



1 OCTOBER 2024

# SUBMISSION IN RESPONSE TO THE UNIVERSITIES ACCORD (NATIONAL STUDENT OMBUDSMAN) BILL 2024

AUSTRALASIAN CONFERENCE OF TERTIARY ADMISSIONS CENTRES (ACTAC)

## **ACTAC: Coordinating consistent admissions nationwide**

The Australasian Conference of Tertiary Admissions Centres (ACTAC) comprises the five state and territory admissions centres in Australia. The New Zealand Qualifications Authority is also a participant in ACTAC processes.

ACTAC facilitates coordination and sharing of practice between tertiary admissions centres to benefit learners and providers and assist interstate student mobility. ACTAC welcomes the opportunity to provide feedback in response to the **Universities Accord (National Student Ombudsman) Bill 2024**.

## **The broad proposed definition of higher education officer will distract from the Ministerial priorities for the Ombudsman**

Per the joint Ministerial media release announcing the introduction of this legislation, the National Student Ombudsman has an important role to play in addressing issues such as sexual violence, homophobia, and racism on campus.

ACTAC members are concerned that the current drafting of the Bill creates a very broad scope for coverage, which may burden the Ombudsman with a large volume of complaints unrelated to decisions or actions taken by higher education providers and impose an administrative burden on organisations providing services to higher education providers. Specifically, the proposed definition of higher education officer is as follows:

**higher education officer**, of a higher education provider, means a person who:

- (a) is an officer or employee of the provider; or
- (b) performs services for or on behalf of the provider (other than a person covered paragraph (a)).

The inclusion of clause (b) is extremely broad in scope, and, as has been pointed out by Andrew Norton, will capture staff at a range of organisations including tertiary admissions centres. This could also include staff at organisations providing information technology services, cleaning services, and other functions unrelated to teaching and learning or the campus environment.

## **The role of tertiary admissions centres and other service providers**

Tertiary admissions centres (TACs) facilitate the application and offer process on behalf of member tertiary institutions. TACs do not make selection decisions, as higher education providers retain full autonomy over selection into their courses.



TACs are not higher education providers, are not engaged in teaching and learning, or in making decisions about the campus environment. Therefore, there are no grounds on which a decision or action taken by a TAC staff member, even if they are providing services to a higher education provider, is relevant to the complaints process intended for the National Student Ombudsman.

Admissions processes are high-stakes decisions, and the risk of the current broad definition of higher education officer is that prospective students may seek to use the complaints process vexatiously as a means of gaining admission to a course, not as a genuine way to address a decision or action by a higher education provider.

**Recommendation: a focused definition to support positive outcomes**

To avoid unnecessarily increasing the Ombudsman's workload through matters unrelated to the intent of the Bill, the definition of higher education officer should be amended to state that those providing services on behalf of a higher education provider are only covered by the Bill's provisions if they are directly involved in the making of decisions or taking of actions related to teaching and learning or the campus environment.

This change will keep the Ombudsman's focus firmly on the important matters raised in the joint Ministerial statement.

For further information, please contact Teresa Tjia, ACTAC Convenor and VTAC CEO.