

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005

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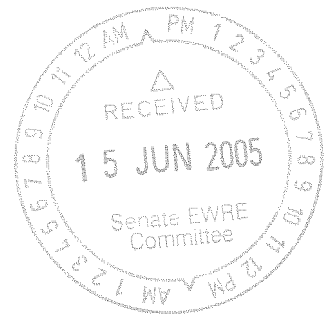
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**Inquiry into the provisions of the Higher Education
Support Amendment (Abolition of Compulsory Up-front
Union Fees) Bill 2005**

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1. This submission, on behalf of The Australian National University, addresses the first of the two matters of interest to the Committee in relation to the Bill:

Assessment of the likely effect of the legislation on the provision of student services, and related consequences.

2. The Bill gives rise to serious concerns for the University regarding:

- i. the availability of services for students;
- ii. the quality of student learning experiences;
- iii. the University as a community;
- iv. the responsibilities of the University Council to manage the University.

The availability of services for students

3. At ANU in 2005, students are levied a General Services Fee (GSF) of \$220. GSF revenue totals around \$2.3M in 2005. Apart from tuition fees or HECS fees for enrolled courses, the General Services Fee (GSF) is the only compulsory fee which all students are required to pay.¹

4. Students enrolling for one semester pay half the GSF fee. Students enrolled in a non-standard session, such as Winter/Summer or Spring Session, pay one quarter of the standard session fee. Students who are away from campus (for example, conducting fieldwork outside of the ACT) are exempt, and under the Fees legislation students may be exempted from payment of the GSF in certain circumstances. - for further information refer to Section 2 of the Fees Legislation at <http://www.anu.edu.au/cabs/rules/feesrules.pdf>.

¹ Within individual courses, students may be required to pay specific fees for course materials, laboratory consumables, field trips, or printing

5. Representatives from the ANU Students Association (ANUSA), the ANU Union, the ANU Sport and Recreation Union (ANUSRA), and the Postgraduate and Research Students Association (PARSA) discuss the financial needs of their entities, and jointly apply to the GSF Committee for the allocation of the GSF income. The proposed budget is presented to the ANU Council's Finance Committee for approval and then forwarded to the full Council for endorsement.

6. While a mandatory contribution to the costs of general services is a condition of enrolment, membership of a student association is not. All students are automatically represented by either PARSA or ANUSA, though they can renounce this representation. These students remain liable for GSF payment. Universities have various arrangements for students to opt out of membership of a student association; at ANU as elsewhere, if a student opts out of student association membership their enrolment status is not affected.

7. The student services fee is analogous to rates levied by local government; all contribute to a range of services, some of which are used by only a few. The right of students to belong to and vote in a student representative body ('no taxation without representation') follows from the fact that they contribute to the collective good.

Free Services

8. Free of charge, ANUSA provides, *inter alia*: Access to the services of a legal officer, access to the services of a welfare officer, an emergency loan fund, a diary for all students, the survival guide, the Woroni campus newspaper, and the advocacy, support and referral services of the Women's Department, the Education Department, the Sexuality Department and the Environment Department. ANUSA provides general advocacy services on behalf of the student body, including through membership of various committees of the University. It also offers support and services to international students and to Fine Arts students through ISSANU and FASA respectively.

9. PARSA provides, free of charge, two publications (Postgraduate Guide and *Antitheses*), as well as advocacy, representation on committees, research on student issues, an emergency loan fund, and legal advice.

10. The ANU Union provides, amongst others, free equipment hire to students, free ticketing services, and a free Justice of the Peace service.

Subsidised services with a "user pays" component

11. The collection of student services fees from the whole student body at a modest rate per student, enables the cross-subsidisation of particular services for students who otherwise could not afford to pay full costs. In the case of the gym, which receives a subsidy through the GSF, students pay \$110 a year, whereas the market rate for public gyms in Canberra ranges from \$500 to \$700 a year.

12. Voluntary membership of clubs and societies under the auspices of ANUSA, PARSA and ANUSRA may incur costs for students. However these clubs and societies also apply for and receive grants from their respective associations to subsidise larger events and functions.

The effect of a prohibition on a general levy

13. Prohibition of the collection of general services fees would create a shortfall of funds necessary to maintain current services and facilities, including:

- the gymnasium, health and fitness activities;
- legal and financial services for students;
- welfare and information services; and
- social, cultural and sports events.

14. The very scale of the loss of general services fee income would mean that current subsidies for various services will have to be removed or reduced. In response to reduced income in support of general student services, the University would need to (i) increase revenues from other sources, and/or (ii) divert resources from other current uses, and/or expand user-pays regimens such that students pay the full costs of services. It would be necessary to identify the costs of different types and levels of service and to determine the extent to which certain services, of a particular type and level of provision, can be cross-subsidised from the general operating revenues of the university.

15. There are differences among universities with regard to the range of services provided or subsidised from the General Services Fee, and those provided or subsidised from the general revenues of the university. In some universities, legal and financial services for students are met as part of the general operating budget, whereas in others, such as ANU, these services are provided from the general services fee. Most other non-academic services, such as personal counselling, careers counselling, and the Jabal Centre (a support center for Indigenous students), health services, and the Disability Services Unit, are funded through the University recurrent budget for Student and Academic Services. The prohibition on the collection of the General Services Fee would not only fall disproportionately and inequitably across universities but also indiscriminately across different services.

16. A particular concern at ANU is the health and wellbeing of students who would no longer be able to afford to use the gym, and the viability of the gym itself.

The quality of student learning experiences

17. Interaction within a community is an important part of the university experience; it can widen perceptions and lead to new areas of interest. Such 'extra-curricular' experiences can complement learning of an academic nature.

18. Student associations, clubs and societies initiate and coordinate a range of activities for students that help to develop individual health and character, widen personal experiences and build social networks.

19. The campus experience is an important part of an ANU education. The University aims to make it more integral and intensive, in accordance with the recommendations of the 2004 ANU Quality Review:

"We recommend that ANU aspires to be an academically elite (residential) university, of up to 6000 undergraduate students, each student ideally having an intensive education integrated with research".²

20. The University regards learning as an interactive and multi-faceted process. ANU strives to offer its students an education that is rounded and personally transforming.

The University as a community

21. The decision of a student to attend a university is a voluntary one. Going to university is a choice to learn with others in a community dedicated to learning.

22. Student 'unions' are not unions in the industrial sense covered by the Workplace Relations Act 1996 (which provides, inter alia, for 'freedom of association'); they do not bargain (with employers) on behalf of their members (as employees) in relation to wages and working conditions.

² ANU – *University with a difference* – The Report of the Committee established by the Council of The Australian National University to evaluate the quality of the University's performance. September 2004.

23. Student associations advocate for improvement to learning conditions and standard settings, as well as make representations on behalf of students in relation to such matters as student accommodation, health and safety, and accessibility.

24. Student associations also facilitate student representation in course advisory and evaluative committees of the University. Their participation is a critical contribution to the effective delivery of education. The voice of students is an essential ingredient to the responsiveness of the University to varying student needs.

25. Student involvement in Clubs and Societies – whether cultural, sporting, religious or political – helps to widen learning experiences and enrich university life. The effect of the proposed prohibition on the collection of the general services fee would be to constrict the choices available to students and diminish the campus experience.

26. The imposition of unsubsidised user-pays arrangements across all universities would act to erode the notion and the realisation of the university as community. The user-pays doctrine gives primacy to individual action and self-interest rather than to the collective good. There is a place for the user-pays model, such as for the purchase of sausage rolls. However user-pays arrangements alone do not provide sufficient scope for the development of shared amenity.

Responsibilities of the University Council to manage the University

27. The Australian University Act 1991 is an Act of the Federal Parliament. That Act stipulates that "The governing authority of the University is the Council." The powers of the Council are enumerated in the following terms:

"(1) Subject to this Act and the Statutes, the Council has the entire control and management of the University.

(2) The Council is to act in all matters concerning the University in the way it thinks will best promote the interests of the University."

28. Arguably, the provisions of the Bill are in conflict with the provisions of the Act of the same legislature. The Bill if enacted would curtail the powers of the Council to act in the way it thinks will best promote the interests of the University.

29. The character of campus life varies from one university to another. Students can be attracted to study in a university that provides a rich campus experience. Going to university is an individual investment decision; information about the relative costs (including tuition prices and the level of the general services fee) and benefits of a particular degree at a particular university is in the public domain. The nature of services enabling different forms of engagement in campus life (as well as the price charged) is part of the competitive differentiation of universities one from another.