

REVIEW OF THE STUDENT  
SERVICES, AMENITIES,  
REPRESENTATION AND  
ADVOCACY GUIDELINES

*MADE UNDER THE  
HIGHER EDUCATION SUPPORT  
ACT 2003*

*Final Report  
Of The  
Representation  
Guidelines  
Review Panel*

*May 2013*

# **Final Report**

## **Review of the Student Services, Amenities, Representation and Advocacy Guidelines made under the *Higher Education Support Act 2003***

### **Report of the Representation Guidelines Review Panel**

- The Hon Arch Bevis (Chair)
- Professor Alan Pettigrew, former Vice Chancellor and CEO of the University of New England.
- Ms Jade Tyrrell, National President, National Union of Students

**May 2013**

**The Hon Sharon Bird MP**

Minister for Higher Education and Skills  
Parliament House  
Canberra ACT 2600

Dear Minister

In February 2013 the former Minister for Tertiary Education, Skills, Science and Research, Senator the Hon Chris Evans, commissioned a Review of the Student Services, Amenities, Representation and Advocacy Guidelines (the Representation Guidelines) made under the *Higher Education Support Act 2003* to ensure that they were operating as intended.

On Behalf of the Review Panel, I have pleasure in submitting our *Final Report*.

In preparing this report the Panel has drawn on stakeholder consultation from across the higher education sector, as well as the advice of the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education and the Panel's own expertise. We received thirty seven written submissions from universities, peak bodies and student organisations, and held face-to-face consultation sessions and teleconferences with seventeen participants.

The Panel has been encouraged by the positive feedback received from across the sector regarding the importance of the Student Services and Amenities Fee as well as the value and benefit of the Guidelines. However, respondents raised a number of issues that would benefit from clarification.

Based on the consultation, the Panel feels that the delivery of the services outlined in the National Access to Services Benchmarks would be assisted by a revision of the Guidelines. The mechanisms for student consultation outlined in the National Student Representation Protocols would also benefit from a clear delineation of the broad consultative measures available to the sector and the specific requirements for consultation on the expenditure of the Student Services and Amenities Fee revenue collected by the institution. The proposed clarification would ensure that the Guidelines operate in a manner that is clear in intent and purpose, transparent, and consultative.

The Panel's key recommendations are that:

1. the Representation Guidelines be amended (as shown in Table 3 of the Report) to mitigate issues raised by stakeholders during the consultation on the Guidelines.
2. the amendment of the Representation Guidelines be done as part of longer-term work that would examine the Guidelines in the context of broader regulatory processes and reduction of administrative red-tape.

The Panel further recommends that:

3. HEPs be required to annually publicly report on how SSAF funds are expended and to identify SSAF funded projects.
4. the Department develop an expanded FAQ and Good Practice Guide to support good practice in the sector.

I would like to express my gratitude to my colleagues on the panel - Professor Alan Pettigrew and Ms Jade Tyrrell – whose experience and depth of knowledge of the matters under consideration greatly assisted this review. I also record my thanks to the secretariat and officers of the Department without whose support this review would not have been possible.

I welcome the opportunity to discuss the recommendations of the report with you.

Yours sincerely



The Hon Arch Bevis

3 May 2013

## Executive Summary

On 1 February 2013, former Minister for Tertiary Education, Senator the Hon Chris Evans, announced a review of the *Student Services, Amenities, Representation and Advocacy Guidelines* (the Representation Guidelines) made under the *Higher Education Support Act 2003* (the Act) to ensure that, after one year, the Representation Guidelines are operating clearly and transparently. A Review Panel, chaired by the Hon Arch Bevis was set up to support the process.

Stakeholder comments were sought on

- the clarity of the Representation Guidelines;
- any issues with the implementation of the Guidelines;
- the delivery of services outlined in the National Access to Services Benchmarks; and
- consultative measures adopted in following the guidelines.

In total, the Department received 37 submissions (including 10 late submissions) through the consultation process. Submissions were received from 23 universities, 4 peak bodies and 10 student organisations, including an independent personal submission from the post graduate director of a university student body.

Eighteen of the respondents were invited to speak to the Panel via teleconference or in person, and were provided the opportunity to expand upon their submissions in greater detail. Seventeen respondents attended the Panel's consultation sessions.

In general, respondents were very positive about the importance of the Student Services and Amenities Fee (SSAF) as well as the value and benefit of the Representation Guidelines. Universities in particular were very supportive of the Representation Guidelines and complemented their breadth of scope and flexibility.

The extent to which the operation of the Representation Guidelines has, in practice, reflected that intent and purpose varied depending on the type of respondent. In particular:

- Submissions from universities, while supportive of the Representation Guidelines, identified that some sections of the Guidelines, such as service provision and student consultation requirements, would benefit from clarification.
- Submissions from postgraduate associations argued that that the Representation Guidelines should be amended to better represent the needs of postgraduates, including through clearer consultation provisions and distribution of fee revenue;

- Submissions from student associations (postgraduate, undergraduate and international) generally noted that consultation processes with students varied from institution to institution and argued that the Representation Guidelines should be amended to more fully prescribe processes for consultation, and include a greater emphasis on reaching agreement;
- Submissions from a number of student associations also argued that the Representation Guidelines should be amended to guarantee funding to student organisations; and
- Submissions from organisations representing the needs of distance education and/or online students argued that the needs of these students should be specifically reflected in the Guidelines, including in respect of student consultation processes.

While noting these disparate positions, the Panel also sought to identify issues common across the groups of respondents. Three major issues were identified:

- The need for greater clarification of the employment status of student advocacy officers and their relationship with universities (Clause 2.2.4)
- The need for greater clarification regarding:
  - elected student representation as required under the Guidelines;
  - the relationship between these representatives and independent student associations/major student organisations (Clause 3.2.3); and
  - the role of these students in respect of consultation.
- The issue of the timing of consultation with the student body on priorities for expenditure of fee revenue and the publication these priorities (Clause 3.2.5), as well as timing of the distribution of funds.

The Review Panel met six times to consider the stakeholder submissions. The Panel found that while the general intent and purpose of the Representation Guidelines was clear, some institutions had experienced issues with implementation of the Guidelines and that the wording of some sections would benefit from clarification.

The Panel noted that the delivery of services outlined in the National Access to Services Benchmarks would be expedited by revision of the Guidelines. The Panel also noted that the mechanisms for student consultation outlined in the National Student Representation Protocols would benefit from more clearly delineating (a) the broad consultative measures available to the sector and (b) the specific requirements for consultation on the expenditure of the Student Services and Amenities Fee revenue collected by the institution. The Panel noted that additional clarification would mitigate the issues raised by respondents and identified by the Panel and would ensure that the Representation Guidelines operate in a manner that is clear in intent and purpose; transparent in process; visible; and consultative.

**The Review Panel's key recommendations are that:**

- 1. the Representation Guidelines be amended to mitigate issues raised by stakeholders during the consultation process;*
- 2. the amendment of the Guidelines be done as part of longer-term work that would examine the Guidelines in the context of broader regulatory processes and reduction of administrative red-tape.*

**The Panel further recommends that:**

- 3. HEPs be required to annually publicly report on how SSAF funds are expended and to identify SSAF funded projects.*
- 4. the Department develop an expanded FAQ and Good Practice Guide to support good practice in the sector.*

Detailed recommendations are outlined at page 35. Recommended changes to the representation guidelines are outlined at Table 3, page 37.

## Introduction

Higher education is integral to achieving the Australian Government's vision of a stronger and fairer Australia. To achieve productivity growth, Australia needs a highly educated workforce with the skills and capacity to advance the growth of a dynamic knowledge economy. University graduates underpin an innovative, world-class workforce.

Students' experiences during university study play a major role in their personal development as well as their academic and professional success. Students' patterns of engagement with universities are changing rapidly as new modes of study and types of interactions evolve with changes in technology and pedagogy. These changes vary widely across the sector. For example, in recent years, there has been an increase in distance and online learning, improved access for low-SES and regional students, and an increase in enrolments by mature age students. While leading to increased opportunity and flexibility for individuals, these demographic changes can mean that today's students have differing needs and variable access to support compared to students in the past.

The increasing diversity of the sector, and the resulting need to be agile and highly responsive, makes engagement and consultation an important strategic tool for higher education providers. Student participation in representative forums benefits both the university and the student body as a whole by building the university community and providing an effective mechanism for engagement.

Australian universities are diverse institutions with highly complex goals and operations. Universities are operating in an increasingly competitive international market for higher education services. With the advent of internet-based education, Australian universities must have demonstrable high quality and standards to remain an attractive choice for local and international students. Access to quality student services and amenities is an important consideration for students deciding where they will study.

A number of studies have demonstrated a positive relationship between the level of resources and support provided by higher education providers and students' overall experience at university. For example, there is a strong link between student retention and success and the extent to which students are engaged with their fellow learners and their teachers during their studies (Bradley 2008).

Factors influencing the extent of engagement include the social climate established on campus, the academic, social and financial support provided by the institution, and general involvement with campus life (Scott 2008). The Universities Australia University Experience Survey (2012) has shown that positive student experiences are linked positively with average overall grades. There is also strong evidence that learning at university is not restricted to formal academic settings but often occurs in the less formal social environment on campus. In a survey of 1600 students at various universities in the United States, four out of five university students nominated something that happened outside the classroom as their defining learning experience (Light 2009).



Access to student services and amenities supports student participation and access to education – particularly for low-SES students and regional students. Targeted early intervention in student health and welfare issues has national economic benefits, in addition to the personal benefits that students derive. High quality student services and amenities can significantly impact student retention rates and increase student attainment. This maximises the impact of Government investment in the higher education sector, delivers more highly skilled graduates to the workforce and benefits the wider community.

The introduction of the Student Services and Amenities Fee (SSAF) in 2011 and its implementation from 2012 has provided a significant increase in the level of funding for student services and amenities at tertiary institutions and an increase in the quality and quantity of the services available to students.

The SSAF supports much needed services on university campuses across the country by providing funding for:

- health and welfare services
- legal services
- advocacy services
- study skills programs
- child care services
- accommodation services
- sport and recreation activities
- employment and career advice
- financial advice
- food services
- orientation programs
- student media
- enrichment activities such as debating and art.

Many of these services are particularly important to students from rural and regional areas who move away from home and family and other support structures in order to study. The SSAF supports increased efficiency and effectiveness in teaching and learning, supports the development of sustainable higher education communities, creates more opportunities for students' involvement in extra-curricular activities and provides opportunities for support of students needing to deal with issues affecting their personal health, development and academic progress. A key feature of the program is that students can benefit from better student services while they are at university but defer payment of the fee through a HECS-HELP style loan until they are earning an income that can sustain the repayment.

The *Student Services, Amenities, Representation and Advocacy Guidelines* (the Representation Guidelines) were developed to support improved transparency and increased student confidence that student fees are being used fairly and for the intended purposes. The Representation Guidelines support the Australian higher education sector's continuous improvement, encourage and support student involvement and build on the existing quality of the sector.

## Purpose of Review

On 1 February 2013, former Minister for Tertiary Education, Senator the Hon Chris Evans, announced a review of the *Student Services, Amenities, Representation and Advocacy Guidelines* (the Representation Guidelines) made under the *Higher Education Support Act 2003* (the Act) to ensure that, after one year, the Representation Guidelines are operating clearly and transparently.

The Representation Guidelines ([Attachment A](#)), which set benchmarks on access to student support services, representation and advocacy protocols, became a condition of grant under the Act from 1 January 2012.

The purpose of this review is to ensure that the Representation Guidelines are operating effectively, clearly and transparently without any unnecessary red tape. The Guidelines specify requirements about SSAF revenue.

## Scope

The scope of the review is outlined in by the Terms of Reference ([Attachment B](#)), and is focused on the operation of the Representation Guidelines. The Act itself is not subject to the review and it is not anticipated that there will be any amendments made to the Act as a result of the review. As the legislation for SSAF has only been in place for just over a year, it is considered to be too soon to undertake a comprehensive review of the program . Any fundamental changes at this early stage are likely to result in undue disruption and confusion to universities, students and other key stakeholders.

The review did not specifically consider the Administration Guidelines however, if changes to the Representation Guidelines are recommended and made, consequential technical amendments may need to be made to the Administration Guidelines.

In undertaking the review, the Review Panel was asked to:

- gather evidence on the operation of the Representation Guidelines through appropriate consultation with universities, student organisations and other relevant stakeholders;
- identify, based on consultation and specialist expertise, any provisions in the guidelines that could be streamlined or clarified to ensure that the legislative requirements are clear for all providers, students and other stakeholders; and
- make recommendations to specifically identify any amendments/improvements to the Representation Guidelines.

Stakeholder comments were sought on

- the clarity of the guidelines;
- any issues with the implementation of the Guidelines;
- the delivery of services outlined in the National Access to Services Benchmarks; and
- consultative measures adopted in following the guidelines.

## Background

### The Student Services and Amenities Fee and relevant legislation

The *Higher Education Legislation Amendment (Student Services and Amenities) Act 2011* came into effect in November 2011. It amends the 'quality and accountability requirements' of the Act to provide higher education providers with the option of charging a Student Services and Amenities Fee (SSAF).

The SSAF aims to provide a balanced, practical approach to funding campus services and amenities of a non-academic nature, such as sporting and recreational activities, employment and career advice, child care, financial advice and food services etc.

If higher education providers charge a SSAF, they are responsible for making sure the revenue is spent only on allowable services listed in the Act. Higher education providers are prohibited from spending the fee to support a political party or the election of a person to the Commonwealth, State or Territory parliament or local government.

The new provisions of the Act are supported by two sets of Guidelines:

- Representation Guidelines:

The *Student Services, Amenities, Representation and Advocacy Guidelines* (Representation Guidelines) made under the Act were developed in consultation with the higher education sector and registered on the Federal Register of Legislative Instruments (FRLI) on 16 December 2011. The Representation Guidelines include:

- the National Access to Services Benchmarks relating to the provision of information on and access to services of a non-academic nature; and
- the Student Representation Protocols.
- The Representation Guidelines apply regardless of whether or not a provider charges a SSAF.

- Administration Guidelines:

Matters regarding the administration of the SSAF, such as determining the amount of the fee, have been included in the existing *Administration Guidelines* under the Act. These were registered on FRLI on 8 December 2011.

The Act sets forth provisions on how the Representation Guidelines operate and the compliance requirements for the SSAF. The Act also sets forth SA-HELP provisions. Compliance with these provisions is a condition of grant for funds provided under the Act.

Other relevant legislation includes *The Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act) and the *Education Services for Overseas Students Act 2000* (ESOS Act).

### Fee structure and payment

The SSAF was introduced on 1 January 2012. Higher education providers were able to charge a fee of up to \$263 per student in 2012. This maximum is indexed annually – in 2013, higher education providers may charge a fee of up to \$273. While it is up to each provider to decide how they wish to charge the fee, a provider must only charge a student up to the maximum amount for a calendar year. A higher education provider can charge a student a SSAF fee regardless of whether the student intends to use any of the service and amenities provided.

A higher education provider may charge different amounts for particular categories of students, including a zero amount. Categories of students can be determined on any basis, including: mode of attendance (i.e. external and internal), type of course (i.e. undergraduate and postgraduate) or equity status (i.e. low SES and indigenous). Students studying on a part-time basis cannot be charged more than 75 % of the maximum amount that students studying on a full-time basis are charged. Higher education providers may also charge international students a SSAF.

As at March 2013, 35 universities were charging the maximum amount for full-time students (\$273 in 2013). Universities were charging the fee in different ways: some were charging an annual fee; some were charging on a per semester basis; and others were charging on a per unit of study basis. At that time, 38 universities had set different fee amounts for particular categories of students. Categories of students exempted or charged a reduced rate included: international students; research students; students in enabling or non-award courses; external students; and full fee paying students (this was in addition to the requirement that a part-time student could be charged no more than 75 per cent of the maximum amount being charged to full-time students).

Where a higher education provider opts to charge a SSAF, the amendments to the Act provide an option for students to access Australian Government assistance through a new component of the Higher Education Loan Program (HELP): Services and Amenities-HELP (SA-HELP). While any person who is enrolled or seeking to enrol with a higher education provider can be charged a SSAF, only those students who meet the eligibility criteria (Australian citizens and permanent humanitarian visa holders resident in Australia, enrolled in a course of study or bridging course for overseas-trained professionals) can defer the fee through SA-HELP.

As at March 2013, 41 higher education providers had received advanced payments totalling \$85,053,401 as SA-HELP assistance required by students. Estimates provided by providers at that time indicated that approximately 402,904 students across the sector had accessed a SA-HELP loan to pay for all or part of their student services and amenities fee in 2013.

### **Representation Guidelines – overview**

Higher education providers who receive a grant under section 2.2 of the Act are required to comply with the National Access to Services Benchmarks and the Student Representation and Advocacy Protocols outlined in the Representation Guidelines.

The National Access to Services Benchmarks are intended to ensure that higher education providers give appropriate attention to a range of essential student support services. The National Student Representation Protocols are intended to ensure that enrolled students are consulted through democratically elected student representation, in identifying, prioritising and delivering students services at their institution.

The 2012 academic year was the first year of operation of the SSAF and the Representation Guidelines. As such, the Representation Guidelines were not a condition of grant for higher education providers nor could penalties be imposed for breaches of these guidelines.

Nevertheless, a number of stakeholders either asked questions or raised concerns with the Department regarding higher education providers' compliance with SSAF legislation. The majority of these queries related to issues beyond the scope of the Representation Guidelines, such as whether or not international students could be charged the fee, whether or not cross-institutional students could be charged the fee by multiple providers and clarification of allowable expenditure items for SSAF revenue.

There were, however, some queries specifically in relation to the Representation Guidelines, including whether or not appropriate consultation processes had been undertaken or whether processes for electing student representatives had been conducted in accordance with the guidelines.

## Review Methodology

### Appointment of Review Panel

The Chair of the Review Panel, the Hon Arch Bevis, was appointed by the former Minister for Tertiary Education, Senator the Hon Chris Evans. The Chair also currently sits on the Defence Force Remuneration Tribunal, the Board of Directors of Defence Housing Australia and the ANZAC Centenary Advisory Board. The former Minister then invited Universities Australia and the National Union of Students to nominate appointees. Universities Australia nominated Professor Alan Pettigrew, former Vice Chancellor and CEO of the University of New England who was then appointed; and Ms Jade Tyrrell, National President, National Union of Students, was nominated by N.U.S. and also appointed to the Review Panel.

The Panel members were engaged as consultants by the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education (the Department).

### Stakeholder consultation

On 8 February 2013, the Department wrote, on behalf of the Panel, to key stakeholders seeking comments on the Representation Guidelines. A copy of that letter, which included the Terms of Reference that were approved by Minister Evans, is provided at [Attachment D](#).

The letter was sent to:

- Vice Chancellors of universities;
- CEOs of private providers charging the fee;
- Peak sector bodies including Universities Australia, the Australian Technology Network, Innovative Research Universities Australia, Group of 8 and the Regional Network of Universities;
- Peak student bodies including the National Union of Students, Council of Postgraduate Associations and Council for International Students Australia;
- The Tertiary Education Quality Standards Agency (TEQSA); and
- The National Tertiary Education Union (NTEU).

To ensure that all relevant stakeholders had the opportunity to contribute to the review, Vice Chancellors were asked to distribute this information to major student organisations at their university.

Stakeholders were given until Friday 8 March 2013 to provide comments in relation to the Representation Guidelines. All comments were to be emailed to [ssaf@innovation.gov.au](mailto:ssaf@innovation.gov.au).

Submissions were received by the Department, and were forwarded to the Review Panel for consideration. A summary of the submissions and case studies drawn from the original submissions are included at [Attachment E](#).

Further to the submissions received, the Review Panel held consultation sessions in Canberra on 3 and 4 April 2013. Eighteen of the respondents were invited to participate via teleconference or in person, and were provided the opportunity to expand upon their submissions in greater detail, with seventeen attending the Panel’s consultation sessions.

## Submissions Received

Under the Terms of Reference of the review, the Panel sought stakeholder feedback to ensure that, in practice, the Representation Guidelines are operating in a manner that is:

1. clear in intent and purpose;
2. transparent in process;
3. visible; and
4. consultative.

In total, the Department received 37 submissions (including 10 late submissions) through the consultation process. Submissions were received from 23 universities, 4 peak bodies and 10 student organisations, including an independent personal submission from the post graduate director of a university student body.

Case studies drawn from the original submissions are included at [Attachment E](#).

Analysis of the submissions has categorised them into a number of themes:

- the clarity of the guidelines;
- issues with the implementation of the Guidelines;
- the delivery of services outlined in the National Access to Services Benchmarks; and
- consultative measures adopted in following the guidelines ([Table 1](#)).

**Table 1. Submissions received categorised by theme.**

Category	Response type	Number of submissions	% of total submissions
1. Clarity of intent and purpose of the Guidelines	Positive	25	36%
	Issues raised	19	
2. Transparency of the Guidelines	Positive	9	14%
	Issues raised	8	
3. Visibility of the Guidelines	Positive	6	11%
	Issues raised	7	
4. Consultative nature of the Guidelines	Positive	11	25%
	Issues raised	19	
5. Issues raised outside of the above categories	Positive	2	11%
	Issues raised	11	
6. Issues raised outside the scope of the review	Positive	2	4%
	Issues raised	3	
<b>Total</b>			<b>100</b>

There were a number of common issues that came out of the consultation sessions, with regards to:

- the election of student representatives for the purpose of consultation;
- the benefits of independent student advocacy;
- the accountability of SSAF expenditure and reporting on it;
- rolling over SSAF funds year to year; and
- the visibility of SSAF funded project spending.

### Key issues by stakeholder group

In general, respondents were very positive about the intent and purpose of the Representation Guidelines. Universities in particular were very supportive of the Representation Guidelines and complemented their breadth of scope and flexibility.

The extent to which the operation of the Representation Guidelines has, in practice, reflected that intent and purpose varied depending on the type of respondent. In particular:

- Submissions from Universities, while supportive of the Representation Guidelines, identified that some sections of the Guidelines, such as service provision and student consultation requirements, would benefit from clarification.
- Submissions from postgraduate associations argued that that the Representation Guidelines should be amended to better represent the needs of postgraduates, including through clearer consultation provisions and distribution of fee revenue;
- Submissions from student associations (postgraduate, undergraduate and international) generally noted that consultation processes with students varied from institution to institution and argued that the Representation Guidelines should be amended to more fully prescribe processes for consultation, and include a greater emphasis on reaching agreement;
- Submissions from a number of student associations also argued that the Representation Guidelines should be amended to guarantee funding to student organisations; and
- Submissions from organisations representing the needs of distance education and/or online students argued that the needs of these students should be specifically reflected in the Guidelines, including in respect of student consultation processes.



## Findings of the Review Panel

Three major issues were identified:

- The need for greater clarification of the employment status of student advocacy officers and their relationship with universities (Clause 2.2.4).
- The need for greater clarification regarding:
  - elected student representation as required under the Guidelines;
  - the relationship between these representatives and independent student associations/major student organisations (Clause 3.2.3); and
  - the role of these students in respect of consultation.
- The issue of the timing of consultation with the student body on priorities for expenditure of fee revenue and the publication these priorities (Clause 3.2.5), as well as timing of the distribution of funds.

These are examined in more detail thematically below. [Table 2](#) outlines the issues raised by clause.

### *Theme 1 - The Clarity of the Guidelines – Major Issues Raised:*

Whilst respondents said they found the guidelines reasonably clear, some aspects have been interpreted differently across the sector.

There were three key issues on which multiple respondents sought clarification:

- *Clause 2.2.4* Eight respondents explicitly identified that clause 2.2.4 would benefit from increased clarity around the employment status of student advocacy officers and their relationship with universities.
- *Clause 3.2.3* Nine respondents explicitly identified that clause 3.2.3 would benefit from increased clarity around election processes, the relationship between elected representatives and independent student associations/major student organisations and the role of these students in respect of consultation.
- *Clause 3.2.5* Ten respondents explicitly identified that clause 3.2.5 would benefit from increased clarity around consultation processes. As they currently stand, the Guidelines refer to consultation but leave it to the discretion of the individual provider to determine how consultation should take place. Respondents noted issues primarily with the clarity of definitions, discussed in greater detail below.

### *Theme 2 - The Implementation of the Guidelines - Major Issues Raised:*

- *Clause 2.2.4* In implementing the Guidelines, respondents identified that a number of Universities have interpreted the ‘disassociated’ clause of this guideline to be consistent with running the student advocacy service via a student controlled organisation as well as through university run student service companies. The eight respondents commenting specifically on this clause referred to the need for independent advocacy services. This was reflected consistently by other respondents at the hearings.

- *Clause 3.2.3* In implementing the Guidelines, respondents identified that the current wording of the Guidelines results in a variety of models for the election of student representatives, some of which are unduly cumbersome or operationally unclear. Issues raised included:
  - Representation of different student cohorts – undergraduate, post graduate, international, distance/online. Online and distance students bodies noted in their submissions’ that they were not included in the current categories as listed in sub paragraph (a).
  - Is the university required to conduct elections themselves for student representatives?
  - What is the role of the university in relation to election of independent student bodies?
  - Can student representatives be drawn from independent student organisations? Respondents from each sector expressed confusion over whether students need to be directly elected from their cohorts or can be represented by elected representatives drawn from other processes.
  - Can SSAF funding be used for student elections?
  - Two respondents noted that sub paragraph (b) makes reference to out-dated election methods and is unnecessary.
  
- *Clause 3.2.5* In implementing the Guidelines, respondents identified that the current wording of the Guidelines results in a variety of models of consultation with democratically elected representatives and other stakeholders, some of which are unduly cumbersome or which do not align with the intended outcomes of the guidelines. Issues raised included:
  - the definition of formal process of consultation. Multiple respondents requested greater clarity, one suggesting it be expanded upon:
 

*‘In such a way that it will require Higher Education Providers to solicit for responses, and consider those responses in good faith’*
  - the definition of democratically elected student representatives, and how democratically elected student representatives and ‘major student organisations overlap or interact. The wording of this clause has drawn comment, for example:
 

*‘Clause 3.2.5 is worded in such a way that “democratically elected student representatives” could arguably be regarded as separate from “representatives from major student organisations.”’*

- the definition of major student organisations. A number of respondents remarked that what constituted a ‘major’ organisation could lead to some confusion. Additionally, it was noted:

*‘Universities would also welcome some flexibility which would allow them to not engage with organisations that are known to be illegitimate or unrepresentative’*

- the timing of consultation with the student body on priorities for expenditure of fee revenue and the publication of these priorities. For example:

*‘Sub-paragraphs (a) and (b) have been the source of some confusion. Some institutions have interpreted the order in which the paragraphs are written to imply an order to the activities. i.e. that priorities must be published and subsequently there should be a consultative meeting. This surely underlies the concerns expressed by some students that the priorities were a fait accompli. It makes more sense for consultation and priority setting to be an iterative process, to be managed by HEPs as appropriate to their individual circumstances.’*

### *Theme 3- Delivery of Services Outlined in the National Access to Services Benchmarks - Major Issues Raised:*

- *Clause 2.2.1* Respondents raised the following issue with regard to orientation programs:
  - The need to clarify the definition and purpose of the orientation program.
- *Clause 2.2.2 and 2.2.3* Respondents raised the following issues with regard to health services and welfare services:
  - The need to ensure clear dissemination of information. Promotion of these services and awareness of the role played by SSAF in their funding were raised.
  - The need to provide students with information about other services such as advocacy services and career services.
  - The need to include all student groups – ie. non-award students and distance/online students
  - The need to provide clarity with regard to third party providers.
  - Two respondents commented to the effect that clause 2.2.2 was “defined at too detailed a level to be appropriate”, and was overly prescriptive and cumbersome.
- *Clause 2.2.4* Respondents raised the following issues with regard to delivery of advocacy services:

- The need for advocacy officers to be and be seen to be independent of deliberative or decision making processes within the university.
- Conflict of interest management where advocacy officers are employed by the university or a university controlled entity. The importance of advocacy services acting in the best interests of the student was widely acknowledged.
- The need for maintaining student privacy.
- The need for transparency enabling students and the government to identify services provided or supported by SSAF.
- *Clause 2.2.5* Respondents raised the following issues with regard to the appropriate level of support at a particular campus:
  - What is meant by ‘varying and differing circumstances of the enrolled student body’, and what may be considered reasonable differences in service provision for different student cohorts, campus locations or other relevant circumstances.

*Theme 4 - Consultative Measures Adopted in Following the Guidelines - Major Issues Raised:*

- *Clause 3.2.3* Respondents raised the following issues with regard to consultative measures adopted in following the Guidelines:
  - Whilst student representation from undergraduate, post graduate and overseas students is set out in this clause, some respondents proposed that representation for distance/online students was also required. Respondents requested greater equity in the groups that are represented, and clarity as to how that representation should come about and then function.
  - Respondents commented on the potential for conflict or ambiguity with clauses 3.2.3 and 3.2.4 and 3.2.5. Determining which student representatives met the requirement of these clauses varied significantly. Whilst this is to be expected given the particular circumstances of each HEP, the need for the guidelines to clearly articulate desired practice was identified.
  - The extent to which HEPs are required to conduct elections for the sole purpose of electing representatives as set out in clause 3.2.3 was raised. Varying interpretations have become evident through the submissions, for example:

*‘Some universities have sought to argue that clause 3.2.3 of the SSAF legislation requires the University to conduct elections themselves for the democratically elected students they are required to consult. Students elected under these elections would be the only students consulted on the distribution of the SSAF. Democratically elected and independent student organisation representatives are potentially excluded from the SSAF consultation process.’*

- Alternative and complementary processes that were raised include engaging democratically elected student members of the HEP Council and/or academic boards and/or major student organisations.
- *Clause 3.2.5* Respondents raised issues with regard to consultative measures adopted in following the Guidelines, including:
  - The desired process of consultation. Respondents noted that across the sector consultation processes ranged between:
    - (i) *fait accompli* notification of priorities and proposed expenditure, for example: one respondent advised:
 

*‘At one university for example, student representatives informed (a student peak body) that the university interpreted ‘consultation’ as ‘notification’ and informed students what this university planned to do with SSAF, the university in question did not solicit a response.’; to*
    - (ii) consultation on priorities and proposed expenditure; to
    - (iii) consultation that sought to establish agreement on priorities and proposed expenditure.
  - The timing of consultation with the student body on priorities for expenditure of fee revenue and the publication of the priorities. Ideally, universities will publish their draft priorities and consult with students at a time that allows for maximum visibility and input. A number of respondents have noted that the timing of this process has been problematic. The ordering of this clause has also led to some confusion, as discussed in Theme 2 above.

**Table 2 – Issues raised by respondents with regard to the National Access to Service Benchmarks and the National Student Representation Protocols by Clause.**

NATIONAL ACCESS TO SERVICES BENCHMARKS				
Clause	Wording	Issues Raised by Respondents	Respondent type	Number of comments
2.2.1	<p>HEPs must provide an orientation program for all enrolled students.</p> <p>(a) An orientation program should be accessible to all enrolled students, allowing for those enrolling at different entry points.</p> <p>(b) An orientation program may provide relevant information to enrolled students in a number of ways. This might be in written or oral form, or by electronic means via the HEP’s website, email, SMS broadcasts or pod casts.</p>	<ul style="list-style-type: none"> <li>• 2.2.1 (b) provides very clear guidance in relation to the dissemination of information from universities to students. 2.2.2 and 2.2.3 don’t provide as clear guidance. Respondent proposed that 2.2.1 be amended to include details on the channels of information dissemination that would apply to all relevant information in the Guidelines.</li> <li>• Clarify the definition and purpose of the orientation program.</li> <li>• Respondent proposed deletion of 2.2.1 (b).</li> <li>• Clarify the intended meaning of the word ‘accessible’ – does this relate to access by people with disabilities?</li> </ul>	<ul style="list-style-type: none"> <li>• Peak body</li> <li>• University</li> <li>• University</li> <li>• University</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> </ul>

2.2.2	<p>HEPs must ensure that students enrolled in an undergraduate course of study, a postgraduate course of study or who are overseas students are provided with information on how to access:</p> <p>(a) Health services. These services will include medical and emergency health services, mental health services and health-related counselling. HEPs must not charge students if making a referral to an external provider.</p> <p>(b) Welfare services. These services will include services to assist with accommodation, financial matters, legal concerns and employment. HEPs must not charge students if making a referral to an external provider.</p>	<ul style="list-style-type: none"> <li>• Clarify whether universities are allowed to charge students for services provided internally or externally.</li> <li>• Respondent felt provisions were defined at too detailed a level to be appropriate. Suggests revising to “student services should be developed to support the needs of the student body at any given HEP.”</li> <li>• Clarify whether provision applies to non-award students enrolled at the institution and amend if required.</li> <li>• Clarify advocacy service provision by amending to include (c) independent advocacy services.</li> <li>• Respondent proposed a requirement under Clause 2.2.2 for the University to promote the services provided to students.</li> <li>• Respondent proposed a requirement under Clause 2.2.2 for the University to provide information on how to access career services as many international students are eager to begin thinking about what they do after they graduate as soon as they arrive to campus. Also proposed a requirement under Clause 2.2.2 for the University to provide concise and transparent information about SSAF and how it benefits students, as part of the orientation process.</li> <li>• Respondent proposed a national, standardised reporting process.</li> </ul>	<ul style="list-style-type: none"> <li>• University</li> <li>• University</li> <li>• University</li> <li>• University</li> <li>• Student organisation</li> <li>• Student organisation</li> <li>• Peak body</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> </ul>
2.2.3	<p>HEPs must ensure that where they provide health or welfare services directly to enrolled students, trained and qualified staff are engaged to meet the needs of enrolled students.</p>	<ul style="list-style-type: none"> <li>• Clarify with regards to third party providers. Respondent proposed amending to include services provided indirectly by third party providers.</li> </ul>	<ul style="list-style-type: none"> <li>• Peak body/University</li> </ul>	<ul style="list-style-type: none"> <li>• 2</li> </ul>
2.2.4	<p>HEPs must provide enrolled students with access to advocacy officers for services in relation to matters arising under the academic and procedural rules and regulations of the HEP. Advocacy officers should act in the</p>	<ul style="list-style-type: none"> <li>• The issue of independent advocacy was explicitly raised by 8 respondents across the three stakeholder groups, and alluded to or implied by several others.</li> <li>• Clarify the relationship between advocacy officers and the</li> </ul>	<ul style="list-style-type: none"> <li>• University/ student organisation/peak body</li> </ul>	<ul style="list-style-type: none"> <li>• 8</li> </ul>

	<p>best interest of students and be disassociated from the HEP's decision-makers in respect of the HEP's academic and procedural rules and regulations and other staff who administer the HEP's academic and procedural rules and regulations.</p>	<p>institution.</p> <ul style="list-style-type: none"> <li>○ Can they be employed by the university?</li> <li>○ If so, how do they remain independent of the deliberative structures of the university?</li> <li>○ If so, how is conflict of interest managed?</li> <li>○ Should they be independent of the university?</li> </ul> <p>Individual comments made included:</p> <ul style="list-style-type: none"> <li>● Universities have interpreted the 'disassociated' clause of this guideline to be consistent with running the student advocacy service via a student controlled organisation but also through university run student service companies. It is vital that student advocacy services should be, and should be seen to be, student controlled. 2.2.4 should be amended to require that student advocacy services must be delivered by a student controlled organisation and funded from the SSAF (except where no such student organisation exists at a HEP). The meaning of 2.2.4 must be clarified to ensure that the term 'disassociated' is strengthened, by replacing it with 'independent' and/or 'student controlled'. Respondent proposed that there be express provision for these services to receive financial and nonfinancial support to be run by the independent student representative organisation on campus, or where such an organisation does not exist, in a capacity entirely independent of the university.</li> <li>● Clause 2.2.4 of the guidelines should also be changed to allow for the total independence of advocacy from the University. Instead of advocacy being "disassociated from the HEP's decision-makers", it should be "independent from the HEP's decision-makers".</li> <li>● Clause 2.2.4 needs to articulate that HEPs who employ advocacy officers (internal or external) must have something in place to</li> </ul>		
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		<p>enable staff to ‘act in the best interest of the student’ to avoid potential conflict of interest.</p> <ul style="list-style-type: none"> <li>• Clause 2.2.4 should be amended to require advocacy officers to provide reports to democratically elected student representatives and major student organisation in relation to the provision of an advocacy service to students.</li> </ul>		
2.2.5	<p>HEPs must consider the varying and differing circumstances of the enrolled student body in determining what would be a reasonable and appropriate level of support at a particular campus. HEPs should consider, but not be limited to, factors such as the student cohort and the campus location.</p>	<ul style="list-style-type: none"> <li>• Clarify what is meant by ‘varying and differing circumstances of the enrolled student body’, and what may be considered reasonable differences in service provision for different student cohorts, campus locations or other relevant circumstances. Respondent also notes that there is scope to include in this paragraph a connection to the student consultation mechanisms addressed in 3.2.</li> <li>• Respondent notes that, at their institution, the post graduate association does not receive the same proportion of funding as the undergraduate ass of “HEPs must ensure that postgraduate SSAF is directed to services of direct benefit to postgraduate students”.</li> </ul>	<ul style="list-style-type: none"> <li>• Peak body</li> <li>• Student organisation</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> <li>• 1</li> </ul>

NATIONAL STUDENT REPRESENTATION PROTOCOLS				
Clause	Wording	Issues	Respondent type	Number of comments
3.2.1	The form of student representation must be established through consultation between enrolled students and the relevant HEP.	<ul style="list-style-type: none"> <li>Clarify definition of 'student representation' - be defined to include but not be limited to 'independent representatives from student organisations'.</li> </ul>	<ul style="list-style-type: none"> <li>Student organisation</li> </ul>	<ul style="list-style-type: none"> <li>1</li> </ul>
3.2.2	A HEP must publish the details of the mechanisms, approved by the governing body of that HEP, by which enrolled students are consulted and able to participate in the decision making processes of the HEP.	<ul style="list-style-type: none"> <li>Clarify what decisions students must be consulted on.</li> <li>Clause 3.2.2 should include reference to the necessity for independent student representation to be both consulted and participate in SSAF funding allocation.</li> </ul>	<ul style="list-style-type: none"> <li>University</li> <li>Student organisation</li> </ul>	<ul style="list-style-type: none"> <li>1</li> <li>1</li> </ul>
3.2.3	<p>A HEP must provide enrolled students with the opportunity to participate in a process to democratically elect student representatives.</p> <p>(a) Student representatives must be students enrolled at the relevant HEP. Representatives must be elected by students, with at least one representative elected from each of the following</p>	<ul style="list-style-type: none"> <li>The issue of lack of clarity around election processes was explicitly raised by 9 respondents across the three stakeholder groups, and indirectly alluded to or implied by several others. Clarify the requirements for election processes: <ul style="list-style-type: none"> <li>Is the university required to conduct elections themselves for student representatives?</li> <li>What is the role of the university in relation to election of independent student bodies?</li> <li>Can student representatives be drawn from independent student organisations?</li> <li>Can SSAF funding be used for student elections?</li> <li>Required representation of different student cohorts – undergraduate, post graduate, international, distance/online?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>University/ student organisation/peak body</li> </ul>	<ul style="list-style-type: none"> <li>9</li> </ul>

	<p>categories:</p> <p>a. students enrolled in an undergraduate course of study;</p> <p>b. students enrolled in a postgraduate course of study; and</p> <p>c. overseas students.</p> <p>(b) In meeting this obligation a HEP is to meet the necessary and reasonable costs of conducting valid and transparent polls for this purpose. Reasonable support might, for example, include funding for polling booths and ballot papers.</p>	<p>Individual comments made included:</p> <ul style="list-style-type: none"> <li>• Some universities have sought to argue that clause 3.2.3 of the SSAF legislation requires the University to conduct elections themselves for the democratically elected students they are required to consult. Students elected under these elections would be the only students consulted on the distribution of the SSAF. Democratically elected and independent student organisation representatives are potentially excluded from the SSAF consultation process. To clarify the meaning and improve the transparent and practical application of 3.2.3 the respondent proposed that express mention be made of democratic elections that take place to elect independent student representatives, as part of the student representative organisation process. There should also be an express provision for necessary and reasonable costs of the independent student organisation democratic elections to be met by a HEP, as a clarification and extension of 3.2.3 (b).</li> <li>• Clause 3.2.3 of the guidelines should be expanded to ensure that elections are democratically-held for all student representative bodies, especially independent student organisations. By entrenching this need, funding for democratic elections can be ensured for independent bodies.</li> <li>• Clause 3.2.3 be clarified with regards to whether undergraduate, postgraduate and international students need to be directly elected from their cohorts or can be represented among elected representatives drawn from other processes.</li> <li>• Clarification is sought regarding clause 3.2.3 and 3.3.4, in particular 1) the role of the HEP in supporting the establishment and democratic functioning of student organisations that may not be the form of student representation formally adopted by the HEP, 2) the role of the HEP in enabling democratic elections.</li> <li>• The National Student Representation Protocols are prescriptive and</li> </ul>		
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		<p>cumbersome. There is no need to specify that a representative from each of the three specified categories be involved in the process.</p> <ul style="list-style-type: none"> <li>• Clause 3.2.3 should be changed to reflect the fact that overseas students are also undergraduate or postgraduate students. Preferably, the domestic/overseas distinction should be removed as it “implies a degree of racism”.</li> <li>• Reference to polling booths and ballot papers under 3.2.3 (b) is anachronistic when almost all student elections take place on line and have done for many years.</li> <li>• Clause 3.2.3 and/or 3.2.5 could be amended to refer to the same student representatives (not imply two separate groups).</li> <li>• Respondent proposed including a requirement to establish democratically elected international student representative bodies on campuses across Australia, that would provide some services for international students, or to work in collaboration with student representative associations that have international student officers. As it stands, international students are poorly represented and poorly engaged on most campuses across the country.</li> <li>• Respondent proposed amending to ensure that students who participate in SSAF consultation are representative of the student bodies of a campus, and appropriate stakeholders are involved.</li> </ul>		
3.2.4	<p>A HEP must provide adequate and reasonable support resources and infrastructure for elected student representatives to carry out their functions on behalf of enrolled students. Resources and infrastructure might, for example, include office space and IT equipment.</p> <p>Note: These Guidelines do not preclude student</p>	<ul style="list-style-type: none"> <li>• Attempts to encompass the full scope of higher education providers ranging from large, multi-campus (Table A) public universities to small private HEPs operating from a rented office floor in a CBD building. The vagueness of the protocols means that some public universities are able to technically conform to the guidelines while not providing any significant resources for student representation. Respondent proposed that this be re-drafted to provide more stringent responsibilities on Table A HEPs to resource opportunities for effective, independent student representation. 3.2.4 needs to expressly differentiate between large (Table A) public universities and (Table B) HEP providers and the</li> </ul>	<ul style="list-style-type: none"> <li>• Student organisation</li> <li>• Student organisation</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> <li>• 1</li> </ul>

	<p>representatives at a HEP forming an organisation that represents enrolled students at that HEP.</p>	<p>responsibilities that flow as a result. Clause 3.2.4 also needs to make an explicit reference to the provision of adequate and reasonable support and infrastructure to student representative organisations.</p> <ul style="list-style-type: none"> <li>• Respondent proposed including a requirement ensuring that student organisations have provision to give honorariums or stipends to student representatives as a potential resource, as relying on volunteer student representatives excludes students who must use much of their free-time to work, and excludes students from low SES backgrounds or tough financial situations from participating in student representation.</li> </ul>		
3.2.5	<p>HEPs must have a formal process of consultation with democratically elected student representatives and representatives from major student organisations at the HEP regarding the specific uses of proceeds from any compulsory student services and amenities fee charged under section 19-38 of the Act.</p> <p>Consultation must include:</p> <p>Publishing identified priorities for proposed fee expenditure and allowing opportunities to comment on those priorities by students and student associations and organisations; and</p> <p>Meeting with democratically elected student representatives and representatives from major student organisations at the HEP to consider the priorities</p>	<ul style="list-style-type: none"> <li>• The issue of lack of clarity around consultation processes was explicitly raised by 10 respondents across the three stakeholder groups, and indirectly alluded to or implied by several others. Clarification was sought on: <ul style="list-style-type: none"> <li>○ the definition of formal process of consultation;</li> <li>○ the definition of democratically elected student representatives;</li> <li>○ the definition major student organisations, and how these groups interact or overlap;</li> <li>○ how democratically elected student representatives and ‘major student organisations overlap or interact; and</li> <li>○ the timing of consultation with the student body on priorities for expenditure of fee revenue and the publication of these priorities.</li> </ul> </li> </ul> <p>Individual comments made included:</p> <ul style="list-style-type: none"> <li>• There are no provisions in the Guidelines that govern how the consultation process should take place.</li> <li>• Clause 3.2.5 should be amended to ensure clarity is provided on what constitutes a ‘formal consultation process’. Express provisions are necessary in the Guidelines to provide a useful guide on how consultation and negotiations should take place and what this should</li> </ul>	<ul style="list-style-type: none"> <li>• University/ student organisation/ peak body</li> </ul>	<ul style="list-style-type: none"> <li>• 11</li> </ul>

	for use of fee revenue.	<p>include. This would ensure greater fairness, transparency and a more consistent implementation of the Guidelines.</p> <ul style="list-style-type: none"> <li>• Prefer the Guidelines to stipulate that all students be given an opportunity to provide feedback on proposed uses of SSAF revenue, with formal consultation restricted to elected student representatives only. Would like the ability to enter multiyear funding agreements.</li> <li>• Clause 3.2.3 and/or 3.2.5 could be amended to refer to the same student representatives (not imply two separate groups). Respondent also suggests the definition of ‘what is a major student organisation’ be included in this section.</li> <li>• Clause 3.2.5 is worded in such a way that “democratically elected student representatives” could arguably be regarded as separate from “representatives from major student organisations.”</li> <li>• Respondent proposed including a requirement to consult with a body of international students on campuses where international student representation does not exist.</li> <li>• Clause 3.2.5(a) be amended either to specify that the university publish draft priorities or that priorities can be established through consultation with elected representatives that are then published to all.</li> <li>• Clause should be clarified or deleted, as publishing priorities for fee expenditure and allowing students to comment is cumbersome and time consuming.</li> <li>• Could be clearer on what is required by HEPs in regards to consulting with students (and their representatives) on the proceeds of the SSAF i.e. the manner and form of the identified priorities, timeframes for publishing identified priorities, allowing for student feedback and meeting with democratically elected student representatives. The Guidelines should clearly articulate that the priorities for the expenditure of the total SSAF must be identified at the beginning of the consultation process, and provide detail on various related issues.</li> <li>• It should be mandated through the Guidelines that broad agreement be</li> </ul>		
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		<p>sought following consultation or there be a measurable and enforceable framework through which the student body can agree or disagree on the priorities and specific uses of the SSAF.</p> <ul style="list-style-type: none"> <li>• Regarding S3.2.5, Universities should have to publish their areas of priority with their current expenditure (excluding SSAF) attached to it and the amount of SSAF they intend on allocating to the different areas of interest.</li> <li>• Clause 3.2.5 be amended to read: HEPs must have a formal process of consultation with students nominated from democratically elected major student organisations at the HEP regarding the specific uses of proceeds from any compulsory student services and amenities fee charged under section 19- 38 of the Act. Relevant student representatives should include (but not be limited to) President (or equivalent) of major student organisation/s; International Student Officer or President of International Students’ Association (or equivalent); Post-graduate Student Officer or President of Postgraduate Students’ Association (or equivalent). Where a major student organisation does not exist at the HEP, the HEP will assist in running democratic and transparent elections for student representatives for the purpose of the SSAF consultation process. Where a major student organisation does not exist at the HEP, the respondent proposes that the HEP provide necessary assistance to establish a formal and democratically elected major student organisation so as to provide students at the HEP with ongoing representation in relation to the implementation of the SSAF guidelines and other matters relevant to students.</li> <li>• That 3.2.5 (b) read: Meeting with students nominated from the democratically elected student organisation/s at the HEP to consider the priorities for use of fee revenue. Where a democratic major student organisation does not exist, the HEP will meet with students elected for the purpose of SSAF consultation.</li> <li>• Clause 3.2.5 has been interpreted to mean that students are to be</li> </ul>		
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		<p>consulted on priorities for proposed fee expenditure. However it is our view that consultation about priorities need not be about specific items of expenditure within such priorities. For instance, a forum including elected student representatives could decide that the University needs to spend more on career services – one of the allowable items. This view is then conveyed to the VC and informs finalising expenditure priorities within budgets. We support the retention of the current wording, to ensure that consultation remains about priorities for expenditure of funds rather than about specific items of expenditure.</p> <ul style="list-style-type: none"> <li>• Respondent proposed that information about proposed fee expenditure be more transparent and consultative – for example, students being notified as early as possible in a HEP’s budget cycle of proposed fee expenditure for the following year so there is genuine participation and consultation before and while decisions about SSAF expenditure are made. HEPs should also provide clear statements on how SSAF fees were used in prior years to inform students about how they might be used in later years.</li> <li>• Respondent noted that large sized student organisations often employ professional managers or chief executive officers. In many interactions with the HEP these professionals ‘represent’ the student organisation. A potential conflict arises, or can arise, where HEPs have more than one student organisation and those organisations are of vastly different sizes and resources, with this potentially impacting on perceptions amongst students of relative power or influence in the consultation process, where one organisation may be represented by a professional manager and another by a young, enthusiastic but possibly inexperienced student.</li> </ul>		
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<b>OTHER</b>		
<ul style="list-style-type: none"> <li>• Respondent raises concerns regarding the use of SSAF funding to pay for services which were already provided by the University.</li> <li>• Respondent notes that students control only a limited range of core services that facilitate student engagement, retention and participation in campus life, and proposes that the guidelines be amended to set a minimum base-line, that a Student Representative Organisation (SRO) must be able to retain its independence and be financially and non-financially supported by the HEP to offer basic services such as:               <ul style="list-style-type: none"> <li>○ Academic rights advocacy/case work;</li> <li>○ Welfare services (including but not limited to study support, tax assistance, welfare breakfasts, housing advice, study visa advice, legal advice and Centrelink advice);</li> <li>○ Student driven orientation activities and events;</li> <li>○ Non sporting student clubs and societies; and</li> <li>○ Student media (including but not limited to newspapers, magazines, radio, and television).</li> </ul> </li> </ul> <p>Respondent was concerned that the Representation Guidelines did not provide specific guidance on the requirements of Universities to provide services for students studying via distance education, particularly online.</p> <ul style="list-style-type: none"> <li>• Respondent seeks clarification regarding provisions for rolling over funds from one year to another.</li> <li>• Respondent seeks clarification regarding avenues for complaint if someone has an issue.</li> <li>• Respondent argues that the visibility of the process could be greatly improved. There needs to be a simple way for prospective students to benchmark universities nationally on how well they consult with their students. Suggests a hosted website being set up for universities to report their data.</li> <li>• Respondent notes that a major failing in the transparency process is the structure of 'student organisations' nationally. There should be a component of the process that publicises the independence (or lack of) of the consulted body.</li> </ul>	<ul style="list-style-type: none"> <li>• Student organisation</li> <li>• Student organisation</li> <li>• University</li> <li>• Student organisation</li> <li>• Peak body</li> <li>• Peak body</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> <li>• 1</li> </ul>

## Additional issues

The Panel also identified some additional issues through the consultation process:

- Some respondents noted that there was potential overlap or interaction of the Representation Guidelines with legislation such as the TEQSA Act and the ESOS Act. Although outside of the Terms of Reference of the current review, the Panel notes that it is important to make the Higher Education regulation framework as streamlined and consistent as possible in order to minimise red tape. The Panel identified that although there are some potential overlaps between the TEQSA Act and the Representation Guidelines, TEQSA's evaluation of the performance of higher education providers operates on an exception reporting basis with a seven year cycle whereas the Representation Guidelines and associated legislation operate on an annual cycle. The Panel notes that this is an area of potential misalignment of regulation that will require ongoing monitoring following the current review of the legislation, and will potentially need further work to rationalise.
- In both the written submissions and the consultation sessions, a number of respondents identified that they felt it was important to publicly identify the projects funded with SSAF revenue, and that they had started notifying students that a particular service or amenity was SSAF funded. The Panel noted that this practice was not universal, however, and has identified this as an area where better practice could be adopted across the sector.
- The Panel raised the issue of the financial rollover process during the consultation sessions, and stakeholder responses were mixed, with some respondents finding rollover provisions unclear. The Panel found that, although this falls outside the current terms of reference, this is an area related to the autonomy of institutions that could be clarified in the FAQ advice provided by the Department.
- Three submissions alluded to issues specific to the circumstances of their individual institution. The Panel considered these submissions and determined that, because the issues raised could be related to potential breaches of the Representation Guidelines, the Review was not the appropriate forum to progress the matters. The Department wrote to these respondents advising them of the process for making a formal allegation regarding a potential breach of the Representation Guidelines and/or any other aspect of the Student Services and Amenities Fee legislation. The issues that arose informed the Panel during their consideration of the Representation Guidelines.
- The Panel found that processes in relation to potential breaches of the Guidelines should be clarified in the FAQ advice provided by the Department.

## Recommendations

The Review Panel found that, in general, the feedback from stakeholders regarding the operation of the Representation Guidelines was positive. The majority of respondents supported the intent and purpose of the Guidelines, and believed that they had been implemented successfully in their institution.

However, some stakeholders have identified specific issues that hindered the smooth implementation of the Guidelines at their institution. The Panel found that the wording of some sections of the Guidelines would benefit from clarification, and that this additional clarification would mitigate the issues raised by respondents and would ensure that the Guidelines operate in a manner that is clear in intent and purpose; transparent in process; visible; and consultative.

The Panel noted that not all of the changes suggested in the stakeholder consultation are viable, compatible or appropriate, and that any changes must be considered in light of the practical needs of all stakeholder groups, the legislative framework and the administrative Guidelines.

The Panel also noted that the delivery of services outlined in the National Access to Services Benchmarks would be assisted by revision of the Guidelines. The mechanisms for student consultation outlined in the National Student Representation Protocols would benefit from (a) more clearly delineating the broad consultative measures available to the sector and (b) the specific requirements for consultation on the expenditure of the Student Services and Amenities Fee revenue collected by the institution.

The Panel recommends that:

- 1. the Representation Guidelines be amended to mitigate issues raised by stakeholders and identified by the Panel during the consultation on the Guidelines.**
  - a. The Review Panel recommends that the guidelines be updated to address the need for greater clarification regarding:
    - the employment status of student advocacy officers and their relationship with universities;
    - elected student representation as required under the Guidelines;
    - the relationship between these representatives and independent student associations/major student organisations;
    - the role of these students in respect of consultation; and
    - the issue of the timing of consultation with the student body on priorities for expenditure of fee revenue.

- b. The Review Panel recommends that proposed amendments identified in Table 3 be adopted to address the issues identified above.
2. **the amendment of the Representation Guidelines be done as part of longer-term work that would examine the Guidelines in the context of broader regulatory processes and reduction of administrative red-tape.**
  - a. The Guidelines exist in a complex regulatory and legislative framework that is currently undergoing review. In the longer term, the Department should ensure that, where possible, the administrative burden on HEPs is minimised through rationalisation of the regulatory framework.  
In particular, overlap or interaction of the Guidelines with legislation such as *The Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act) and the *Education Services for Overseas Students Act 2000* (ESOS Act) should be monitored and appropriate alignment ensured.

The Panel further recommends that:

3. **HEPs be required to annually publicly report on how SSAF funds are expended and to identify SSAF funded projects.** This will increase transparency and will ensure students can see how their fees are being spent.
4. **the Department develop an expanded FAQ and Good Practice Guide to support good practice in the sector.** This will allow HEPs to maximise the impact of the SSAF funds they collect, and support continuous improvement across the sector. This guide should be used to address other issues raised by stakeholders such as:
  - rollover of SSAF funds;
  - service availability to previously enrolled students who are awaiting graduation; and
  - processes in relation to potential breaches of the Guidelines.

**Table 3** - The Representation Guidelines Review Panel recommends the following amendments to the Representation Guidelines:

Clause	Proposed Amendment	Reason	Previous wording
<i>National Access to Service Benchmarks</i>			
2.1.1	The purpose of this chapter is to specify requirements to be known as the National Access to Services Benchmarks.	No change.	The purpose of this chapter is to specify requirements to be known as the National Access to Services Benchmarks.
2.1.2	The National Access to Services Benchmarks outline the requirements of a HEP to provide certain services to enrolled students. Noting the different circumstances of HEPs and their enrolled student bodies, the Benchmarks are intended to set a minimum standard and do not preclude HEPs from offering a broader range of services as appropriate to the needs of enrolled students	Clarification of the intent of the Guidelines.	
2.2.1	<p>HEPs must provide an orientation program and orientation information for all enrolled students.</p> <p>(a) An orientation program and information should be accessible to all enrolled students, allowing for those enrolling at different entry points. The orientation program should be designed to assist students to transition to study and university life. It should enable them to become familiar with the university, the campuses, and the available support services. As part</p>	Clarification of intent of orientation programs.	<p>HEPs must provide an orientation program for all enrolled students.</p> <p>(a) An orientation program should be accessible to all enrolled students, allowing for those enrolling at different entry points.</p> <p>(b) An orientation program may provide relevant information to enrolled</p>

	<p>of this orientation program, students should be provided with information about the Student Services and Amenities Fee (SSAF), the services it enables, and how they can access those services.</p> <p>(b) An orientation program may provide relevant information to enrolled students in a number of ways. This might be in written or oral form, or by electronic means such as via the HEP's website, email, SMS broadcasts or pod casts.</p>		<p>students in a number of ways. This might be in written or oral form, or by electronic means via the HEP's website, email, SMS broadcasts or pod casts.</p>
2.2.2	<p>HEPs must ensure that all enrolled students are provided with information on how to access:</p> <p>(a) Health services</p> <p>These will include medical and emergency health services, mental health services and health-related counselling. HEPs must not charge students for the referral if making a referral to an external provider.</p> <p>(b) Welfare services</p> <p>These will include services to assist with accommodation, financial matters, legal concerns and employment. HEPs must not charge students for the referral if making a referral to an external provider.</p> <p>(c) Advocacy services</p> <p>These will include independent provision of information, advocacy and referral services for all</p>	<p>Improving integration of guidelines, clarification of access to service requirements. Clarification of dissemination of information requirements.</p>	<p>HEPs must ensure that students enrolled in an undergraduate course of study, a postgraduate course of study or who are overseas students are provided with information on how to access:</p> <p>(a) Health services. These services will include medical and emergency health services, mental health services and health-related counselling. HEPs must not charge students if making a referral to an external provider.</p> <p>(b) Welfare services. These services will include services to assist with accommodation, financial matters, legal concerns and employment. HEPs must not charge students if making a referral to an external provider.</p>

	<p>enrolled students across a range of academic, procedural and administrative issues. These include, but are not limited to, issues relating to equity, discrimination, harassment, grievances, complaints, disputes, exclusion, discipline and misconduct, supervision, and unsatisfactory progress. HEPS must not charge students for access to advocacy services.</p> <p>(d) Career Services</p> <p>These will include, but are not limited to, services to assist students to develop their Curriculum Vitae and/or Resume, interview skills, and career management skills; to search for jobs, graduate programs, vacation work and work experience.</p> <p>Information may be provided to students about these services in a number of ways. This might be in written or oral form, or by electronic means such as via the HEP's website, email, SMS broadcasts or pod casts.</p>		
2.2.3	<p>HEPs must ensure that where they provide health, welfare, advocacy or career services directly to enrolled students, trained and qualified staff are engaged to meet the needs of enrolled students. Where these services are independent or provided by a third party engaged by the HEP, the HEP must ensure that the third party engages trained and qualified staff to meet the needs of enrolled students.</p>	<p>Clarification of third party requirements.</p>	<p>HEPs must ensure that where they provide health or welfare services directly to enrolled students, trained and qualified staff are engaged to meet the needs of enrolled students.</p>
2.2.4	<p>HEPs must ensure enrolled students have access to advocacy</p>	<p>Clarification of</p>	<p>HEPs must provide enrolled students with</p>

	<p>officers for services set out in clause 2.2.2 (c). Advocacy officers should act in the best interest of students and be independent from the HEP's decision-makers and other staff who administer the HEP's academic and procedural rules and regulations. Advocacy officers must avoid potential or actual conflicts of interest in carrying out their duties.</p>	<p>independence of advocacy officers /conflict of interest management.</p>	<p>access to advocacy officers for services in relation to matters arising under the academic and procedural rules and regulations of the HEP. Advocacy officers should act in the best interest of students and be disassociated from the HEP's decision-makers in respect of the HEP's academic and procedural rules and regulations and other staff who administer the HEP's academic and procedural rules and regulations.</p>
2.2.5	<p>HEPs must consider the varying and differing circumstances of the enrolled student body in determining what would be a reasonable and appropriate level of support at a particular campus. HEPs should consider factors including, but not limited to, the composition of the student cohort with regard to undergraduate students, postgraduate students, international students, part-time students and distance education/on-line students, course delivery mode and the campus location.</p>	<p>Clarification of varying and differing circumstances.</p>	<p>HEPs must consider the varying and differing circumstances of the enrolled student body in determining what would be a reasonable and appropriate level of support at a particular campus. HEPs should consider, but not be limited to, factors such as the student cohort and the campus location.</p>



Clause	Proposed Amendment	Reason	Previous wording
<b>National Student Representation Protocols</b>			
3.1.1	The purpose of this chapter is to specify requirements to be known as the National Student Representation Protocols.	No change.	The purpose of this chapter is to specify requirements to be known as the National Student Representation Protocols.
3.1.2	Student engagement underpins quality teaching and learning. HEPs should support student engagement and representation through the provision of clear consultative arrangements, including with student representatives and major student organisations recognised by the HEP where appropriate.	Clarify the importance of student representation.	
3.1.3	These Guidelines do not preclude student representatives at a HEP forming an organisation that represents enrolled students at that HEP.	Retained from previous Guidelines, but moved to clause 3.1.3.	
3.2.1	HEPs must establish and maintain a clearly defined and effective process by which enrolled students are consulted that is reviewed and approved annually by the governing body of that HEP.	Clarification of requirements for representation and consultation.	The form of student representation must be established through consultation between enrolled students and the relevant HEP.
3.2.2	a) HEPs must advise the enrolled student body of avenues available for students to be involved in decision making processes generally, including by publishing the details of	Clarification of requirements for consultation processes.	A HEP must publish the details of the mechanisms, approved by the governing body of that HEP, by which enrolled students are

	<p>the consultation mechanisms on their website and in their annual report. These mechanisms must include consultation with democratically elected student representatives.</p> <p>b) HEPs must consult with the enrolled student body regarding the specific uses of proceeds from any compulsory SSAF, as outlined in Clause 3.2.5 below.</p>		<p>consulted and able to participate in the decision making processes of the HEP.</p>
3.2.3	<p>a) Many HEPs currently recognise independent student organisations that have student representatives who are democratically elected by the enrolled student body. Where such organisations exist, students in relevant elected positions should be included in the HEP's normal consultative arrangements. Students in these positions may also be consulted in meeting the requirements of Clause 3.2.2 (a) and (b), provided they are representative of the composition of the student body.</p> <p>b) Many HEPs already have, in their establishing legislation, provision for democratically elected student representation on governing and related bodies. Where they exist, students in relevant positions may be consulted in meeting the requirements of Clause 3.2.2 (a), provided they are representative of the composition of the student body. Students in these positions may also be consulted in meeting the requirements of Clause 3.2.2 (b), provided that their election envisaged this role.</p> <p>c) Where 3.2.3 (a) or (b) are not the case, HEPs must</p>	<p>Clarification of requirements for representation.</p>	<p>A HEP must provide enrolled students with the opportunity to participate in a process to democratically elect student representatives.</p> <p>(a) Student representatives must be students enrolled at the relevant HEP. Representatives must be elected by students, with at least one representative elected from each of the following categories:</p> <ul style="list-style-type: none"> <li>a. students enrolled in an undergraduate course of study;</li> <li>b. students enrolled in a postgraduate course of study; and</li> <li>c. overseas students.</li> </ul> <p>(b) In meeting this obligation a HEP is to meet the necessary and reasonable costs of conducting valid and transparent polls for this purpose. Reasonable support might, for example, include funding for polling booths</p>

	<p>provide for student representatives to be democratically elected for the purposes of meeting the requirements of clause 3.2.2 (b) with at least one representative elected from, but not limited to, the following categories:</p> <ul style="list-style-type: none"> <li>i. students enrolled in an *undergraduate course of study;</li> <li>ii. students enrolled in a *postgraduate course of study; and</li> <li>iii. *overseas students*.</li> </ul> <p>d) HEPs may use additional mechanisms for student consultation as appropriate.</p>		<p>and ballot papers.</p>
<p>3.2.4</p>	<p>(a) In meeting the obligation under Clauses 3.2.3 (b) or (c), a HEP is to meet the necessary and reasonable costs of conducting democratic, valid and transparent polls.</p> <p>(b) In meeting the obligation under Clauses 3.2.3 (b) or (c), a HEP must provide adequate and reasonable support, resources and infrastructure for democratically elected student representatives to carry out their functions on behalf of enrolled students. Resources and infrastructure might, for example, include office space and IT equipment.</p> <p>(c) A HEP may also provide support for other student representatives elected as part of their approved consultation mechanisms.</p>	<p>Clarification of requirements for representation and consultation.</p>	<p>A HEP must provide adequate and reasonable support resources and infrastructure for elected student representatives to carry out their functions on behalf of enrolled students. Resources and infrastructure might, for example, include office space and IT equipment.</p> <p>Note: These Guidelines do not preclude student representatives at a HEP forming an organisation that represents enrolled students at that HEP.</p>

<p>3.2.5</p>	<p>In relation to decisions regarding the specific uses of the proceeds from any compulsory SSAF, HEPs must establish and maintain a clearly defined and effective process by which enrolled students are consulted that is reviewed and approved annually by the governing body of the HEP.</p> <p>(a) Consultation must be undertaken through a formal process of engagement with the democratically elected student representatives identified in clause 3.2.3, and/or where appropriate representatives of major student organisations recognised by the HEP.</p> <p>(b) Consultation must be timely, form part of the HEP’s annual financial planning, and must include notifying the enrolled students and democratically elected student representatives referred to above of:</p> <ul style="list-style-type: none"> <li>i. the purpose of the SSAF;</li> <li>ii. the amount of revenue anticipated;</li> <li>iii. the mechanisms to establish priorities for expenditure; and</li> <li>iv. the timing and mechanism available to comment on the proposed priorities.</li> </ul> <p>(c) Once consultation has been undertaken, and the HEP has determined through consultation how the revenue will be spent, information on the established priorities, proposed heads of expenditure and projects to be funded must be made publicly available to the student body.</p> <p>(d) At the completion of the annual budget cycle HEPs must provide a publicly available report on actual SSAF expenditure for the year.</p>	<p>Clarification of requirements for consultation on SSAF expenditure.</p>	<p>HEPs must have a formal process of consultation with democratically elected student representatives and representatives from major student organisations at the HEP regarding the specific uses of proceeds from any compulsory student services and amenities fee charged under section 19-38 of the Act.</p> <p>Consultation must include:</p> <p>Publishing identified priorities for proposed fee expenditure and allowing opportunities to comment on those priorities by students and student associations and organisations; and</p> <p>Meeting with democratically elected student representatives and representatives from major student organisations at the HEP to consider the priorities for use of fee revenue.</p>
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Scott,G. 2008 , Review of Australian Higher Education Request for Research and Analysis:

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Commonwealth of Australia

*Higher Education Support Act 2003*

**STUDENT SERVICES, AMENITIES, REPRESENTATION AND ADVOCACY GUIDELINES**

Guidelines made pursuant to section 238-10 of the

*Higher Education Support Act 2003*

I, Chris Evans, Minister for Tertiary Education, Skills, Jobs and Workplace Relations, pursuant to section 238-10 of the *Higher Education Support Act 2003* ("the Act"), make the attached Student Services, Amenities, Representation and Advocacy Guidelines for the purposes of the Act.

Dated this 7<sup>th</sup> day of December 2011.

Signed

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CHRIS EVANS

Minister for Tertiary Education, Skills, Jobs and Workplace Relations

**Commonwealth of Australia**

***Higher Education Support Act 2003***

**STUDENT SERVICES, AMENITIES, REPRESENTATION AND ADVOCACY GUIDELINES**

**(i) CITATION**

This legislative instrument may be cited as the Student Services, Amenities, Representation and Advocacy Guidelines.

**(ii) AUTHORITY**

This legislative instrument is made under section 238-10 of the Act for the purposes of the Act.

**(iii) DATE OF EFFECT**

This legislative instrument shall come into effect on 1 January 2012.

**STUDENT SERVICES, AMENITIES, REPRESENTATION AND ADVOCACY GUIDELINES**

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## **CHAPTER 1: INTRODUCTION**

### **1.1 PURPOSE**

- 1.1.1 The purpose of these Guidelines is to specify the special requirements for student services and representation in 2011 and later years, as contemplated by section 19-67 of the *Act*, including:
- 1.1.2 The requirements to be known as the **National Access to Services Benchmarks**, are those contemplated by paragraphs 19-67(2) (a) and (b) of the *Act*. They are intended to ensure that higher education providers give appropriate attention to a range of essential student support services.
- 1.1.3 The requirements to be known as the **National Student Representation Protocols** are those contemplated by paragraph 19-67(2) (c) of the *Act*. They are intended to ensure that enrolled students are able to participate in the decision making processes of the HEP through opportunities for democratically elected student representation.

### **1.2 INTERPRETATION**

- 1.2.1 Unless the contrary intention appears, the terms in these Guidelines have the same meaning as in the *Higher Education Support Act 2003*.
- 1.2.2 The following terms are defined specifically for these Guidelines:

**Act** means the *Higher Education Support Act 2003*

**Guidelines** means these Student Services, Amenities, Representation and Advocacy Guidelines

**HEP** means a higher education provider that receives a grant under Part 2-2 of the *Act* in respect of the year 2012 or a later year.

## **CHAPTER 2: NATIONAL ACCESS TO SERVICES BENCHMARKS**

### **2.1 PURPOSE**

2.1.1 The purpose of this chapter is to specify the requirements to be known as the National Access to Services Benchmarks.

### **2.2 NATIONAL ACCESS TO SERVICES BENCHMARKS**

2.2.1 HEPs must provide an orientation program for all enrolled students.

(a) An orientation program should be accessible to all enrolled students, allowing for those enrolling at different entry points.

(b) An orientation program may provide relevant information to enrolled students in a number of ways. This might be in written or oral form, or by electronic means via the HEP's website, email, SMS broadcasts or pod casts.

2.2.2 HEPs must ensure that students enrolled in an \*undergraduate course of study, a \*postgraduate course of study or who are \*overseas students are provided with information on how to access:

(a) Health services

These services will include medical and emergency health services, mental health services and health-related counselling. HEPs must not charge students if making a referral to an external provider.

(b) Welfare services

These services will include services to assist with accommodation, financial matters, legal concerns and employment. HEPs must not charge students if making a referral to an external provider.

2.2.3 HEPs must ensure that where they provide health or welfare services directly to enrolled students, trained and qualified staff are engaged to meet the needs of enrolled students.

2.2.4 HEPs must provide enrolled students with access to advocacy officers for services in relation to matters arising under the academic and procedural rules and regulations of the HEP. Advocacy officers should act in the best interest of students and be disassociated from the HEP's decision-makers in respect of the HEP's academic and procedural rules and regulations and other staff who administer the HEP's academic and procedural rules and regulations.

2.2.5 HEPs must consider the varying and differing circumstances of the enrolled student body in determining what would be a reasonable and appropriate level of support at a particular campus. HEPs should consider, but not be limited to, factors such as the student cohort and the campus location.

## **CHAPTER 3: NATIONAL STUDENT REPRESENTATION PROTOCOLS**

### **3.1 PURPOSE**

- 3.1.1 The purpose of this chapter is to specify requirements to be known as the National Student Representation Protocols.

### **3.2 NATIONAL STUDENT REPRESENTATION PROTOCOLS**

- 3.2.1 The form of student representation must be established through consultation between enrolled students and the relevant HEP.
- 3.2.2 A HEP must publish the details of the mechanisms, approved by the governing body of that HEP, by which enrolled students are consulted and able to participate in the decision making processes of the HEP.
- 3.2.3 A HEP must provide enrolled students with the opportunity to participate in a process to democratically elect student representatives.
- (a) Student representatives must be students enrolled at the relevant HEP. Representatives must be elected by students, with at least one representative elected from each of the following categories:
- a. students enrolled in an \*undergraduate course of study;
  - b. students enrolled in a \*postgraduate course of study; and
  - c. \*overseas students\*.
- (b) In meeting this obligation a HEP is to meet the necessary and reasonable costs of conducting valid and transparent polls for this purpose. Reasonable support might, for example, include funding for polling booths and ballot papers.
- 3.2.4 A HEP must provide adequate and reasonable support resources and infrastructure for elected student representatives to carry out their functions on behalf of enrolled students. Resources and infrastructure might, for example, include office space and IT equipment.

Note: These Guidelines do not preclude student representatives at a HEP forming an organisation that represents enrolled students at that HEP.

- 3.2.5 HEPs must have a formal process of consultation with democratically elected student representatives and representatives from major student organisations at the HEP regarding the specific uses of proceeds from any compulsory student services and amenities fee charged under section 19-38 of the Act.

Consultation must include:

- (e) Publishing identified priorities for proposed fee expenditure and allowing opportunities to comment on those priorities by students and student associations and organisations; and
- (f) Meeting with democratically elected student representatives and representatives from major student organisations at the HEP to consider the priorities for use of fee revenue.

## TERMS OF REFERENCE

### Review of the Student Services, Amenities, Representation and Advocacy Guidelines made under the Higher Education Support Act 2003

#### Why is a review occurring?

1. The Minister for Tertiary Education, Skills, Science and Research has requested a review of the Student Services, Amenities, Representation and Advocacy Guidelines (the Representation Guidelines) made under the *Higher Education Support Act 2003* (the Act) to ensure that, after one year, they are operating clearly and transparently.

#### Background

2. Higher education providers have been able to charge a Student Services and Amenities Fee (SSAF) of up to \$263 (indexed annually) since 1 January 2012.
3. Universities that charge a fee are required to comply with the SSAF requirements in the Act, the Administration Guidelines and the Representation Guidelines, which came into effect on 1 January 2012, and became a condition of grant from 1 January 2013.

#### Who will undertake the review?

4. The review will be undertaken by an independent person or persons with expertise in Australian higher education, who will be engaged by the Department of Industry, Innovation, Science, Research and Tertiary Education.

#### How will the review be undertaken?

5. The purpose of the review is to ensure that, in practice, the Representation Guidelines operate in a manner that is:
  - a) clear in intent and purpose;
  - b) transparent in process;
  - c) visible; and
  - d) consultative.
6. Guided by these four principles, the review will:
  - e) Gather evidence on the operation of the Representation Guidelines through appropriate consultation with universities, student organisations and other relevant stakeholders.
  - f) Identify, based on consultation and specialist expertise, any provisions in the guidelines that could be streamlined or clarified to ensure that the legislative requirements are clear for all providers, students and other stakeholders.
  - g) Make recommendations to the Minister specifically identify any improvements that are required to the Representation Guidelines.

### **Scope of the review**

7. The focus of the review is on the operation of the Representation Guidelines. The Act is not subject to the review and there will be no amendments made to the Act.
8. The review will not explicitly consider the Administration Guidelines, however, if changes to the Representation Guidelines are recommended and made, consequential amendments may need to be made to the Administration Guidelines.

### **When will the review report?**

9. The review will be undertaken during the first half of 2013, which will include the provision of recommendation(s) to the Minister.
10. If the Minister agrees to make any amendments to the Representation Guidelines, and any consequential amendments to the Administration Guidelines that may be required, these will be tabled in Parliament prior to 30 June 2013, with a date of effect from 1 January 2014.



**SENATOR THE HON CHRIS EVANS**

Leader of the Government in the Senate  
Minister for Tertiary Education, Skills, Science and Research

**MEDIA RELEASE**

1 February 2013

**New panel to review student support services guidelines**

The Gillard Government has today announced a review of the student representation guidelines associated with the Student Services and Amenities Fee (SSAF), a year after the fee was introduced.

The SSAF has restored much needed services to university campuses across the country including sport and recreation activities, employment and career advice, child care, financial advice and food services.

Minister for Tertiary Education, Senator Chris Evans, today announced the guidelines, which set benchmarks on access to student support services, representation and advocacy protocols, will be reviewed by a panel chaired by former MP Arch Bevis with nominees from the National Union of Students and Universities Australia.

“The Student Services and Amenities Fee has given universities the ability to restore critical student services that had been stripped away under the former Coalition government,” Senator Evans said.

“The fee is providing universities across Australia with more than \$250 million over four years to help deliver services such as academic support programs, financial advice and child care.

“These services are particularly important to students from rural and regional areas who move away from home and family to study.

“A key feature of the program is that students can benefit from better student services while they are at university but defer payment of the fee through a HECS-HELP style loan until they are earning a decent income.”

Senator Evans said the legislation required universities to consult with students on the specific uses of the proceeds from any services and amenities fees.

“Students need to be confident that student fees are being used fairly and for the purpose intended,” Senator Evans said.

“The Government understands students have a clear interest in how their fees are being spent and have listened to their concerns.

“That’s why we’re now reviewing the operation of the guidelines. We want to ensure they are operating clearly and transparently without unnecessary red tape.”

The Student Services and Amenities Fee was implemented in October 2011. The maximum student fee in 2013 is \$273.

The review is expected to be completed in mid-2013.

**Senator Evans' Media Contact:** Amy McKenna 0408 570 603



**Australian Government**

**Department of Industry, Innovation,  
Climate Change, Science, Research  
and Tertiary Education**

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Name

Title

Street address

Suburb, state, postcode

Dear stakeholder name

I am writing to invite your input into the review of the *Student Services, Amenities, Representation and Advocacy Guidelines* (the Representation Guidelines) associated with the Student Services and Amenities Fee (SSAF).

As you may be aware, on 1 February 2013, the then Minister for Tertiary Education, Skills, Science and Research, Senator the Hon Chris Evans, announced that the Representation Guidelines will be reviewed by a panel chaired by the Hon Mr Arch Bevis. The other panel members are Ms Jade Tyrrell, National President, National Union of Students, and Professor Alan Pettigrew, former Vice Chancellor and CEO of the University of New England.

The Representation Guidelines, which set benchmarks on access to student support services, representation and advocacy protocols, became a condition of grant under the *Higher Education Support Act 2004* from 1 January 2013. The purpose of the review is to ensure that the



Representation Guidelines are operating clearly and transparently without any unnecessary red tape.

As such, the panel is seeking your views on the operation of the Guidelines and specifically, in relation to any provisions that need greater clarity, any issues with the implementation of the requirements and whether there is a need to add any additional requirements.

The Terms of Reference for the review are attached

to this letter for your information.

Responses should be submitted to [SSAF@innovation.gov.au](mailto:SSAF@innovation.gov.au) by Friday 8 March 2013. There is no prescribed format for responses. It is not intended that responses will be made public but if there is any information within your response that is confidential, it should be clearly identified as such.

The Department will forward all responses to the panel. The panel will consider the responses received and use the information to prepare a report for consideration by the Hon Mr Chris Bowen MP, Minister for Tertiary Education, Science and Research. Should the Minister decide to make any amendments as a result of the review, it is anticipated that these will be tabled in Parliament by 30 June 2013 to allow them to come into effect from 1 January 2014.

On behalf of the review panel, I look forward to receiving your response.

Yours sincerely

A handwritten signature in blue ink that reads "James Hart". The signature is written in a cursive, flowing style.

Dr James Hart

General Manager

Higher Education Infrastructure Branch

8 February 2013

## Summary of Submissions including selected case studies

Submissions were received from the following organisations:

- The Australian National University
- The University of Adelaide
- La Trobe University
- The University of Wollongong
- Southern Cross University
- Open Universities Australia
- Monash University
- Murdoch University
- The University of Ballarat
- The Australian Catholic University
- Edith Cowan University
- The Australasian Campus Union Managers Association (ACUMA) Inc.
- The University of NSW
- James Cook University
- Macquarie University Postgraduate Representative Association (MUPRA)
- The University of Melbourne
- Universities Australia
- The University of Western Sydney
- The University of Southern Queensland
- National Tertiary Education Union (NTEU)
- Deakin University Students' Association
- Monash Postgraduate Association
- The University of Melbourne Students' Association
- The University of Western Australia
- Swinburne University of Technology Student Union
- The Australian Online and External Students Association (AOESA)
- Charles Sturt University
- The Council of Australian Postgraduate Associations (CAPA)
- Deakin University
- The University Of New England
- The National Union of Students (NUS)
- The University of Canberra
- The Council of International Students Australia (CISA)
- RMIT University
- Queensland University of Technology (QUT)
- An Individual member of a student body.
- The University of Newcastle.

## Universities

Number of Submissions Received: 23.

### Case study 1

University 1 responded that “the guidelines are clear and effective and combined with the relevant Commonwealth legislation establish clear principles for the allocation and expenditure of the funds raised from the SSAF.” University 1 provides an orientation program to all students, and this is complemented by those of the Students Association and the Postgraduate Students Association which receive an allocation of funds from the revenue collected from SSAF for this purpose.

The orientation includes information about access to health and welfare services, and qualified staff are engaged by the University to provide health and welfare services directly to students.

Access to advocacy services are provided by University 1 through several means. The Dean of Students offers confidential, impartial advice, and can help to resolve problems by acting as a neutral intermediary between students and the academic or administrative areas of the University. The Dean of Students can also assist students who experience discrimination, bullying or harassment by staff or other students and can draw student concerns to the attention of relevant University committees and decision makers. Advocacy services are also provided through the undergraduate and postgraduate student associations and these services include the provision of legal advice (including advice on University regulations) through the lawyer employed by these student associations.

University 1 outlines a long and strong tradition of student participation in University decision making and both student associations are established with office holders democratically elected by students. Office holders in both student associations are elected annually. A ballot for an International Student representative is included in the elections of both student associations. Funding for student association elections is provided by the University to the associations from revenues from SSAF.

Student membership of key University decision making committees is mandated in legislation, University rules and committee terms of reference. The establishing legislation *requires* University 1 Council membership to include one undergraduate and one postgraduate student representative. These positions are filled by the president of the undergraduate and postgraduate student associations.

The University provides both student associations with significant operating grants from SSAF revenues. Operating grants are also provided to the student media group (which publishes the student newspaper) and the University’s sport and recreation association. All four organisations receive office space and IT support.

When SSAF came into effect in 2012, University 1 entered into funding agreements with all four student groups which receive funding from the SSAF revenues. These agreements

provide for University senior management to discuss and consider student association annual budgets prior to annual funding levels being determined.

The sums of money are provided to the four student associations are significant. The student associations are separate legal entities from University 1 and have in place specific governance arrangements. University 1 requires office holders and staff employed by the student associations to undertake training in the area of good governance, conflict of interest and fraud control.

University 1 notes that the review panel could consider the need to include in the Representation Guidelines a requirement for student associations in receipt of SSAF funds to be properly constituted and have in place good governance arrangements and a track record of responsible fiscal management.

In early 2013, University 1 published draft funding allocations for each student association on their Fees website and invited all students to comment on these, consistent with the requirements of the Representation Guidelines. University 1 noted that the timing of this invitation to students is problematic as there are limited numbers of students on campus in January, and notes that the end of the year might be more feasible.

#### [Case study 2](#)

University 2 noted that in an increasingly competitive global market, the University takes the provision of those services prescribed in the Guidelines as a critical part of their future growth and success, and that the felt that the prescriptive nature of the Guidelines are unnecessary.

The University's view is that the Guidelines should be very brief and, where possible, focus solely on universities' power to levy the fee. They remarked that directly linking student representation and advocacy to the legislation which enables universities to charge SSAF, threatens the long-term viability of SSAF.

The University believes there is now considerable duplication between TEQSA's Provider Registration Standards and the Representation Guidelines.

With regards to Chapter 2, National Access to Services Benchmarks, University 2 suggests that it is defined at too detailed a level to be appropriate, and recommend revising to more general statements in support of orientation programs and the provision of student services appropriate to the needs of the student body at any given HEP.

University 2 is of the opinion that successful student advocacy should be independent of the University's deliberative structures and that the student body is best placed to provide this.

University 2 suggest that it "might be appropriate to add a principle to ensure that, where universities contract with an independent student organisation to provide certain services

and provide SSAF funding in support of that, students must be able to freely access those services whether or not they are a member of the student organisation.”

With regards to Chapter 3, National Student Representation Protocols, they suggest that the inclusion of these protocols in the SSAF Guidelines is confusing if not inappropriate, and a statement of principle would suffice.

With regards to the consultation process, they noted that the successful involvement of student representative bodies in the delivery of support and services to students is largely dependent upon the strength of the working relationship between that body and its university. They felt that this is not a matter that can be addressed through the creation of prescriptive guidelines and mandatory requirements.

The University noted that “some institutions have interpreted the order in which the paragraphs are written to imply an order to the activities. i.e. that priorities must be published and subsequently there should be a consultative meeting. This surely underlies the concerns expressed by some students that the priorities were a fait accompli. It makes more sense for consultation and priority setting to be an iterative process, to be managed by HEPs as appropriate to their individual circumstances. It would be helpful if the Guidelines could reflect this.”

### [Case study 3](#)

University 3 was generally supportive of how the Guidelines have been implemented and administered, and notes that SSAF has materially enabled improved services provision for students. The University remarked they had worked closely with its student body to ensure that things that matter to students are adequately supported.

University 3 commented that the flexibility of the Guidelines in particular has been of benefit to them, as their student cohort is a diverse group, spread across different campuses and with a substantial body of distance educated students.

The University, therefore, called for the review to resist calls for the benchmarks to be made more prescriptive.

University 3 did, however, seek clarification on a number of issues:

- the role of the HEP in supporting the establishment and democratic functioning of student organisations that may not be the “form of student representation” formally adopted by the HEP
- the role of the HEP in enduring democratic elections.
- clarification is also sought on negotiation on the proportion of SSAF to be disbursed to student organisations/retained by the university.

#### Case study 4

University 4 noted that the general community and students did not have a high level of understanding of the SSAF and its relationship to the previous VSU arrangements. They recommended that every opportunity be taken to promote the purpose and intention of the SSAF.

University 4's approach to the Representation Guidelines has been to build on their existing student representation structures. These include:

- 87 student representatives on University committees;
- 3 student organisations with democratically elected representatives; and
- a newly established democratic student forum and a high level student engagement advisory body.

University 4 commented that enthusiasm for delivering new services of benefit to the whole student population has been very encouraging. The student forum operates under the principles of 'genuine, fair and diverse consultation'. All students (and staff) are regularly invited to submit proposals for use of SSAF funds via an online proposal form. All in-scope proposals are presented to the student forum for consideration and all student proposers receive advice with regards to their proposals outcome. A summary of proposals supported is published on the University's website.

University 4 noted that there are issues with the requirement to complete a second CAF form, and recommended that 2.2.2 of the National Access to Services Benchmarks be amended to include non-award students enrolled at the institution. University 4 provided positive feedback on the clarity of the Guidelines.

#### Case study 5

University 5 noted that the Representation and Advocacy Guidelines have been written in such a way as to accommodate the varying university structures and student representation models in operation across Australia. University 5 noted that the benchmarks are sufficiently broad in nature to enable Higher Education Providers (HEP's) to comply with the benchmarks regardless of structure, which is supported.

University 5 sought clarification on

- clause 2.2.2 in relation to charging, even a nominal fee, for internal services or where HEP's require students to access certain services.
- clause 2.2.4 in relation to whether the advocacy officers can or cannot be employed by the University.

University 5 noted that the National Student Representation Protocols appear to be developed in such a way to accommodate the varying models of student representation across Australia, and commented that while the Protocols need to be flexible enough to accommodate these different models, they also need to provide enough clarity to the HEP to ensure that they are meeting their requirements.

University 5 does not have incorporated student organisations or those that operate as a separate company. The staff who support the structure are employed by the University and the student representatives are democratically elected by the student body, are independent in their voice and have their own communication mediums.

University 5 noted that it is not clear what role student representatives play and sought to have the Guidelines expanded upon to more clearly articulate the role of student representatives within the HEP.

University 5 noted that it is not clear as to what decisions students must be consulted on, and noted that consultation and decision making are two different things.

University 5 sought clearer direction on what is required by HEP's in this regard with reference to timeframes for publishing identified priorities and allowing for student feedback, as well as for meeting with democratically elected student representatives. Further, some clarity as to the manner and form of the identified priorities would also be of assistance.

University 5 has adopted the following consultative measures:

- Preliminary consultation session held at an induction weekend with all newly elected student representatives, club/society presidents and student academic representatives from various committees.
- Discussions at Student Campus Council meetings with elected student representatives.
- Discussions at Campus Clubs and Societies Forums with presidents and vice presidents of student clubs and societies.
- Regular meetings between Pro Vice Chancellor (Students) and elected student representatives
- Publishing SSAF priorities on the web page following endorsement of the priorities by the University's governance body.
- Request feedback from the general student body and the provision of mechanisms to do so.
- The inclusion of student representatives on the SSAF working party.
- Use of university survey mechanisms.

University 5 noted that one of the issues, particularly as the SSAF is only in its second year of implementation, is the timing of the endorsement of priorities by the University's governance body, which in 2013 will not occur until April, and the ensuing consultation processes with students.

## Peak Bodies

Number of Submissions Received: 4

### [Case study 1](#)

Peak body 1 did not raise any issues with regard to the overall transparency, visibility or consultative nature of the Guidelines. Peak body 1 made a number of specific suggestions as to the clarity of various sections of the Guidelines. In relation to clause 2.2.1 (Orientation Programs), Peak body 1 noted that the text is clear and appropriate. With regard to clause 2.2.4 (Access to Advocacy Services) the respondent noted that it is clear and its content reasonable.

Peak body 1 noted that clauses 2.2.2 and 2.2.3 (Access to Health and Welfare Services) are not as clear as 2.2.1 in relation to the dissemination of information from universities to students. Respondent suggested that 2.2.1 be amended to include details on the channels of information dissemination that would apply to all relevant information in the Guidelines.

The respondent also suggested strengthening 2.2.3 to include services provided indirectly by third party providers. Peak body 1 noted that while 2.2.5 is clear, its wording could be strengthened to make clear what is meant by 'varying and differing circumstances of the enrolled student body', and what may be considered reasonable differences in service provision for different student cohorts, campus locations or other relevant circumstances. Peak body 1 also notes that there is scope to include in this paragraph a connection to the student consultation mechanisms addressed in 3.2.

Peak body 1 suggests minor amendments to the National Student Representation Protocols 3.2.3 and/or 3.2.5 could be amended to refer to the same student representatives (not imply two separate groups). The respondent also suggests the definition of 'what is a major student organisation' be included in this section.

Peak body 1 notes that they consider the system for the administration of the SSAF is flawed. But notes that that the current review is strictly limited to consideration of the Guidelines and we will continue to pursue alternative administrative proposals through relevant processes.

### [Case study 2](#)

Peak body 2 notes that they are a strong supporter of the Student Services and Amenities Fee and the increased services these funds have returned to Australian university campuses. Peak body 2 provided positive feedback on the clarity of intent and purpose of the Guidelines. However Peak body 2 considers that the process is not transparent or visible enough, and that the level and quality of consultation varies.

Peak body 2 is of the opinion that the Representation and Advocacy Guidelines are "clear in intent and purpose". However, they note that options for students and student



organisations where a Higher Education Provider (HEP) is not following the Guidelines are inadequate and cumbersome.

Peak body 2 questions whether the intention of the Guidelines was to mandate these services in the absence of a SSAF being charged, and if a fee is charged by a HEP, whether services that are mandatory under the guidelines should be funded separately and not from SSAF.

Peak body 2 argues that the transparency of the process could be better managed. Peak body 2 suggests that clearly measurable reporting mechanisms that could be published nationally. They note that student organisations are not structured similarly under SSAF, and that there are conflict of interest issues in terms of bodies reporting on their own transparency and consultative processes. Peak body 2 proposes that there should be a component of the process which publicises the independence of the consultative body.

Peak body 2 also argues that the visibility of the process could be greatly improved. They suggest that there needs to be a simple way for prospective students to benchmark universities nationally on how well they consult with their students, and put forward options such as a hosted website being set up for universities to report their data.

Peak body 2 notes that the level and quality of consultation varies between campuses. They recommend that the consultation process should involve a level playing field/equality of voices in discussions, where student representatives and or organisations should be able to appeal decisions made by universities in relation to SSAF funds and the implementation of the guidelines.

Peak body 2 identifies that information about amount of SSAF raised, proposed fee expenditure (and how past fees were spent) needs to be much more transparent and consultative. They raise the concern that there is limited evidence of universities complying with the obligation to publish identified priorities for fee expenditure.

### [Case study 3](#)

Peak body 3 makes the case that the current Protocols are so broadly written that a number of institutions can technically comply with the guidelines without offering significant resources for student representation.

Peak body 3 noted that it is vital that democratically elected student representatives have a meaningful role in consultation on SSAF issues, and that universities need to adopt better strategies for engaging with their student communities. They made the case that there is a need to ensure there is financial support for independent and democratically elected student representation.

Peak body 3 states that students should have control over student affairs, and should have access to the resources to make this possible.

The respondent raises the concern that a number of universities are allocating very little or none of their collected SSAF income to a democratically elected student body.

Peak body 3 proposes that support for student representation needs to be reviewed. Where there is an attempt to ensure student representation, some students within the broader community are being under-represented, or not at all. The respondent also notes that post-graduate representation is vital.

Peak body 3 argues that there are inherent problems within the structure of the SSAF Guidelines and associated Protocols. Respondent endorses proposals made by the National Union of Students' (NUS's) Best Practice Cases and Recommendations in its report titled, 'Act Now Create Change: NUS Report into the Implementation of Student Services and Amenities Fee 2012', including:

- the call for an improved definition of independent student representation
- principles outlining genuine, fair and diverse consultation practices;
- the case for independent advocacy; and
- effective communication with student stakeholders.

Peak body 3 considers that the following principles should be incorporated in the Protocols and Guidelines:

- student organisations must be independent and comprised of democratically elected representatives (elected through popular vote of the entire student body);
- independent student bodies must have control of resources to carry out their roles;
- student organisations must not be prevented from having a strong independent voice in public policy debates;
- there should be a clear indication that resources and funding of student representative organisations should be sourced from (but not restricted to) SSAF funding;
- there should be a requirement for universities to negotiate in good faith over SSAF funding arrangements, with a minimum benchmark of 70% of SSAF income to be allocated for the purposes of providing representation, advocacy and student services.

Peak body 3 raised the concern that whilst the Act lists the allowable uses of SSAF income, it does not directly tie these to student organisation activities.

#### [Case study 4](#)

Peak body 4 was concerned that the Representation Guidelines did not provide specific guidance on the requirements of Universities to provide services for students studying via distance education, particularly online. Peak body 4 noted that the Guidelines are neutral on the obligations to online students and imply that students attend higher education campuses where representation and services can be organised to suit this circumstance.

## Student Organisations

Number of Submissions Received: 10

### [Case study 1](#)

Student organisation 1 notes that the implementation of the SSAF across different Australian universities has been highly inconsistent. They recognise that this is mainly due to the differing interpretations by universities of the legislation and the Guidelines associated with the legislation.

Student organisation 1 believes the SSAF negotiation and consultation process needs to be strengthened to ensure parties are acting in good faith and in the students' best interests, and that there are provisions for greater student input in negotiations and decision-making around the SSAF.

They make the point that the Guidelines associated with the legislation require clarification and amendment to ensure the application of the SSAF is more transparent, fair and supportive of independent student representation.

Student organisation 1's suggestions are summarised below:

- 'Student representation' to include independent and democratically elected student representatives from student organisations
- Provider must meet the costs of conducting democratic polls through the student representative organisation.
- Differentiate between types of higher education providers and make express reference to student representative organisations
- During consultations, discussions and negotiations held regarding the division and expenditure of the Student Services and Amenities Fee (SSAF) in which student representatives, student organisation representatives and/or the university is a party, all parties must act in good faith, and in the best interests of the students.
- Stronger and clearer requirements for fairness and diversity in consultation process
- Express provisions should be made for advocacy services to be independent from university and student-controlled.
- Minimum list of five most important resources for which student organisations must receive funding and support
- That the Department create a SSAF liaison for universities and students

### [Case study 2](#)

Student organisation 2 was broadly supportive of the intent and purpose of the Representation Guidelines, though a number of issues were raised with regard to postgraduate representation and consultation.

The respondent undertook a survey of postgraduate representatives in 2012, and noted that 44% of organisations surveyed indicated that their organisational function had been seriously impeded as a result of uncertainty surrounding SSAF funding negotiations. 83% of postgraduate associations surveyed said that they would not recommend the funding negotiation process that their university undertook in the first year of SSAF.

Student organisation 2 suggested that the legislation needs to address the uncertainty that is experienced by student organisations during drawn-out funding consultation processes, and should recommend timeframes within which the consultation process should take place.

The organisation makes 4 proposals. That the representation guidelines should:

- ensure robust postgraduate student representation, which is independent from both the HEP and undergraduate bodies, in a manner proportional for the size and type of the student population they represent.
- require genuine independence of their representatives, that is not only achieved through operational separation.
- works towards co-determination on matters affecting students through the consultation.
- enable student associations to employ professional advocates, independently of their HEP.

Student organisation 2 also put forward the need for all advocacy services to be independent from the HEP as there is an inherent conflict of interest provision of services by staff that are directly answerable to the HEP hierarchy.

### [Case study 3](#)

Student organisation 3 largely supports SSAF and the Representation Guidelines because it encourages ideas such as compulsory orientation, health services, welfare services, advocacy independent of the Higher Education Provider and democratically elected student representation which encompasses undergraduate, postgraduate and overseas students.

However, student organisation 3 sees areas for improvement with regard to these guidelines and how they define consultation, and feel that much of the language around this document could be stronger.

For example, the organisation has been made aware of cases where universities have failed to thoroughly consult with students, and in particular, international students. At one university, for instance, 'consultation' was interpreted as 'notification' and informing students of that university of what they planned to do with SSAF.

Student organisation 3 proposes the following:

- Representation: That independent international student representative associations are established across campuses in Australia, and that all student representative associations would ensure international student representatives, just as the

international student representative associations should ensure positions for postgraduate, undergraduate and perhaps a liaison officer to work between the student associations.

- Representation support: That HEPs be willing to engage with outgoing student representatives to ensure that support, training, and orientation exists for incoming student representatives, and provide support structures and mechanisms for student representatives so they can acquire the resources and training needed to be accountable with SSAF and the organisations they are responsible for.
- Consultation: That minimum standards for a consultation process are outlined in the Guidelines, so that HEPs will universally undertake genuine consultation with students in good faith.
- Student priority: That SSAF be dedicated to areas based on what students prioritise during consultation processes, and that universities reconsider providing the largest sums of funding to services that have the ability in their own right, to sell products and services, and receive funding elsewhere.
- Transparency: That universities provide students with clear information on the SSAF process, consultation, and intended purpose of funds.
- Inclusion: That the government consider expanding a SSAF scheme for the VET/TAFE sector, and in doing so, require VET/TAFE's to establish student representation and consultation on their campuses.

#### [Case study 4](#)

Student organisation 4 was concerned that external students do not receive recognition in the Guidelines. They recommended that both they and part time students are given full representation. Respondent argued that as universities move towards offering more and more courses externally, it is vital that standards are maintained, and this will only happen if external online students are given full recognition through the Representational Protocols.

The respondent suggested that in practice, HEPs are not providing benefits and opportunities equally to external students, and as such, HEPs should refund external students partially or fully, or require them to pay less in fees.

Student organisation 4 also noted that in their opinion the distinction between domestic and overseas students implied a degree of racism and should be removed.