



To whom it may concern

On behalf of Western Sydney University, I thank you for the opportunity to respond to the suggested amendments to the Higher Education Provider Guidelines (the Guidelines) to facilitate the Support for Students Policy. The University welcomes the withdrawal of the LCR and commends the Department for developing a rigorous framework to support student success in tertiary study. Western Sydney University looks forward to working closely with the Department in the implementation of the Support for Students Policy.

To take the relevant consultation questions in turn:

Are there features of the Code that could also be applied to domestic student support and included in the Guidelines?

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

Like many institutions, Western aligns its processes for domestic students with requirements specified under the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) to ensure equity in practice and service delivery. Similarly, wherever possible, processes required for domestic students under the *Higher Education Support Act 2003* (HESA) are applied to international students. This approach limits confusion for students and standardises processes to ensure our student support capability is scalable and effective.

It is critical that requirements do not differ so significantly between international and domestic students that there is a costly and confusing divergence in process. The National Code, HESA and Higher Education Support Framework requirements can complement each other to ensure high levels of service for students and transparency and consistency in practice across all student cohorts.

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

The consultation paper provides that continuing students should be supported by assessments of academic and non-academic suitability, 'especially [...] students who have already triggered alerts' (8).

While academic suitability for study is readily understood and assessed both for commencing and continuing students there is no agreed mechanism for assessing non-academic suitability outside of serious medical conditions that may impact study. For example, Western Sydney University maintains a [Medical Assistance Policy](#) for students who experience difficulty in their study due to an ongoing and potentially undiagnosed condition. The University submits that the Guidelines should carefully define non-academic suitability to ensure that any assessment of such suitability is not based on undefined extrinsic factors and does not invite unconscious bias.

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It is unclear if the consultation paper proposes a new class of academic support employee: 'Access to *trained academic development advisors* who specialise in identifying the reasons why students struggle and assembling the right response for individual students' (9)

Presumably, the requirement reflects the current services provided through academic learning advisors and unit and program coordinators across the sector. However, clarification of this particular would be welcome. If the intention is create a requirement for new kinds of employees with prescribed training, the University asks the Department to carefully consider the resource implications of such an intention and the significant overlap with current activities.

The consultation paper seems to suggest that all students must connect with 'support' prior to census and escalations be triggered for those that do not do so. As an institution with multiple parallel teaching sessions, including with third party providers, this is likely to result in a significant administrative burden and short timeframes for compliance. If applied to all students rather than those who have been identified as having a particular need, the requirement is likely to drive mere compliance rather than meaningful engagement – particularly given that support is to be offered before there is a chance of assessing academic performance in a teaching session.

In relation to the proposed requirement that 'sufficient resourcing is available to adequately support all students identified as requiring additional assistance, including how those resources are adjusted to meet demand' (8), we anticipate that the Department will take into account a university's scale and the factors that may contribute to an institution having a student cohort with complex support needs – for instance, significant numbers of low SES and first-in-family students – when assessing the adequacy of support. The University also anticipates that the Department will consider the broad financial circumstances of institutions and any associated impact on service provision.

A minor note: the requirement that the Support for Students Policy be updated annually does not reflect ordinary policy practice. A requirement to *review* would be welcomed as being more in line with common practice.

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 University asks that, to the extent possible, TCSI be used to satisfy the reporting requirements outlined in the consultation paper. While some elements of the suggested reporting items may not be amenable to the TCSI platform, bespoke reports from each institution are likely to be inconsistent, require re-formatting for any serious analysis, and will fail to embed student support reporting in main systems of record.

What needs to be taken into account in the Department's approach to non-compliance?

A per student penalty for non-compliance is a heavy imposition on any institution, particularly in the first few years of implementation of a Support for Student Policy.



While most of the Support for Students Policy requirements align with existing HESF or National Code obligations, the HESA and Guidelines amendments seek to specify certain new requirements for institutions. Given the number of students studying at institutions differs, as do the number of census dates and complexity of teaching calendars, certain institutions will be disproportionately at risk of breach compared to others.

If liability for breaches per affected students is maintained, the University asks that that it only be applied, if at all, in circumstances where the breach is considered particularly severe or deliberate, and/or where a previous penalty has been imposed and the practice that gave rise to the breach remains unremedied.

More broadly, the University hopes that the sector continues to enjoy a strong working relationship with the Department, and that this is reflected in a collaborative approach to compliance.

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

Given that the specific requirements to be included in the Guidelines will not be finalised until after the HESA amendment is approved, providers will not be able to commence policy development until late in 2023 to meet the start of the 2024 academic year. This is insufficient time for institutions to introduce a robust student support policy and any associated operational activities. In addition, most providers are engaged in the heaviest recruitment window of the year between November-February; the resources required to implement the support for students policy are the same resources responsible for student recruitment and onboarding.

The University would welcome consideration of a longer implementation period or an assured 'grace' period. In addition, it should be possible to stage implementation of support requirements across a timeline that reflects the practical considerations attending implementation.

Sincerely

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