

Submission on the Implementation of the Australian Tertiary Education Commission, July 2024

The Australian Academy of the Humanities is the national body for the humanities in Australia. As one of the nation's five Learned Academies, we are a unique resource for government, working to ensure cultural, creative, and ethical perspectives inform Australia's plans for now and the future.

Introduction

We welcome the Consultation Paper's list of implementation questions, which seeks input where it is most needed. The current draft is strong on administration, but it overlooks the importance of higher education for national capability, that is, for an appropriate knowledge and research base for the nation. For the long-term success of the Accord, Australia needs an ATEC that is focused on the production and transfer of knowledge (essential for 21st century skills), and the development of the nation's intellectual resources. This requires a more significant dimension of strategic planning and advice than is evident in the current document.

The success of the ATEC and of the Accord will not be decided only or mainly by Department of Education officers, nor in university executives' offices, but by the quality of the learning that occurs in tutorials and lectures around the country. The focus of that learning is crucial as well; the universities are themselves the distributed stewards of our nation's knowledge and research capacities. The scale, focus, and diversity of these capacities is important. The ATEC must find new ways to connect with the practice of higher education in Australia, if it is to provide independent and informed stewardship and strategic direction that protects the national interest. This means engaging not just with university administrations and end-users such as employers and industry groups, but also avenues for engaging with key stakeholders and active participants in the sector such as university staff and students, specific disciplinary organisations and Learned Academies.

Australia's five Learned Academies are a little-known national resource. They are funded by Government grant to convene expert advice to Government. Fellows of the nation's Learned Academies are experts in their disciplines (Australia's foremost authorities in history, science, health, economics and cultural studies for example).

In summarising the Accord's final report, the Department of Education has said (at p. 24) that the ATEC must 'draw advice widely from across the system'. We support that statement but would urge that greater thought be given to defining the key sources for that advice to ensure that key stakeholder groups are not overlooked. The Learned Academies' national footprint means we have reach across the entire higher education and research sector, as well as international networks.

Australia's Learned Academies convene the disciplinary expertise that the ATEC should be drawing on, as matter of routine practice, with regard to mapping and developing sovereign capability across our education and research programs.

The Academy of the Humanities' report, Australia's China knowledge capability, is an excellent working example. Released in 2023, this AAH report mapped Australia's China knowledge capability across the Australian higher education sector. It is the first review of its kind. The report's findings demonstrate that Australia has lost significant ground over the last two decades in producing graduates who have the necessary grounding to develop mastery of Chinese culture, politics, history and language.

This evident loss of Australia's China capability is important to our ability to understand China on its own terms, from Australian perspectives. The report was considered by National Cabinet's First Secretaries Group, and is providing important framing of multi-jurisdictional initiatives to improve Australia's Asia literacy.

This is an example of how the ATEC could work with Learned Academies on an ongoing basis, utilising our expertise and reach to establish an expert practitioner-informed evidence base on the provision of education and research that underpins sovereign capability.

We contend that the ATEC should:

- a. take an interest in the provision of disciplinary offerings across our nation's universities as part of its national mandate.
- b. utilise the nation's Learned Academies to advise on the state of our disciplines with regard to education, research and sovereign capability.

It is not appropriate for private sector contractors, without disciplinary expertise, to provide this advice.

While we would like to see a thorough rethinking of the purpose and functions of the ATEC, to create the new strategic capability envisaged in the Accord report, we recognise that the current paper might remain the basis for next steps. Much can be achieved through targeted, substantive revision, as suggested below.

Making decisions in the national interest

The first requirement of the ATEC is a comprehensive understanding of the state of higher education. It needs to avail itself of the big picture that educators can see.

- 1. How can the ATEC be set up so that it has sufficient expertise in the higher education sector while maintaining its focus on decision making that is in the national interest, rather than sectoral interest?*

The provisions against conflict of interest which rule out **appointments who have held positions in the higher education sector within** the last five years are excessive. It is sufficient that those appointed to serve as Commissioners do not currently hold a position within the sector, and it is crucial that we have Commissioners who possess what the Accord described as 'deep historical knowledge' of the sector.

It would be far from optimal if the ATEC was to be run by those appointed purely for their administrative or corporate capacities, because the primary benefit that ATEC can bring to the sector is a new level of strategic planning and oversight. That kind of oversight depends on the quality of advice and the knowledge brought to bear. The sector has been subject to poorly thought through short-term policy interventions from governments, and from the self-interested actions of individual universities, and these have not always worked in the national interest. ATEC can bring an independent and longer-term view that prioritises the national interest. It can only do so if those charged with these responsibilities have a high level understanding of the structure and history of higher education in Australia.

We therefore recommend this substantive change (text copied from the Consultation Paper is in italics):

- *the Commissioner positions must be held by people **who have a demonstrated understanding of the tertiary education sector** (p. 3)*

instead of

- *the Commissioner positions must be held by people that can demonstrate their independence from the tertiary sector for example by not having worked in a leadership position in the tertiary sector within a set number of years (p. 3)*

A sectoral interest is a problem only if it has excessive influence, or influence that cuts across national interests. Some aspects of universities acting in their own financial interests may at times be problematic in both these respects. This is particularly the case where disciplines or national bodies of knowledge are

affected by decisions made by individual institutions. In the case of foreign language capacity, for instance, the nation has an interest in their provision that goes beyond the interests of specific institutions.

In dealing with such issues, it is crucial that discipline based advice as well as broader sectoral oversight is available. Australia's Learned Academies and disciplinary associations bring a national perspective to the practice of higher education and research. They can also bring tertiary expertise into national conversations. Far from wielding excessive influence, these organisations are an underdeveloped national resource.

We recommend (i) including Learned Academies and disciplinary organisations in the list of organisations the ATEC should consult; and (ii) directing the ATEC to consider how best to partner with academies and professional bodies to facilitate their appropriate contribution.

Education is more than useful

The ATEC's objective should recognise that learning, whether through higher education or vocational training, is a good in its own right, for the public and for individuals. It should also recognise that, prior to supporting intellectual contest and debate, higher education must uphold intellectual ethics and rigour.

2. Is the ATEC's proposed legislated objective (page 2) comprehensive?

The current drafting of objectives provides a good framework, but is not yet adequate or comprehensive.

It is also notable that the discussion document does not propose methods or strategies to advance purpose (c). The Academy suggests that a further version of this model directly address the question of how to advance the quality and relevance of the nation's intellectual resources.

We suggest the following additions and changes to page two.

It is proposed the ATEC's purpose be articulated in legislation:

The ATEC is charged with providing all Australians with tertiary opportunities because learning is not only useful, it is a primary individual and public good. Learning is fundamental to what it is to be human. It is inexhaustible. It recreates and reforms society. Learning bridges the past, present and future; and benefits the individual, society, and nation.

The objective of the ATEC is to underpin and drive:

(a) equitable opportunity through supporting all Australians to access and participate in high-quality, ~~engaging and transformative~~ tertiary education programs

- (b) a productive economy and society through the delivery of highly skilled and educated graduates, and through facilitating the production and application of new knowledge
- (c) a strong civic democracy through institutions that foster *truth seeking, disciplined and accountable knowledge*, robust debate and critical inquiry and contribute to Australia's cultural and intellectual life.

Effective decision-making requires advice from educators

The ATEC will be a Government funded institution, accountable through Parliament. The danger is not that the ATEC will be insufficiently responsive to Government, but that it will insufficiently understand and protect the broad social and educational purposes of the higher education sector.

3. Does the proposed structure of the Commission, including consultation with other relevant stakeholders (pages 3-4), allow for an effective decision-making process?

The Academy does not believe that the proposed structure will allow for an effective decision-making process. The Consultation Paper puts in place conditions and guidance that orient the Commission primarily towards the Commonwealth Government, then towards university management, and scarcely at all towards key stakeholder groups: educators, researchers and students.

The proposal suggests that the ATEC could quickly devolve simply into an administrative adjunct to the work of the Department of Education. There is little in the structures proposed that would support an independent, and appropriately strategic, ATEC. This requires an appropriate division of responsibilities between the Department and the ATEC, to ensure that ATEC can offer advice direct to the Minister (after appropriate consultation with the Department), direct responsibility for the appointment and management of its staff (and those seconded from the Department to the ATEC), its own independent research and consultation capability and is not burdened with excessive compliance and administrative responsibilities to ensure that its focus is on creative and informed strategic planning advice to the Minister.

We suggest the following changes:

- *The Commission would ~~—through staff of the Department working on ATEC functions~~ – be able to commission additional advice or expertise as required to carry out functions and responsibilities. It will maintain close relations with professional bodies (the Learned Academes, disciplinary associations), and, through staff of the Department working on ATEC functions, will have access to Departmental support (p. 4)*

A system-wide view of objectives and capabilities

While Jobs and Skills Australia will provide the ATEC (and others) with a national view of skills needs, the ATEC will also need a national view of knowledge and higher education capabilities.

At present, the Learned Academies conduct this work (decadal plans, subject-specific reports) as funding opportunities arise and staffing capacity allows. This work could be commissioned by the ATEC to map and monitor our national sovereign capabilities with regard to education programs, disciplinary expertise and output.

4. What does effective stewardship look like for the ATEC? What levers should the ATEC have to steward the sector?

The ATEC will be an effective steward of the tertiary education in Australia when it can distil informed lessons from researchers and educators, and draw on current advice to improve policymaking and implementation across the higher education sector.

On page two, the Consultation Paper lists the first of the ATEC's purposes as 'facilitating a ... tertiary education system that has the capacity and capability it needs'. However, on page six, the list of proposed ATEC functions does not include oversight of capabilities.

We suggest the following changes to the dot points under 'Stewardship' on page six, including because (a) there are prerequisites for the point on mission-based compacts, and (b) stewardship of higher education must include the provision of coordinated advice to states and territories as well as the Commonwealth:

- ~~Monitors tertiary targets.~~
- *Monitors tertiary targets, and advises governments on future targets.*
- *Undertakes ongoing programs of strategic planning, auditing and research to inform its advice to governments.*
- *Advises governments on current or emerging national knowledge capability gaps.*
- *Implements and negotiates enforceable mission-based compacts with higher education providers.*
- *Engages and communicates with the sector.*
- *Supports the Commonwealth ~~Delivers on~~ Government to deliver on its objectives.*

Create what Australia needs: thinking room for stewardship

To steward the sector, the ATEC should not be overloaded with administrative functions.

The model effectively hives off functions from the Commonwealth Department of Education, and adds to them a new list of monitoring and administrative tasks that will add little to the capacity of ATEC to provide strategic advice into the future. This would bury the ATEC in metrics, monitoring and program management. A strategic ATEC should advise on the objectives, which come before the policies, which in turn precede the sector's metrics and management.

The ATEC should not be so preoccupied with levers that they distract from the provision of strategic advice to the sector.

Expert advice independent of the universities

5. How can the ATEC seek the regular information and advice it needs to operate, while ensuring minimal additional regulatory burden on the sector?

Advice from disciplinary associations and the Learned Academies is independent of universities' and has no regulatory impact on universities. If the ATEC is appropriately established to draw on the expertise of stakeholder groups, and collaborate with professional bodies, it will improve the quality of advice and strategic thinking, while affording the needed distance from university business models.

In addition to drawing on the resources of the nation's Learned Academies, it is also critical that the ATEC routinely consults with other primary stakeholder groups, namely students, educators and researchers.

In addition, given the majority of Australia's public universities are established under State legislation, the ATEC should also consult with State Governments to better align the relationships between early childhood, school and tertiary education to ensure the success of tertiary education in sustaining and enhancing the national interest in education.

6. What does a successful tertiary education future state look like and how can the governance of the ATEC help to achieve this?

A successful tertiary future state is one in which:

- the Commonwealth Government receives coordinated, whole-of-sector advice on higher education; advice which is also available to state and territory governments, and to tertiary providers

- universities' business interests and agendas are complemented by well resourced, independent sources of expert advice on higher education, drawn on and developed by the ATEC.

To achieve this, the ATEC must be constructed as a knowledgeable and well informed planning body that is tasked with providing independent strategic advice on the shape and orientation of the sector, including its alignment with the interests of the nation.