a cohesive and connected tertiary education system.

6. Quality and sustainability

- Examine the challenges faced by domestic and international students and staff due to the COVID-19 pandemic and the temporary and permanent impacts on the way the higher education sector works.
- Support a competitive and resilient international education sector, reflecting the important role international students play in our society and economy, and Australia's interest in deepening partnerships abroad.

7. Delivering new knowledge, innovation and capability

- Support a system of university research that delivers for Australia, securing the future of the Australian research pipeline, from basic and translational research to commercialisation. In doing so, the Accord will explore relevant initiatives and other opportunities and to further boost collaboration between universities and industry to drive greater commercial returns.
- The review will synchronise with the ARC review and consider issues raised through that review and other areas of government that impact on the capacity of the higher education system to meet the nation's current and future needs.

Consultation

The panel will engage across all sectors and groups affected by higher education policy. This will include but is not limited to universities, higher education and VET providers, educators and researchers, students, parents, unions, business, state and territory governments and groups who have been underrepresented in higher education. A key aim of the consultation process will be to ensure the voices of First Nations Australians and people from underrepresented groups are heard and reflected in the interim and final report.

Panel membership

Members

Professor Mary O’Kane AC (<i>Chair</i>)	by appointment
The Hon Jenny Macklin (<i>Member</i>)	by appointment
Ms Shemara Wikramanayake (<i>Member</i>)	by appointment
Professor Barney Glover AO (<i>Member</i>)	by appointment
Distinguished Professor Larissa Behrendt AO (<i>Member</i>)	by appointment
The Hon Fiona Nash (<i>Member</i>)	by appointment
Mr Tony Cook PSM (<i>Member</i>)	ex officio (Department of Education)

Attachment B – Panel Meetings

Panel Member Attendance Summary as of 31 December 2023

Panel Member	Total Meetings Attended
Professor Mary O’Kane AC	53
Professor Barney Glover AO	52
The Hon Fiona Nash	49
The Hon Jenny Macklin AC	47
Distinguished Professor Larissa Behrendt AO	46
Ms Shemara Wikramanayake	6
Mr Ben Rimmer	36 (of 41 meetings)
Mr Tony Cook	7 (of 12 meetings)

Meetings of the Australian Universities Accord Panel to 31 December 2023

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
53	22 December 2023	8:30am-10:30am	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
52	19 December 2023	8:30am-10:30am	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
51	12 December 2023	8:30am-10:30am	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
50	5 December 2023	8:30am-10:30am	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
49	28 November 2023	9:00am-5:00pm	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
48	24 November	2:30pm-3:30pm	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	The Hon Jenny Macklin AC Ms Shemara Wikramanayake Mr Ben Rimmer, <i>ex-officio</i>
47	23 November 2023	8:00am-10:00am	Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
46	21 November 2023	8:30am-1:00pm	Western Sydney University; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake Mr Ben Rimmer, <i>ex-officio</i>
45	9 November 2023	10:00am-12:00pm	Department of Education, Canberra; Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
44	7 November 2023	8:30am-4:45pm	Department of Education, Canberra; Virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
43	31 October 2023	12:00pm-5:30pm	Western Sydney University; virtual	Catering: \$95 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
42	24 October 2023	8:30am-2:00pm	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO
41	20 October 2023	4:00pm-5:00pm	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
40	17 October 2023	8:30am-2:30pm	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO
39	10 October 2023	8:30am-2:30pm	Australian National University; virtual	Catering: \$203.15 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
38	3 October 2023	8:30am-11:30am	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake Mr Ben Rimmer, <i>ex-officio</i>
37	26 September 2023	9:00am-1:00pm	Western Sydney University; Virtual	Catering: \$201.69 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
36	20 September 2023	8:30am-10:00am	Virtual	Catering: \$283.12 (19-20 Sep) Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
35	19 September 2023	9:00am-3:00pm	Western Sydney University; Virtual	Catering: \$283.12 (19-20 Sep) Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake
34	12 September 2023	9:00am-3:00pm	Department of Education, Canberra; virtual	Catering: <i>NA</i> Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, <i>ex-officio</i>	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
33	6 September 2023	9:00am-3:00pm	Western Sydney University; Virtual	Catering: \$758.74 (5-6 Sep) Alcohol: NA Entertainment: NA	Professor Mary O’Kane AC, chair Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO Mr Ben Rimmer, ex-officio	The Hon Jenny Macklin AC Ms Shemara Wikramanayake The Hon Fiona Nash
32	5 September 2023	9:00am-3:00pm	Western Sydney University; Virtual	Catering: \$758.74 (5-6 Sep) Alcohol: NA Entertainment: NA	Professor Mary O’Kane AC, chair Ms Shemara Wikramanayake Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	The Hon Jenny Macklin AC
31	29 August 2023	1:30pm-3:30pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Ms Shemara Wikramanayake Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	<i>Nil</i>
30	22 August 2023	11:30am-3:00pm	Department of Education, Melbourne; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
29	8 August 2023	9:00am-11:00am	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
28	25 July 2023	9:00am-12:00pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake The Hon Fiona Nash
27	19 July 2023	10:30am-11:30am	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	The Hon Jenny Macklin AC Ms Shemara Wikramanayake
26	11 July 2023	9:00am-12:00pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake Ben Rimmer, ex-officio
25	27 June 2023	10:00am-12:00pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO
24	20 June 2023	9:00am-12:00pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
23	15 June 2023	10:00am-1:00pm	Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
22	13 June 2023	10:00am-10:30am	Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
21	9 June 2023	4:00pm-5:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
20	6 June 2023	10:00am-1:00pm	Independent Planning Commission, NSW; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO (10-11am; 12-1pm) Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
19	30 May 2023	10:00am-1:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
18	23 May 2023	10:00am-12:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair Professor Barney Glover AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	The Hon Jenny Macklin Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO
17	16 May 2023	9:00am-2:30pm	Department of Education, Canberra; virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake
16	9 May 2023	10:00am-12:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake The Hon Fiona Nash
15	2 May 2023	9:00am-1:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO
14	18 April 2023	9:00am-2:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Ben Rimmer, ex-officio	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
13	11 April 2023	10:00am-11:30am	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO	Ms Shemara Wikramanayake The Hon Fiona Nash Mr Ben Rimmer, ex-officio
12	4 April 2023	9:00am-12:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake Mr Tony Cook PSM, ex-officio
11	28 March 2023	10:00am-12:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, ex-officio	Ms Shemara Wikramanayake
10	21 March 2023	9:00am-2:30pm	University of New South Wales (UNSW); Virtual	Catering: \$161.73 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	The Hon Jenny Macklin Ms Shemara Wikramanayake Mr Tony Cook PSM, ex-officio
9	14 March 2023	10:00am-12:00pm	Melbourne Centre for the Study of Higher Education, The University of Melbourne; Virtual	Catering: \$278.30 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake, Mr Tony Cook PSM, ex-officio
8	7 March 2023	9:30am-1:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash	Ms Shemara Wikramanayake Professor Barney Glover AO Mr Tony Cook PSM, ex-officio

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
7	28 February 2023	11:15am-12:15pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO The Hon Fiona Nash	Ms Shemara Wikramanayake Distinguished Professor Larissa Behrendt AO Mr Tony Cook PSM, <i>ex-officio</i>
6	21 February 2023	9.00am-12:45pm	Room 1R4, Australian Parliament House, Canberra; Virtual	Catering: \$654.00 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Ms Shemara Wikramanayake Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, <i>ex-officio</i>	<i>Nil</i>
5	7 February 2023	9:00am-3:30pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Ms Shemara Wikramanayake (2:30pm-3:00pm) Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, <i>ex-officio</i>	Distinguished Professor Larissa Behrendt AO
4	24 January 2023	9:00am-3:00pm	Department of Education, Canberra; Virtual	Catering: \$164.00 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Ms Shemara Wikramanayake Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, <i>ex-officio</i>	<i>Nil</i>
3	21 December 2022	9:00am-3:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, <i>ex-officio</i>	Ms Shemara Wikramanayake

Attachment B – Panel Meetings

No.	Meeting Date	Time	Location	Catering	Panel Attendees	Apologies
2	13 December 2022	9:00am-12:00pm	Department of Education, Canberra; Virtual	<i>Nil</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Ms Shemara Wikramanayake Professor Barney Glover AO The Hon Fiona Nash Mr Tony Cook PSM, ex-officio	Distinguished Professor Larissa Behrendt AO
1	17 November 2022	9:00am-2:30pm	University of Technology, Sydney	Catering: \$704.00 Alcohol: <i>NA</i> Entertainment: <i>NA</i>	Professor Mary O’Kane AC, chair The Hon Jenny Macklin AC Professor Barney Glover AO Distinguished Professor Larissa Behrendt AO The Hon Fiona Nash Mr Tony Cook PSM, ex-officio	Ms Shemara Wikramanayake

Issue: **HELP Indexation and repayments**

Contact: **Ben Rimmer**
Ph: s 22
Deputy Secretary

Key Points

- The *Higher Education Support Act 2003* (HESA) prescribes the indexation on HELP debts, income repayment thresholds, and loan limits. Each has its own formula, based on the Consumer Price Index (CPI), and date of indexation.
- Indexation applied to unpaid HELP loans on 1 June 2023 was 7.1%.
- Indexation will not change the amount that individuals repay through compulsory repayments each year as these are a proportion of income based on income thresholds.
- Indexation on HELP repayment thresholds for the 2023–24 income year is 6.6%, and the minimum repayment income is \$51,550 (it was \$48,361 in 2022–23).
- Prior to the 2023–24 income year, the indexation rate on HELP repayment thresholds had been consistently below 3%.

Indexation applied to HELP debts

- Indexation applied to HELP debts is not interest. Indexation maintains the real value of the debt so that a person repays the same amount, in real terms, regardless of how long they take to repay their loans.
- Concerns raised about indexation applied to unpaid HELP loans have focused on how it will increase the size of unpaid HELP loans, particularly in the context of the current cost of living challenges, and increase the time it takes people to repay their HELP.
- The rate of indexation (7.1%) applied on 1 June 2023 to HELP debt was determined on 26 April 2023, when the March 2023 quarter CPI figure was released.
 - For an average HELP debt as at 30 June 2022 of \$24,771, the indexation on 1 June 2023 was \$1,759.
 - Indexation applied on 1 June 2022 was 3.9%, higher than the average rate applied between 2013 and 2022 of 2%.
- Indexation on debt does not impact when and how much a person repays each year [*see repayment section below*].

Repayment of unpaid HELP loans

- Under HESA, a person with unpaid HELP loans is required to make a compulsory repayment towards their debt when their income exceeds the minimum repayment income legislated for that financial year. Repayment rates increase the more a person earns.
- Compulsory repayments were \$4.782 billion in 2022–23.
 - Compulsory repayments has been growing consistently at more than 10% annually since 2016–17, when the amount was \$2.074 billion.
- The amount of voluntary repayments has been consistently growing at more than 15% annually since 2018–19, when the amount was \$326 million, to an amount of \$780 million in 2021–22.
- Voluntary repayments significantly increased in 2022–23, up 272% to \$2.9 billion.
- As at 30 June 2023, the average time taken to repay HELP for those who have fully repaid was 9.6 years.
- Source data – www.data.gov.au – HELP Statistics 2022–23.

If asked about alternative arrangements

- Alternate arrangements have been suggested, such as if indexation were frozen or removed.
- Under such a scenario, all the costs of the HELP scheme would be placed on taxpayers.
 - This would increase the contribution taxpayers make to higher education at a time of significant budget constraint.
 - The department's evidence to the Senate inquiry on the Bill proposed by the Greens to abolish indexation stated: "The department's conservative estimate ... in our submission is that based on long term indexation levels the cash cost of removing indexation over the forward estimates would be in the order of \$2 billion, and \$9 billion for ongoing revenue effects."
- The Hon Jason Clare MP, Minister for Education, has asked the Australian Universities Accord, the department, and the Australian Taxation Office (ATO) to consider the timing of pay-as-you-go (PAYG) withheld amounts in the calculation of indexation.

Australian Universities Accord Interim and Final Report

- Released on 19 July 2023, the Interim Report states the HELP system is one of the items being reviewed.

- Some of the suggestions made in the report include looking at potentially substituting indexation from the current CPI to the Wage Price Index or using the lower of CPI and the Government Long-Term Bond Rate.
- The report also states that the Accord Panel is aware of the indexation timing issue, i.e. indexation is applied before income that is withheld through PAYG has been applied to the debt.
- The department and the ATO are working together to consider the timing of indexation for HELP debts.
- Minister Clare received the Accord Final Report on 28 December 2023 and intends to release the Report in due course.

Media

There were many articles in March and April 2023 covering the current high level of indexation focusing on the impact that high indexation is having on the size of a person's HELP debts and that it will extend the time it will take for higher education graduates to repay their HELP loans.

Recent articles have highlighted the growing amount of HELP repayments collected each year.

- ***Greg Jericho and Jack Thrower, Yes, the government collects more money from HECS than it does from the petroleum resource rent tax, The Australia Institute, 6 February 2024***

The article explains that the amount of Petroleum Resource Rent Tax (PRRT) paid each year is so small that the Australian Government receives more in HELP compulsory repayments. The small amount of PRRT is due to gas companies defraying costs to such an extent that they can claim to never earn enough profit to be required to pay it.

On 31 January 2024, Dr Richard Denniss of the Australia Institute made an address to the National Press Club with the same claim (QB24-000042 refers).

Some articles have focused on the Australian Universities Accord Interim Report and potential changes to indexation.

- ***Joanna Panagopoulos, 'No guarantees' around high fees, indexation and poor student experience, The Australian, 21 July 2023***

The article talks about the interim report and its contents after getting some comments from the National Union of Students president that the recent HECS indexation wasn't giving students "bang for your buck". The NUS president was hoping that the talk of reforming HECS indexation needed to be guaranteed and not just considered.

- ***Chantelle Al-Khouri, Education minister open to changes on how indexation applies to HECS-HELP debt, ABC, 2 June 2023***

The article talks about the upcoming interim report and the recently announced 7.1% indexation figure on HECS-HELP debts. The article states that Minister Clare is open to a reform to the system, quoting “If you've got a debt of \$20,000, you pay off about \$2,000 over the course of the next 11 months, then the ATO index is based on the original \$20,000 not the \$18,000 — that strikes me as not right”. It also attributes a quote to Independent MP Tink “The interest is added to their loan before any payments they made in the previous year are deducted — how can this be fair? To me, it makes no sense”. The article also includes the following quote from Senator Faruqi “There's absolutely no doubt that the government can afford to make university and TAFE free and wipe student debt, and they can start with abolishing indexation”.

Date Last Cleared	07 February 2024
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BACKGROUND

Different approaches to HESA indexation

- The simplest and most common indexation factor is based on movements in CPI to the December quarters in each of the last 2 years and applied on 1 January annually. This rate is applied to maximum student contribution amounts and HELP loan limits.
- Indexation applied to HELP debts on 1 June each year is based on annual movements in CPI for the March quarters, and the 3 quarters immediately preceding the March quarter in each of the last 2 years.
- HELP repayment thresholds are indexed with reference to movements in CPI in the December quarters prior to the financial year and in 2018. The thresholds refer to 2018 as the current threshold table was introduced for the 2019–2020 financial year, and as the amounts are rounded down to the nearest dollar, 2018 provides the base.
- The process of indexation being applied to HELP debts remains the same as it has since the introduction of the original Higher Education Contribution Scheme in 1989.

Issue: Migration Strategy and Integrity in International Education
Contact: Ben Rimmer
Ph: s 22
Deputy Secretary

Key Points

- International education is a key national asset.
- The department is working across Government and the sector to support a sustainable and high quality Australian international education sector.
- Regulation of the sector is being strengthened to disrupt and deter those who seek to exploit Australia's international education system for purposes other than study, and to ensure a quality student experience.
- Actions to address serious integrity issues in the sector identified in the Rapid Review into the Exploitation of Australia's Visa System (the Nixon Review) include:
 - Strengthening the fit and proper provider test for international education providers
 - Encouraging transparency by publishing agent performance information for use by providers
 - Prohibiting agent commissions for onshore student transfers
 - Developing a risk architecture to drive targeted compliance across the sector.
 - Complemented by earlier moves by Minister Clare to remove the concurrent study functionality, which was being used to facilitate 'poaching'.
- These changes align with actions taken by Government in response to the 2023 Review of the Migration System (the Parkinson Review) including:
 - Increasing English language requirements for Student and Temporary Graduate visas
 - Applying greater and more targeted scrutiny to student visa applications from high-risk providers
 - Bolstering the student visa integrity unit in the Department of Home Affairs
 - Restricting onshore visa hopping
 - Strengthening and simplifying Temporary Graduate visas (TGV), including reducing the duration of the TGV.

- Providing clearer visa pathways for students to avoid them becoming 'permanently temporary'.

Supporting a sustainable, quality international education sector

- Australia has recently seen rapid growth in international students, with arrivals exceeding pre-pandemic levels.
- The return of international students to Australia is welcome.
- However, this accelerated growth increases the risk of student exploitation, threatens the sustainability and stability of a quality sector, and may increase pressure on infrastructure and public support for the sector.
- An International Education Strategic Framework (the Framework) is being developed in consultation with the Council for International Education.
- It will clearly articulate the purpose of Australia's international education sector.
- The Framework will ensure that Australia's economic, productivity and social wellbeing objectives are supported by a high quality and sustainable international education sector.

Implementation of reforms

- A loophole has already been removed that was used to move students who had been in the country less than six months to new providers to facilitate work instead of study.
- The Department is currently working with the Office of Parliamentary Counsel to draft legislation to implement integrity reforms.
- Consultations with the sector inform this work.
- The department has established the Integrity Forum as a consultative body.
- 5 meetings of the Integrity Forum have been held to 5 February 2024 [a full list of stakeholders is at [Attachment A](#)]. The Forum has discussed:
 - strengthening the fit and proper provider test to prevent cross-ownership between providers and agents
 - publication of agent performance data
 - prohibiting agent commissions for onshore transfers
 - the development of whole-of-system risk indicators, and
 - the outcomes of the Migration Strategy and Nixon Review.

- Issues raised through this forum include:
 - concerns about genuine providers being adversely impacted
 - need to align changes to fit and proper provider test with other similar tests applying to the sector
 - definition of commission should encompass a broad range of agent payment types
 - increased reporting burdens, and
 - concerns about the impact of banning commissions on the legitimate onshore transfers of students.
- This forum is in addition to continued sector engagement on reform through the Council for International Education and through meetings with sector bodies.
- Cross-agency working groups on legislation reform and on risk were established with relevant agencies and regulators including Home Affairs, TEQSA and ASQA.
- 6 meetings of the Legislative Working Group have been held to 5 February 2024, to discuss legislative and regulatory reform.
- 3 meetings of the Risk Working Group have been held to 5 February 2024, to discuss and guide development of whole-of-system risk indicators including taking in feedback from State and Territory schools regulators.

Media

- ***'Non-genuine' foreign students to be weeded out***

This article published in the Australian Financial Review on 20 December 2023 was critical of the Government's decision to 'backflip' on its previous decision to extend Post Study Work Rights, while noting new measures aimed at non-genuine students and providers.

- ***Fixing Australia's broken migration system***

Minister O'Neil, Minister O'Connor, Minister Clare and Minister Giles joint media release, 11 December 2023, announcing the biggest reforms to Australia's migration system in a generation.

- ***Action to end rorts in international education***

Minister Clare, Minister O'Neil and Minister O'Connor, joint media release, 26 August 2023, announcing a package of measures to support integrity in the international education system and support genuine international students.

Date Last Cleared	07 February 2024
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BACKGROUND

Migration Strategy

- On 11 December 2023, the Government released the Migration Strategy for Australia (the Strategy), which responds to the key findings of the Parkinson Review.
- As the largest cohort of Australia's temporary migration program, international students are a key focus of the Strategy.
- The Strategy sets out a number of explicit policy directions for international students, including new commitments on:
 - Higher English language requirements for international students and graduates
 - More scrutiny of high-risk student visa applications
 - Restrictions on onshore visa hopping that undermines system integrity and drives 'permanent temporariness'
 - Strengthened and simplified Temporary Graduate visa settings
 - Measures to support international students and graduates to realise their potential.
- Measures led by the Education portfolio in the Migration Strategy will complement these commitments by strengthening regulation of education providers and requirements to monitoring and report on their education agents.

Joint Standing Committee for Foreign Affairs, Defence and Trade Interim Report on International Education

- On 19 October 2023, the Joint Standing Committee for Foreign Affairs, Defence and Trade (JSCFADT) tabled its report Quality and Integrity – the Quest for Sustainable Growth: Interim Report into International Education (the Report).
- The Government is considering the Report's recommendations and how they inform ongoing work to strengthen integrity in the sector.
- Sixteen of the Report's 29 recommendations relate to strengthening integrity and addressing exploitation in the sector.
- The Report also recommends actions to address accommodation pressures, improve industry and education linkages to support international graduates to meet Australia's critical skills needs and better utilisation of international education to support Australia's foreign policy objectives.

Nixon Review

- In October and November 2022, the *Trafficked* project led by Nine Media (*60 Minutes*, *The Age*, and *The Sydney Morning Herald*) reported allegations of visa rorts, sex trafficking and foreign worker and international student exploitation.
- The Minister for Home Affairs established a review, lead by former Victorian Police Commissioner, Christine Nixon AO, APM, to address these allegations.
- On 4 October 2023, the Government released the de-classified Nixon review and responded to the Review's 34 recommendations.

ATTACHMENT A**Stakeholder consultation**

- An International Education Stakeholder Integrity Forum (Integrity Forum) was specifically established to discuss and gather sector feedback on integrity issues and responses, including proposals to change legislation.
- The Integrity Forum includes expert members of the Council for International Education, education peak bodies, and Commonwealth, state and territory agencies.
- The participants are:
 - International Student Education Agents Association (IEAA)
 - Universities Australia (UA)
 - Council for International Students Australia (CISA)
 - The University of Melbourne
 - Haileybury
 - Academia International Institute
 - Western Sydney University
 - Scape
 - TAFE Queensland
 - Study Adelaide
 - Independent Higher Education Australia (IHEA)
 - Independent Schools Australia (ISA)
 - Independent Tertiary Education Council Australia (ITECA)
 - TAFE Directors Australia (TDA)
 - Australian Government Schools International (AGSI)
 - English Australia
 - Regional Universities Network (RUN)
 - Australian Technology Network (ATN)
 - Group of Eight (Go8)
 - Innovative Research Universities (IRU)
 - Study NSW
 - New South Wales, Department of Education, International
 - International Education and Study Melbourne/Global Victoria
 - Department of Education and Training Victoria
 - Study Queensland
 - Department of Education International (Education Queensland International)
 - Department for Trade and Investment (South Australia)
 - Study Perth
 - Department of Jobs, Tourism, Science and Innovation (Western Australia)
 - Study Canberra

- ACT Education Directorate
- Study Tasmania
- Department of State Growth (Tasmania)
- Study NT/Department of Industry, Tourism and Trade

Issue: MYEFO
MYEFO Pg No. 234
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary

Budget – MYEFO savings

	2023–24 (\$m)	2024–25 (\$m)	2025–26 (\$m)	2026–27 (\$m)	Total (\$m)
Research Programs					
Enhance Research Capacity of Regional Universities (RRC Program)	-7.8	-13.8	-14.1	-20.6	-56.3*
Australia’s Economic Accelerator	-6.7	-5.4	0.0	-34.1	-46.2
International Programs					
Destination Australia Program	-0.0	-0.6	-0.6	0.0	-1.2
Higher Education and Offshore Micro-credentials program	-6.2	0.0	0.0	0.0	-6.2

Note: figures are rounded to one decimal place and as a result totals may not add

*includes \$0.4 million departmental

Key Points

- The Government is investing \$102.6 million (2023–24 to 2026–27) to implement the immediate actions from the Australian Universities Accord interim report, released in July 2023.
- The funding to implement the priority actions from the Accord interim report will be offset by a redirection of \$56.3 million (comprising \$55.9 million administered and \$0.4 million departmental funding) in uncommitted funds from the Regional Research Collaboration (RRC) program and \$46.2 million from Australia’s Economic Accelerator (AEA) program (2023–24 to 2026–27), announced in the 2023–24 Mid-Year Economic Fiscal Outlook (MYEFO).
- The priority actions include:
 - \$66.9 million for up to 20 additional Regional University Study Hubs and up to 14 Suburban University Study Hubs.
 - \$34.1 million to extend demand driven funding to all First Nations students who are eligible for a higher education course they apply for.
 - \$1.1 million to remove the 50% pass rule introduced as part of the Jobs-Ready Graduates scheme.

- \$0.5 million to work with state and territory government to strengthen university governance.
- [SB23-000569](#) includes detail on the priority actions.

Research program savings

- The RRC program was established in 2020–21 as an ongoing program to support research activity and build regional capacity. All 11 projects currently funded will be seen through to completion.
- The AEA is a \$1.6 billion program, funded over 10 years (2023 to 2032 calendar years).
- The **AEA program redirection**, which represents 2.4% of current funding estimates that will be available through the AEA (including indexation), is not expected to adversely affect future research commercialisation efforts.
- Over the next 4 years (2023–24 to 2026–27), the Education portfolio will invest around \$16 billion in Research & Development. This includes:
 - \$9.2 billion through research block grants.
 - \$1.7 billion through the National Collaborative Research Infrastructure Strategy.
 - \$4.0 billion provided through the Australian Research Council.
 - \$0.9 billion provided to support university research commercialisation through AEA, Trailblazer Universities Program and National Industry PhD Program.
- The portfolio's annual investment in research is expected to increase by almost 12% over this period.
- Many projects benefit regional communities. For example, \$370 million through the Trailblazer University Program, with all Trailblazer universities having a regional footprint and generating important economic impacts in regional Australia.

International program savings

- Redirecting uncommitted funding from the **Industry-Led Offshore Micro-credentials** initiative will help support more urgent areas of skills needed including work towards a National Skills Passport, TAFE Centres of Excellence and Higher Apprenticeships ([SB24-000077](#) refers).

- The Australian Government will continue to invest in new forms of education delivery to upskill learners, in Australia and offshore. For example, the government is investing more than \$18.5 million over 4 years through a higher education micro-credential initiative.
- The funding to implement actions from the Employment White Paper will be offset by a redirection of \$1.2 million in uncommitted funds from international scholarships provided under the **Destination Australia Program**. Domestic scholarship numbers will be unaffected (SB24-000073 refers).
- This is consistent with stronger demand from tertiary education providers for Destination Australia scholarships for domestic students and will reduce international scholarships by approximately 70 over the period.

Stakeholder	
Associations	Science and Technology Australia (STA), Australian Academy of Technological Sciences & Engineering (ATSE) and Knowledge Commercialisation Australasia were critical of the savings.
Rep Body/ies	Group of Eight and the Regional Universities Network (RUN) were critical of the savings.
Opposition	Shadow Minister for Education, Senator Sarah Henderson was critical of the savings in a media release: "Savage MYEFO cuts to university research another Labor fail in education".

- Mainstream media did not report on redirections.
- The research grant savings and was publicised by several key stakeholders including, STA, ATSE, Group of Eight, RUN, Senator Henderson and sector targeted publications, InnovationAus and the Australian Manufacturing Forum.
- STA labelled the redirections as a 'cut' that undermined 'confidence with national investment in R&D'. This commentary was reflected in all of the coverage. It was noted that the Australian Government has previously committed to increasing its investment in national Research & Development to 3% of GDP.
- The RUN media release said it was a "dark day for regional Australia" as these savings disproportionately impact Australia's regional universities and regional communities.

Media

- ***Alarm at \$103m raid on university research programs, InnovationAus, 14 December 2023***

This article provided an overview on the sector wide alarm and anger towards the research grants savings which they have labelled as 'cuts'. The article includes comments from STA president Professor Sharath Sriram and ATSE chief executive Kylie Walker.

- ***More research cuts – national innovation freefall, @AUMufacturing, 17 December 2023***

This article reported on the savings as a 'cut'; commenting that the redirection comes at a time when Australian Government investment in R&D has plunged to a 4-decade low. The article includes comments from STA president Professor Sharath Sriram.

Date Last Cleared	12 January 2024
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BACKGROUND***Regional Research Collaboration (RRC) Program***

- The \$87.3 million RRC program (2020–21 to 2026–27) funded research collaboration between regional universities, industry and other higher education providers to help address the challenges associated with undertaking research in regional institutions.
- The program's aim was to strengthen rural research capacity, creating more opportunities for Australians in regional areas to pursue post graduate qualifications and open more opportunities to develop local industry.
- The 11 current RRC projects funded under the program will continue through to completion. Current high performing projects will no longer be eligible to apply for an additional 2 years of funding.

Revised forward estimates (MYEFO 2023)	2023–24 (\$m)	2024–25 (\$m)	2025–26 (\$m)	2026–27 (\$m)	Total (\$m)
RRC program	\$19.8	\$0	\$0	\$0	\$19.8

Australia's Economic Accelerator (AEA)

- The Australian Government is investing \$1.6 billion to accelerate reform in the higher education sector for the translation and commercialisation of university research through the AEA program.
- The AEA is a stage-gated competitive grant program designed to bridge the gap between basic research and commercialisation. The program is aligned with the 7 National Reconstruction Fund priorities, including renewables and low emissions technologies.
- By helping transform Australia's research translation and commercialisation ecosystem, the AEA will support economic growth, real world innovations and productivity gains.

Revised forward estimates (MYEFO 2023)	2023–24 (\$m)	2024–25 (\$m)	2025–26 (\$m)	2026–27 (\$m)	Total (\$m)
AEA	\$102.9	\$157.8	\$161.8	\$178.1	\$600.6

Destination Australia Program

- Destination Australia funds eligible tertiary education providers to offer scholarships of up to \$15,000 per student, per year, to domestic and international students to study and live in regional Australia.
- Destination 2024 awarded 551 scholarships for domestic and international students at 87 regional campuses over the next 4 years commencing their studies in 2024.

Industry-led Offshore Micro-credentials

- \$8 million in seed funding for Australian industry to develop up to 70 globally relevant micro-credentials for international and onshore implementation.
- Under the Fund, industry, commercial and professional bodies can apply for funding to develop micro-credentials through a competitive procurement process.

Issue: National Skills Passport
MYEFO Pg No. 12
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary

MYEFO 2023–24 - National Skills Passport

Financial year	2022–23	2023–24	2024–25	2025–26	2026–27	Total
Measure		\$7.5m				\$7.5m
<i>Department of Education Allocation</i>		\$5.6m				\$5.6m
<i>Committed</i>		\$5.6m				\$5.6m
<i>Uncommitted</i>		\$0.0m				\$0.0m

Source: MYEFO 2023–24, p12.

Key Points

- As part of the Employment White Paper (EWP), the Government committed to consulting widely to explore the concept of a National Skills Passport.
- The Department of Education (the department) received \$5.6 million in 2023–24 to support preparation of a business case to define the scope, outcomes and benefits of a National Skills Passport, ahead of further consideration by Government in the second half of 2024.
- The department is working with the Department of Employment and Workplace Relations (DEWR) to develop the business case.
- The project is a discreet, complex and time critical piece of work. An approach to the market for support was done in December 2023 to ensure the project is delivered on time by experts in stakeholder engagement and business case development activities.
- The department published 2 Requests for Quotes (RFQ) via limited tender on 15 December 2023, utilising the Management Advisory Services (MAS) Panel, to engage two consultancies from early 2024 to undertake the following:
 - Stakeholder Engagement, User Research and Service Design to ensure wide consultation occurs and informs the business case (RFx16973 refers).
 - Development of the Combined Pass Business Case (RFx16974 refers).

Overview

- A Skills Passport aims to be a practical tool, available throughout life to all Australians who choose to participate, that enables them to view, share and assess their skills and qualifications through a trusted, seamless, and integrated digital system.
- A Skills Passport could support ongoing lifelong learning by helping individuals identify opportunities for skill development and provide verified recognition of prior learning to help streamline the transition between education and employment.
- The Government announced it will consult widely with businesses, unions, tertiary institutions, states and territories, and students in scoping an integrated National Skills Passport to better understand the needs and demands of different parties.
- In the coming months the department, in collaboration with DEWR and a consultancy, will be engaging widely with individuals (such as learners, jobseekers, employees), industry, unions, tertiary institutions and across governments. This engagement will inform a solution that considers their needs and that is fit-for-purpose.
- Subject to the outcomes of this work, Government is expected to consider next steps for a National Skills Passport in the second half of 2024.

Demand

- For many years education peak bodies and industry have been calling for a platform that allows Australians to build and share a digital education and skills portfolio to help fill critical skills gaps and meet Australia's labour market needs.
- The Australian Universities Accord Interim report supported the concept of a National Skills Passport so Australians could have their full range of qualifications, skills and experience recognised across the education and training system and in the employment market, to support lifelong learning and workforce mobility.
- The EWP identified the importance of a flexible, adaptable higher education and training system that meets present and future skills needs, promotes lifelong learning and workforce mobility, including through a new Skills Passport.

Impact on students

- A Skills Passport could connect students with relevant services, which will be defined through the development of the business case, make life easier for employers and jobseekers, promote upskilling and reskilling behaviours, and build trust and cohesion in Australia's education and skill development systems.

Industry benefit

- A Skills Passport could make it simpler for employers to find more suitable staff as it will streamline verification processes.
- A Skills Passport could reduce costs and the administrative burden for both employers and prospective employees during recruitment processes.

National Credentials Platform

- The Skills Passport will build upon findings from the National Credentials Platform (NCP) project, which developed and tested a higher education credential prototype solution with learners, providers, and employers.
- The NCP project ran from 2019–2023 and found:
 - Learners had a clear desire for an all-in-one credentialing platform.
 - Industry is struggling with recruitment and data verification processes.
 - Institutions see security as a key consideration when evaluating a new platform.
- The Skills Passport will seek to integrate and leverage where possible with existing government digital infrastructure such as myGov and YourCareer.gov.au.

Sensitivities

- Stakeholder consultation will need to consider the implementation of the National Skills Agreement (NSA), due to commence 1 January 2024, the Jobs and Skills Councils (JSCs) and the broader role of Jobs and Skills Australia.
- There may be criticism that a National Skills Passport will duplicate existing initiatives/products. For example, there are similar products such as the Unique Student Identifier VET Transcript service, My eEquals, LinkedIn, and Universities Admissions Centre digital wallet. However, these products do not offer a fully integrated service that a National Skills Passport could provide.
- A National Skills Passport has been raised in the context of the Australian Universities Accord review, which delivered its final report to Government in December 2023.

Stakeholder Response

Stakeholder	Response summary
Universities Australia (UA)	UA welcomes the Government’s plan to progress a National Skills Passport acknowledging Australia’s current skills shortages across the economy and as a

	<p>result of this, it is weighing on productivity and economic growth. UA stated “A national skills passport will help in this regard, particularly if it builds on the existing qualifications recognition infrastructure that universities and other tertiary providers already use. This has the potential to expand access to recognition of prior learning and get people into jobs faster while opening up further study options.”</p>
<p>Business Council of Australia (BCA)</p>	<p>The BCA has long called for a skills passport stating the government’s announcement was a “game changer”. BCA identified several benefits of the passport stating “This will enable Australians to store their qualifications easily, make applying for a job simpler and more streamlined and help reduce the barriers to lifelong learning. It will make the system more flexible for learners and make it easier for them to switch degrees or institutions while receiving recognition for what they have already achieved.”</p>
<p>Independent Tertiary Education Council Australia (ITECA)</p>	<p>ITECA welcomes the National Skills Passport by Independent Vocational Training providers stating “Independent providers support more than 89% of the 4.5 million students in skills training and around 10% of the 4.5 million students in higher education. This opportunity for students with ITECA members to consolidate their knowledge and skills into a single database is significant”.</p>

Consultation

- The National Skills Passport will allow for a sufficient discovery phase and consultation with a range of stakeholders, including learners, employers, providers and industry.
- The Department is seeking responses from a public consultation released on 17 January 2024, which will assist in understanding diverse perspectives and ensure the National Skills Passport is valuable for all users. The submission period will close on 18 February 2024.

Media

- On Sunday 24 September 2023, a joint media release was published announcing the National Skills Passport from the Hon Jim Chalmers MP, Treasurer, the Hon Jason Clare MP, Minister for Education and

the Hon Brendan O’Conner MP, Minister for Skills and Training:
<https://ministers.education.gov.au/chalmers/national-skills-passport>

- On Wednesday 17 January 2024, a joint media release was published announcing that public consultations were open for the National Skills Passport from the Hon Jason Clare MP, Minister for Education and the Hon Brendan O’Conner MP, Minister for Skills and Training: [Skills Passport consultation begins | Ministers' Media Centre \(education.gov.au\)](#)

Date Last Cleared	06 February 2024
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BACKGROUND

- The Government's announcement for the scoping of a National Skills Passport business case will allow for a sufficient discovery phase with a wider range of stakeholders to determine user needs, impacts and technical requirements.
- Whilst there are existing competing part-system offerings in the education and training sectors, each offers access to a different piece of the student's education journey. These services are disparate and have differing qualities of interface and navigability, some have charges, and none bring together an aggregated view of post-secondary qualifications and skills in an integrated way.

Issue: Startup Year
PBS Pg No.: Pg 56.
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary

Budget – Startup Year

	2022–23	2023–24	2024–25	2025–26	2026–27	Total
Initial 4 yr allocation	\$5.6 m	\$4.2 m	\$2.8 m	\$2.9 m	-	\$15.4m
Ongoing					\$2.8 m	

Source: October Budget 2022–23 Budget Paper No. 2: Budget Measures p.95

Note: figures are rounded to one decimal place and as a result totals may not add.

- In the October 2022–23 Budget the Government allocated \$15.4 million over 4 years from 2022–23 to 2025–26 to establish the Startup Year program.
- This funding is to cover flow-on costs for student income support payments and IT system upgrades.
- After the initial 4 years an ongoing \$2.8 million per year (indexed) will be provided to support the program.

Key Points

- Startup Year is a new program to support participation in accelerator programs at Australian higher education providers, by providing access to income-contingent loans under the broader HELP system.
- While there have been delays with passage of the necessary legislation, implementation is now progressing well. A pilot has been established to test program design, student demand and course delivery approaches prior to full implementation.
- The department has selected 11 universities to provide up to 650 places under the pilot, with courses commencing from February 2024. Universities were selected through a two-stage application process including an expression of interest open to all eligible Higher Education Providers, and a course design phase.
- Universities were advised of their allocations in December 2023, and will publish course details as the program is rolled out over 2024.
- The first program is due to commence at Flinders University in March, with further programs expected to commence at Western Sydney University in April and University of New South Wales in May. Further details are at [Attachment A](#).

- A Startup Year Working Group comprising of representatives from the university and business sectors has been established to monitor the implementation and operation of the Startup Year pilot.

Legislation

- The *Education Legislation Amendment (Startup Year and Other Measures) Act 2023* was passed by Parliament on 22 June 2023, establishing a new income contingent loan under the Higher Education Loan Program (HELP) to allow students to defer their course fees – STARTUP-HELP.
- The initiative also extends eligibility for student payments (such as Youth Allowance, Austudy and ABSTUDY) to students who participate in a Startup Year course, access a STARTUP-HELP loan, and meet other eligibility requirements.

Pilot universities

- The universities selected to participate in the pilot are:
 - Charles Sturt University
 - Curtin University
 - Flinders University
 - La Trobe University
 - Queensland University of Technology
 - RMIT University
 - Swinburne University of Technology
 - The University of New South Wales
 - The University of Queensland
 - University of New England
 - Western Sydney University.

Key facts and figures

Number of loans	Up to 2,000 per year (650 in the pilot)
Maximum course fee	\$12,720 for 1 EFTSL course in 2024 (indexed annually)
Course length requirements	One semester to one academic year
EFTSL requirements	0.5 to 1.0
Eligibility for STARTUP-HELP	<ul style="list-style-type: none"> • Final year undergraduate • Current postgraduate • Recent graduate (the student was awarded no more than 36 months before the person commenced the accelerator program course, a qualification at level 7, 8, 9 or 10 of

	the Australian Qualifications Framework)
Maximum number of loans	Two in lifetime

Stakeholder Response

Stakeholder	
Rep Bodies	University peak bodies, such as Universities Australia, the Group of Eight, Australian Technology Network of Universities and the Regional Universities Network support implementation of Startup Year through participation in the Startup Year Working Group.
Opposition	Throughout the legislation process, the Opposition was critical of the loan mechanism and the design of the program. Three amendments were agreed prior to the passing of the bill in the Senate – relating to Intellectual Property, access for regional students and reversal of STARTUP-HELP loan debt in certain circumstances. On 15 November 2023, in the Senate, Senator Henderson again raised criticism of the Startup year loan, stating it was charging students for courses they could have previously done free of charge.
Greens	Throughout the legislation process, the Greens were critical of Startup Year increasing student debts and the impact of cost-of-living pressures on Australian students.

- There has been extensive consultation throughout the development and implementation of the Startup Year initiative. Feedback includes:
 - Support for the initiative’s ability to increase accessibility to accelerator programs for students.
 - Uncertainty about the value proposition when current accelerators are often fee-free and concern about student debt levels.
- Consideration has been given to the feedback and concerns raised by stakeholder, noting that:
 - Current accelerator programs typically have a shorter duration and target older cohorts. By providing STARTUP-HELP assistance, the government is creating another model for universities to offer accelerators and deliver entrepreneurial skills for students.
 - Even for those providers already offering quality accelerator experiences the new scheme challenges them to innovate and do more, and to increase their impact by supporting more students.

- Providing an income contingent loan allows students to defer the costs of courses, ensuring that course fees do not present a barrier to participation.

Media

- ***Flinders University to teach students how to launch a start-up, Inside Small Business, 29 January 2024***

The article announced the launch of Flinders University's Startup Year course, a Graduate Diploma in Entrepreneurial Growth. It noted the establishment of STARTUP-HELP to support students enrolled in approved Startup Year courses.

- ***The growing threats to academic decision making, Andrew Norton, 28 November 2023***

This Andrew Norton blog article raises concern that the inclusion of course requirements in the Guidelines sets a precedent of government directly regulating course content, though acknowledging the requirements are perhaps necessary to clarify what these courses should cover. The article also suggests the STARTUP-HELP scheme is not necessary, referring back to comments made in his blog on 14 March 2023 about the proliferation of HELP schemes.

- ***We are ready to go”: UNSW moves first on Startup Year”, Innovation Aus 27 November 2023***

The article said UNSW will start recruiting students for the program with a view to eventually offering its year-long version for free. At that stage, no other university had announced the creation of a program. The Albanese government's election commitment has been slow to get going.

- ***\$14.6 million Startup Year loan scheme now open to student entrepreneurs, SmartCompany Plus, 24 August 2023***

This article provided detail on the Australian Government's 'Startup Year' loan scheme and expressions of interest process and criteria.

- ***Australian Financial Review Higher Education Summit, Sarah Henderson, 22 August 2023***

Senator Sarah Henderson outlined concerns with Startup Year, including charging student entrepreneurs full fees for accelerator courses, the authenticity of the student support and lack of prioritisation of student wellbeing.

Date Last Cleared	07 February 2024
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BACKGROUND

Selection process

- Eligible higher education providers were invited to bid for an allocation of STARTUP-HELP places through a two-stage application process that commenced with an Expression of Interest (Eoi) which opened on 14 August 2023 and closed on 27 August 2023.
- Seventeen Universities submitted an initial Eoi application. Twelve universities progressed through to the course design phase and submitted full course applications by 24 November 2023. Two of these were classified as regional universities.
- Applications from the Eoi process to participate in the Startup Year pilot were assessed by a panel with experience across government, higher education, and industry and innovation sectors, drawn from the Startup Year Working Group:
 - Anthony Millgate, Assistant Secretary, Department of Education
 - Sandra Roussel, General Manager, Department of Industry, Science and Resources
 - Tony Surtees, startup ecosystem expert and Chair of Australian Government Entrepreneurs Programme Committee.
- Deakin University withdrew at the course design phase. They indicated the decision was due to an internal restructure that meant they could not develop and roll out a new program at this time.
- The design phase included:
 - The Startup Year Collaborative Design Workshop which was delivered on 24 October 2023 with the remaining 11 universities. Discussions were held under the themes industry engagement, skills acquisition and supporting participation by underrepresented groups.
 - A masterclass on Startup Year course on 17 November 2023 design led by Mr James Alexander, co-founder of Galileo Ventures.
 - Regular provision of answers to Frequently Asked Questions and direct support from the department.
- The panel met for an initial information session, assessment meeting and a number of follow up feedback meetings from August to November 2023. Costs for the selection process included workshop and meeting expenses but not remuneration for members.

- The panel made recommendations to the Department of Education. The First Assistant Secretary, Research Division, was the decision maker.

Target cohorts

- A key focus will be to support participation by those underrepresented in the startup ecosystem, including First Nations Australians, people with disability and women, and those from regional and rural communities.
- Two of the successful universities are classified as regional (Charles Sturt University and University of New England) for the purposes of regional targets under the program.
- Based on these outcomes and estimated number of places requested, the target of 25% of places going to regional universities will not be achieved for the pilot. The Department will explore strategies to increase regional participation in the full implementation, drawing on the expertise of the working group and learnings from the pilot.

Program establishment costs

- Program establishment costs comprise:
 - \$1.7 million to the Department of Education to administer the program, including Information Technology (IT) upgrades to the Tertiary Collection of Student Information (TCSI) system to enable the STARTUP-HELP loan reporting and compliance.
 - \$7.9 million to the Department of Social Services to cover the cost of the additional student support payments such as Youth Allowance and Austudy for Startup Year students.
 - \$5.7 million to Services Australia for upgrades to their IT system to enable student support payments for eligible recipients.
 - \$0.1 million to the Department of Health and Aged Care to cover the additional costs of benefits such as subsidised medications accessed by Startup Year students receiving student support payments.

Working Group

- The department has established a Startup Year Working Group (the Working Group) to monitor the implementation and operation of the Startup Year program and advise the department throughout the pilot. The Working Group membership is comprised of:
 - Dom English, First Assistant Secretary, Research Division, Department of Education
 - James Alexander, Co-Founder and Partner, Galileo Ventures

- Professor Rowena Barrett, Pro Vice-Chancellor, Entrepreneurship, Queensland University of Technology
- Libby Briggs, Project Manager, Scale Investors
- Dean Moss, Chair of the Group of Eight Universities Innovation and Commercialisation Group, and CEO of UniQuest
- Sandra Roussel, General Manager, Commercialisation, Department of Industry, Science
- Leonore Ryan, Director of Incubator and Accelerator Programs, University of Tasmania
- Luke Sheehy, Executive Director, Australian Technology Network of Universities
- Chandra Sundareswaran, Director, Centre for Learning Enterprise and Partnerships, Curtin University
- Tony Surtees, Chair of Australian Government Entrepreneurs Programme Committee
- Julie Trell, Founder & Chief Play Officer, Playful Purpose
- Alec Webb, Executive Director, Regional Universities Network
- John Wellard, Acting Deputy Chief Executive, Universities Australia
- Jaynaya Winmar, Managing Director, Essential Services Australia

Startup Year Program – Pilot rollout

University	Planned start date	Revised start date	No. of places	No. of enrolments*
Charles Sturt University	June 2024	TBC	20	-
Curtin University	22 July 2024	TBC	100	-
Flinders University	1 February 2024	March 2024	50	-
La Trobe University	June 2024	TBC	30	-
Queensland University of Technology	22 July 2024	TBC	100	-
Royal Melbourne Institute of Technology	22 July 2024	TBC	40	-
Swinburne University of Technology	29 June 2024	TBC	80	-
The University of New England	24 June 2024	TBC	50	-
The University of New South Wales	27 May 2024	27 May 2024	100	-
The University of Queensland	19 February 2024	TBC	40	-
Western Sydney University	March 2024	April 2024	40	-

* no. of enrolments will be reported from March 2024 once the first course commences.

Issue: Support for Students Policy

Contact: Ben Rimmer
Ph: s 22
Deputy Secretary, Higher Education, Research and International

Key Points

- The *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Act 2023* amended the *Higher Education Support Act 2003* (HESA) for the Support for Students policy requirements.
- These requirements commence on 1 January 2024 and apply to all Higher Education Providers (HEPs) approved under HESA.
- HEPs are required to have, and comply with, a Support for Students policy in accordance with section 19-43 of HESA. HEPs policies must include information on identifying students at risk and the supports available to students.
- Under HESA, the Minister for Education may set additional requirements in relation to a HEP's Support for Students policy in the Higher Education Provider Guidelines 2023 (HEP Guidelines). This includes requirements to include specified information in the policy, requirements about the presentation, format and availability of the policy, and requirements around reporting on a HEP's policy.
- The Hon Jason Clare MP, Minister for Education, signed the Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023 (the Amendment Instrument) on 14 December 2023.
- Implementation will occur in a staged approach:
 - The Amendment Instrument ([Attachment A](#)) commences on 1 April 2024 to allow HEPs time to make internal adjustments to comply with requirements.
 - The first annual report is due by 1 March 2025. HEPs will provide de-identified information on their Support for Students policy for the period from 1 April to 31 December 2024.
 - Future reports will be due on 1 March every year in relation to activities in the previous calendar year.

Consultation

- On 16 August 2023 the department released a Consultation Paper on the Support for Students policy. Submissions were open until 22 September 2023. A total of 56 submissions were received.
- The Minister for Education released an exposure draft of the Amendment Instrument on 13 October 2023. The department subsequently engaged with higher education sector peak bodies to seek comment on the exposure draft before holding a series of focused workshops with stakeholders across the sector.
- The department held working group meetings on Thursday 9 November, Friday 17 November and Wednesday 29 November 2023 to provide a final opportunity for the sector to review the Amendment Instrument in full.
- The changes made to the Amendment Instrument following stakeholder feedback on the exposure draft are at [Attachment B](#).
- The most significant changes were:
 - Clarification that HEPs can meet the Support for Students policy requirements by creating a single overarching 'Support for Students policy' that references existing policies.
 - A change from requiring quantitative information in reports to a focus on assurance that policies are in place and requiring qualitative information.
 - Adjustments to the date of commencement.
- The department also consulted the working group several times during early December 2023 to assist with clarifying communication materials to ensure the sector understands the new requirements.
 - On 19 December 2023, the department published a set of Frequently Asked Questions, and an example of a Support for Students policy that would meet the requirements from 1 January 2024.
- Invitations have been extended in January 2024 to sector representatives for the working group.
 - This group will undertake a project with the department to further map existing data collections and develop new collections to better understand student support and success.
- Additionally, throughout 2024 and into 2025 the department will work with HEPs, aided by this working group, to clarify requirements for reporting on the Support for Students policy.

- The department's approach to compliance for the first 12 months will be educational, with significant compliance action to be considered only in the unlikely event that serious and systematic issues are identified during this period.

Stakeholder Response

Stakeholder	Response summary
Providers/Rep Bodies	<p>The sector has expressed concern about the rapid changes required to implement the new requirements in the HEP Guidelines, and a general view that student support policies should be less regulated.</p> <p>Some of this concern has been allayed by consultation, and continued sector engagement, as well as the staged approach to rolling out the guidelines, and a focus on providing information and assistance to HEPs to understand what is required.</p> <p>Our response</p> <p>Not all sector expectations will be met. Some stakeholders wanted less detail and others far more prescription and direction. The current set of guidelines strike a balance between making it clear what is required, without prescribing how the policy should be delivered, noting one size does not fit all.</p>
Opposition	<p>At the Education and Employment Legislation Committee on 1 and 8 September 2023 the Opposition cited a lack of consultation with the sector on the Support for Students policy.</p> <p>Senator Sarah Henderson published a media release on 30 December 2023, criticising the drafting of the Amendment Instrument and the removal of the 50% pass rate requirements.</p> <p>Senator Sarah Henderson published a media release on 2 January 2024, criticising the requirements of the Support for student policy for not doing enough to hold universities to account.</p>
Greens	<p>At the Education and Employment Legislation Committee on 8 September 2023 Senator Faruqi was supportive of removing the 50% pass rate rule.</p>
Independents	<p>Independents, including Dr Helen Haines MP, Kate Chaney MP, Dr Sophie Scamps MP and Senator David Pocock, have welcomed the measure.</p>

Media

- ***'Debt trap' open for failing university students, The Australian, 29 December 2023***

The article discussed the content of the Amendment Instrument, quoting Senator Henderson's criticisms that the final version of the Guidelines had been "watered down" from the exposure draft version.

The article quotes representatives from the sector including Professor Andrew Norton, and Professor Margaret Sheil who support the changes made to the final version of the Guidelines, as well as the removal of the 50% pass rate rule. The article also quotes outgoing Universities Australia CEO Catriona Jackson, who rejects the introduction of financial penalties for HEPs that don't comply.

- ***How the feds will force unis to support students, Future Campus, 23 August 2023***

The article discussed the *Support for Students policy* consultation paper, and the policy's use of compliance powers to ensure providers have appropriate supports in place.

- ***Universities to be fined for dropout degrees, The Australian, 17 August 2023***

The article discussed the new Support for Students consultation paper in generally supportive terms, and described a "crackdown on dodgy degrees".

- ***New laws to boost disadvantaged uni student rates, Canberra Times, 3 August 2023***

The article noted the introduction of the Accord Bill on 3 August 2023 and quoted the Minister describing the pass rate requirements as affecting a disproportionate number of students from poor backgrounds. Also notes the new requirement for universities to have "support plans" in place.

Attachments

[Attachment A](#) - Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023

[Attachment B](#) - Support for students changes to draft Guidelines

Date Last Cleared	06 February 2024
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BACKGROUND

Questions on Notice – Supplementary Budget Estimates 2023–24

- [SQ23-001089](#) – Student Support policy
- [SQ23-000889](#) – Processes in place to flag failing university students
- [SQ23-001088](#) – 50% pass rule
- [SQ23-000885](#) – Information on the 50% pass rule

General Background

- The Accord Interim Report was released on 19 July 2023, and proposed 5 priority actions.
- To facilitate Priority Actions 2 and 3, the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023 (the Bill) was introduced to Parliament on 3 August 2023.
- On 10 August 2023, the Bill was referred to the Education and Employment Legislation Committee (the Committee). The Committee published its report on 11 October 2023, recommending that the Bill be passed.
- The Bill passed on 19 October 2023, becoming the *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Act 2023*, subject to an amendment that delayed the commencement of support for student measures until 1 January 2024.

Support for Students policy

- Part 2 of the Bill requires HEPs to have a Support for Students policy. The policy will:
 - Strengthen accountability and reporting requirements for HEPs to ensure students are properly supported to study and to succeed.
 - Ensure that HEPs that fail to meet the new requirements may be subject to compliance action, including possible financial penalties.
- The Bill provides for the Minister for Education to specify requirements in the HEP Guidelines for the Support for Students policy.



Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023

I, Jason Clare, Minister for Education, make the following guidelines.

Dated 14 December 2023

Jason Clare
Minister for Education

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1 Name

This instrument is the *Higher Education Provider Amendment (Support for Students Policy) Guidelines 2023*.

2 Commencement

This instrument commences on 1 April 2024.

3 Authority

This instrument is made under section 238-10 of the *Higher Education Support Act 2003*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments to the *Higher Education Provider Guidelines 2023*

Higher Education Provider Guidelines 2023

1 Section 4

Insert:

de-identified has the same meaning as in the *Privacy Act 1988*.

Note: Section 6 of the *Privacy Act 1988* provides: personal information is *de-identified* if the information is no longer about an identifiable individual or an individual who is reasonably identifiable.

2 After Chapter 4

Insert:

Chapter 4A—Personal information

21A Personal information in relation to students

For the purposes of paragraph 19-60(3)(a) of the Act, a higher education provider must comply with the Australian Privacy Principles set out in Schedule 1 of the *Privacy Act 1988*, in respect of student personal information obtained for the purposes of section 19-43 of the Act.

3 After Chapter 10

Insert:

Chapter 10A—Support for students policy

49A Support for students policy requirements

- (1) For the purposes of paragraph 19-43(2)(b) of the Act, a higher education provider's support for students policy must include information describing:
- (a) how the provider assesses a student's suitability to continue to undertake a unit of study, in particular, information in relation to how the provider identifies students that are at risk of not successfully completing their units of study;
 - (b) in relation to students who have been identified as at risk of not successfully completing their units of study in paragraph (a), how the provider ensures that support from individuals or organisations with appropriate expertise is available to assist those students with overcoming issues that put them at risk of not successfully completing their units of study;
 - (c) the provider's available support services and how the provider ensures that students have access to support services, including how the provider communicates information to students about the existence of support services and how to access such services;

-
- (d) how the provider communicates to students, who request access to support services before the census date for their unit of study, at the time they make that request, that the census date is the date they will incur a HECS-HELP or FEE-HELP debt, and how the provider will ensure the requested support is available to students in a timely manner;
 - (e) how the provider proactively offers students access to the support services referred to in paragraph (c) where a student has already been identified as at risk of not successfully completing their units of study, and the student demonstrates risk factors that include:
 - (i) the student has not previously engaged with the support services offered by the provider consistent with paragraphs (b) and (c);
 - (ii) the student has previously failed to successfully complete a unit of study in their course of study;
 - (iii) the student demonstrates low levels of student participation in the unit of study, such as where the student has not attended any classes or engaged with any of the unit content online;
 - (f) how the provider delivers, and how students are able to access, non-academic support, including but not limited to, mental health and well-being support and career planning and employability support;
 - (g) how the provider identifies students in need of academic support including, but not limited, to literacy and numeracy support and other academic supports and how the provider has organised for these supports to be delivered;
 - (h) how the provider ensures that students who engage the provider to report non-academic issues that may put them at risk of not successfully completing their units of study, are connected to academic and other supports referred to in paragraphs (f) and (g);
 - (i) the details of any other support services offered by the provider, such as peer support;
 - (j) how the provider's academic staff deliver support to students in relation to their units of study;
 - (k) the provider's crisis and critical harm response arrangements for students and instructions to students on how to report incidents;
 - (l) how the provider's academic and non-academic supports are culturally appropriate, and include information about the provider's specific arrangements for First Nations students and students with disability; and
 - (m) the provider's specific academic and non-academic supports for students who have experienced family and domestic violence, harassment, sexual harm, or other traumatic events.

Note: Under paragraph 19-43(2)(a) of the Act, a higher education provider's support for students policy must also include information on the provider's processes for identifying students that are at risk of not successfully completing their units of study and the supports available from or on behalf of the provider to assist students to successfully complete the units of study in which they are enrolled.

- (2) For the purposes of paragraph 19-43(2)(b) of the Act, a higher education provider's support for students policy must also meet the following requirements:

-
- (a) the policy must be reviewed by the provider annually for quality assurance, to identify opportunities for improvement to the policy, and to ensure it remains fit for purpose and consistent with this Chapter;
 - (b) the contents of the policy must be publicly available on the provider's website; and
 - (c) if, as part of meeting the requirements in subsection (1), the provider references any of its other policies, or provides information about its support services or where to access those services, in its support for students policy, the provider must ensure that those other policies are, and any information provided about the provider's support services is, publicly available and communicated to each individual student.

Note: A higher education provider must have one support for students policy that satisfies the requirements in section 19-43 of the Act and this section 49A. However, that policy may be an overarching policy which attaches or refers to other policies, or provides information about its support services or where to access those services, that meet the requirements in this section 49A (provided the requirement in paragraph 49A(2)(c) is satisfied).

49B Requirements in relation to report given on support for students policy

- (1) For the purposes of paragraph 19-43(6)(a) of the Act, the report on the higher education provider's support for students policy must include qualitative de-identified information, in relation to the calendar year before the report is provided, on:
 - (a) where the policy could be found on the provider's website;
 - (b) whether the provider's support for students policy complied with the support for students policy requirements in section 19-43 of the Act and section 49A;
 - (c) how the provider is offered and delivered the support services described in its support for students policy;
 - (d) how the provider determined what support services should be available for their student cohort, consistent with the provider's support for students policy, and the efficacy of those support services;
 - (e) how the provider undertook assessment and assurance activities to determine that the available support services for students, as detailed in the provider's support for students policy, are appropriate and effective;
 - (f) any opportunities identified by the provider to improve the available support services detailed in the provider's support for students policy, and outcomes for students, including information on complaints received from students related to the provider's available support services or the support for students policy;
 - (g) examples of how the provider's available support services, as detailed in the provider's support for students policy, assisted students in undertaking the units of study in which they are enrolled; and
 - (h) how the provider determined that appropriate resourcing was available to deliver the support services described in the provider's support for students policy.
- (2) For the purposes of paragraph 19-43(6)(b) of the Act, the report must be provided annually on or before 1 March.

Note : While subsection 49B(1) requires that a higher education provider report on specific information in relation to the calendar year before the report is provided, in the first year that the report must be provided (i.e. 2025), Chapter 10A will not have applied for the entire calendar year (since Chapter 10A only commenced on 1 April 2024). As such, in the first year the report is due, a provider is only required to provide the information in the report that relates to its compliance with the requirements in Chapter 10A from 1 April 2024 to 31 December 2024.

However, if the information required by subsection 49B(1) does not relate to the provider's compliance with the requirements in Chapter 10A (e.g. where that information relates to the provider's compliance with the requirements found in paragraph 19-43(2)(a) of the Act), the provider will be required to report on that information in relation to the entire calendar year before the report is provided (i.e. from 1 January 2024 to 31 December 2024).

Issue	Stakeholder feedback	Department Response
Overarching themes		
<p>Responsibility for student success</p>	<p>Peak bodies have raised concerns that the proposed legislation places the onus for student success entirely on providers and does not recognise the autonomy of students and the responsibility students have to engage with their studies.</p>	<p>We have edited the draft Guidelines to ensure the intention is clear in all instances that students have autonomy and responsibility for their learning and does not put the entire onus on providers. This will also be covered in supporting materials.</p>
<p>Protecting student privacy</p>	<p>Peak bodies have raised concerns about how reporting requirements will intersect with the need to protect student privacy.</p>	<p>The following clauses were added and published in the draft guidelines to address this issue and are unchanged. The Guidelines have no privacy implications. We will include additional information in supporting materials and in online information sessions.</p> <p>4 de-identified has the same meaning as in the Privacy Act 1988.</p> <p><i>Note: Section 6 of the Privacy Act 1988 provides: personal information is de- identified if the information is no longer about an identifiable individual or an individual who is reasonably identifiable</i></p> <p>21A Personal information in relation to students</p> <p><i>For the purposes of paragraph 19-60(3)(a) of the Act, a higher education provider must comply with the Australian Privacy Principles set out in Schedule 1 of the Privacy Act 1988, in respect of student personal information obtained for the purposes of section 19-43 of the Act</i></p>

Paragraph reference	Stakeholder feedback	Department response
<p>49A Support for students policy requirements (1) For the purposes of paragraph 19-43(2)(b) of the Act, a higher education provider's support for students policy must include:</p>	<p><i>(a) the provider's processes on assessing a student's suitability to continue to undertake a unit of study, in particular in relation to students that are at risk of not successfully completing their units of study;</i></p>	<p>Redrafted. The "processes" language has been changed throughout the guidelines. The substantive requirement in this clause is unchanged – as it is a primary focus of the Support for students policy. Provider will not be penalised for students failing; rather, they are required to have a policy and implement their policy.</p> <p><i>(a) how the provider assesses a student's suitability to continue to undertake a unit of study, in particular, information in relation to how the provider identifies students that are at risk of not successfully completing their units of study;</i></p>
	<p><i>(b) in relation to students who have been identified as at risk of not successfully completing their units of study in paragraph (a), the provider's processes to ensure that additional support is available to assist those students with overcoming issues that put them at risk of not successfully completing their units of study;</i></p>	<p>Redrafted. The "processes" language has been addressed, but the underlying requirement not changed.</p> <p><i>(b) in relation to students who have been identified as at risk of not successfully completing their units of study in paragraph (a), how the provider ensures that support from individuals or organisations with appropriate expertise is available to assist those students with overcoming issues that put them at risk of not successfully completing their units of study;</i></p> <p>In the consultation it was made clear that this requirement is about what providers do. Providers are not accountable for what the student then chooses to do or not do.</p>
	<p><i>(c) the provider's processes to ensure that students</i></p>	<p>Some stakeholders have raised concerns around the requirement for universities' policies to show how they 'ensure that students</p> <p>Redrafted. This clause has been split and clarified as follows:</p>

Paragraph reference	Stakeholder feedback	Department response
<p><i>have access to support services, and to ensure that students who request access to support services before the census date for their unit of study are able to engage with those support services before the census date;</i></p>	<p>who request access to support services before the census date for their unit of study are able to engage with those support services before the census date'. Stakeholders say that the effect of this requirement is to mandate same-day servicing of any student who requests support on the final day before the census date, regardless of the support service's capacity on that day.</p>	<p><i>(c) the provider's available support services and how the provider ensures that students have access to support services, including how the provider communicates information to students about the existence of support services and how to access such services;</i></p> <p>NEW <i>(d) how the provider communicates to students, who request access to support services before the census date for their unit of study, at the time they make that request, that the census date is the date they will incur a HECS-HELP or FEE-HELP debt, and how the provider will ensure the requested support is available to students in a timely manner;</i></p>
<p><i>(d) the provider's processes to proactively offer students access to the support services referred to in paragraph (c) where a student has not engaged with the support services before the census date for their unit of study, and the student demonstrates risk factors that include:</i></p> <p><i>(i) the provider determines that the student is at risk of not successfully completing their</i></p>	<p>Some stakeholders have raised concerns as to whether it will be possible to identify at-risk students before census date, noting that in some cases this occurs only a short time after the commencement of a course.</p>	<p>Redrafted for clarity:</p> <p><i>(e) how the provider proactively offers students access to the support services referred to in paragraph (c) where a student has already been identified as at risk of not successfully completing their units of study, and the student demonstrates risk factors that include:</i></p> <p><i>(i) the student has not previously engaged with the support services offered by the provider consistent with paragraphs (b) and (c);</i></p> <p><i>(ii) the student has previously failed to successfully complete a unit of study in their course of study;</i></p> <p><i>(iii) the student demonstrates low levels of student participation in the unit of study, such as where</i></p>

Paragraph reference		Stakeholder feedback	Department response
	<p><i>units of study consistent with paragraph (a);</i></p> <p><i>(ii) the student previously failed to successfully complete a unit of study in their course of study;</i></p> <p><i>(iii) the student demonstrates low levels of student engagement in the unit of study, such as where the student has not attended any classes or engaged with any of the unit content online;</i></p>		<p><i>the student has not attended any classes or engaged with any of the unit content online;</i></p>
	<p><i>(e) the provider's processes for providing non-academic support to students, including mental health support;</i></p>		<p>Redrafted for clarity:</p> <p><i>(f) how the provider delivers, and how students are able to access, non-academic support, including but not limited to mental health and well-being support and career planning and employability support;</i></p>
	<p><i>(f) the provider's processes for identifying students in need of targeted individual literacy, numeracy and other academic supports</i></p>		<p>Redrafted for clarity:</p> <p><i>(g) how the provider identifies students in need of academic support including, but not limited to, literacy and numeracy support and other academic supports, and how the provider has organised for these supports to be delivered;</i></p>

Paragraph reference	Stakeholder feedback	Department response
<i>and how these supports will be delivered;</i>		
<i>(g) the provider's processes for ensuring that students who engage the provider to report non-academic issues that put them at risk of not successfully completing their units of study, are proactively offered academic adjustment arrangements or the other supports referred to in paragraphs (c) and (e);</i>	Some stakeholders raised concerns about the word 'proactive' in this clause, noting that a provider cannot provide assistance to a student until after the student has reported an issue to the provider.	Redrafted for clarity: <i>(h) how the provider ensures that students who engage the provider to report non-academic issues that may put them at risk of not successfully completing their units of study are connected to academic and other supports referred to in paragraphs (f) and (g);</i>
<i>(h) a detailed description of any other support provided by the provider, such as peer support services;</i>		Redrafted: <i>(i) the details of any other support and services offered by the provider, such as peer support;</i>
<i>(i) the provider's processes for providing support by the provider's academic staff in relation to a student's unit of study, such as academic staff having regular contact with the student during the semester to check their progress in the unit of study, and, if those staff identify support is needed,</i>	Many stakeholders have raised concerns that this clause is too prescriptive in requiring providers to offer particular kinds of support regardless of the individual needs of that student.	Redrafted and simplified: <i>(j) how the provider's academic staff deliver support to students in relation to their units of study;</i> The remaining text has been removed as it was causing confusion, with providers concerned that it created mandatory requirements. Examples of supports will instead be provided in supporting documents, such as FAQs.

Paragraph reference	Stakeholder feedback	Department response
<p><i>providing students with flexibility in relation to assessments and connecting them to support services;</i></p>		
<p><i>(j) a detailed description of the provider’s crisis and critical harm response arrangements for students;</i></p>		<p>As crisis and critical harm response is a core part of student support, and similar concepts exist in the ESOS Code, the concept has been retained, with some clarification.</p> <p><i>(k) the provider’s crisis and critical harm response arrangements for students and instructions to students on how to report incidents;</i></p>
<p><i>(k) a detailed description of how the provider’s academic and non-academic supports are both age appropriate and culturally appropriate, including information about the provider’s specific arrangements for First Nations students, students with disability, students who have experienced family and domestic violence, students who have experienced aggravated or sexual assault, and students</i></p>	<p>Some stakeholders have raised concerns that these matters are too specific to be included in an overarching policy, and that this clause potentially places the onus of student support on staff and universities rather than the student.</p>	<p>Concept retained, with change to language responding to feedback:</p> <p><i>(l) how the provider’s academic and non-academic supports are culturally appropriate, and include information about the provider’s specific arrangements for First Nations students and students with disability;</i></p> <p>and</p> <p>NEW <i>(m) the provider’s specific academic and non-academic supports for students who have experienced family and domestic violence, harassment, sexual harm, or other traumatic events.</i></p>

Paragraph reference	Stakeholder feedback	Department response
<i>who have experienced traumatic events;</i>		
<i>(l) the provider's processes for ensuring the support for students policy is faithfully and fairly implemented, and that errors, outliers and opportunities for improvement are identified and escalated;</i>	Some stakeholders have raised concerns over the meaning of 'faithfully and fairly' in this clause, as well as what is expected by 'errors, outliers and opportunity for improvement'.	REMOVED, given duplication with sections 49A(2)(a), 49B(1)(d) and 49B(1)(e).
<i>(m) information on the resourcing that the provider has allocated to adequately support all students who are identified as requiring additional assistance, including how those resources will be adjusted to meet demand; and</i>		Removed, replaced by new reporting section 49B(1)(h)
<i>(n) the provider's processes for accessing the provider's staff who specialise in identifying the reasons why students are at risk of not successfully completing their units of study and can work with students to develop a plan to enable them to succeed.</i>	Some stakeholders have expressed confusion with what is intended by this clause.	Removed, as issues are sufficiently covered in other parts of section 49A(1)

Paragraph reference	Stakeholder feedback	Department response
<p>(2) For the purposes of paragraph 19-43(2)(b) of the Act, a higher education provider's support for student policy must also meet the following requirements:</p>	<p>(a) the policy must be reviewed by the provider annually to ensure it remains fit for purpose and consistent with this Chapter; and</p>	<p>Many stakeholders have expressed concerns with the annual review process required in this clause.</p>
	<p>(b) the policy must be publicly available on the provider's website, and the existence of the policy must be communicated to each individual student.</p>	<p>Some stakeholders expressed concerns around how this policy should be communicated to individual students.</p>
		<p>Retained and redrafted. Support for students needs to be under regular formal review.</p> <p><i>(a) the policy must be reviewed by the provider annually for quality assurance, to identify opportunities for improvement to the policy, and to ensure it remains fit for purpose and consistent with this Chapter;</i></p> <p>The clause does not require providers to communicate in a particular way, as providers will know the best way to do so.</p> <p>Redrafted slightly for clarity, and new section (c) created which covers communication to students:</p> <p><i>(b) the contents of the policy must be publicly available on the provider's website; and</i></p> <p>NEW (c) if, as part of meeting the requirements in subsection (1), the provider references any of its other policies, or provides information about its support services or where to access those services, in its support for students policy, the provider must ensure that those other policies are, and any information provided about the provider's support services is, publicly available and communicated to each individual student.</p> <p>NEW Note: A higher education provider must have one support for students policy that satisfies the requirements in section 19-43 of the Act and this section 49A. However, that policy may be an overarching policy which attaches or refers to other policies that meet the requirements in this section 49A</p>

Paragraph reference	Stakeholder feedback	Department response
		<i>(provided the requirement in paragraph 49A(2)(c) is satisfied).</i>
<p>49B Requirements in relation to report given on support for students policy</p> <p><i>(1) For the purposes of paragraph 19-43(6)(a) of the Act, the report on the higher education provider's support for students policy must include de-identified information on:</i></p>	<p>There was concern and confusion from providers and stakeholders on the nature of the reporting task, and what they are accountable for, including frequency of reporting and the period over which they need to report, some of the data being requested, the cost and time to implement data collection and any related system changes for what is perceived to be new data.</p>	<p>The section on reporting, 49B (1), has been re-ordered for clarity. Following a workshop with the data sub-group of the working group, the proposal is now to engage with reporting requirements in two phases:</p> <ul style="list-style-type: none"> • reporting required for the Department for assurance and compliance – to be in the new version of the guidelines • data the department would like to collect or which can be derived from existing data collection to assess overall performance of the requirements and for evaluation purposes – to be the focus of further work with stakeholders. <p>Some of the changes respond to suggestions from the data sub-group, including the opportunity to provide a narrative response to assure the efficacy of the support for students policy and the beneficial outcomes for students.</p> <p><i>(1) For the purposes of paragraph 19-43(6)(a) of the Act, the report on the higher education provider's support for students policy must include qualitative de-identified information, in relation to the calendar year before the report is provided, on:</i></p>
	<p><i>(a) how the provider is implementing its support for student policy, and how successful the provider has</i></p>	<p>Some stakeholders have expressed concern over the meaning of 'success' in this clause.</p>
		<p>Redrafted, moved from (d):</p> <p><i>(a) where the policy could be found on the provider's website;</i></p> <p><i>(b) whether the provider's support for students policy complied with the support for students policy</i></p>

Paragraph reference	Stakeholder feedback	Department response
<p><i>been at implementing that policy ;</i></p>		<p><i>requirements in section 19-43 of the Act and section 49A;</i></p> <p><i>NEW (c) how the provider has offered and delivered the support services described in its support for students policy;</i></p> <p><i>NEW (d) how the provider has determined what support services should be available for their student cohort, consistent with the provider’s support for students policy, and the efficacy of those support services;</i></p> <p><i>NEW (e) how the provider undertook assessment and assurance activities to determine that the available support services for students, as detailed in the provider’s support for students policy, are appropriate and effective;</i></p>
<p><i>(b) any opportunities identified by the provider to improve the support for students policy, and outcomes for students, including information on complaints received from students related to the provider’s support for students policy;</i></p>	<p>Some stakeholders noted that complaints are unlikely to be made about the student support policy. Rather, concerns over a particular support service are likely to be addressed by a particular support service.</p>	<p>Redrafted for clarity, moved to (f):</p> <p><i>(f) any opportunities identified by the provider to improve the available support services detailed in the provider’s support for students policy, and outcomes for students, including information on complaints received from students related to the provider’s available support services or the support for students policy;</i></p>
<p><i>(c) examples of how the provider’s support for students policy has assisted students to successfully</i></p>	<p>Some stakeholders expressed privacy concerns in relation to this clause.</p>	<p>Redrafted for clarity, moved to (g):</p> <p><i>(g) examples of how the provider’s available support services, as detailed in the provider’s support for</i></p>

Paragraph reference	Stakeholder feedback	Department response
<i>complete the units of study in which they are enrolled;</i>		<i>students policy, assisted students in undertaking the units of study in which they are enrolled;</i>
<i>(d) where the policy can be found on the provider’s website;</i>		<i>MOVED to (a) where the policy can be found on the provider’s website;</i>
<i>(e) the number of students identified as requiring support, separated by faculty;</i>	Some stakeholders also noted privacy concerns in relation to this clause, in particular in relation to the request to provide information broken down by faculty, as this may break anonymity.	<p>REMOVED – Further work with the sector is to be undertaken by the Department on what data, including existing data collected by providers, could be used for evaluation of the outcomes of the policy.</p> <p>The department has acknowledged that information at the faculty level may not be available, and that student management systems may not currently collect information in relation to identification of students at risk of requiring support.</p> <p>Further work is needed in collaboration with stakeholders to develop data collections to evaluate outcomes of the policy.</p> <p>Further guidelines could be made at a later date to collect data based on this further work with the sector.</p>
<i>(f) the support provided for students identified in paragraph (e);</i>		REMOVED – student management systems may not currently contain information on the types of support provided to a student, and the links to their progression and outcomes. Further work with the sector on how best to approach the issue of evaluating outcomes is required, and could be added to guidelines at a later date.
<i>(g) the academic progression and outcomes</i>		As above

Paragraph reference		Stakeholder feedback	Department response
	<i>for students identified in paragraph (e);</i>		
	<i>(h) the academic outcomes for all students;</i>		REMOVED – this information is already collected by the department through the TCSI system.
	<i>(i) the HELP loans provided for failed units of study for each student identified in paragraph (e), and the HELP loans provided for failed units of study for all students; and</i>		REMOVED – information on failed units of study and HELP debts incurred is available through TCSI.
	<i>(j) the number of staff involved in implementing the provider’s support for students policy.</i>		NEW <i>(h) how the provider has determined that appropriate resourcing was available to deliver the provider’s support services described in the provider’s support for students policy.</i>
<i>(2) For the purposes of paragraph 19-43(6)(b) of the Act, the report must be provided annually.</i>			<i>(3) For the purposes of paragraph 19-43(6)(b) of the Act, the report must be provided annually on or before 1 March.</i>

Issue: University Places - 20,000 extra places
Contact: Ben Rimmer
 Ph: s 22
 Deputy Secretary

20,000 additional CSPs Budget

Financial year	2022–23 (million)	2023–24 (million)	2024–25 (million)	2025–26 (million)	2026–27 (million)	Total (million)
Budget Allocation	54.3	150.8	165.6	114.8	66.7	552.214

Note: Budget allocation reflects originally approved costs and does not include indexation required by the *Higher Education Support Act 2003*.

Key Points

- The Australian Government is providing up to \$485.5 million over 2022–23 to 2025–26 (\$587 million to the end of 2027) to deliver a one-off boost of 20,000 commencing Commonwealth supported places (CSPs) (Source: PBS 2022–23, p.17)
- These CSPs are for commencement in 2023 and 2024 **only**, to increase opportunities for students from under-represented groups to access higher education, and meet national skills needs. Funding for these places will terminate by the end of 2027.
- Places can be delivered for approved sub-bachelor and bachelor level courses. Providers are not able to use these CSPs for postgraduate courses.
- Funding under this measure is only able to be accessed by higher education providers once they have fully utilised their existing funding allocations for the delivery of higher education courses.
 - Given this, providers in receipt of funding under the Higher Education Continuity Guarantee will not be eligible to access funding under the 20,000 additional CSPs measure (see [SB24-000103](#)).
- Of a total 51 providers eligible to apply for these CSPs, the department received applications from 42 providers, requesting a total of 37,606 EFTSL, equivalent to \$1.296 billion in funding.
- Allocations were based on the outcomes of a competitive assessment process with three major selection criteria:
 - Delivery of places in areas of national priority, skills needs and workforce shortage.
 - Increasing participation for students from under-represented backgrounds.

- Provider capacity and student demand.
- The department also considered data related to providers' performance and progress in supporting students from under-represented groups and recent demand trends. Higher ranking providers received larger proportions of requested course allocations.
- In total, 42 providers will receive \$587 million from 2023 to 2028 to deliver 2,038 places commencing in 2023 and 2024 (breakdown by institution and state are at [Attachment A](#)). Funding comprises:
 - 35 Table A universities: 19,329 additional places - \$566 million
 - One university college: 170 additional places - \$7 million
 - 3 Table B universities (including Avondale University): 340 additional places - \$6 million
 - 3 eligible non-university higher education providers: 199 additional places - \$8 million.
- Fields of education which received the highest levels of funding were Education \$160 million (28%) and Nursing \$128 million (22%). Further data on disciplines funded and the skills list used in assessment is at [Attachment B](#).
- Each provider's final funding amount will be subject to actual utilisation of their allocation. The Department will consider data collected through normal collections to ensure funding has been used to support students from under-represented groups.
- The number of places allocated may differ from announcement, as exact funding for each course depends on the funding cluster.
- The department will monitor universities' and providers' enrolment data around the utilisation of these places. This will include additional provider reporting as part of standard estimates processes.
- Verified data on enrolments in these places from 2023 will not be available until 2024.

Stakeholder Response

Stakeholder	Response summary
Group of Eight	<p>On 20 December 2022, Vicki Thomson, Group of Eight Chief Executive, wrote to Secretary Tony Cook asking that greater flexibility be allowed to move allocated places between Funding Clusters and that the measure be extended beyond 2023/2024 commencements.</p> <ul style="list-style-type: none"> • Places under this measure were allocated to courses in areas of skills needs to providers who were most readily able to demonstrate capacity to deliver and support students from under-represented backgrounds. • Specific concerns were raised about the allocation of CSPs to Funding Cluster 1 courses that had not been requested by providers. The department has worked with universities to ensure that these places can be delivered against courses which meet skills needs requirements.
Charles Sturt University	<p>Vice-Chancellor Professor Renee Leon commented that the decision to allocate the new places to socially disadvantaged students could inadvertently weaken regional institutions due to “unrestrained competition”. Professor Leon said that the government should preferentially allocate them to regional universities with strong equity track records.</p> <ul style="list-style-type: none"> • Under-represented student participation was considered in the selection process; providers with a clear record of success in increasing participation of under-represented students were allocated a higher proportion of their requested places. Many regional universities possess strong track records.

Media**Andrew Norton – “The 20,000 equity places that nearly weren’t allocated and that will probably never be delivered”****Andrew Norton’s blog – 6 February 2023**

- Professor Andrew Norton commented on the likelihood that more universities than usual will be under-enrolled than usual and will not be able to deliver additional places that have been allocated.
- Provider capacity was considered in the selection process; providers with a history of being over-enrolled were allocated a higher proportion of their requested places. Any decision regarding the potential reallocation of places not being utilised remains a decision for the Government.
- Professor Norton reiterated concerns raised in a previous blog post regarding the statutory authority to allocate places in non-designated courses to Table A universities.
- The wording of funding agreements regarding allocations was written in consultation with the HERI legal team. It has been the long-standing practice of successive Australian governments not to disclose privileged legal advice, including constitutional, to preserve the public interest in maintaining legal professional privilege.

Andrew Norton – “The legal and bureaucratic problems of the government’s 20,000 additional student places policy”**Andrew Norton’s blog - 24 August 2022**

- Professor Norton commented on the legal and implementation requirements to administer these places. He noted perceived inconsistencies with the program guidelines and the *Higher Education Support Act 2003* which have been considered and addressed by the department.
- Professor Norton also correctly noted that the implementation of this measure will require making changes to the *Commonwealth Grant Scheme Guidelines 2020*. These necessary changes were made at the end of 2022.

Attachments

- [Attachment A](#) – Allocation of places by provider and jurisdiction
- [Attachment B](#) – Allocations by discipline and skills assessment information.

Date Last Cleared	23 January 2024
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BACKGROUND

- Following Supplementary Budget Estimates in October 2023, Senator the Hon Sarah Henderson submitted a Question on Notice asking for details regarding the actual number of places that had filled by students to date, and the drop out rate for students in these places at each university (SQ23-001093 refers).
 - The department continues to seek estimates from higher education providers regarding the expected utilisation of additional Commonwealth supported places (CSPs). Actual CSP usage will not be possible to quantify until verified enrolment data for 2023 is available. This information will not be available until late 2024.
 - Data in relation to retention/attrition rates for 2023 is not yet available.
- At February 2023 Senate Estimate hearings, Senator Henderson raised concerns about the legality of the 20,000 places measure following Professor Norton's article. The department provided assurances that all relevant instruments had been drafted by lawyers and were consistent with HESA. Senator Henderson then asked that the department take on notice to provide all correspondence and legal advice that it had received in relation to the measure.
 - Following consultation with the HERI legal team and the Attorney-General's Department, the department responded to Senator Henderson in April 2023 noting that it is the long-standing practice of successive Australian governments not to disclose privileged legal advice, including constitutional advice, in order to preserve the public interest in maintaining legal professional privilege (SQ23-000084 refers).
- At November 2022 Senate Estimate hearings, there was some confusion over the number of places provided under the measure based on a media release which listed out 13,389 places allocated to high priority disciplines (questions on notice: SQ22-000224 and SQ22-000315 refer). These 13,389 places were a summary of the places allocated to the top 5 priority areas listed in the Minister's media release of 23 October 2022 as per the below:
 - Education – 4,036 places
 - Nursing – 2,600 places
 - Information technology – 2,275 places
 - Health professions (including pharmacy and health science) – 2,740 places
 - Engineering – 1,738 places.
- A total of 20,038 places was allocated under the measure, with another 6,649 places allocated to other areas of skills shortage in addition to the above.
- A complete breakdown of allocated places by provider and state has been provided in response to a question on notice from Senator Henderson at the February 2023 hearings (SQ23-000080 refers).
- Additional details on the methodology used to allocate places across courses and providers were included in the answer to SQ22-000315 following November 2022 hearings.

Allocations (CSPs and \$) by provider and state

Allocations by Provider		Requested places	Allocation (places)	Allocation \$	Share of allocation
	Provider				
ACT	The Australian National University	238	237	3,545,772	0.6%
	University of Canberra	295	108	2,822,026	0.5%
	Total ACT	533	345	6,367,798	1.1%
Other	Torrens University	950	148	5,423,290	0.9%
	Australian Catholic University	749	715	23,361,557	4.0%
	Total other	1,699	863	28,784,847	4.9%
NSW	Charles Sturt University	2,250	1,084	27,229,961	4.6%
	Southern Cross University	1,129	932	26,820,859	4.6%
	The University of Newcastle	2,473	967	28,713,618	4.9%
	University of Wollongong	1,410	936	29,265,179	5.0%
	University of New South Wales	1,500	733	24,597,139	4.2%
	Western Sydney University	1,604	755	24,494,237	4.2%
	Macquarie University	750	488	11,296,993	1.9%
	University of Technology Sydney	480	480	16,439,823	2.8%
	The University of Sydney	537	195	5,421,060	0.9%
	Alphacrucis College	425	170	7,026,524	1.2%
	Avondale University	200	64	219,468	0.0%
	The University of New England	63	63	1,622,559	0.3%
	Total NSW	12,821	6,867	203,147,419	34.6%
NT	Charles Darwin University	3,899	831	29,322,516	5.0%
	Total NT	3,899	831	29,322,516	5.0%
Qld	Queensland University of Technology	1,204	780	27,362,463	4.7%
	The University of Queensland	700	379	8,381,113	1.4%
	CQUniversity	365	364	7,194,713	1.2%
	James Cook University	1,000	123	3,987,230	0.7%
	University of the Sunshine Coast	415	120	4,088,098	0.7%
	University of Southern Queensland	113	113	2,474,020	0.4%
	Total Qld	3,797	1,879	53,487,637	9.1%
SA	The University of Adelaide	890	890	28,272,254	4.8%
	University of South Australia	600	600	16,245,120	2.8%
	Flinders University	155	155	3,665,067	0.6%
	Total SA	1,645	1,645	48,182,441	8.2%

Attachment A

Allocations by Provider		Requested places	Allocation (places)	Allocation \$	Share of allocation
	Provider				
Tas	University of Tasmania	1,450	292	5,493,442	0.9%
	Total Tas	1,450	292	5,493,442	0.9%
Vic	Monash University	1,130	934	26,665,353	4.5%
	Victoria University	1,660	890	28,143,082	4.8%
	RMIT University	1,124	740	18,043,407	3.1%
	Deakin University	800	652	19,761,386	3.4%
	Swinburne University of Technology	495	464	13,071,587	2.2%
	The University of Melbourne	840	276	5,885,391	1.0%
	MCD University of Divinity	200	128	354,982	0.1%
	Eastern College Australia	150	92	3,785,465	0.6%
	Holmesglen Institute of TAFE	100	64	3,239,414	0.6%
	Melbourne Polytechnic	270	43	1,209,215	0.2%
	Total Vic	6,769	4,283	120,159,282	20.5%
WA	Curtin University	2,280	1,023	29,041,721	4.9%
	Edith Cowan University	1,000	840	28,917,817	4.9%
	University of Notre Dame Australia	980	613	24,061,274	4.1%
	The University of Western Australia	488	319	4,085,093	0.7%
	Murdoch University	245	237	5,867,796	1.0%
	Total WA	4,993	3,033	91,973,702	15.7%
Total		37,606	20,038	586,919,083	100%

Eligible providers that did not apply

Federation University Australia
 Griffith University
 La Trobe University
 Bond University
 Christian Heritage College
 Tabor Adelaide
 National Institute of Dramatic Arts
 Moore Theological College
 Australian Film, Television and Radio School

Allocations by State										
Allocated Places	NSW	VIC	QLD	SA	WA	TAS	NT	ACT	Other	Total
Education	1,351	870	213	76	1,126	-	195	15	190	4,036
Nursing	1,084	376	216	60	366	54	198	10	236	2,600
Engineering	747	243	316	227	85	49	52	20	-	1,738
Information Technology	827	556	210	428	78	-	11	40	126	2,275
Health	525	652	206	430	510	79	181	46	110	2,740
Other Funding Cluster 3	55	42	32	34	20	-	14	6	-	203
Other Funding Cluster 2	100	169	21	80	11	-	69	-	-	450
Funding Cluster 1	2,177	1,376	665	311	836	110	111	208	202	5,996
Total	6,867	4,283	1,879	1,645	3,033	292	831	345	863	20,038

Allocations (CSPs and \$) by field of education and course level

		Places to be delivered			Associated Funding 2023—2027
		2023	2024	Total	
PRIORITY BACHELOR	Education	1,800	1,800	3,600	\$ 148,395,288
	Nursing	1,200	1,200	2,401	\$ 121,369,985
	Engineering	494	488	982	\$ 49,666,318
	IT	850	831	1,681	\$ 69,278,133
	Health	880	867	1,747	\$ 71,993,371
	Other Cluster 2	150	195	345	\$ 14,263,725
	Other Cluster 3	45	62	107	\$ 5,428,864
	Total priority bachelor	5,419	5,443	10,862	
PRIORITY SUB-BACHELOR	Education	193	244	436	\$ 11,261,752
	Nursing	47	152	199	\$ 6,368,446
	Engineering	295	461	756	\$ 23,989,444
	IT	300	294	594	\$ 15,283,653
	Health	500	493	993	\$ 25,531,478
	Other Cluster 2	42	63	105	\$ 2,715,253
	Other Cluster 3	34	62	96	\$ 3,052,348
	Total priority sub-bach	1,411	1,769	3,180	
Total priority places		6,830	7,212	14,042	
Cluster 1 places any FOE	Bachelor	2,170	2,149	4,320	\$ 14,751,048
	Sub-bach	856	820	1,676	\$ 3,569,979
Total places		9,856	10,181	20,038	\$ 586,919,083

National priority areas*Allocation of CSPs*

CSP allocation processes took into account provider capacity, courses nominated by the providers to meet the Government's commitment to address skills shortages labour force needs, and increasing opportunity for students from under-represented backgrounds.

Priority was given to courses that addressing current National Labour Market shortages areas, have a strong level of expected future demand, account for the largest levels of expected growth in employment opportunity, and to providers that have a high proportion of students from low SES backgrounds; people from inner regional, outer regional, remote and very remote areas; First Nations Australians; and people with a disability.

Areas identified in election commitment

The Government's election commitment identified the following areas of national priority to help fix areas of skill shortages and to fill future skills needs:

- nursing
- engineering
- health and aged care
- teaching (including early childhood teachers)
- disability care
- digital and cybersecurity
- advanced manufacturing
- clean energy.

National Skill Commission (NSC) Skills Priority List 2021¹

The NSC regularly reviews the national skills needs of Australia and produces the Skills Priority List (SPL). The SPL provides a current labour market rating and a future demand rating for occupations.

The future demand rating, ranked as soft, moderate or strong, is a proportional measure that expresses the prospects for an occupation relative to that occupation's size. The SPL provides a crucial piece of labour market analysis on occupations that inform NSC advice on a range of labour market issues.

The below table summarises the SPL and lists occupations facing national shortages, with strong or moderate future demand levels, and where a bachelor degree or higher educational attainment level is required.

Broad Occupation Field	Expected Future Demand	Current National Labour Market Rating
Managers	Moderate/Strong	Shortage
Accountants	Strong	Shortage
Auditors	Strong	Shortage
Engineers	Strong	Shortage
Scientists	Moderate/Strong	Shortage/Regional Shortage
Health Professionals	Moderate/Strong	Shortage/Regional Shortage
Nurses	Moderate	Shortage
ICT Professionals	Strong	Shortage

¹ [Skills Priority List | National Skills Commission](#)

Psychologists	Strong	Shortage
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Table D.1. (below) contains a detailed list of these occupations.

NSC Employment Projections to 2026 (29 March 2022)²

Each year the NSC produces employment projections by industry, occupation and required skill level for the following five years. The following employment projections are based on forecast and projected total employment growth rates published in the 2021–22 Mid-Year Economic and Fiscal Outlook and Labour Force Survey employment data to November 2021.

Occupations listed in the table below represent those skills areas that require a bachelor degree or higher educational attainment level where the NSC has projected employment levels will increase by over 10,000 workers between 2021 and 2026.

Distribution based on equity performance

In assessing the ability of allocations under this measure to provide opportunities for students from under-represented backgrounds, allocation models utilised historical data and provider responses to selection criteria to assign more places to providers that have a strong history of enrolling and supporting students from low SES backgrounds; people from inner regional, outer regional, remote and very remote areas; First Nations Australians; and people with a disability.

Assessors assigned each provider a score between 0 and 3 based on how the equity statement addresses the criteria set out in the instructions.

Each applicant provider also received a base equity score between 0 and 3 (not necessarily integers).

- For Table A providers, it is determined by the proportion of 2020 domestic enrolments that includes people from low SES backgrounds; people from inner regional, outer regional, remote and very remote areas; First Nations Australians; and people with a disability.
- Based on this proportion, each provider is ranked and given a percentile score (between 0 and 1, not integers) based on their rank. The percentile score is then multiplied by 3.
- For non-Table A providers, similar data between 2018 and 2020 is aggregated for stability and reliability.

Based on the outcomes of the above processes, providers were placed into one of three performance bands with stronger applicants receiving higher proportions of requested CSP allocations.

How we will know these places will go to equity groups

- Through reconciliation processes, providers will retain funding for commencing equity enrolments in approved courses for places over and above 2022 commencing enrolments, so long as they deliver in excess of their Maximum Basic Grant Amount (MBGA).
- Increases in equity enrolments will not be required for each individual course. Instead, the delivery of additional places will be measured jointly across all of a provider's approved courses.
- Providers are required to identify the USIs of students in receipt of these additional places and indicate the reason for their eligibility.

² [Projecting employment to 2026 | National Skills Commission](#)

Table D1 Areas with employment levels projected to increase by over 10,000 workers between 2021-2026

Occupation	Projected employment growth - five years to November 2026 ('000)
Human Resource Managers	19.3
Construction Managers	11.4
ICT Managers	14.4
Other Specialist Managers	11.2
Accountants	17.9
Human Resource Professionals	10.3
Management and Organisation Analysts	28.2
Other Information and Organisation Professionals	13.3
Graphic and Web Designers, and Illustrators	13.9
Early Childhood (Pre-primary School) Teachers	10.6
University Lecturers and Tutors	10.6
Registered Nurses	40.4
Software and Applications Programmers	42.2
Database and Systems Administrators, and ICT Security Specialists	29.1
Solicitors	20.4