



**National Tertiary
Education Union**
Let's aim higher

NTEU submission to the

Support for students policy: Guidelines consultation paper

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INTRODUCTION

The National Tertiary Education Union (NTEU) represents the interests of higher education workers in universities, TAFEs, research institutions and other tertiary education providers nationally.

We welcome the opportunity to respond to the Support for Students Policy Guidelines Consultation paper.

As noted in our submission to the Inquiry into the Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023, the NTEU is supportive of the five policy measures for immediate action announced by Education Minister Jason Clare, and is supportive of the aforementioned Bill, including the requirement that providers be made to comply with a *Support for Students Policy*. Below we have provided specific responses to the prescribed questions where the NTEU has a policy position.

1. Are there features of the National Code of Practice for Providers of Education and Training to Overseas Students (the National Code) that could also be applied to domestic student support and included in the Guidelines?

In the NTEU's submission to the Universities Accord in April 2023, we noted that the Commonwealth Ombudsman can currently investigate complaints from international students about private schools, colleges, institutes, and universities in Australia, but this does not extend to domestic students who have a commonwealth supported place at a public university. Similarly, while students may make a complaint directly to TEQSA, the regulator does not act on individual complaints, but will just record it as part of the overall quality assurance and compliance processes.

We also have noted in previous submissions that there is a discrepancy in that there isn't a similar provision for domestic students as there are for international students who are covered by the National Code. In addition to the points noted in the *Support for Students Policy Consultation paper*, other features that would be useful to extend to domestic students includes *Standard 1* in the Code, which relates directly to marketing information and practices. Given that the Accord is considering a mass expansion of the sector, as well as the growth in sub-degree course offerings and micro-credentials, the NTEU is concerned over potential problems with the accuracy of information that will be provided to domestic students, particularly in a sector with more providers competing for a share of student market. We note that in the vocational education sector in the mid-2000's there was a high level of predatory behaviour by many providers, some of which targeted vulnerable cohorts of students. Given that the Accord is also calling for higher levels of participation of student equity groups, and there may be incentives for providers to target these groups for enrolment, it is vital that there are protections in place for domestic students, in the same way as exists currently for international students.

We also recommend that *Standard 6* (student support services) be integrated into new arrangements, given that these would clearly relate to the Government's proposed student guidelines policy for universities.

Finally, *Standard 10*, which relates to complaints and appeals, could also be applied to domestic students. In the past, student unions, guilds and associations played an important role in providing independent advice, support, and advocacy services for students with academic and welfare complaints against their institutions. However, the demise of many of these organisations (following the introduction of VSU) and the introduction of weak Student Service Amenities Fee (SSAF) guidelines (which also assigned SSAF funds to universities), have left considerable gaps in student academic and welfare services, and very few institutions now provide students with access to independent advice and advocacy.

While the threshold standards that providers must meet do require providers to ensure students have access and information about actions and services available to them, these are at the broader, macro policy level, and do not have the same regulatory integrity as what is outlined in Standard 10 in the Code. While providers have in place internal processes, there are considerable variations in accessibility and effectiveness of these processes, and there are few options for students should they wish to have independent support and advocacy, including external appeal on a provider decision. This is where Standard 10 would be useful. We also consider the timelines for student complaints processes outlined in Standard 10 to be an appropriate guide in respect to the handling of domestic student complaints and appeals.

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

For bigger institutions and/or those with larger international student enrolments, there should be an existing framework to build in the new arrangements with the National Code. However, there may be issues around scale, and some smaller and/or regional providers may not have the infrastructure, expertise or resources in place. The NTEU is concerned that some institutions will simply require workers who are already struggling with excessive workloads to take on additional duties, and not invest adequately in new professional staff and service support. Student advocacy, welfare and academic support services are already under resourced areas in many, if not the majority of institutions, and higher education providers must be both supported and incentivised to increase their investment in these areas.

3. What other detail should be included in the Guidelines and why?

It is appropriate that the Guidelines include a requirement that adequate resourcing be provided to ensure student support measures can be delivered. However, this measure could be expanded slightly to specify how the provider is going to ensure that *all* students have access to staff who have received a paid time allocation to provide general pastoral care, that is not necessarily specific to students who have already been flagged as at risk. This is presently a serious issue in the sector, with the majority to teaching staff receiving almost no time allocation to support students under commonly used casual arrangements.¹ Providing proper support and resourcing at the point of teaching will take pressure off specialised student support services which should only be needed by a smaller cohort of higher needs students.

4. Are the proposed individual student and institutional level requirements practical, and implementable? If not, how could they be improved?

While further details are yet to be announced, the NTEU agrees in principle with the Consultation paper's proposed requirements. However as noted, particular attention needs to be paid to resourcing of student support services. Reports from our members on the ground suggest that these services were targeted for redundancies during the sector wide period of cost cutting that occurred over 2020 and 2021. Many services now operate on a largely casual basis. Again, it should be stressed that policies should include explanation of how providers are providing appropriate front

¹ For example, a casually employed teaching staff member may receive *1 hour* time allocation per week per class of 20 or 30 students to: distribute and update course materials and assignments via an online platform, monitor online course discussions and respond, update student attendance and assessment databases, engage in correspondence with course coordinators and administrators, attend course lectures, meet with individual students outside of the classroom, manage and respond to individual student issues and queries via email, including providing pastoral and academic support for struggling students. In many cases teaching staff members receive no time allocation at all for these activities, meaning they are often performed unpaid at the initiative of the individual staff member.

line support via proper resourcing at the point of teaching, *in addition* to appropriate resourcing of targeted support services. As it presently stands two students in the same course, studying the same program often receive different levels of primary front-line support at the point of teaching based on the employment mode of the staff member carrying the tutorial, demonstration or seminar they were assigned to, with ongoing staff generally being more available and accessible to students and notionally having time allocation to engage with them outside of direct contact hours.

5. Are there examples of best practice, reports and reviews that focus on supporting students to complete their studies, that could be drawn on for the Guidelines?

While the NTEU is not in a position to comment on best practice examples for the Guidelines, we emphasise that there is also a need for on-going research and transparent reporting around student academic and welfare support and student advocacy. In particular, higher education providers should be required to publicly report on student complaints and resolutions, especially in relation to student safety (noting that the NTEU is also keenly aware of problems around worker safety in higher education spaces).

6. What other reporting requirements need to be included to demonstrate compliance with the *Support for students* policy requirements?

An additional requirement that should be considered is that providers report the share of student contact that is performed by casual staff, by faculty.

There is currently an alarming absence of research on the impact of the sector's unilateral decision to shift teaching delivery to mostly be performed by casual staff on a piece rate basis. As mentioned, these staff are not paid to have any meaningful relationship with students outside of the classroom. It seems likely that this is having an adverse impact on the level of support providers are supplying to their students in the first instance at the point of teaching.

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 NTEU notes that the information provided as part of compliance reporting should be publicly available by institution, for the purposes of research and advocacy. The NTEU also recommends that both compliance and improvements to benchmarks associated with the policy (e.g. academic progression, HELP expenditure on failed units of study etc) be tracked over time to determine where public policy can be improved.

8. What needs to be considered in the Department's approach to non-compliance?

The NTEU is supportive of the new civil penalty powers and notes that the scenarios discussed in which they may apply are appropriate.

The paper notes that the Department will use failure rates to track the performance of providers. This is of course welcomed and necessary – however, the potential for this to create counter-productive incentives in the system needs to be considered. In particular, this may incentivise providers to reduce academic standards to increase pass rates. Our members already widely report pressure from senior university managements to pass students who have clearly not demonstrated the required learning outcomes. This problem has been aggravated in recent years by the job insecurity most teaching staff face. Indeed, we have heard of many cases in which grades entered by the casual employees of major universities have later been modified by administrators. Casual employees are not in a position to speak out about these practices or ensure integrity is maintained, especially in cases where their access to the relevant systems are routinely revoked immediately at the end of each teaching period.

It is plausible that a casual employee may, design a course and create its materials, deliver all teaching and coordinate the course, upload provisional grades, then be removed from all university systems as their employment has “ceased”. In this case the teaching academic loses line of sight of the final grades delivered. This inherent tension between academic integrity, appropriate student support, and casualisation needs to be considered as a serious risk factor when it comes to genuine compliance.

9. What practical considerations need to be taken into account in implementing the Guidelines?

The NTEU supports the points outlined under Implementation in the consultation paper, including the expectation that providers will meet the requirements of the Guidelines by the start of the 2024 academic year. We expect that there will be considerable resistance to aspects of the proposed Guidelines, including this timeline, by some providers. While all higher education providers should be able to have policies in place that meet the minimum requirements of the Amendment Bill, we are less confident in ensuring that there are sufficient resources (including professional staff) and processes in place by this time.

We underline the need for both compliance monitoring as well as practical (and financial) support to ensure providers are best placed to meet their obligations under the Amendment Bill and the proposed Support for Students Policy.

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