

Australian Universities Accord Working Group, Department of Education
By email: AustralianUniversitiesAccord@education.gov.au

RE: Australian Tertiary Education Commission (ATEC) Implementation Consultation Paper

Dear Members of the Australian Universities Accord Working Group

Thank you for the opportunity to provide feedback on the Australian Tertiary Education Commission (ATEC), as part of the Australian Universities Accord post-Budget implementation consultation. The three post-Budget consultation papers outline significant structural reforms for the higher education sector in Australia and we appreciate the consultative approach taken by the Department in developing these important reforms.

The proposed ATEC will be critical to strengthening the higher education sector and leading the reforms recommended within the Accord Final Report, and we are pleased to see long-term commitment to this important leadership function.

We are also pleased to see the commitment to a First Nations Commissioner, an important role to lead engagement on increased access to education for First Nations students and to recommend a strategic future direction for funding and incentives programs, such as the ISSP funding. The establishment of a First Nations Council to support the ATEC and the First Nations Commissioner will be critical to achieving this. We recommend that the CEO of the National Indigenous Australians Agency (NIAA) is also included on the Consulted Officials list of the proposed ATEC structure within the consultation paper.

We recommend that the ATEC is established as an agency within the portfolio of the Minister of Education. Its governance model as a portfolio agency makes the CEO of the ATEC and the Secretary to DET directly accountable to the Minister for Education. The Minister will maintain policy authority within the Department while focussing the role of ATEC as an implementation agency.

We anticipate the role of the ATEC will be further reflected in the legislative objects of the Act through which it is established. While the CEO should be a ministerial appointment; the appointment of the Commissioners should be independent of the Minister and reflect their powers as set out in legislation. This gives the CEO the delegation to shape the focus of the work of the Commissioners as the needs of the ATEC evolves.

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The powers of the Commissioners will be set in the Act under which the ATEC is established. These powers will encompass their role in system performance, compact negotiation, research performance assessment, pricing, management, strategic analytics, and policy advice on request of the Minister of Education. New powers will require legislative reform – a measure that mitigates the risk of “mission creep” with respect to the commissions and undue ministerial influence in the work of the ATEC.

Given the size and complexity of the sector, it will be anticipated that the CEO of ATEC will need to foster the development of a Commission structure that is appropriately responsive to sector diversity whilst fostering a collegiate but independent relationship with individual Universities.

In the appointment of Commissioners, the CEO of ATEC will need to be mindful of their technical expertise as well as perceptions across the sector of their relative seniority. The appointments of the Commissioner should not be limited to individuals with experience of working within a university.

We strongly urge that the initial focus of the ATEC would be to enable the initial set of compacts to begin being negotiated in areas of greatest need and opportunity.

We are very pleased to see the focus on sector harmonisation within the remit of the ATEC and consider this a key role in bringing together the education and skills & training sectors for the shared goal of increasing education participation and attainment. Greater alignment and coordination between these sectors will be critical in achieving the Accord objectives. An earlier consideration should be harmonisation to regulation across the tertiary sector.

The ATEC would lead greater tertiary alignments by strengthening state-based system development across education and skills sectors. This system development should also include compulsory schooling levels, to ensure students are well prepared for either university or VET post-school education. In Tasmania, we have been leading conversations with our state education partners the Department of Education and Tas TAFE, on what one aligned education system for Tasmania would look like and could achieve.

To support this type of approach, the ATEC should have the power within the Act to create cross-sector compacts, or potentially whole of State compacts, to help create a more integrated system. This could include compact funding for cross-sectoral or shared pathways in areas of education, skill and workforce needs.

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Taking this approach would be transformative for places like Tasmania or the Northern Territory in achieving educational outcomes targets in participation and attainment, and we would welcome approaches that strengthen the whole education system at a jurisdictional level.

Thank you for the opportunity to provide feedback on the development of this important function to lead the coordination, cohesion and strategic direction of Australia's higher education sector.

The University of Tasmania would welcome the opportunity for a further discussion on the suggestions provided within this letter.

Yours sincerely



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