

Chair of the Senate Education, Employment and Workplace Relations Committee
c/- Mr John Carter, Committee Secretary
Parliament of Australia
Canberra, ACT, 2600

Monday 23 February, 2009

Dear Mr Carter,

The Graduate Student Association (GSA) represents over 14,000 postgraduate students at the University of Melbourne. Forwarded with this letter is a response from the GSA to the invitation for submissions to the inquiry into the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009 currently before the Senate.

The GSA endorses the submission made by the Council of Australian Postgraduate Associations on all matters not covered herewith; a summary of the recommendations in the GSA submission is included for ease of reference.

The GSA submission focuses upon clarifying the provisions of the Bill and associated Guidelines concerned with the independent student advocacy and representation in order to ensure the appropriate interpretation by higher education providers. It also addresses the need for the Guidelines to explicitly state that the funding of the infrastructure of student representative organisations associated with representative governance and the management of student services and amenities by student organisations can be provided by HEP from the proposed fee.

Yours sincerely,

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University of Melbourne Graduate Student Association (GSA)

**Submission to the Senate
Inquiry into Higher
Education Legislation
Amendment (Student
Services and Amenities,
and Other Measures) Bill
2009, and associated
Guidelines and Protocols.**

Monday 23 February, 2009

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GSA Submission: Summary of Recommendations

Recommendation 1

That the Students Services and Amenities Fee Guidelines be amended to include the following new additional 'allowable' item:

(r) student governance of amenities and services	Relating to costs associated with governance of student services and amenities by representative student organisations, including; conduct of elections, general meetings and referenda; payment of stipends to elected officers; and the conduct of student association council, board or committee meetings.
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Recommendation 2

That the Students Services, Amenities, Representation and Advocacy Guidelines are amended to read as follows:

Part 2 I (c) In meeting this obligation a HEP is to meet the necessary and reasonable governance costs, including, but not limited to, conducting elections, general meetings and referenda under student organisation rules, the payment of stipends and honoraria to elected officers and Costs associated with the conduct of student organisation councils, boards or committee meetings.

Recommendation 3

That sections 19-67 (3) of the Bill be amended to read as follows:

The Student Services, Amenities, Representation and Advocacy Guidelines may require a provider to fund the provision of student advocacy services by a representative student organisation.

Recommendation 4

That section 4 of the National Student Representation and Advocacy Protocols be amended to read:

A HEP must provide enrolled students with access to independent advocacy services to be provided by representative student organisations in relation to matters arising under the academic and procedural rules and regulations of the HEP.

Introduction

The Graduate Student Association (GSA) endorses the introduction of legislative guidelines to protect student representation and the provision of independent student advocacy.

The Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill and the associated Student Services, Amenities, Representation and Advocacy Guidelines incorporate important principles into the wording of the proposed amendment to HESA 2003 (Cth); however, the GSA would like to recommend some changes to the wording of the proposed Bill and Guidelines. We seek these changes in order to ensure the interpretation by higher education providers (HEP) is congruent with the principle of protecting student representation and advocacy. To this end the provision of student advocacy by student representative organisations should be explicitly stated in the proposed amendments.

Student Governance of Amenities and Services

The GSA is concerned that there is currently a discrepancy between the Student Services and Amenities Fee Guidelines (SSAFG) and the Student Services, Amenities, Representation and Advocacy Guidelines (SSARAG) in relation to the funding of essential activities to ensure effective student representation. The SSAFG offers no guidance to the disbursement of funds to student organisations for governance functions. Governance functions include, but are not limited to, the following three activities:

- The conduct of elections, general meetings and referenda under student organisation rules;
- The payment of stipends and honoraria to elected officers;
- Costs associated with the conduct of student organisation councils, boards or committee meetings.

These functions parallel those in operation in local municipal government. Part 2 section 1(c) of the SSARAG refers to HEP funding the costs of conducting polls; the GSA seeks to expand this definition to include the three governance functions listed above. In student organisations these functions are central to the provision of effective, quality and student-centred amenities, services and representational activities. The GSA therefore proposes an addition to the SSAFG to allow for monies collected to be disbursed for these functions. It also seeks an amendment to the wording of Part 2 1(c) of the SSARAG to reflect the provision of funding for these governance functions.

Recommendation 1

That the Students Services and Amenities Fee Guidelines are amended to include the following new additional 'allowable' item:

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| (r) student governance of amenities and services | Relating to costs associated with governance of student services and amenities by representative student organisations, including; conduct of elections, general meetings and referenda; payment of stipends to elected officers; and the conduct of student association council, board or committee meetings. |
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Recommendation 2

That the Students Services, Amenities, Representation and Advocacy Guidelines are amended to read as follows:

Part 2 1 (c) In meeting this obligation a HEP is to meet the necessary and reasonable governance costs, including, but not limited to, conducting elections, general meetings and referenda under student organisation rules, the payment of stipends and honoraria to elected officers and Costs associated with the conduct of student organisation councils, boards or committee meetings.

Independent Student Advocacy

Currently the wording of the Bill in section 19-67(3) indicates that the proposed fee cannot be used to fund student organisations, but that HEP can fund independent advocacy services pursuant to section 19-67(1). The GSA considers that the provision of independent student advocacy by representative student organisations is of paramount importance.

The representation of students is intrinsically related to the provision of an effective advocacy service. For an efficacious advocacy service to be provided to students it is important that the issues adversely affecting students are communicated through appropriate representative processes in order to address any systemic problems. This currently works very effectively at the University of Melbourne. It enables the provision of independent advocacy services to also operate as a quality assurance mechanism to protect the interests of students in the formation and implementation of policies and procedures, as well as in the assistance of the resolution of individual student grievances and other matters.

It is therefore imperative that the wording of the Bill reflects that the Guidelines provide for the independent advocacy services by student organisations. On this basis, the GSA recommends the following amendment to section 19-67(3):

Recommendation 3

That section 19-67 (3) of the Bill is amended to read as follows:

The Student Services, Amenities, Representation and Advocacy Guidelines may require a provider to fund the provision of student advocacy services by a representative student organisation.

The Bill could also include an amendment to the Dictionary in Schedule 1 of HESA 2003 (Cth) to include a definition of a representative student organisation in order to ensure the funding of advocacy services only through legitimately-elected student representative bodies.

The GSA is seeking further clarification of the wording of the Guidelines, specifically Part 2 of the SSARAG, National Student Representation and Advocacy Protocols, in order to specify the funding of student representative organisations for the provision of independent student advocacy. The GSA recommends that the wording of section 4 is amended as follows:

Recommendation 4

That section 4 of the National Student Representation and Advocacy Protocols is amended to read:

A HEP must provide enrolled students with access to independent advocacy services to be provided by representative student organisations in relation to matters arising under the academic and procedural rules and regulations of the HEP.

Conclusion

The proposed amendments to HESA 2003 (Cth) recognise the importance of ensuring that students are able to participate appropriately in the decision-making processes of their HEP. Further amendments to the wording of the above sections of the Bill and Guidelines will enable the necessary protection of the funding of independent student advocacy and governance functions of the student organisations to ensure that students can participate effectively in both representative and service provision decision-making. Enabling the funding of student organisations to provide independent student advocacy from the proposed fee will protect both the quality of the advocacy service and maximise students' experience of Australian HEP.