



Professor Andrew Parfitt FTSE, FRSN, FIEAust
Vice-Chancellor and President
Chancellery
15 Broadway, Ultimo NSW 2007

PO Box 123
Broadway
NSW 2007 Australia
www.uts.edu.au

T: +61 2 9514 1333
Andrew.Parfitt@uts.edu.au

UTS CRICOS PROVIDER CODE 00099F

23 January 2025

Senator Marielle Smith
Chair, Education and Employment Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600
By online submission

Dear Chair

RE: Inquiry into the Universities Accord (Australian Tertiary Education Commission) Bill 2025 and a related bill

Thank you for the opportunity to provide a submission to the Committee's inquiry into the *Universities Accord (Australian Tertiary Education Commission) Bill 2025 and a related bill* (the Bill). UTS appreciates the extension of time to respond.

UTS has consistently advocated for the establishment of an independent statutory authority to steward the tertiary education system. The challenges and opportunities facing the university sector are complex and require a dedicated, independent steward to implement wide ranging, long-term and critical reforms.

We welcome the Minister's commitment to planning for the implementation of the Australian Tertiary Education Commission (ATEC) in close consultation with stakeholders across the sector. As part of this process, UTS has actively contributed feedback on the Department of Education's initial design proposals. We are encouraged to see that the Bill addresses some of the concerns raised by UTS and other sector stakeholders.

We are pleased to note several positive refinements in the Bill, including clearer articulation of ATEC's role as a steward of the tertiary education system. Additionally, the Bill now provides for individuals with sector experience to be eligible for appointment to Commissioner positions. These enhancements represent positive steps toward ensuring the ATEC is well-equipped to fulfill its intended purpose and is guided by experienced leadership.

Having reviewed the draft legislation, UTS offers the following observations aimed at supporting the successful implementation of the ATEC:

- **ATEC independence:** A strong and trusted steward will benefit from operating with sufficient independence and clarity of role. Establishing the ATEC outside the Department of Education would help reinforce its arm's length implementation of government policy envisaged by the Accord, and necessary to build a trusted relationship with the sector. A truly independent entity is also better placed to attract, retain and grow the talent, expertise and culture needed to lead transformative sector change. We note that this view is shared across significant parts of the sector, and Universities Australia's submission provides useful detail for the Committee's consideration.

- **Mission Based Compacts:** The Bill empowers ATEC to “enter into mission-based compacts with higher education providers” (clause 27). Given the contribution of Higher Education providers to State Government priorities as, for example, reflected in the NSW Higher Education Strategy, it would be beneficial for ATEC to consult with State Governments when considering the form and terms of a compact. This would ensure a more wholistic view of a provider’s goals and commitments.
- **Commissioner appointments:** Given the breadth and complexity of ATEC’s statutory functions, UTS considers that a Commission larger than three members would better support effective stewardship of a complex, rapidly evolving tertiary education system. A broader governance structure would ensure ATEC can engage with the full span of system-wide issues, exercise robust oversight, and manage its significant statutory functions at scale. For example, lifting the participation of students from under-represented backgrounds is fundamental to achieving the Government’s National Tertiary Education Objective. The appointment of a dedicated Equity Commissioner, as recommended in the Accord Final Report, could help ensure ATEC has the right leadership to deliver on the Government’s nation-changing equity goals.
- **Clarifying functions across agencies:** As ATEC is established, it will be important to ensure clarity of roles across ATEC, the Tertiary Education Quality Standards Authority, the Australian Research Council and the National Student Ombudsman to avoid perpetuating ongoing challenges arising from dispersed policy responsibility, regulatory duplication and insufficient system-wide coordination. Earlier Accord recommendations contemplated consolidation of certain functions, and as this consolidation is not being undertaken further clarity in the Bill would help providers navigate the new framework with confidence.
- **Engagement with sector stakeholders:** The Accord report envisaged the establishment of an ongoing Advisory Board with representatives from tertiary providers, students, staff, employers, unions, alumni and civil society organisations. Embedding a formal advisory body in the Bill would provide confidence that the ATEC is systematically listening to a range of stakeholder perspectives in delivering on its functions.

UTS values the opportunity to offer insights as part of this inquiry. UTS also supports the views expressed in submissions from Universities Australia and the Australian Technology Network of Universities. For any further discussion regarding our submission, please contact Danielle Woolley, Head of Government Affairs and Policy at danielle.woolley@uts.edu.au or on +61 477 384 980.

Yours sincerely

Professor Andrew Parfitt
Vice-Chancellor and President