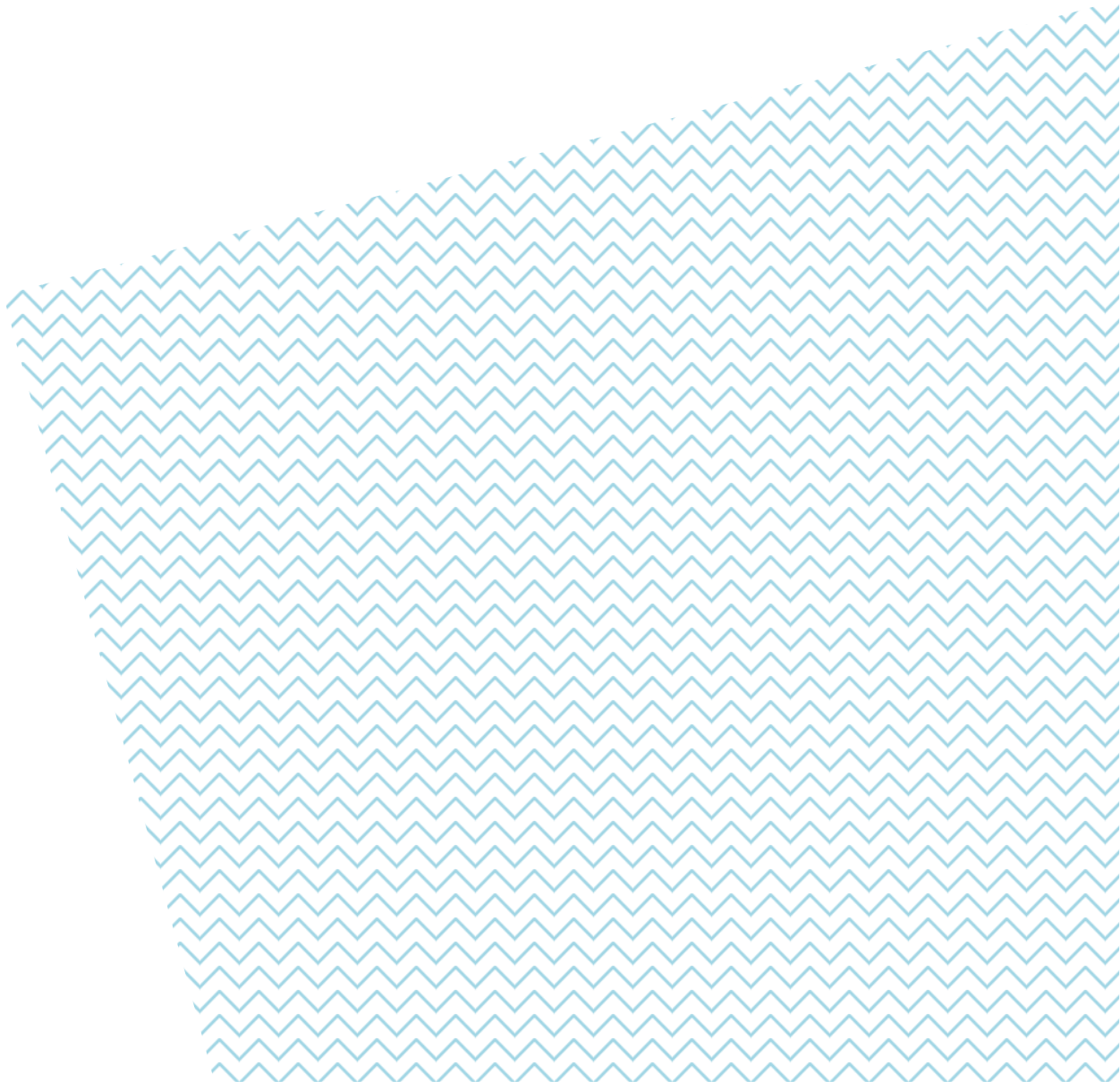




Department of Education

Response to the Support for students policy: Guidelines consultation paper

15 September 2023



Executive Summary

The University of Melbourne welcomes the opportunity to respond to the Department of Education's *Support for students policy: Guidelines consultation paper*.

The University supports the removal of the 50 per cent pass rule, given the rule has disproportionately impacted equity cohorts and has imposed a substantial administrative burden on higher education providers. The higher education sector was uniform in its view that the rule should be abolished. We commend the Australian Government for agreeing to implement this as one of the immediate actions recommended in the *Australian Universities Accord Interim Report*.

We also acknowledge the need for oversight and accountability measures relating to monitoring of student progress and to the supports made available to students, such that students are given the best chance to succeed in their studies, and that those who are not engaged do not continue to accrue HELP debts.

Notwithstanding this, we have significant concerns with some of the specific proposals in the Consultation Paper. There exists already an extensive framework for monitoring student support-related policies, practices and outcomes in Australian higher education. The proposed content in the updated Guidelines would duplicate existing requirements specified in the *Higher Education Standards Framework (Threshold Standards) 2021* overseen by the Tertiary Education Quality and Standards Agency (TEQSA).

Significantly, the Consultation Paper notes that the Minister has requested that the Higher Education Standards Panel (HESP) "review the application of the Threshold Standards in relation to student support", and that it consider whether the recommendations of the 2018 HESP report improving retention, completion and success have been effective. It would be prudent for the government to await the assessment of the adequacy of the current arrangements to ensure that any new measures are tailored to address gaps in these settings. It is possible, for example, that the risks are concentrated in specific parts of the sector, and that any new measures should be targeted accordingly.

The administrative costs entailed in introducing a standalone "Support for students policy" as proposed, along with the suggested new reporting requirements, should not be underestimated. While some level of administration in demonstrating the effectiveness of supports available to students is unavoidable, imposing a burden over and above what is necessary simply means diverting resources away from these supports.

There are more specific issues in the detail of the requirements proposed for inclusion in the updated Guidelines. In some cases, there is a question around the workability of these requirements. There is also a genuine risk that some of the suggested new requirements will generate unintended consequences. For example, there is a danger of generating a perverse incentive if reporting requirements assume that failed subjects are necessarily linked to a lack of student support. We elaborate on some of these issues below in the University's responses to the consultation questions included in the Paper.

In view of these issues, the University of Melbourne **recommends that the Government await the outcomes of HESP's review of the effectiveness of the existing regulatory settings, to ensure that any additional requirements are targeted to address identified gaps or needed improvements in the current framework.**

The University looks forward to continuing to work with the Government on maintaining and improving on the arrangements for supporting student success and wellbeing, and more generally on sector reform in the context of the Australian Universities Accord.

For further information or to discuss the submission, Professor Gregor Kennedy, Deputy Vice-Chancellor (Academic) can be contacted at gek@unimelb.edu.au.

Student support at the University of Melbourne

The University of Melbourne has a range of policies, processes and services that support both students at academic risk of failure and 'other' students at risk (i.e. mental health). The University's *Student Charter* embodies the key principles underpinning the partnership between students and the University, articulating the commitment to student support as well as the responsibilities of students themselves. Policies that belong to the University's framework for managing students at risk include:

- Assessment and Results Policy: this includes Special Consideration Provisions which allow for Late Withdrawal and Academic Adjustments for students with specific support needs (e.g. disability).
- Student Fitness to Practice Policy
- Student Fitness to Study Policy
- Student Conduct Policy
- Academic Progress Review Policy
- Responding to Student Traumatic Event Policy

We perform regular course progression checks to ensure students are on track to completion, and require undergraduate subjects to include early assessment to enable timely feedback and ensure students are on track in their studies in the subject. The University has also recently launched the Student Outreach and Referral (SOAR) service, which is available to subject co-ordinators concerned about a student's level of engagement in their studies, or their general welfare, and provides individualised support for students.

The University has in place dedicated support services tailored to meet the needs of specific cohorts. These include Murrup Barak in support of Indigenous students, Academic Skills, Student Equity and Disability Services, Counselling and Psychological Services, Health Services, Financial Aid, Safer Community Program, the Melbourne Peer Mentoring Program, and Course advising and Academic Advising.

We note that the University of Melbourne has the highest retention rate and the highest course completion rates in the sector. While acknowledging there is always room for improvement, we are confident in the robustness of the supports we offer our students.

Advancing Students and Education Strategy: 2023 – 2030

The University of Melbourne's commitment to supporting our students to achieve their potential within their studies is articulated in the *Advancing Students and Education strategy: 2023 – 2030*, launched in March this year. The Strategy was shaped by over 2,700 contributions from students and staff through an eight-month consultation process, and commits to nurturing excellent students from all backgrounds, through support offered both inside and outside the classroom. It also acknowledges that physical and mental health is fundamental to student success. The University's *Student Wellbeing & Mental Health Framework* is already being implemented to build and embed wellbeing supporting practice and services in university life.

Student safety

The University is committed to maintaining a safe environment for students, including maintaining a zero-tolerance approach to sexual assault and harassment, and improving support for victim-survivors. Key actions include:

- **Governance:** The Respect at Melbourne Committee has been established to oversee and advise on the implementation of the Sexual Misconduct Prevention and Response Policy (approved in 2021) and its associated program of work, captured under the new Respect Action Plan. The Respect at Melbourne Reference Group is a broad, inclusive and diverse consultative forum for faculties, University services, student organisations and affiliated colleges to provide input and feedback on the Respect Action Plan for eliminating sexual misconduct.

- **Consent/Respect training:** As part of the University's Respect Action Plan, consent training is now compulsory for all students. To ensure compliance, the University has taken the step of withholding the results from students who are yet to complete the required modules (note: as of July 4 this year, 47,716 out of 48,878 students had completed the training). The University's Respect Committee had committed to replacing Consent Matters with a tailored University of Melbourne module, to be introduced from 2024.
- **Respect education for staff:** Respect education is compulsory for all University of Melbourne staff (both permanent and casual). In 2023, two elective programs have been introduced in addition to compulsory training: "Courageous and Respectful Conversations", and "Applying Trauma-Informed Care". Both electives have been fully subscribed.
- **Student complaints:** The University's 'Respect Reference Group' is progressing recommendations made by the University of Melbourne Student Union (UMSU) regarding sexual misconduct complaints processes. A designated internal investigator has been recruited, and a review of student disciplinary procedures is being undertaken.
- **Colleges:** a quarterly meeting is held between the Office of the Provost, with representative Heads of Colleges and representatives from UMSU and the University's Graduate Student Association to discuss sexual misconduct issues, and potential for improved collaboration on training and information sharing. All University of Melbourne owned and affiliated colleges run in-house consent training.

The University has published a Sexual Misconduct Annual Report since 2021, making publicly available information on the number of complaints and the outcomes of them, as well as University actions and initiatives. The 2022 Report can be found [here](#).

Response to consultation questions

National Code for overseas students

- 1. Are there features of the Code [National Code of Practice for Providers of Education and Training to Overseas Students 2018] that could also be applied to domestic student support and included in the Guidelines?**
- 2. How do we ensure that the Code and the new arrangements work together effectively?**

The University of Melbourne does not support the requirement that a higher education provider has a standalone “Support for student policy”, where that provider can reasonably identify existing policies or frameworks that meet the stated requirements. At a minimum, it should be made clear how any new requirements included in the updated Guidelines are to be integrated with existing ones (such as those in the Code), while avoiding creating any inconsistencies or duplications.

There are items within the Code that are applicable to domestic students, such as those relating to orientation programs and access to support services. The University of Melbourne suggests that providers have the option to demonstrate how existing services and policies are available and communicated to students. Consideration may also be given to requiring relevant documents, such as the Student Charter and/or policies, to explicitly reference the proposed legislative requirements for Support for students.

Importantly, there are also elements of the Code that are specific to international students (for example, specific obligations for under 18 students, and for critical incidents) that are not readily transferrable to the domestic student context.

Policy

- 3. What other detail(s) 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?**
- 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?**

Impractical requirements proposed in the Consultation Paper

Several of the requirements proposed for inclusion in the Guidelines are either impractical or will be challenging to implement:

- *Non-engagement with support services:* The Consultation Paper indicates that student non-engagement with support services should trigger escalations before the census date (p.8). This assumes that every student needs to connect with support services to be successful, which is not our experience. We recommend this be revised to focus on students who have been previously identified as ‘at risk’, rather than applying to all students. It is also the case that some students will engage with services other than those offered and managed by their higher education provider. There is a danger that this generates waste, where providers are forced to engage students in support services despite those students not needing them.
- *Proactive offers of special consideration:* The proposed requirement that providers be proactive in making offers of special consideration runs counter to the University’s Student Charter, and to what we see as a reasonable level of responsibility for students. The Charter specifies that students share “responsibility for their learning by seeking feedback, advice and support” and that students are entitled to be “treated with equity, fairness, respect and consideration by the University and all members of the University community.” Notwithstanding this point, the University does ensure that students at significant risk (for example, those who have experienced trauma or have significant health

issues) are appropriately triaged and supported in accessing tailored support including special consideration provision and access to health services within and outside the University.

- *Annual updates:* The proposed requirement for the policy to be updated annually is unnecessary, and will generate a significant administrative burden, noting that universities typically review policies on a three-year cycle. We recommend framing any such requirement as one of *reviewing* (rather than updating) the policy, and that the timeframe be extended to three years.
- *Specific support services:* Naming specific support services in policy is impractical and should be avoided, as it can constrain innovation and agility in adapting services to meet the needs of students, particularly if there is a requirement to update policy regularly.

Additional details

It may be helpful to consider the arrangements for students on placements (and typically attending campus less frequently than they would otherwise), and clarity on any obligations for students studying overseas (for example, on exchange or undertaking a study tour).

Examples of best practice

The University recommends that the Department liaise with the Australian New Zealand Student Services Association (and their journal) for examples of best practice in this domain.

Reporting

- 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?**

In the interest of minimising the additional administration, we recommend that reporting requirements be further refined from what is proposed in the Consultation Paper and to complement rather than duplicate existing provisions. To this end, we note that the national Student Experience Survey (SES) – managed by the Department of Education – already has comprehensive measures and data reporting on the adequacy of student support provided by universities.

Other issues emerging from the Consultation Paper include:

- Any new reporting or collection of information needs to properly safeguard student privacy. Data on supports provided to students should be provided in aggregate, rather than being disaggregated by faculty, noting the risk of students being identified (particularly in faculties with low enrolments).
- The Consultation Paper indicates that information will be collected on HELP expenditure on failed units of study. This seems to imply a link between subject failure and a lack of student support, when in reality there are many reasons why a student may fail a subject, and some level of subject failure is inevitable even with the best supports in place. There is also a risk that this generates a perverse incentive to lower assessment standards as a way of minimising an institution's subject failure rate.

Non-compliance

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

There are likely to be substantial challenges in the proposed approach for the Department of Education to investigate alleged cases of non-compliance, and impose penalties based on the outcomes of these

investigations. Firstly, it is unclear how the new compliance framework will intersect with the role of TEQSA, the ACCC or the relevant Ombudsman. Similarly, there needs to be clarity on how Department-led investigations will interact with universities' own internal complaints processes.

The challenges for the Department in arriving at reliable judgements on alleged cases will also be significant. We acknowledge the intent is to address instances where providers have not taken measures that they should have, rather than to penalise providers because they have some students that fail. Even so, it is not fully clear how the Department will reliably assess whether a student has failed due to inadequate support provided, or due to countless other factors. The 'Request for Information' procedure will inevitably impose a major burden on all parties.

Implementation

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

The University disagrees that "preparing and publishing *Support for student policies*" will be straightforward for higher education providers (p.13). As noted, compelling providers to produce a self-standing policy that addresses matters already covered in existing policies will require significant resourcing and create duplication. In effect, this diverts resources from student-facing support services and teaching and learning activities.

