



Australian Government

Tertiary Education Quality and Standards Agency

OFFICIAL: Sensitive

GPO Box 1672
Melbourne VIC 3001
Level 11, 452 Flinders Street
Melbourne VIC 3000

teqsa.gov.au
enquiries@teqsa.gov.au
1300 739 585

Title Name
Position
Organisation
Address (email or postal)

Dear Title Family-Name,

Subject: Protecting student and staff safety and wellbeing at Australian universities

As you know, the ongoing conflict in the Middle East is continuing to impact many Australians, including students and staff within our universities. Throughout this conflict, Australians have engaged in a variety of protest actions, most of these peaceful.

In recent weeks we have seen protest activities escalate on some campuses. The management of these activities by providers so far has been characterised by responding to the presence of protests, with clear communication around institutional policies, procedures and support services. This communication has emphasised efforts to minimise operational disruptions, ensuring student safety and messages highlighting that behaviour that vilifies or incites hatred towards Jewish or Muslim people will not be tolerated and will be the subject of action.

Anecdotally, TEQSA is also aware of some incidents within universities where there has been behaviour and acts of symbolism that risk falling outside the French Model Code's definition of academic freedom and freedom of speech, due to these being against the law or risking harm to students and staff. We are also aware of reports that students and staff are concerned about their safety due to people who are not part of the university community coming on to campus to engage in protest activity. There have also been reports of protester actions within tutorial and other learning environments, which have resulted in students feeling intimidated and unsafe.

We take this opportunity to stress the obligations universities and their governing bodies have under the Higher Education Standards Framework (Threshold Standards) 2021, for student and staff safety and wellbeing. Standard 2.3 encompasses organisational responsibilities for safeguarding and supporting the wellbeing and safety of students and staff, while Standard 6.1.4 applies to the governing body taking steps to maintain an institutional environment where the wellbeing of students and staff is fostered.

It is therefore critical that universities ensure they have the appropriate measures in place to:

- remove materials that breach Australian law or conflict with institutional policies, from university property. This includes removal from physical property and digital platforms
- take appropriate action against students and staff whose conduct breaches institutional policies - this includes behaviour as part of organised protest activity and language that goes beyond what is acceptable in academic discussion in learning settings
- support students and staff who have concerns for their safety and security on campus, and that information on how to access this support is routinely shared, and the effectiveness of these supports is regularly reviewed
- identify and support at-risk students, through measures such as special consideration or other academic supports to ensure students can continue their studies
- address the specific needs and institutional obligations in relation to any students aged under 18

OFFICIAL: Sensitive

TEQSA

OFFICIAL: Sensitive

- have effective relationships with law enforcement and proactive approaches to ensure that any risks to student and staff safety are identified, shared and acted upon
- ensure institutional policies and procedures are fairly and consistently applied and any cases where action is taken are transparently reported in line with organisational policy, and
- take appropriate action against people from outside the university community who may engage in behaviour in breach of institutional standards while on university property or when using university-owned digital platforms.

TEQSA is continuing to monitor this whole issue, including compliance with Standards 2.3 and 6.1.3 and free speech undertakings within universities.

In addition to our engagement directly with affected universities, we are asking that all Australian universities provide the following information by **Wednesday 15 May 2024 and updates fortnightly thereafter**, to assist us in understanding any emerging sector risks. It will also assist us to report, in aggregate, action being taken to apply relevant policies.

- the number of complaints about specific instances of student or staff conduct, relating to freedom of speech or protest action, or related allegations of misconduct in relation to the Middle East conflict.
- the number of complaints being assessed or investigated by your university related to the previous point
- the number of student or staff misconduct cases that are in progress or have been finalised.

This information can be shared with TEQSA using this template, which can be returned via email to Graem Kelly, Director, Sector Risk and Compliance, at graem.kelly@teqsa.gov.au. In addition to this request, institutions should continue to make use of the Material Change Notification process.

If you would like to discuss any of these issues, please feel free to contact TEQSA CEO Dr Mary Russell or Acting Executive Director of Regulatory Operations Katrina Quinn.

We seek your cooperation as we monitor sector responses to these very difficult matters. We appreciate that events are evolving very quickly and responses need to be constantly reviewed and adjusted. We will also keep you updated about any key developments or insights that we become aware of, that may be helpful to your own work.

Professor Peter Coaldrake AO
Chief Commissioner, TEQSA

Dr Mary Russell
Chief Executive Officer, TEQSA

XX May 2024

OFFICIAL: Sensitive