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Higher Education Standards Panel

Consultation on amendments to the Higher Education Standards Framework (Threshold Standards) 2021

Dear Members of the Panel

Consultation on amendments to the Higher Education Standards Framework (Threshold Standards) 2021

On behalf of Australia's 38 comprehensive universities, thank you for the opportunity to provide Universities Australia's (UA) views on the consultation regarding proposed amendments to the Higher Education Standards Framework (Threshold Standards) 2021. Our members educate Australia's future workforce, power the research and innovation that underpin national productivity, and anchor the communities they serve. Strong, trusted and proportionate regulatory settings are fundamental to maintaining public confidence in the sector and ensuring universities continue to deliver for students, communities and the nation.

The Threshold Standards play a critical role in this framework. They establish the baseline expectations for quality, integrity and accountability across Australia's higher education system, while allowing providers the flexibility needed to fulfil diverse missions and serve different communities. The work of the Higher Education Standards Panel has been central to maintaining this balance, ensuring that regulatory settings remain grounded in principles of necessity, risk and proportionality. UA strongly supports the continued role of the Panel, through a future Australian Tertiary Education Commission or otherwise, in advising on quality standards and regulatory settings for the sector.

The themes identified in the consultation paper are important issues that have been the focus of extensive public discussion and policy development in recent years. Universities are actively engaging with governments, regulators and the broader community on these matters. In responding to this consultation, we therefore offer several high-level principles that we believe should guide any amendments to the Threshold Standards.

Demonstrating a commitment to addressing racism

Racism has no place in Australia's universities. All forms of racial hatred and discrimination are fundamentally incompatible with the purpose and values of higher education. Universities must be places where every student and staff member feels safe, respected and able to participate fully in campus life.

This includes recognising the enduring racism experienced by Aboriginal and Torres Strait Islander peoples, as well as racism experienced by Jewish, Muslim and other culturally and racially diverse



communities. UA and its members have been clear that belonging on campus is not optional. Universities have a responsibility to foster safe, inclusive and respectful learning environments and to respond decisively when racism occurs.

Universities are already taking steps to strengthen their responses to racism and discrimination, including to address particular forms of racism that have come into sharper focus at different times. Recent work across the sector – including ongoing engagement with the Australian Human Rights Commission, the Antisemitism Education Taskforce, the special envoys to combat antisemitism and Islamophobia, and other government and community initiatives – reflects the seriousness with which universities are approaching this issue. UA is also working with its members to respond to the findings of the recently released Respect at Uni study and to support ongoing improvements across the sector.

UA therefore supports efforts to ensure the Threshold Standards reinforce clear expectations that providers maintain safe and equitable environments and have effective systems in place to prevent and respond to racism and discrimination.

At the same time, any amendments should remain principles-based and outcomes-focused. Universities operate in diverse contexts, serve different communities and cohorts, and must retain the flexibility to implement approaches that respond effectively to the needs of their institutions. The Threshold Standards should focus on the outcomes expected – safe learning environments, clear reporting pathways and accountable governance – while allowing institutions flexibility in how those outcomes are achieved.

Addressing racism is also about cultural change as much as regulatory frameworks. While standards can help reinforce expectations and accountability, building respectful and inclusive campus communities requires sustained leadership, education and engagement across the university community. UA is already working with universities to support them in this task.

Efforts to address racism must also remain consistent with universities' longstanding commitments to academic freedom and freedom of expression. These principles should never justify or excuse harm or a breach of somebody's human rights, but universities are places of rigorous inquiry and debate, and maintaining this balance is essential to ensuring campuses remain both safe and intellectually open communities.

Incorporating University Governance Principles and transparency requirements

UA recognises the importance of strong governance arrangements in maintaining public trust and institutional accountability. The sector has engaged extensively in recent processes examining university governance, including parliamentary inquiries, state-based reviews and the work of the Expert Council on University Governance.

The Expert Council's final report, developed with input from UA and the University Chancellors Council (UCC), provides a comprehensive and contemporary set of governance principles for Australia's



universities. These principles reflect a shared commitment across government, universities, staff and students to strengthen transparency, accountability and public confidence in university governance.

The Albanese government has indicated its intention to implement these principles using an “if not, why not” model, whereby universities are expected to adopt the governance principles or publicly explain why alternative arrangements are appropriate in their institutional context. This approach recognises the diversity of the sector and provides a transparent mechanism for strengthening governance practice while maintaining institutional autonomy.

We would therefore recommend that the principles in the Expert Council’s final report be incorporated into the Threshold Standards (potentially by adding to or modifying the existing Standard 6). The principles are:

1. **Accountability:** Governance structures and accountabilities are well-defined, effective and transparent.
2. **Diversity of perspectives:** Composition of the governing body enables purpose and performance.
3. **Independence:** Academic standards and freedom are respected and protected.
4. **Transparency:** Purpose, strategy and performance are clear and openly communicated.
5. **Trustworthy:** The university operates lawfully, ethically, responsibly, and consistent with its public purpose.
6. **Inclusive + Responsive:** Expectations of the university’s community and stakeholders are understood, respected and responded to.
7. **Sustainable:** Risks are understood and managed effectively.
8. **Responsible:** Workforce and remuneration are structured fairly and responsibly.

More detailed work on implementation, which will likely be informed by the work of the Expert Council and other relevant bodies, can then be undertaken by the Tertiary Education Quality and Standards Agency (TEQSA) in close conversation with the sector. The UCC has already commenced discussions with TEQSA on these matters and the sector as a whole has already been undertaking considerable work in line with the recommendations even prior to the Threshold Standards being amended. Both UA and the UCC are committed to improving governance practices.

It’s also important to recognise that the governance principles developed through the Expert Council are intended to apply to universities, not to all higher education providers, many of which operate under different governance and reporting frameworks, including obligations associated with being ASX-listed companies or other corporate structures. While we take no position on this, it does create a precedent that the Panel may wish to consider further.

Supporting people with disability

Improving participation and success for people with disability is a shared priority across the higher education sector. Universities are continually working to enhance accessibility in learning design, student services, digital environments and campus infrastructure.



Amendments to the Threshold Standards should reinforce the goal of inclusive and accessible education while maintaining flexibility for providers to respond to diverse student needs and delivery contexts. In particular, standards should support practical outcomes for students with disability by encouraging:

- inclusive learning design and accessible systems from the outset
- clear and user-centred pathways for disclosure and reasonable adjustments
- transparent and consistent application of inherent requirements, and
- institutional accountability for improving accessibility and student experience.

Importantly, amendments should avoid creating duplicative or process-heavy compliance requirements that do not ultimately improve outcomes for students.

Responding to emerging technology risks, including Generative AI

Emerging technologies, including generative artificial intelligence, are rapidly transforming the higher education landscape. Universities are actively exploring how these technologies can enhance teaching, research and accessibility while safeguarding academic integrity and student outcomes.

The Threshold Standards should support this balance between innovation and integrity. Universities need regulatory settings that protect academic standards and public confidence while allowing institutions flexibility to adopt and manage new technologies responsibly.

Given the rapid pace of technological change, embedding references to specific technologies (including AI) within the Threshold Standards risks creating provisions that quickly become outdated. A more durable approach is to ensure that existing governance, academic integrity and quality assurance standards are sufficiently robust to address emerging risks as they arise.

In this context, guidance from TEQSA and ongoing engagement between regulators and experts within the sector may provide a more agile mechanism for responding to new technologies than prescriptive amendments within the Threshold Standards themselves.

Approaches to a cyclical review of the Threshold Standards

Regular review of the Threshold Standards is important to ensure they remain contemporary, effective and proportionate. Universities operate within an increasingly dense and complex regulatory environment.

Governance and accountability obligations are already set out across multiple Commonwealth and state frameworks, including the Higher Education Support Act 2003, the Tertiary Education Quality and Standards Agency Act 2011, state university legislation, financial management requirements and a growing number of parliamentary and regulatory reporting processes. While each of these requirements serves an important purpose, their cumulative impact is significant.



Compliance obligations have expanded substantially in recent years, requiring universities to devote increasing administrative effort, staffing and resources to regulatory activity. As UA has highlighted in recent submissions, this expanding thicket of regulation risks diverting funding, leadership attention and institutional capability away from universities' core missions of teaching, learning and research. Every dollar spent on unnecessary compliance is a dollar not spent on educating students, supporting research or strengthening Australia's future workforce.

A cyclical review process can assist in ensuring that cumulative additions to the Threshold Standards have not increased beyond what is necessary for a high-quality sector. Such a review should be evidence-based and collaborative, drawing on a wide range of inputs including regulatory experience, sector expertise and the perspectives of students and the broader community. It should also consider insights from national policy processes, such as the forthcoming State of the System reporting under any future Australian Tertiary Education Commission.

Meaningful consultation with universities and other stakeholders will be essential to ensure that any future revisions continue to support a strong, trusted and high-performing higher education system where regulation is proportionate and effective. UA thanks the Panel for the opportunity to make this submission and would welcome further engagement as this work progresses.

Yours sincerely

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