

Inquiry into the Provisions of the Higher Education Legislation Amendment (2007 Measures No. 1) Bill 2007

Australian Labor Party Senators' Additional Remarks

Introduction

- 1.1 The Senate referred the provisions of the Higher Education Legislation Amendment (2007 Measures No.1) Bill 2007 to the Senate Workplace Relations and Education Committee on 21 March 2007 for inquiry and report by 1 May.
- 1.2 Labor Senators do not oppose the Bill. However, the Bill does raise serious concerns about the timing and substance of some of the measures.
- 1.3 There was good reason for referral to committee for further inquiry. The legislation dealt with a number of issues affecting the higher education sector. Most contentiously, this included the Government's so-called Research Quality Framework (RQF). As is well known, there has been a significant amount of concern expressed about the RQF approach. The Senate Inquiry gave a further opportunity for those concerns to be put to the Committee for further examination.
- 1.4 The legislation deals with a number of things. These include: revising the maximum funding amounts provided under the Higher Education Support Act 2003 to provide funding to support the implementation of the Government's so-called research quality framework, or RQF; and amending the Higher Education Support Act to reflect changes to the National Protocols for Higher Education Approval Processes.

Research Quality Framework

- 2.1 The Government's so-called Research Quality Framework, which is being developed to assess and measure the effectiveness of research undertaken at universities, and which this legislation has appropriated money for, is the most vexing of these issues.
- 2.2 During the Inquiry a number of submissions reinforced the generally divided view that the Government's approach to assessing research quality at universities is a flawed one. Broadly, it was agreed that the RQF will be expensive to administer, it sets the bar too low on quality measures, it emphasises a poorly-defined 'impact measure', and the adoption of the RQF will mean that university ratings would be based on where the academic is now working, not necessarily where the academic has done groundbreaking research.

- 2.3 The Group of Eight Universities in particular expressed considerable concern about the legislation, which while supportive of the original intentions of the legislation, stated in clear terms that

The Go8 is not yet convinced that the model endorsed by the Government is capable of achieving [the] outcomes [to]

- *heighten levels of transparency and awareness about the quality and broader impact of publicly funded research in a way that provides a platform for further investment in Australia's research system; and*
- *provide the Australian Government with the evidence for redistributing research funding to ensure that areas of the highest quality of research are rewarded.¹*

- 2.4 More compellingly, the Group of Eight said that

the Go8 does not believe that claims by the Department of Education, Science and Training that the 'higher education sector has consistently indicated that the approach used in the RQF provides the best approach to conducting a quality-based assessment process' or that '... the sector has continued to indicate a broad level of support, with some hesitation related to details that will be addressed in the implementation process' are accurate²

- 2.5 The National Tertiary Education Union, while supportive of the overall intent of the RQF approach, stated in clear terms that its major concerns include:

- *the introduction of this legislation before much of the critical detail about the final model is known,*
- *lack of adequate funding to compensate universities for the real costs associated with the introduction of the RQF, thus diverting scarce resources from other essential core activities such as teaching and research, and*
- *risks to the international reputation of Australian universities and the professional and industrial rights of their staff.*

- 1.1 The Federation of Australian Scientific and Technological Societies (FASTS) similarly said that while they are supportive of the intent of the RQF approach, they remain concerned over a number of areas affecting the efficiency and credibility of the Government's approach. In particular, these related to the resources allocated to the RQF, the

¹ Group of Eight submission to Senate Inquiry, 5 April, p.2

² Group of Eight submission to Senate Inquiry, 5 April, p.2

robustness of the impact measures, and the relationship between the RQF and research block grants.

- 1.2 The concerns expressed during the Senate Inquiry have been long-standing.
- 1.3 The Productivity Commission in its final *“Public Support for Science and Innovation”* Research Report released in March reported also adversely on the proposed Framework, noting that

The costs of implementing the Research Quality Framework may well exceed the benefits...³

And that

...while the RQF may bring some benefits, the UK and NZ experiences suggest that these would have to be substantial to offset the significant administrative and compliance costs.⁴

- 1.4 Higher education providers and groups representing research and teaching arms of the higher education sector have also expressed concerns about the Government’s RQF approach. Particular focus has been on the concern that the RQF would reduce the research links with industry, lessen collegiate efforts among researchers and academics from different universities, and that the assessment of quality and impact is of itself problematic.
- 1.5 In submissions to the Productivity Commission last year:
 - The Australian Academy of Technological Sciences and Engineering has expressed ‘doubts about the value of such an approach’.⁵
 - Deakin University has said that the RQF criteria of quality and impact are not the only criteria for assessing research, and in some cases are not the most important. The University also said that the RQF will focus on research excellence, which will not catch all the important research outcomes.⁶
 - The Australasian Institute of Mining and Metallurgy has commented that “... *the allocation of a single ranking based on aggregate scores for ‘Quality’ and ‘Impact’ ... is confusing, [and that]... these different measures protect interests which are of varying relative importance for different kinds of research.*”⁷

³ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: XVI

⁴ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: XXX

⁵ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: 523

⁶ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: 525

⁷ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: 525

- The Australian Academy of the Humanities has said of the RQF approach that

...very little macro and micro economic benefit analysis has been performed of the contributions of the humanities and creative arts to national innovation [and that this] ... is due to the difficulty of measuring the impact of humanities research in such terms.⁸

- 2.15 The Group of Eight universities stated in its follow-up submission to the Productivity Commission's draft report that

There is a prospect that an RQF could become a burden to researchers, be expensive to administer and deliver very little reward to support and stimulate the best quality research.⁹

- 2.16 Despite all of this legitimate concern expressed by those who actually know how the impact of the RQF will affect research in our Universities, Government Senators dismissed these concerns on the basis that

It is highly likely that criticisms made of the legislation – bearing mostly on detail – will be addressed as implementation proceeds at least to the extent that the current concerns of stakeholders require alteration.¹⁰

- 2.4 While Labor Senators do not support the Government's approach on the RQF, Labor Senators do support measuring the impact of research undertaken to try and quantify and assess the value of research being undertaken.
- 2.5 The legislation appropriates \$41 million for the purpose of assisting Universities with implementing the RQF. Labor Senators will not oppose the appropriation of \$41 million. However in Government we will use that money more effectively in the development of an alternative research quality assessment regime.
- 2.6 In our view, three very basic problems prevent the RQF from being successful.
- 2.7 First, the RQF approach as proposed by the Government is likely to constitute a disincentive to undertake long-term, basic research.

⁸ Productivity Commission, *Public Support for Science and Innovation*, 9 March 2007: 525

⁹ Group of Eight Response to the Productivity Commission Draft Research Report on Public Support for Science and Innovation, December 2006: 6

¹⁰ http://www.aph.gov.au/Senate/committee/eet_ctte/highered07/report/c01.pdf

- 2.8 Second, essential aspects and details of the scheme are yet to be worked out, so that implementation for 2008, as the Government has made clear is its intention, is in serious doubt.
- 2.9 Third, the cost and other resources involved in the assessment and reporting processes mean that the Government's proposed Research Quality Framework risks preventing breakthrough research from occurring by being overly bureaucratic for too little year on year return.
- 2.10 Accordingly, Labor Senators agree that Australia needs a research assessment approach that:
- Is rigorous, transparent, fair, equitable and efficient;
 - Is recognised and accepted internationally as world's best practice;
 - Distributes funds in a way that transparently reflects research quality and achievement;
 - Encourages Universities to concentrate on their respective research strengths;
 - Rewards genuinely high achievement;
 - Weights research costs accurately by field and discipline;
 - Promotes University autonomy in decision-making on research funding and policy;
 - Recognises and rewards long-term research;
 - Provides separate, objective measures that reflect research quality in broad discipline areas, including the Arts & Humanities, Social Sciences, and Science & Technology; and
 - Looks at outcomes of research to enhance the links between Universities, research and industry.

Summary

- 2.11 Labor Senators remain concerned that the approach on the Research Quality Framework is the wrong approach to assessing and measuring the impact and performance of research undertaken at Universities around the Commonwealth.
- 2.12 Labor Senators are also critical of the approach taken in the Government's majority report to this Inquiry. Despite the depth of concern publicly available, including concern clearly expressed in submissions to this Inquiry about the Research Quality Framework approach, Government Senators dismissed these concerns on the basis that

It is highly likely that criticisms made of the legislation – bearing mostly on detail – will be addressed as implementation proceeds

*at least to the extent that the current concerns of stakeholders require alteration.*¹¹

- 2.13 The depth of concern expressed about the Government's approach on the RQF should prompt Government Senators to question the validity of the Government's approach, not to blindly accept it.

National Protocols

- 3.1 The National Protocols regulate the recognition of new universities, the operation of overseas universities in Australia and the accreditation of courses offered by higher education institutions. First agreed in 2000 by the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), they were subsequently revised in 2006. The amendments made by this Bill seek to give effect to the revised *National Protocols for Higher Education Approval Processes*.
- 3.2 The National Protocols are widely recognised as an important component in the quality assurance of higher education in this country.
- 3.3 The 2006 changes agreed to by Commonwealth and State and Territory Ministers provide:
- provision for a wider range of universities, including specialist institutions conducting teaching and research in one or two fields of study only and university colleges in the form of new universities undertaking teaching and research in a limited number of fields during an establishment phase;
 - an identified process for institutions other than universities to become authorised to accredit their own courses ("self-accrediting") where they demonstrate a strong track record in quality assurance and reaccreditation; and
 - application of the Protocols to both new and existing higher education institutions, with compliance to be assessed through the standard quality assurance processes.
- 3.4 The intended effect of these revised Protocols is threefold:
- To facilitate the establishment of centres of research and teaching excellence in the form of universities focused on narrow areas of expertise.
 - To provide a clear mechanism for those institutions with strong track records in higher education delivery and quality assurance to become self-accrediting, and under the stewardship of an

¹¹ http://www.aph.gov.au/Senate/committee/eet_ctte/highered07/report/c01.pdf

established university, for provisional 'university colleges' to develop into fully fledged institutions.

- To extend their application to all new and existing higher education institutions.

- 3.5 While there is broad support for the Protocols from the higher education sector, some concern has been expressed the Guidelines that underpin them and give effect to these Protocols are not expected to be ready until at least June this year.
- 3.6 The Australian Vice Chancellors Committee focused on in its Senate Inquiry submission.
- 3.7 In particular, the AVCC expressed its concerns over the lack of detail provided in the Guidelines as to how the Protocols would be applied to existing higher education providers.

Summary

- 3.8 Labor Senators are sympathetic to the concerns expressed by the AVCC and agree that more information needs to be provided in the Guidelines when complete to indicate how the Protocols will apply to existing higher education providers. Notwithstanding this, Labor Senators agree with the overall approach taken in this area, noting also that State and Territory Ministers have agreed that complimentary legislation will be introduced in each State and Territory in order for the Protocols to take effect from the end of 2007.

Recommendation

Labor Senators do not oppose the Bill.