

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Provisions of the Higher Education Legislation Amendment Bill (No.3) 2004

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Mr. John Carter
Secretary
Employment Workplace Relations and Education Legislation Committee
Parliament House
Canberra

Dear Mr. Carter

Re: Higher Education Legislation Amendment (No 3) Bill 2004

Thank you for your invitation to the Victorian College of the Arts to make a brief submission in relation to the reference by the Senate of the legislation amendment referred to above.

The reasons for the referral of the bill to the committee are to establish the broad implications of the Bill and to establish the impact of the bill on similar association entities, for example the Victorian College of the Arts.

The VCA appreciates the recognition of the position of the College in the reasons for referral. As members of the Committee will be aware, the VCA is not currently listed as an organisation as either a table A or table B provider under the legislation.

Under an affiliation agreement with the University of Melbourne, the VCA receives Commonwealth funding through the University. The arrangement was entered into as a consequence of the minimum size of higher education institutions under the Unified National System of Higher Education, introduced by the previous Federal Government in 1988. The introduction of the Unified National System saw the end of the binary system of higher education and widespread institutional mergers leading to the current structure of the higher education system in Australia.

However it is important to emphasise that the VCA was established and continues as a separate legal entity as a body politic and corporate under its own Act. As the governing authority of the College, the College Council is currently preparing its strategic plan for 2005-2008. The Council's objective through its next strategic plan is to give full effect to its current vision for the VCA and to position the VCA for the future.

That vision is for the VCA to be an internationally renowned artist training institution:

- with a unique emphasis on multi disciplinary training,
- consolidating its strengths in art, drama, dance, music, production and film and television,
- expanding provision in digital arts and the media,
- at the cutting edge of contemporary and future developments in arts training and research,
- a strong commitment to indigenous students and a cultural transformation across the college,
- with an increasing national and international student population,
- on a coherent urban campus in the heart of the Southbank arts precinct, but with strong links including joint program provision with other institutions in Australia and overseas.

The implementation of this vision and the strategies to achieve it are well advanced, however the Council must address some major governance and funding issues in its next strategy in particular the immediate and long term implications of the higher education reforms introduced by the current Federal Government. Of particular relevance are:

- the Government's objective of creating greater diversity in the higher education system and greater flexibility in the size and range of institutions which may be eligible for Commonwealth funding as well as the other benefits flowing from listing as table A or table B institutions,
- the implications for the current affiliation agreement of the Commonwealth Minister's commitment that the VCA will not be disadvantaged relative to its current funding position as a consequence of the application of the new higher education funding model to the University of Melbourne, and how that commitment is to be put into effect through the affiliation agreement.

The VCA is strongly of the view that adjustments will need to be made to the higher education funding model to explicitly recognise the costs – and the social and economic benefits – of an intensive arts training model designed to produce working and performing artists of international calibre. This recognition has been implicit in the series of funding agreements by the Commonwealth with the VCA through the University in recent years, but must become explicit and transparent so that planning can then proceed with certainty into the future. The VCA also wishes to ensure that the affiliation agreement between the VCA and the University of Melbourne reflects the interests and objectives of both institutions in terms of the new policy and funding environment, and is not simply an administrative device that was designed to meet the requirements of the previous Unified National System, which are no longer relevant.

As these matters are under consideration and the VCA is able to access the potential entitlements flowing to institutions listed as both table A and table B institutions under current arrangements, VCA is not seeking listing as a table B institution at this time. However the VCA would want to hold open the possibility of its listing as a higher education institution in an appropriate form, with the agreement of the Commonwealth, should that be necessary to assist the College in the implementation of its next strategic plan and of its vision for the future.

Yours sincerely

Professor Andrea Hull AO
Director

Act

3. Establishment of Victorian College of the Arts

1. There shall be established a body politic and corporate by the name of the Victorian College of the Arts which shall have perpetual succession and a common seal and shall be capable in law of suing and of being sued and of taking purchasing holding demising selling transferring conveying mortgaging or otherwise disposing of real and personal property for the purposes of and subject to this Act and of doing and suffering all acts matters and things which bodies corporate may by law do and suffer.
2. The College shall consist of a Council and such graduates, diplomats and members of the teaching and other staff as may be prescribed and the enrolled students of the College.
3. the Council shall be the governing authority of the college.

6. Powers

1. The College has the power to do all things necessary or convenient to be done for or in connexion with the attainment of its objects, subjects to any statute or resolution of the Council of the University which is declared to apply to the College.
2. Without limiting the generality of sub-section (1) the powers of the College include power –
 - a. To enter into contracts;
 - b. To erect buildings;
 - c. To accept gifts, devises and bequests made to the College whether in trust or otherwise, and to act as trustee of moneys or other property vested in the College upon trust;
 - d. To print or reproduce in any manner or form and to publish or to arrange for the printing or reproduction or publishing of manuscripts, books, plays, music, scripts, programmes, posters and advertisements and such other material including audio and video material as the College may deem expedient and to acquire the copyright therein;
 - e. To commission plays, compositions, scripts, films, literary works, musicals, ballets, operas or other works;
 - f. To make grants and loans of financial assistance to people to enable or assist those people to receive education in the creative, performing or other arts.