

The Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010

Referral of inquiry

- 1.1 The *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010* (the Bill) was referred to the House Standing Committee on Education and Employment on 21 October 2010 for inquiry and report by the end of the Autumn sittings in 2011.¹
- 1.2 The Bill was one of the first referred to standing committee under new arrangements in the 43rd Parliament. These arrangements were adopted on 29 September 2010.²

¹ See House of Representatives, *Votes and Proceedings*, 21 October 2010, p. 111.

² See House of Representatives, *Votes and Proceedings*, 29 September 2010, p. 40 specifically, under Standing Order 222.

Background

- 1.3 The Bill was introduced and the second reading moved in the House by the Minister for School Education, Early Childhood and Youth, the Hon Peter Garrett MP, on 29 September 2010. The Minister explained that the Bill provided for universities to impose charges on students in response to a shortfall of \$170 million in funding for student services and amenities.³
- 1.4 The shortfall in funding has been blamed on the *Higher Education Support Amendment (Abolition of Compulsory Up Front Student Union Fees) Bill 2005* which amended the *Higher Education Support Act 2003* to prevent universities from charging students a student fee.⁴ This bill received assent on 19 December 2005.
- 1.5 Griffith University alone estimates that they have lost \$31.3 million in revenue since 2005.⁵ The University projects that without student fees, it will need to redirect \$10 million a year to student support services and amenities, away from teaching and research. The Australian Technology Network (ATN) estimates that their five member universities have lost a combined total of \$15.5 million since 2005.⁶ The Australian National University (ANU) also stated that student welfare and support services had been cut.⁷ The Group of Eight submission outlined the reduced student services and amenities available across its member universities, and stated that money had been diverted from teaching and research to fund essential student services.⁸ Southern Cross University welcomed the proposed Bill to help restore or provide amenities on regional campuses.⁹ The University of Sydney estimates that \$38 million has been diverted from teaching and research over the last three years to fund non academic student support services and amenities.¹⁰

³ See House of Representatives, *Official Hansard*, 29 September, p. 95.

⁴ This Bill had been referred to the Senate Committee on Employment, Workplace Relations and Education Legislation Committee. The Senate inquiry received one hundred and ninety two submissions on the issue, predominantly from student associations as well as individuals. See: http://www.aph.gov.au/Senate/committee/eet_ctte/completed_inquiries/2004-07/highed_unionfees/submissions/sublist.htm

⁵ Griffith University, *Submission No. 2*, p. 3.

⁶ Australian Technology Network *Submission No. 13*, p. 1.

⁷ ANU, *Submission No. 3*, p. 1.

⁸ Group of Eight, *Submission No. 5*, p. 1.

⁹ Southern Cross University, *Submission No. 14*, p. 1.

¹⁰ University of Sydney, *Submission No. 18*, p. 1.

- 1.6 In 2009, the Government made two attempts to amend the *Higher Education Support Act 2009* to allow universities to charge a capped fee to students for the provision of student services on campus.
- 1.7 The first attempt occurred with the introduction into the House of the *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009* on 11 February 2009. On 18 August 2009, the final Senate vote on this bill was tied and so the proposal was negatived.
- 1.8 The second attempt to implement a fee for higher education services and amenities was introduced into the House as the *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2009* on 9 September 2009. This bill passed the House on 26 November 2009. The bill was under consideration by the Senate at the prorogation of the 42nd Parliament on 19 July 2010.

Conduct of the Inquiry

- 1.9 A call for submissions to the inquiry was advertised on the Department of the House of Representatives web site from 28 October 2010. A media release calling for submissions was also circulated on 28 October 2010. Direct invitations to submit to the inquiry were also sent to identified stakeholders including universities, student organisations, sporting organisations, and higher education representative bodies. Submissions closed on 4 November 2010.
- 1.10 The Committee received 36 submissions to the inquiry. Submissions are listed at Appendix A.
- 1.11 The Committee resolved the tight timeframe for the inquiry in order to facilitate the possibility of consideration of the Bill by both houses Parliament by the end of the 2010 sittings. If passed, the provisions of the amended Act could be implemented by higher education providers in the new academic year.

Other parliamentary inquiries into the measure

- 1.12 At the time of referral of the Bill to this Committee, an inquiry into a very similar proposal by a parliamentary committee had been completed and another into precisely the same measure was current.

- 1.13 The first *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009* was referred to the Senate Education, Employment and Workplace Relations Committee on 12 February 2009. The Committee reported on 10 March 2009.¹¹
- 1.14 A further Senate inquiry into New Student Fees was conducted by the Senate Select Committee on the Scrutiny of New Taxes.¹² The inquiry was referred by the Senate on 30 September 2009 for report by 30 November 2010.

Outline of the Bill

- 1.15 The Explanatory Memorandum to the Bill outlines three principal objectives of the measure:

The Bill seeks to amend the Higher Education Support Act 2003 to allow higher education providers to charge a compulsory student services and amenities fee. The fee will be capped at \$250 per student per annum (indexed to \$254 in 2011, and thereafter indexed annually).¹³

The Bill also provides for the establishment of a new component of the Higher Education Loan Program (HELP): Services and Amenities-HELP (SA-HELP), which will provide eligible students with an option to access a loan for the fee through SA-HELP.¹⁴

In addition, the Bill will require higher education providers that receive funding for student places under the Commonwealth Grant Scheme, to comply with new benchmarks from 2011 onwards, for the provision of information on and access to basic student support services of a non-academic nature; and requirements to ensure the provision of student representation and advocacy.¹⁵

¹¹ Information on the inquiry can be accessed at:

http://www.aph.gov.au/Senate/committee/eet_ctte/higher_ed_amend/index.htm

¹² Senate Select Committee on the Scrutiny of New Taxes, Inquiry into Student Fees

http://www.aph.gov.au/Senate/committee/scrutinynewtaxes_ctte/student_fees/info.htm

¹³ *Higher Education (Student Services and Amenities) Bill 2010 Explanatory Memorandum, Outline*, p. 2.

¹⁴ *Higher Education (Student Services and Amenities) Bill 2010, Explanatory Memorandum, Outline*, p. 2.

¹⁵ *Higher Education (Student Services and Amenities) Bill 2010, Explanatory Memorandum, Outline*, p. 2.

Matters arising

- 1.16 Several issues emerged relating to the imposition of student fees on students of higher education institutions in evidence presented to this inquiry as well as the current and completed Senate inquiries on this matter.

Scope of activities that can be funded by the fee

- 1.17 The Bill sets out the types of activities or services that could be funded by the student fee and specifically excludes funding for political parties, or elections to state, federal or local governments.¹⁶ However, the Bill allows expenditure by the higher education provider of revenues raised by student fees on student clubs and associations.¹⁷
- 1.18 The issue of the potential for revenue raised by student fees to be spent on student clubs which have a political purpose was raised in submissions to the Senate Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*,¹⁸ as well as in several submissions to the 2010 Senate Select Committee Inquiry into New Taxes,¹⁹ and the Standing Committee on Education and Employment Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010*.²⁰
- 1.19 Griffith University suggested that the issue raised in the press by opponents of the Bill argued erroneously that student fees supported fringe political activity:

¹⁶ *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010*, Schedule 1, Proposed sections 19-38(1) and (2), p.4

¹⁷ *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010*, Schedule 1, Proposed section 19-38 (4)(c), p.5

¹⁸ For instance, Australian Liberal Students Federation *Submission No. 16*, p. 9, Senate Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*.

¹⁹ For instance, Australian Liberal Students Federation *Submission No. 30*, p. 18, Morgan Forrest *Submission No. 35* p. 2, 2010 Senate Select Committee Inquiry into New Taxes.

²⁰ Name Withheld, *Submission No. 1*, p. 1, Cameron Sinclair *Submission No. 4*, p. 2, Michael Ayeling *Submission No. 8*, p. 1.

In the experience of Griffith University, this view is based on a fundamental misconception of the role of universities and student services. In any event there is clear historical and contemporary evidence that the airing of informed views and debate, including of unpopular or minority interests, is far more preferable than suppression for promoting a healthy and self confident democracy, a vibrant economy, and national security.²¹

1.20 The *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009* proposed the types of services and amenities that could be funded through a legislative instrument.²² This has changed in the *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010*, so that the types of services and amenities that can be funded are outlined within the proposed legislation itself as specific purposes which the Parliament would vote on.²³ The proposed section has removed a delegation of power to change the types of services and amenities to the Minister or the Department.

1.21 The Senate Standing Committee for Scrutiny of Bills endorsed the inclusion of specified types of services and amenities in the Bill:

the reintroduced version of the Bill increases Parliamentary scrutiny by listing in the Bill categories of approved purposes for the expenditure of student services and amenities fees. This replaces the previous approach in which it was left to the Minister to specify approved purposes in delegated legislation.²⁴

1.22 In comparing the legislative proposals of 2009 and 2010, the inclusion within the Bill of purposes for which student fees can be spent is a positive development. The inclusion of expenditure on 'the administration of clubs most of whose members are students' is also supported.²⁵ This item directly addresses concerns raised in several submissions that revenue from fees would be used to fund non student organisations such as trade

²¹ Griffith University *Submission No. 2* p. 3.

²² DEEWR, *Student Services and Amenities Fee Guidelines*, Revised May 2009. <http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Documents/SSAmenitiesFeeGuidelinesMay09.pdf> (accessed 2 November 2010).

²³ See *Higher Education (Student Services and Amenities) Bill 2010*, Schedule 1, Proposed section 19-38(4), p.5

²⁴ Senate Standing Committee for the Scrutiny of Bills, *Alerts Digest No. 8*, 27 October 2010 p. 39. <http://www.aph.gov.au/senate/committee/scrutiny/alerts/2010/d08.pdf>

²⁵ *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010*, Proposed section 19-38 (4) (c), p. 5.

unions.²⁶ The Committee is satisfied that revenue would not be used to fund any organisations that do not have a student purpose.

- 1.23 The Committee commends the inclusion of proposed section 19-38 (4) that itemises the purposes that revenue raised by the student fees can be spent. This list, along with proposed section 19-38 (1) that prevents the revenue from being spent on political purposes, will specifically prevent the revenue from being spent on non-student activities, causes or political campaigning. This proposed section is a positive development that clearly indicates that the revenue can only be spent on student related activities.

Potential to double charge international students for provision of amenities and services

- 1.24 The question of whether international students would be charged twice for access to services was raised by the National Liaison Committee for International Students during the 2009 the Senate Standing Committee on Education, Employment and Workplace Relations inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*.²⁷ The issue was also raised in a submission to this Inquiry by the Australian and New Zealand Student Services Association Inc (ANZSSA).²⁸ The international student sector of the higher education industry is an important part of the Australian economy. This sector is already under pressure with a high exchange rate of the Australian dollar.
- 1.25 The Department of Education, Employment and Workplace Relations responded that under the *Education for Overseas Students Act 2003*:

The act currently prohibits charging any student, including an overseas student, a compulsory fee for non-academic service...

a provider can include within the tuition fee for an overseas student the costs of the provider meeting their obligations under the Education Services for Overseas Students Act. So the cost of providing the things that have to be provided under the national code under that act can be bundled into the tuition fee [but this

²⁶ ALSF Submission No. 16 Senate Standing Committee on Education, Employment, and Workplace Relations, *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009*, p. 10, Alex Butterworth Submission No. 41, p.2 Senate Select Committee on the Scrutiny of New Taxes 2010

²⁷ National Liaison Committee for Overseas Students, *Submission No. 24*, p.4 to the Senate Standing Committee on Education, Employment, and Workplace Relations, *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009*

²⁸ ANZSSA Submission No. 11, p. 2.

would not constitute a duplication of fee] because ... the national code is largely about providing access to services rather than providing the services themselves. In the guidelines for the fee, under this bill, we say that in respect of special services for overseas students they have to be over and above what is required under the national code.²⁹

- 1.26 Universities Australia submission to the 2008 Department of Education, Employment and Workplace Relations inquiry into voluntary student unionism noted that:

Importantly any new arrangement should give consideration to ensuring no duplication of funding impost is levied on international students who currently contribute to student services through the tuition fees.³⁰

- 1.27 A discussion paper circulated by the Department of Education, Employment and Workplace Relations and submitted as an attachment to its submission to the 2009 Senate inquiry outlined the types of services that tuition fees covered:

For overseas students, arrangements were made to ensure that universities could include in the tuition fees an amount to cover the costs for services required by the Education for Services for Overseas Students Act 2000. The National Code of Practice for Registration Authorities and Providers of Education and Training for Overseas Students requires that registered providers provide information and access to support services for overseas students such as those that assist them to make the transition to living in Australia – such as legal services, health services, complaints processes and a student contact officer.³¹

- 1.28 The relevant section of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 regarding services to be provided to overseas students states:

²⁹ DEEWR in Report from the Senate Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*, pp. 15-16; Mr Manns, DEEWR, *Committee Hansard*, 4 March 2009, p. 99.

³⁰ Universities Australia *Submission No. 32* to DEEWR 2008, p. 2.
<http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Pages/Submissions.aspx> (accessed 1 November 2010).

³¹ DEEWR, *Submission No. 5*, Senate Standing Committee on Education, Employment and Workplace Relations, *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*, Attachment 1, Discussion Paper p. 3.

Services which address the mental, physical, social and spiritual well-being of overseas students. These services may include, through direct provision or referral, information/advice about: accommodation, counselling, crisis services, disabilities and equity issues, financial matters, legal issues, medical issues, mental health, peer mentoring, programmes promoting social interaction, religious and spiritual matters, and stress-management.³²

- 1.29 The 2009 Senate Standing Committee on Education, Employment and Workplace Relations Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009* found evidence that international students often suffer severe depression while studying in Australia, and suggested that part of the student services and amenities fee that are collected from 'overseas students is directed towards international students for the benefit of international students.' That Committee also recommended that charges to overseas students be itemised.³³
- 1.30 Under the current proposal, higher education institutions will be able to determine whether or not to charge international students the capped Student Services fee, in addition to fees already charged to international students for amenities in their tuition fees.

³² The legislative instrument, National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007, (7 March 2007) as amended made under subsection 33(1) of the *Education Services for Overseas Students Act 2000*.
<http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrumentCompilation1.nsf/current/bytitle/26A0FFCCEE5D34A4CA2577120015FD9C?OpenDocument&VIEWCAT=item&COUNT=999&START=1>

³³ Report on The Senate Standing Committee on Education, Employment, and Workplace Relations, *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009*, pp. 15- 16.

Recommendation 1

The Committee reiterates the finding of the 2009 Senate Standing Committee on Education, Employment and Workplace Relations Inquiry into *Higher Education Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009* and recommends that the Minister encourages that charges to international students be itemised, so that the potential for duplication of charges to international students be minimised.

Charging external students for campus amenities and services

1.31 A distance student in particular expressed concern over being charged for university amenities and services that he was unlikely to ever use.³⁴

1.32 Universities Australia addressed this issue in its submission:

Universities Australia appreciates that not all students may use these services during their study, but is firmly of the view that it is better for all students to contribute to the provision of the services, which are then available to all, than to not have the services available to those who need them. Additionally, such services will provide a safety net for those students who had begun their study with no need for the services, but whose situations change for the worse during the course of their study. The Bill requires universities to provide students with clear information regarding the services being provided through the Student Services and Amenities Fee. This information should encourage more students to utilise services which they may otherwise have not known existed.³⁵

1.33 Individual higher education providers are developing plans to consult their students on the services that they would like to see provided under this scheme. Innovative Research Universities argue that:

³⁴ Ben Allen, *Submission No. 8*, p.1 Senate Select Committee on Scrutiny on New Taxes, Inquiry into New Student Fees 2010
http://www.aph.gov.au/Senate/committee/scrutinynewtaxes_ctte/student_fees/submissions.htm, see also name withheld *Submission No. 10* p.1 to the 2009 Senate Inquiry into the proposed *Higher Education Amendment (Student Services and Amenities and other Measures) Bill*, http://www.aph.gov.au/Senate/committee/eet_ctte/higher_ed/submissions.htm

³⁵ Universities Australia *Submission No. 6*, p. 2.

These funds would be used to support a range of student services. The particular allocation would vary from university to university based on university priorities as determined following consultation with students.³⁶

- 1.34 Southern Cross University proposed to consult students and to tailor student services and amenities to all students according to the outcome of this consultation. They specifically plan to tailor services for external students.³⁷
- 1.35 The Committee is satisfied that the proposed legislation allows scope for higher education providers to consult with students over their needs, and that provision of services to external students will be addressed by each higher education provider.

Potential conflict of interest in student advocacy and representation being funded by universities

- 1.36 The Council of Postgraduate Associations (CAPA)³⁸ as well as NTEU identified a potential unintended consequence for student advocacy and representation in the proposed legislation regarding the legislative instrument, Student Services, Amenities, Advocacy and Representation Guidelines.³⁹ Proposed section 19-67 (3) of the Bill states that:

the Student Services, Amenities, Representation and Advocacy Guidelines cannot require a provider to fund an organisation of students, or of students and other persons.⁴⁰

- 1.37 The NTEU has expressed concern that a minority of universities may choose not to fund their student representative body.⁴¹ Other submissions from student organisations such as CAPA have suggested that some

36 *Submission No. 44*, p.2 Senate Select Committee on Scrutiny on New Taxes, Inquiry into New Student Fees 2010
http://www.aph.gov.au/Senate/committee/scrutinynewtaxes_ctte/student_fees/submissions.htm

37 SCU, *Submission No. 14*, pp. 1-2.

38 CAPA, *Submission No. 23*, p. 4 and NTEU, *Submission No. 5*, p. 5.

39 Student Services, Amenities, Advocacy and Representation Guidelines, DEEWR website, amended May 2009,
<http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Pages/Home.aspx> (accessed 1 November 2010).

40 *Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010* p. 7.

41 NTEU, *Submission No. 22*, p. 3, 2009 Senate Select Committee on Education, Employment and Workplace Relations Inquiry into *Higher Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*.

universities had threatened a loss of funding to student services that were critical of the university.⁴²

- 1.38 The draft legislative instrument Student Services, Amenities, Representation and Advocacy Guidelines is designed to provide a benchmark and protocols for democratically elected student representatives and advocacy services:

The Benchmarks and Protocols are intended to ensure that higher education providers give appropriate attention to a range of essential student support services and that enrolled students are able to participate in the decision making processes of the [Higher Education Provider] HEP through opportunities for democratically elected student representation.⁴³

- 1.39 However, the current version of this legislative instrument is not yet available.

- 1.40 Several submissions from universities requested that the latest version of the Students Services, Amenities, Representation and Advocacy Guidelines be released as soon as possible for the preparation of the administration of the new compliance expectations.⁴⁴

⁴² CAPA Western Region, *Submission No. 30*, pp. 1-2, Senate Select Committee on Education, Employment and Workplace Relations Inquiry into *Higher Legislation Amendment (Student Services and Amenities and Other Measures) Bill 2009*.

⁴³ Student Services, Amenities, Representation and Advocacy Guidelines, DEEWR website, Amended May 2009, <http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Pages/Home.aspx> (accessed 1 November 2010).

⁴⁴ University of South Australia, *Submission No. 16*, p. 1.

Recommendation 2

That the Minister release the Student Services, Amenities, Representation and Advocacy Guidelines as soon as possible to assist universities to prepare for the implementation of the legislation, should it be passed.

Cost and time involved in administering a separate FEE HELP program

- 1.41 Several submissions suggested that the cost and effort to students and universities in administering a separate SA-HELP program, rather than an extension of existing FEE-HELP and HECS-HELP programs, was considerable, and that consideration should be given to extending existing programs instead.⁴⁵ Universities Australia⁴⁶ requested that the student amenities loan be incorporated into existing FEE-HELP and HECS-HELP rather than be established as a separate SA-HELP:

In addition, the deferred payment of the \$250 into SA-HELP rather than being part of HECS-HELP or FEE-HELP would seem to be an inefficient process given the compulsory nature of the fee.

Universities Australia would rather the SA-HELP was rolled into HECS and FEE-HELP so as to simplify administration of the debt and repayment process.

- 1.42 The University of Melbourne⁴⁷ also requested that the new fee be incorporated into the existing loans scheme to simplify the process for students and staff:

There is already student confusion over the different HELP schemes and their varying purposes, debt charges and maximum loans. Another loan scheme will add to this confusion, particularly as it will be far from clear to students why they need two loans schemes for what will, from their perspective, be one transaction. Duplicating loans schemes will also generate additional administrative and service costs to universities. Systems will need to be modified to incorporate the new SA-HELP and student

⁴⁵ ATN, *Submission No. 13*, p. 2, Universities Australia *Submission No. 6*, University of Melbourne, *Submission No. 15*, pp. 2-3.

⁴⁶ Universities Australia, *Submission No. 6* p. 3.

⁴⁷ University of Melbourne, *Submission No. 15* pp. 2-3.

amenities fee transactions, and staff time will have to be spent answering student questions about the new loan scheme.

- 1.43 The Committee notes the concerns of Universities Australia, The University of Melbourne and The Australian Technology Network regarding the extra administrative requirements of the new loan scheme.

Recommendation 3

That the Minister consider incorporating the loan into the existing FEE-HELP or HECS-HELP loan scheme, rather than as a separate SA-HELP.

Regional campus concerns

- 1.44 The loss of funding to regional campuses and subsequent loss of services to students such as welfare, support and sporting services since 2005 was highlighted in many submissions to the 2008 consultation run by DEEWR,⁴⁸ as well as this Inquiry.
- 1.45 The Australian University Sports Association (AUS) and the Australian Campus Union Managers Association (ACUMA) also supported the proposed legislation, and argued that sporting services to all campuses, particularly rural campuses, are under immediate threat because the Voluntary Student Union Transition Funding program is due to finish at the end of 2010.⁴⁹
- 1.46 All higher education institutions, including those located in regional Australia, welcomed the proposed legislation. One regional university,

⁴⁸ Victoria Central Highland Consultative Committee, *Submission No. 10*, p.1; AUS and ACUMA *Submission No. 47*, p.3; La Trobe University Guild of Students, *Submission No. 66*, p.7; University of Ballarat, *Submission No.7*, p.5; Southern Cross University Coffs Harbour Students Association, *Submission No. 51*, p.3; University of Southern Queensland Student Guild, *Submission No.93*, p.3, Charles Darwin University, *Submission No. 119*, p.2; Monash University Gippsland Students Guild *Submission No. 71*, p.6; Campus Central Ourimbah Campus Students Association, *Submission No. 120*, p.1; James Cook University Postgraduate Students Association, *Submission No.133*, p.1; Monash University, *Submission No. 26*, p.3 DEEWR consultation [.http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Pages/Submissions.aspx](http://www.deewr.gov.au/HigherEducation/Programs/StudentSupport/VoluntaryStudentUnionism/Pages/Submissions.aspx),

⁴⁹ AUS and ACUMA, *Submission No. 12*, p. 2.

however, had concerns about the timing of the implementation of the proposed legislation for smaller and newer regional campuses. Southern Cross University (SCU) suggested that the establishment of services on smaller regional campuses, or the negotiation and consultation with external students for more flexible delivery of services, required a delay in implementing the measures until mid 2011.⁵⁰

Recommendation 4

That the Minister consider allowing higher education institutions a period of grace in implementing compliance measures outlined under the proposed Student Services, Representation and Amenities Guidelines to allow time to consult with their students or to establish new services or procedures.

- 1.47 SCU was also concerned that setting up the services required under the Student Services, Amenities, Representation and Advocacy Guidelines would result in extra administrative and IT costs to the university, and suggested that revenue raised from student fees be made available initially to cover the up-front development costs.⁵¹ The University of South Australia also expressed concerns about the cost of administration and software in the setting up of the scheme. Universities do not currently have the software capabilities for this revenue collection.⁵²

⁵⁰ SCU, *Submission No. 14*, pp 1-2.

⁵¹ SCU, *Submission No. 14*, pp. 1-2.

⁵² University of South Australia, *Submission No. 16*, p.2.

Recommendation 5

That the Minister consider allowing higher education institutions to use a portion of the revenue collected from fees to support the start-up costs of administrative and information technology services to administer the new program.

Concluding comment

- 1.48 There was overwhelming support for the proposed legislation from key stakeholders, including all universities through their peak organisation Universities Australia,⁵³ as well as sporting,⁵⁴ campus and student organisations.⁵⁵ Universities Australia believes that the provision of non academic support services and amenities assists all students, particularly those from lower socio-economic backgrounds and those from indigenous backgrounds, and disabled students, to complete their degrees successfully. Provision of career and counselling services, and opportunities to participate in extra-curricular activities at university, assists students in developing skills and experience to better enable them to pursue future careers.
- 1.49 Universities indicated that they had struggled to support student services and amenities since the abolition of higher education fees, and had diverted funding away from teaching and research in order to provide student services and amenities that they regard as vital to the support and development of students.⁵⁶ Many universities considered that their continued provision of student services and amenities was not viable in the long term without specific funding.⁵⁷

53 Universities Australia, *Submission No.6*, p. 1, Group of Eight *Submission No. 5*, p. 1.

54 AUS and ACUMA, *Submission No. 12*, p. 1.

55 CAPA, *Submission No. 23*, p.4; Arcunsw, *Submission No.17*, p.1, Undergraduates of New England, *Submission No. 43*, p.1 to the Senate Inquiry on Proposed Student Fees, ANU Students Association *Submission No.24*, p.1 to the Senate Inquiry on Proposed Student Fees 2010

56 Universities Australia *Submission No. 6*, p.1

57 University of Sydney, *Submission No. 1,8* p.2; University of Melbourne, *Submission No. 15*, p. 3; Griffith University, *Submission No. 2*, p. 3; Australian Technology Network, *Submission No. 13*, p. 1; ANU, *Submission No. 3*, p. 1; Group of Eight, *Submission No. 5*, p. 1; Southern Cross University, *Submission No. 14*, p. 1.

- 1.50 The University of South Australia stated that the proposed legislation will be effective in restoring essential student services and amenities as well as developing student outcomes:

UniSa considers that the Bill is likely to achieve its policy objectives. The proposed Student Amenities Fee will effectively contribute to the quality and richness of student experience that UniSa strives to deliver. A globalised future will involve greater connectedness and expanded flows of information, technology, capital, goods, services and people throughout the world. By providing services and activities on-campus, students will benefit through involvement in creativity, networking and relationship-building, and share in a stronger sense of collective purpose.⁵⁸

- 1.51 La Trobe University stated that good student services contribute to the development of students as active citizens:

Good student services are vital for the effective participation, retention, and success of a larger and more diverse higher education student cohort. In the long term, these funds will contribute to the ability of the sector to produce graduates who are fit for life with a greater sense of community and active citizenship.⁵⁹

Recommendation 6

That the House of Representatives pass the Higher Education Amendment Legislation Amendment (Student Services and Amenities) Bill 2010.

Amanda Rishworth MP
Chair

⁵⁸ University of South Australia, *Submission No. 16*, p. 1.

⁵⁹ La Trobe University, *Submission No. 20*, p. 3.

