

15 September 2023

## Support for Students Policy Guidelines Discussion Paper: Submission from Edith Cowan University

Edith Cowan University (ECU) appreciates the opportunity to provide input to the proposed support for students policy guidelines. ECU has responded to selected questions below.

ECU is committed to providing appropriate, accessible support tailored to student needs. The University has more than 30,000 students, from 100 countries. The *Good Universities Guide 2024* awarded ECU five-star ratings for undergraduate and postgraduate student support, teaching quality, skills development, learning resources, and overall experience.

### Current student support measures

#### 2. How do we ensure that the Code and the new arrangements work together effectively?

There is unnecessary duplication between the reporting, compliance, and penalty arrangements in the proposed support for students policy requirements and existing measures. As identified in the consultation paper, the *Higher Education Standards Framework (Threshold Standards) 2021* (“Threshold Standards”) and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (“National Code”) require the provision of student support. Regulation and compliance powers are currently exercised through the Tertiary Education Quality and Standards Agency (TEQSA) and Department of Education. Higher education providers can already be fined for non-compliance, be deregistered, or have conditions applied to their registration.

Overlap leads to confusion and an increased administrative burden, diverting higher education providers’ resources away from learning, teaching, and student support activities. Overlap must be removed between the support for students policy requirements, existing compliance and enforcement agencies, and the Threshold Standards and National Code.

#### Recommendations

- Review the *Higher Education Standards Framework (Threshold Standards) 2021* and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* and remove all overlapping requirements.
- Avoid duplication in compliance functions and penalties between the support for students policy and the *Higher Education Support Act 2003* and the *Tertiary Education Quality and Standards Agency Act 2011*.

## Changes to Higher Education Provider Guidelines

3. *What other detail should be included in the Guidelines and why?*
4. *Are the proposed individual student and institutional level requirements practical, and implementable? If not, how could they be improved?*

The primary concern is the timeframe for implementation. Public universities have multiple policies that already cover the guidelines, yet significant work would be needed to consolidate these into one new policy. Good policy development requires input from multiple stakeholders, review by committees, and then approval by the provider's governing body. Time would also be needed to change the associated academic rules, assess and address service gaps, adjust resourcing, and ensure data collection is sufficient. Rushed implementation risks ineffectual and inefficient policy outcomes.

Requiring the support for students policy to be updated annually would also be problematic. Scheduled reviews should be undertaken at intervals that the provider considers appropriate, perhaps with a frequency not less than every five years. Annual policy review would divert committees from other governance issues and cause "review fatigue", which risks weakening policy scrutiny.

In addition, the scope of the support for students policy requirements needs to be well-defined and explicit. For example, from a compliance perspective, clarity is required on the responsibilities of providers when students are on approved leave from study and during non-teaching periods, for students who are studying at other providers through cross-institutional study or student exchange, and for students who are on work placements.

### Recommendations

- Extend the implementation timeline to the start of 2025, or at least to mid-2024.
- Allow providers to set their policy review interval.
- Clarify the circumstances in which the compliance requirements are applicable.

6. *What other reporting requirements need to be included to demonstrate compliance with the Support for students policy requirements?*
7. *Is there other information that should be reported, or that could be re-purposed, that would demonstrate compliance, and assist in monitoring and evaluating the outcomes of these Guidelines?*

The suggested reporting frequency of after each census date is unreasonable. Large public universities operate multiple teaching periods each year: ECU has 31 teaching periods with 28 census dates. The proposed reporting details are onerous, and include the: efficacy and effectiveness of the policy; identified opportunities for improvement of the policy and outcomes; numbers of students identified as requiring support, disaggregated by faculty; support provided for identified students; academic progression and outcomes of identified students; academic outcomes of the cohort generally; and HELP expenditure on failed units of study, per student and overall. It is infeasible for the University to provide this information 28 times per year, and many students would not yet be identified as "at risk" by each census date. The volume of reporting would also be unmanageable for the Department of Education, which would need to resource processing and assessing the information supplied, and following up with providers.

Twice-yearly reporting is also too often. Much of the data cannot be collected through automated mechanisms, so manual collation would be required across the University. Reporting should be annually or every two years to enable quality data provision and assessment.

In terms of repurposing existing data, TEQSA's risk assessments should be used to guide the Department's focus on provider compliance.

### **Recommendations**

- Reporting should be annual or once every two years.
- Prioritise compliance audits based on TEQSA risk assessments.

### **Other feedback**

The consultation paper on the support for students policy requirements make several assumptions not supported by evidence. If existing compliance and enforcement powers are not being exercised effectively, those issues should be addressed directly with the Department of Education and TEQSA, rather than by duplicating existing legislation.

There is an underlying assumption that providers are not currently motivated to support their students. The mission statements, numerous existing policies, and extensive support services of most providers suggests otherwise. Heavy-handed legislation aimed at a few outliers, which imposes an equal burden on all providers, is not justified. In addition, there is already a financial imperative for all providers to support students: successful students are more likely to continue their studies and to recommend the provider to others, thereby increasing income. In purely commercial terms, providers are negatively impacted financially if they do not deliver suitable support services, so Government-imposed penalties are largely redundant.

Another assumption is that higher education providers can, and should, monitor and intervene in students' lives beyond the extent necessary to provide high-quality education. There is no indication that students desire, or feel comfortable with, this level of intrusion. Higher education students are (primarily) adults with responsibility for their own lives. They can choose whether to access services like counselling and academic support services. Taking a paternalistic approach instead of supporting self-determination impairs personal growth, resilience, and career preparation. Providers should proactively encourage the use of support services, but nuance and respect for individual students' choices and circumstances is needed.

Further to the previous point, there are concerns about privacy, confidentiality, and arbitrary interference. Should the contents of a student's private discussion in a counselling session lead to an at-risk "flag" on their student record that is visible to other staff? Should a tutor ask students about their personal lives to proactively determine if they have been "affected by a significant life event"? Should characteristics like race, age, and income be used to predict how future students may behave? Should the experiences of others with similar demographics impact the support an individual is offered? Is there the potential for misuse of this data by providers, Government, or other actors? The Government is imposing ethical challenges for the sector with minimal guidance or understanding of the possible negative consequences.

Student concerns regarding trusting governments and other organisations with their personal information must also be respected. These concerns are particularly common among student cohorts who could most be considered "at risk". For example, some international students do not report sexual assault or financial difficulties because they mistakenly fear that the

Government or provider will cancel their student visa. Some students with disability do not notify their provider because they do not want their disability reported to the Commonwealth Government. Restraint in reporting and monitoring is necessary to ensure students who most need help are not dissuaded from seeking support.

An additional assumption is that when students do not pass units of study, it is due to the actions (or lack thereof) of their higher education provider. There are many reasons why students disengage, discontinue, or struggle with their studies. As outlined in multiple submissions to the University Accord, financial support provision to students by the Commonwealth Government needs to be increased. Other issues include, for example, high cost-of-living, housing shortages, rising childcare costs, and unequal access to psychological services under Medicare. Unfortunately, despite offering scholarships, student accommodation, childcare services, and counselling services, higher education providers alone cannot remedy all the external pressures faced by their students.

Finally, there are potential unintended negative consequences. If providers are penalised for students failing, unethical providers may simply pass students instead. Unscrupulous providers exploited VET FEE-HELP to the detriment of students and the Commonwealth Government because potential abuses were not identified and eliminated. If some providers choose to pass students who have not met learning outcomes, that puts the students and their employers (and their potential customers, patients, etc.) at risk. It also jeopardises the reputation of the general Australian higher education sector and Government regulatory bodies. There must be limits in place to address the additional risks created by this legislation.

### **Recommendations**

- Reconsider whether additional legislation and penalties are necessary.
- Provide ethical guidance and protect students from over-reach.
- Review and improve Government financial support services for students.
- Eliminate the potential for unintended, undesirable consequences.

### **Further information**

If you require further information or clarification, please contact me by email: [REDACTED], or by telephone: [REDACTED].

Yours sincerely



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