



Students' Representative Council
The University of Sydney

Elly Howse, President, 82nd SRC

Level 1 Wentworth building (G01)
University of Sydney NSW 2006
PO Box 794 Broadway NSW 2007
t: (02) 9660 5222 f: (02) 9660 4260
int: 12871 www.src.usyd.edu.au
ABN: 597 391 306 68

Submission Number: 25
Date Received: 4/11/2010

Submission to the House of Representatives Standing Committee on Education and Employment

Inquiry into Higher Education Amendment (Student Services and Amenities) Bill 2010

by

**Students' Representative Council
The University of Sydney**

**Submitted by
Ms Elly Howse, SRC President
4th November 2010**



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m: 0438 438 844 e: president@src.usyd.edu.au

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The Students' Representative Council (SRC) represents over 32,000 undergraduate students at the University of Sydney. These students include local students, international students, full-time and part-time students. The SRC has been supporting and representing the undergraduate student population at the University since 1928. Since Voluntary Student Unionism (VSU), the SRC has been able to continue service provision and representation through a financial agreement, renegotiated annually, between the University management and the SRC.

The SRC supports a student fee for student services in some way, shape or form. Whilst the SRC is supportive of universal student unionism, there is some acknowledgement that the level of previous fees at campuses such as the University of Sydney was quite high for students who could not necessarily afford it. The SRC supports a fair and equitable system of service provision and independent representation for all students.

In this submission the SRC would like to focus on the need for specific support and provisions for democratic representation and advocacy in higher education in Australia.

The SRC has commented in general terms about the Bill and the importance of independent student organisations in our recent submission to the Senate. We attach that document as an addendum to this submission. In March 2008 we also provided a submission to the DEEWR review into the Impact of Voluntary Student Unionism on Services, Amenities and Representation, which provides information and examples of the work we do that has a positive impact on the student experience at the University of Sydney. Please find that attached as a second addendum.

The current Bill does not allow for or require support for a number of important functions that student organisations such as ours do.

Elections

The SRC recommends that Section 19-38(4) be amended to allow expenditure on democratic elections of independent student representatives on student and university representative bodies.

To run effective, true and fair elections takes resources, particularly in large institutions such as the University of Sydney with its 32 000 undergraduate students. Expenditure is needed for independent electoral staff, for campaign information and for ballot papers. Democracy is a fundamental social good, part of public education and a key ingredient in successful institutions. True independent representation requires independent elections.

Staff support

The SRC recommends that Section 19-38(4) be amended to allow expenditure on student organisation staff to support student representatives.



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In complex institutions effective representation by students benefits significantly from qualified and experienced staff to provide administrative and expert support and advice as needed. This representative support work by staff goes hand in hand with the individual casework and advocacy they do.

External advice and advocacy

The SRC recommends that Section 19-38(4) be amended to allow expenditure on:

- independent advice on matters arising from legislation affecting the interests of students
- independent advocacy on matters arising from legislation affecting the interests of students

The ability to provide independent representation and advocacy on matters that affect student interests outside the boundaries of the 'providers rules' allowed for in the current Bill is important given that many areas of student interest, and the providers' regulatory environment, are set by external legislation at the State or Commonwealth levels. This might include matters affecting student rights and welfare such as admission, fees, education quality and standards, overseas students, income support, safety, discrimination, accommodation or tenancy. The SRC notes that this is all work we are heavily engaged with on a regular basis. This work may be through individual casework and advocacy or it may be policy and representation work.

Requirements on Providers

The SRC recommends that the Bill stipulate that the Student Services, Amenities, Representation and Advocacy Guidelines include a requirement for providers to support student representation and advocacy for matters internal and external to the higher education provider. Further, that this is tied to the student fee set up by the Bill and allowed under our proposed amendment of Section 19-38(4).

If student representation and advocacy for matters internal and external to the higher education provider were to be included as allowable expenditures from the student fee then the moral obligation (though not the formal requirement) would be there for providers to support representation and external advocacy. However, as we have argued in our Senate submission, this is an inherently unsatisfactory situation in such an important matter. There is the prospect that they might be functions included in the Student Services, Amenities, Representation and Advocacy Guidelines – tied to receipt of grants from the Government (for Commonwealth Supported Students) under Part 2-2. The SRC seeks to make that unambiguous.

The SRC believes that such independent and properly resourced advocacy and representation is important for the health of the system, for quality of education and as a matter of student rights – where the use of student's money is tied to some form of student control. The SRC's recommendation is essentially 'no taxation without representation'.

Independence



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The SRC recommends that the Bill be amended so that the section 19-38 explicitly includes expenditure on independent democratic student controlled representation as allowable expenditure, and further that the Bill be amended to 'require' this expenditure so that independence and the removal of any perceived conflict of interest is assured.

A key feature of the work student organisations such as ours do is providing advice and advocacy to students. This is done by professional and experienced staff, employed by the SRC, who are independent from the University. This ensures there are not conflicts of interest where a student is challenging a decision by University staff, management, policy or administration.

The SRC also provides representation in the interest of, and from the perspective of, students in University policy, directly drawing on that advocacy work. Similarly we provide representation to the Government and others through membership of the National Union of Students and through our own lobbying and submission work. This may be in the area of quality of education or income support or any of the range of areas covered by the recent Bradley Report into Higher Education. This is not work the University can always do without an inherent potential for a conflict of interest, given differences of perspective and position of the University and its students. Students are a key stakeholder in universities and need an independent voice.

The current arrangement of a contract between the SRC and the University, and the culture of the University that recognises the need for independence, provides significant assurance that conflicts of interest do not arise, but this is inherently less satisfactory than the previous arrangement where student organisations had control over their own fee income from their members and did not have this more complicated relationship with the University which currently exists now that they 'fund' us.

The proposal in the Bill has a mechanism that continues to tie student organisations to the financial control of the University (who will be charging the fee), but provides the resources and the implied obligations on universities to fund that independent advice, advocacy and representation. It ties the University into an obligation to students to make arrangements that provide for this independence.

National Representation

The SRC recommends that the Guidelines require providers, through the representative student body or bodies of the provider, to support [from the student fee] representation and advocacy provided by democratically elected sector wide student representation bodies that are external to the higher education provider

The SRC recommends that Section 128-5(3) be deleted.

The current Bill does not allow for, or require, support for a number of important functions done by the National Union of Students in the interest of students and with the support of student organisations such as ours.



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Whilst representative bodies within an institution can do a significant amount of representative and advocacy work, other forms of representation and advocacy can only be done through properly resourced collective student representation outside an individual institution. The National Union of Students is the current sector-wide peak body representing students in Australian higher education. It is democratic and has over many years done a good and necessary job representing the interests of students to Government. Without it there is little prospect of any form of meaningful dialogue between government, the sector and students. Without that dialogue the rights of students will be undermined and the quality and accessibility of education reduced to the detriment of a key stakeholder in the system.

Needs and resources for effective student representation and advocacy

The SRC recommends that the Student Services, Amenities, Representation and Advocacy Guidelines include a test to determine that sufficient resources are being allocated from the \$250 fee to allow effective student representation and advocacy - and that this test identify if the various specific needs of effective representation and advocacy are being met by current services. That this test be developed through consultation with NUS and other student organisations.

The sector has a range of different levels and kinds of representation and service bodies assisting students. There is a significant variety of capacities across the higher education sector. We believe the introduction of the 2005 'VSU' legislation against student organisations has reduced student representation service capacity across the sector to the severe disadvantage of many students. The gaps left have only inconsistently been filled in many institutions, leaving many students across Australia not represented and without a voice, as well as seriously damaging on campus culture and services for all students (and staff) at the university. NUS has demonstrated this in its various submission – including in its addendum to its recent Senate submission.

We believe that the student fees need to be directed to provide sufficient and equitable levels of representation and advocacy services as a matter of priority and in sufficient quantities.

Models of student representation and advocacy

The SRC recommends as a first preference that student organisations should funded do this work. Where their capacity has been reduced or not developed they should be given support by the provider to develop it through capacity building measures.

The principle to which the SRC and NUS abides by is 'student control of student affairs'. In the affairs that affect students, we believe that student organisations should be funded in order to properly affect and change student issues for the better.

The SRC recommends that if student organisations cannot or will not take on the tasks of representation and advocacy then an independent body, at arms length to the provider, be funded to do the work. We



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recommend that a test be developed, in consultation with NUS and other student representative organisations, to determine how that independence can be assured.

A model for this might be recent proposals for a sector- or provider-level Ombudsman. Internally, it could be a position such as a Dean of Students (as seen in many American universities). However this would need to have an enhanced 'advocacy' element usually missing from the more neutral role Ombudsman normally take.

Further comments

Overall the SRC commends the Bill. The SRC believes it is an important step in the right direction for student services, on campus advocacy and sector-level representation to be substantially improved since the VSU legislation came in over five years ago.

This Bill, though, is about more than funding campuses with much-needed services. It is also about providing a culture of representation and change in universities and a reminder that these places should ultimately be places of academic freedom and support with a focus on student development. The SRC has known, through our own student body and NUS, that students in rural and regional areas have suffered hugely since VSU came in. Students from the country and who choose (though this is often not a 'choice') to attend a university based in rural or regional Australia, such as the University of New England, deserve to have as vibrant a campus culture and well-resourced student support services as any other university in a metropolitan location. Considering the recent Memorandum of Understanding signed between the University of New England and the University of Sydney, the SRC thinks it appropriate that both these campuses have an equal level of representation, advocacy and support for all their students, not just those attending the Camperdown/Darlington campus in the middle of Sydney.

Another aspect to this Bill concerns the huge amount of research and policy work that organisations such as the SRC does. No other organisations in the community or indeed in the university do the same kind of policy analysis and response that the SRC does. For example, with changes to Youth Allowance and the further changes proposed in a new Bill, the SRC has a core role to play for the students at the University of Sydney in consulting with key stakeholders to achieve a better outcome for students from rural and regional areas of Australia. This also applies to areas of policy development within our university, such as changes in policy for colleges and tenancy rights of students on campus.

Conclusion

The SRC provides services and representation for the undergraduate student body at the University of Sydney, which requires ongoing funding, recognition and independence.

The sector routinely provided these services through student organisations before the introduction of the 2005 Act of VSU. The sector, and the student sector in particular, is now much poorer for the losses, as is recognised in the Impact Discussion Paper put out by Minister Ellis in Feb 2008. This paper referred to 25 out of 30 student organisations reporting job losses and reduced services. In



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some instances University takeovers occurred with resulting conflict of interest problems and massive cuts to portfolios and services directed at student concerns.

Students enrolled in Universities deserve more from their education. Representative organisations give them more. Sustainable funding is required to ensure ready access to effective representative organisations. This Bill presents such a funding model.

The University of Sydney Students' Representative Council commends the Bill and seeks the amendments in line with the SRC's proposed recommendations within this submission.