**Queensland University of Technology
response to the
Department of Education's
Support for Students Policy Guidelines
consultation paper**

QUT is pleased to contribute our views to the formulation of the Higher Education Provider Guidelines (the Guidelines) relating to the Support for Student Policy elements [namely, §§19-43(2)(b), (3) and (6)] of the *Higher Education Support Amendment (Response to the Australian Universities Accord Interim Report) Bill 2023* (the Bill).

QUT consents to the Government publishing this submission.

General considerations

A) Delegated legislation

While we welcome the opportunity to participate in this consultation, there is no guarantee that open, formal consultation will take place when the Guidelines are amended in the future. The ambit of the Support for Students Policy measures is so broad that a future Government could impose obligations by regulation upon higher education providers well beyond the scope, intent and practicability of the Bill before the Parliament. There is apparently nothing in the present Bill, for example, to prevent a variation of the 50 per cent pass rule – abolished by the Bill – being reintroduced by a future Government through a revision of the Guidelines.

QUT therefore urges the Government to amend the Bill in order to place the Government's central requirements and expectations within the *Higher Education Support Act 2003* (HESA) itself, and to restrict the scope of the Guidelines only to matters of genuine detail, routine or occasional updates, and minor realignment, instead of the current unbounded field of potential obligations and conditions relating to student success.

In the interest of economy, we do not repeat this exhortation to codify the key elements within HESA rather than in the Guidelines, but our preference on that aspect should be taken as read throughout this submission.

B) Resourcing

As the consultation paper notes, most universities would already have in place policies and procedures that between them underpin institutional support for students. However, the

consultation paper, the Bill's Explanatory Memorandum (EM) and the Minister's second reading speech (2R) all indicate that the Government is contemplating extending provider obligations beyond the (already extensive) support practices that are currently standard across the university sector.

Additionally, the Universities Accord Review Interim Report clearly signals an expectation that a much higher proportion of future students will be sourced from incoming cohorts requiring additional support. Since introduction of the Job Ready Graduate (JRG) Package, many disciplines are currently funded below the true economic cost of delivery, even for students who do not require additional support. Partly to address this confluence of challenges, the Accord Review Panel envisages the introduction of a 'student-centred, needs-based' funding model – perhaps a loading for enrolments from equity cohorts who are expected to enter as 'supported students', to provide the resourcing needed to furnish the mandated support. There will also be a need for a mechanism to fund the provision of support to students who are admitted as standard entry students but who convert to 'supported students' under the Support for Students Policy.

In the period between the proposed new Guidelines taking effect and the Government implementing measures in response to the Accord Review's forthcoming Final Report, the Government would need to provide a *pro tempore* funding mechanism to enable universities to provide any additional support measures it is contemplating, such as direct financial aid beyond the bursaries, emergency loans and needs-based scholarships that universities currently provide through other means (e.g. philanthropy), and to cover the cost of staffing to provide additional intensive support and for new compliance reporting.

It is imperative that a clear, workable and adequate funding regime is announced alongside the Guidelines to ensure students receive the level and types of support they mandate. Universities cannot provide these additional supports without additional resources.

It is also critical that the placement poverty issue is addressed separately and not folded into the general ambit of the Support for Students Policy. Universities already bear a considerable financial burden relating to placements: securing placements in the first place is a labour-intensive exercise, involving many hours of dogged work by expert staff, right throughout the year; and facilitation payments are sometimes necessary to secure placements. Direct financial support to enable students to access compulsory placement is well beyond the capacity of universities to underwrite, and is the responsibility of the governments and industries whose skilled workforce needs are driving those placement requirements. The Guidelines must make it clear that financial support for compulsory placements is not within the ambit of providers' responsibility to have in place 'arrangements to provide non-academic supports for students, such as financial assistance'.

C) Privacy

Some of the factors contributing to student difficulty that the consultation paper considers in scope are quite personal. To engage with them, and particularly to report on their inclusion in institutions' demonstrations of compliance, will involve a greater intrusion into student privacy than is current normal practice. For instance, where we now deliberately refrain from making or keeping records of student referrals to counselling services (as a

privacy measure and to protect students from discrimination), fulfilment of our obligations under the proposed Guidelines will require that we collect and preserve these personal data. The keeping of such records adds risk for our most vulnerable students, in the context of the ever-escalating cyber arms race between hackers and cybersecurity experts. QUT urges the Department to consider this aspect when determining the elements of student life it expects universities to report on, as the collection and storage of unnecessary private data is contrary to global best practice. Additionally, before mandating institutional obligations relating to students' personal circumstances, the Department must satisfy itself that the imposition of personal data collection, retention and reporting requirements does not place universities in conflict with their obligations to student privacy under other legislation.

D) Individual choice

The EM, 2R and consultation paper do not make allowance for the fact that students are adult agents who make their own choices for their own reasons, and who do not always wish to explain themselves to their institutions. Students transfer, take leave of absence and drop out altogether for a myriad of reasons, many of which are beyond the control of universities. Indeed, providers can be left unaware of all (or sometimes any) of a student's reasons for struggling or discontinuing, especially when they are under pressure: students can be reticent or evasive about what's going on in their lives, even in response to expert and well-calibrated support contacts. Other students can be entirely unresponsive to repeated attempts to engage them via multiple channels: universities must and do make serious efforts to reach students who need support, but a determinedly uncommunicative student cannot be forced to engage. The Guidelines must take into account student agency as a significant component of the reality of progression and success in higher education.

Specific responses to the Department's consultation questions

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

The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the Code) features elements that lend themselves to application within the Guidelines. However, QUT counsels against the Department employing a methodology of scanning the regulatory environment looking for additional features to include in the Guidelines. Instead, the Department should start with a firm and clear sense of the Guidelines' preferred inclusions, then seek to harmonise those with other existing regulatory obligations.

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

Harmonisation will maximise efficacy and efficiency, minimise duplication, help contain the regulatory burden, and create a more accessible and effective policy framework for students and staff to navigate.

For example, the Code coincides with the concerns of the Bill in Standard 6, which makes explicit reference to provider obligations related to safety on campus and providing information to students on seeking assistance for, and reporting on, incidents that impact

on wellbeing. There is obvious good sense in ensuring that support and reporting arrangements are the same for all students, whether international or domestic, except insofar as student status has any material relevance.

Section 7.2 of the Code (7.2.2.1 in particular) requires providers to have "a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course…", which includes circumstances where the provider will grant a transfer because the student is going to fail their current course, even after the student has worked with the provider to address any under-performance. Clarity would be appreciated on whether the intention of the new arrangements is to impose a duty on the provider to assess a student's ability to meet the requirements of the course/institution they are transferring to; and, if so, whether there will be an exemption to this obligation where the student is transferring to another institution (in which case the institution the student is transferring to would bear this obligation, as opposed to the institution the student is transferring from).

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

The Guidelines might include:
- Service standards on average and maximum wait times.
- Processes for students who refuse to take up offers of support, either explicitly or through continuing non-engagement.
- Processes to support students who make the informed, considered decision to transfer to another course, another institution or another sector (i.e. VET), or to leave tertiary education altogether for a time.
- Consideration of the effect of technological limitations for data collection and storage.
- Recognition of external structural influences, such as local and national labour market shortages of qualified support staff, the influence of employment market conditions on student leave of absence rates, etc.
- Recognition that student progression is also frequently a function of individual personal circumstances (e.g. medical conditions, family crisis, cost of living, other opportunities, etc.) that are outside the influence (and in many cases the knowledge) of institutions.
- Recognition of other activities and structures that help retention and favour success such as community connections, campus sport, social clubs, wellbeing activities, etc.

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

There is considerable overlap between the proposed Support for Students Policy Guidelines and the existing *Higher Education Standards Framework (Threshold Standards) 2021* (the Threshold Standards). Higher education providers already have comprehensive policy frameworks in line with the Threshold Standards, crafted in ways which align to individual institutional missions and contexts. Certainly, at QUT it is part of business as usual to support students at risk and in compliance with the Threshold Standards (and the Code, in the case of international students). Additionally, a recent external review of academic governance recommended that QUT "develop a stand-alone Students at Risk Policy which

would include early detection, support and specific monitoring of success"; the Learning and Teaching Unit is currently working to implement this recommendation. To the extent possible the Guidelines should permit providers to utilise and reference existing measures to avoid creating an additional administrative burden to no practical effect.

The consultation paper contemplates requiring providers to include a prescribed set of information in a Support for Students Policy, by inference in the form of a new, discrete, standalone policy, to be created and updated annually to address the Guidelines' requirements. The Guidelines should permit higher education providers to preserve their existing range of relevant policies and present the Support for Students Policy in the form of a 'one stop shop' collation (supplemented if and where necessary with any new additional policy detail required by the Guidelines) instead of mandating a novel standalone policy that duplicates existing policies already in place to address the Higher Education Standards Framework.

Furthermore, updating a policy annually is unusual and unlikely to be necessary or practicable (adding a further compliance burden). Instead, the Guidelines should require higher education providers to continuously monitor the effectiveness of the Support for Students Policy and update it as necessary, and to subject it to regular review and update at determined intervals in line with existing institutional policy frameworks.

The 'Support for Individuals' section of the Guidelines mandates 'processes to ensure that students are connected to support, and that non-engagement with support triggers escalations before the census date wherever possible.' Although it is reasonable to expect providers to offer relevant supports to vulnerable and at-risk students – as we already do – it is also likely that some of those students will choose not to accept the offer or engage with support. Experience shows that escalation does not always result in engagement. Timely pre-census date offers of support are crucial, however it will be both difficult and resource intensive for providers to meet the draft expectation of 'escalations before census dates.'

The 'Institutional Level Requirements' section of the Guidelines stipulates that students should have 'access to trained academic development advisors'. Since the exact position title of staff-members trained to 'specialise in identifying the reasons why students struggle and assemble the right response' will vary greatly between and across institutions – at QUT, for example, they might be called Student Success Coaches, Language and Learning, STEM or Career Educators, or Success Guides – this requirement should be understood to make reference to a role description rather to stipulate a precise job title.

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?*

A recent systematic review by Narelle Eather et al. (2022) of research on student retention and success programs is highly relevant to the Guidelines, and incorporates a discussion of monitoring and interventions where the evidence of impact remains thin.[1]

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[1] Eather, N., Mavilidi, M., Sharp, H. and Parkes, R. (2022). 'Programmes targeting student retention/success and satisfaction/experience in higher education: A systematic review.' *Journal of Higher Education Policy and Management.* 44 (3), pp. 223-239. https://doi.org/10.1080/1360080X.2021.2021600

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

Care should be taken to ensure that the reporting requirements in terms of required detail and the frequency of reporting do not comprise such an administrative burden on providers as to divert resources from the focus on student support itself. To the extent possible, the Guidelines should avoid duplicating reporting already required, such as under the Threshold Standards; should duplication be unavoidable, those requirements should be harmonised to ensure data are collected and reported on efficiently.

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 National Student Experience Survey (SES) is a key expression of the student voice within our sector and already addresses central questions relevant to the Guidelines. Revising parts of that instrument to align more clearly with the Guidelines will assist with monitoring and evaluating outcomes without creating additional administration or needing new resources. Significantly, using the SES to evaluate student perceptions of support at a sector level will also create opportunities for relevant research and the sharing of best practice.

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

Again, it is important that duplication of inquiry and investigation is avoided so providers can coherently and effectively respond to concerns. Multiple approaches from multiple agencies over the same issues will hamper rather than aid the improvement of compliance.

While universities are (quite appropriately) asked to ensure their staff are properly trained and equipped to provide the support for students that the Guidelines contemplate, the Department will need to make an assessment of its own expertise and capacity to adjudicate on the adequacy and efficacy of support programs (including questions of informed judgement as to reasonable rates of student engagement and compliance, realistic prospects for turnaround and improvement, etc.).

Proving (not simply asserting) that "students failed because the higher education provider did not apply measures in their own Support for students policy" – rather than because of other factors – will not be a straightforward matter, and findings to that effect will need to be subject to appeal.

Investigations at the level of the individual student would effectively require Department staff to perform a case manager and investigation function, along the lines of an Ombudsman role. Instead QUT recommends the Department focusses its compliance mechanisms and oversight to institutional level activities, such as whether the institution itself has an Ombudsman function, reporting to state-based Ombudsman Offices, assessing providers' periodic reporting and Tertiary Collection of Student Information (TCSI) data, and creating a schedule of desktop audits.

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

It is critical that the Guidelines focus on the question of actual support offered and provided to students, rather than diverting resources in the Department and universities themselves to excessive reporting, auditing and investigation, some of which will inevitably duplicate existing processes, as noted above.

There is no one-size-fits-all solution between institutions; nor between or even within cohorts of students. Appropriate, effective approaches are going to look different from provider to provider, between different cohorts of students, and with every unique individual.

Both the Bill and the consultation paper over-estimate the authority that universities have over individual student choices – in class attendance, commitment to study goals, even reading emails or answering the telephone – so it is critical that the Guidelines do not attempt to hold universities accountable for factors genuinely beyond their control or influence.

All Australian universities are deeply committed to meeting the complex learning and support needs of our diverse student populations. Central to student success is ensuring that institutional leaders have access to reports and research on effective interventions so that they can be used to shape evidence informed practice. The Universities Accord Interim Report asked for feedback on strategies to drive new and more collaborative approaches to learning and teaching including through competitive funding programs and a national learning and teaching committee. There are pockets of excellent practice in our sector, but research has been patchy and there are very few multi-institutional student success and retention initiatives. To make changes to the provider Guidelines effective, there is a pressing need for Government investment in collaboration, means to share best practice, and quality research and scholarship in learning and teaching, so that together we can drive continuing improvement in strategies for student success.