

15 September 2023



Heads of Student  
Administration (ANZ) Inc

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## Re: Support for Students Policy Consultation Paper

The Heads of Student Administration (Australia and New Zealand) Inc, (HoSA), is an incorporated association that exists to promote excellence and leadership and to inform higher education policy on matters related to student and academic administration. Australian universities have members in our organisation. The HoSA Board made a submission on the *Australian Universities Accord Discussion Paper* earlier this year and appreciate the opportunity to now make a submission in response to the *Support for Students Policy Consultation Paper*.

HoSA welcomes the Interim Report outcome to cease the 50% pass rule and supports the Department objective to ensure students are supported to succeed in their studies and future ambitions. HoSA represents a group of higher education sector constituents that would likely play a pivotal role in the implementation of any adopted policy requirements, and we again signal our willingness to engage with the Department and other key stakeholders to develop sustainable and enduring support mechanisms to ensure the proposed Guidelines are practical, have the desired policy impact and of course, support students to study successfully.

The HoSA Board would like to comment on the following sections in the consultation paper.

### Regulation and governance

It is typically within the remit of the HoSA membership to implement and monitor compliance obligations under the increasingly complex framework of legislation (state and federal) and associated instruments.

While HoSA does not take a view on any one single legislative instrument or policy initiative, its constituents are increasingly concerned for the continual layering of regulatory and reporting obligations that have built up over time and that has resulted in an immensely dense regulatory and reporting framework. It imposes significant overhead on providers and diverts resources away from direct support for student success or improvements beyond the minimum standards.

The Consultation Paper discusses the key legislative instruments that include student support requirements. This includes the *Higher Education Support Act 2003* (HESA), the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA), the *Higher Education Standards Framework 2021* (Threshold Standards), the *Education Services for Overseas Students Act 2000* (ESOS), and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code). Beyond these well understood instruments, there are various other codes, ministerial directions and determinations, guidelines and other policy decisions that impact on daily application in managing and supporting student success. A sample list is provided in Attachment A.

HoSA notes that the Minister of Education is seeking advice from the Higher Education Standards Panel (HESP) on the application of the Threshold Standards in relation to student support. If HESP advises that the current Standards are sufficient or could be amended to include any additional requirements proposed under the *Support for Students Policy*, then this will avoid regulatory duplication. If it is determined that there is a need for a separate Policy, then the advice from HESP will ensure complementarity between the legislative instruments. This includes considering the *Tertiary Education Quality and Standards Agency (TEQSA)* as being the regulator of the reporting and compliance of any new requirements under the Guidelines.

HoSA provided similar feedback on the *Accord Discussion Paper*, and would like to reiterate and encourage the following in the context of the proposed *Support for Students Policy*:

- That the new Policy and Guidelines do not add to the existing regulatory framework and generate additional compliance and reporting obligations without the rationalisation of existing obligations.
- Consideration be given that all Government instruments - including the new Policy obligation - are in alignment in their language and expectations in relation to the services and support provided to students with various and diverse challenges. Ideally there would be one point of reference, not multiple, to assist providers in the efficient application of effort to meet their obligations.
- That such a consolidated legislative instrument is an umbrella for a reduced number of subsidiary frameworks and mechanisms that support students and providers participating in the higher education system, encourages innovation and diversity, and delivers successfully on the intent of the new Policy and the Accord objectives more broadly.

Alignment and consolidation of language, expectation and the range of services specified across the existing legislative instruments will allow for a more effective implementation and will ensure the proposed Policy objective works effectively in the broader legislative context.

## Level of specificity and operability

HoSA notes that the proposed *Support for Students Policy* is very prescriptive in nature, including listing supports, interventions, and roles and responsibilities of staff. The expression and specificity of the proposed inclusions give cause for concern in that it generates further questions about detail, about intent and about expected provider responses.

HoSA encourages the adoption of Guidelines that are elevated to provide broader descriptors. Such an approach will allow for individual providers to adapt a response that is contextualised and appropriate to their student cohorts. Providers will also need to consider the realities of contemporary delivery of teaching which include multiple modes and periods of study.

The Guidelines are also unclear on the student's responsibility in engaging with providers and to take ownership of their own journey to success. Provider versus student accountability is an existing challenge to navigate and may become increasingly complex if the Guidelines do not outline the role of the learner in the student support process.

Within this context, HOSA ANZ would encourage and support:

- That the *Support for Students Policy* is principle based and not prescriptive in how providers deliver a holistic student support framework to meet the Policy objectives.
- As well as stipulating support for students in the Policy, that consideration is given to stipulating the obligations of students as adult and independent learners who make their own decisions and have their own agency.

## Reporting complexity

The suggested reporting indicates both qualitative and quantitative formats which will need a new, standalone reporting response to the Commonwealth. Providers have many processes, tools, systems and initiatives in place that support student success, but they are not necessarily joined up and automated to optimise reporting on such interventions. There is also varied maturity in the capture of reporting on attributes such as low socio-economic status, first-in-family, personalised support interventions, etc, across our member institutions. This will take time to develop.

To the extent that it is possible, consideration should be given to using existing reporting mechanisms to minimise the risk of duplication and additional reporting burdens. Utilising the TCSI reporting system to maximise automation of quantitative reporting requirements will be critical. Data already reported as part of HESA or other compliance requirements could be repurposed to also demonstrate compliance with the proposed *Support for Students Policy*.

HoSA further notes that any new reporting requirements and timelines must consider contemporary delivery of teaching and learning. As an example, reporting after each census date will be extremely problematic as delivery of teaching across our member institutions may involve upwards of 20 census dates a year (sometimes many more). For qualitative data such as efficacy, effectiveness, and opportunities for improvement of the policy, annual or bi-annual reporting is preferable due to the more considered and analytical nature of this type of reporting.

HOSA ANZ would encourage and support:

- To the extent that it is possible, that existing reporting mechanisms, data sets and timings are leveraged to demonstrate that providers meet the compliance requirements for the new Policy.
- That if this is not able to be achieved, that streamlining of reporting obligations on providers occurs to simplify compliance activities across various legislative instruments and to balance the need for accountability with the achievement of the overall Policy objective.
- Further consultation with HOSA ANZ on the development of the reporting obligations.

## Timelines for implementation

Much of the substance of what is being suggested for the *Support for Students Policy* exists in some form already in most institutions. Each provider will have multiple policy and procedure statements that capture the proposed content across academic progression, assessment, critical incident management, special consideration, academic and non-academic support services, and assurance and grievance management processes.

Capturing what is being proposed in a single policy response would either create an unwieldy policy document for students and providers, or alternatively one that is so high level as to render it meaningless other than to meet compliance. The latter would be reliant on multiple subsidiary internal policy and procedure statements that details the mechanics of provider intent, actions and processes.

Regardless of the final nature of the proposed Policy, providers will need to consult widely and undertake internal policy development and diligence through its normal governance processes. This could include re-framing multiple existing policy and procedure statements, as well developing new policy positions for inclusion in existing policy architecture. There could also be

other significant undertakings required, such as system and business process redesign. It is therefore not reasonable to expect these policy statements to be in place at the commencement of 2024.

Noting the challenges with previous significant Government reporting requirement implementations and the need to an agreed understanding of the data, data collection, transfer process and quality, it is important to allow sufficient time to solve any practical issues with implementation. HoSA therefore recommends on behalf of its members:

- That a transitional period for compliance throughout 2024 is preferable, with reporting of compliance against the Act to commence in 2025.

The HoSA Board thanks the Department for consideration of this submission and welcomes further opportunities to expand on the feedback or participate in future exercises in the shaping of the proposed *Support for Students Policy* and Guidelines.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Danielsson', written in a cursive style.

**Annika Danielsson**  
**Chair of HOSA ANZ Inc Board**  
**Senior Director, Student Experience and Management**  
**Flinders University**

## Attachment A

Sample list of regulatory and policy instruments in the Australian higher education system

### Key Legislation

- Higher Education Support Act 2003
- Education Services for Overseas Students Act 2000
- Tertiary Education Quality and Standards Agency Act 2011

### Other Legislation (not exhaustive)

- Higher Education Support (HELP Tuition Protection Levy) Act 2020
- Higher Education (Up-front Payments Tuition Protection Levy) Act 2020
- Student Identifiers Act 2014
- Migration Act 1958
- Social Security Act 1991

### Other Legislative Instruments and Standards (not exhaustive)

- Higher Education Standards Framework (Threshold Standards) 2021 (HES Framework)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework

### Guidelines

- Administration Guidelines 2012
  - Higher Education Provider Guidelines 2012
  - Commonwealth Grant Scheme Guidelines 2020
  - OS-HELP Guidelines 2013
  - Privacy (Tax File Number Rule) 2015
  - Commonwealth Scholarship Guidelines (Research) 2017
  - FEE-HELP Guidelines 2017
  - Higher Education Support (Student Learning Entitlement) Guidelines 2021
  - Student Services, Amenities, Representation and Advocacy Guidelines 2022
  - Guidelines for the presentation of Australian Higher Education Graduation Statements
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