Higher Education Standards Panel:

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

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Message from the HESP Chair

Dear Readers

The Higher Education Standards Panel (HESP) is inviting you to comment on one or more of the issues outlined in this consultation paper regarding changes to the Higher Education Standards Framework (Threshold Standards) 2021.

It is a period of significant reform and review. The Hon Jason Clare MP, Minister for Education, has asked the HESP to provide advice on potential amendments to the Threshold Standards to address several emerging and high‑priority issues. The HESP has looked at the findings and recommendations across a range of reviews, alongside its ongoing consideration of the adequacy of the Threshold Standards and has determined amendments need to be considered to ensure the Threshold Standards remain fit-for-purpose.

This paper sets out some of the current challenges and proposes areas where the Threshold Standards may need amending.

The HESP is committed to a transparent and inclusive consultation process with the aim of drawing in a broad range of views and perspectives. Specifically, the HESP is seeking feedback on:

- *Demonstrating a commitment to addressing racism*
- *Incorporating the University Governance Principles and transparency requirements*
- *Support for people with disability*
- *Responding to emerging technology risks*
- *Approaches to a cyclical review of the Threshold Standards*

I encourage all stakeholders to share their expertise and insights. Your input will play a critical role in ensuring the Threshold Standards remain contemporary, cohesive, effective, and responsive to an evolving higher education sector. Your feedback will be used to refine advice and proposed amendments prior to reporting to the Minister for Education.

Thank you for your time and contribution to this important process.

Yours sincerely

Professor Helen Bartlett
Chair, Higher Education Standards Panel

On behalf of HESP Members:
Professor Pip Pattison AO, Professor Paul Harpur OAM, Professor Jacqueline Lo, Professor Susan Page, Professor Kelsey Hegarty, and Professor Jeannie Rea

Executive Summary

The Higher Education Standards Panel (HESP)[1] is inviting feedback on proposed amendments to the Higher Education Standards Framework (Threshold Standards) *2021*.[2] The Threshold Standards set the minimum requirements for higher education providers in Australia to be registered by the Tertiary Education Quality and Standards Agency (TEQSA). Background on the HESP and Threshold Standards is at Attachment A.

The HESP has identified several key areas where targeted amendments would improve student safety, strengthen governance, enhance inclusion and ensure the Threshold Standards keep pace with technological and sector change.

Demonstrating a commitment to addressing racism

Recent national findings and incidents have highlighted the need for stronger, more explicit action to prevent and address racism in Australia's higher education sector. Although the Threshold Standards require providers to foster safe and equitable environments, they do not explicitly require a demonstrated commitment to addressing racism. The Australian Government has committed to strengthening higher education regulation to ensure providers take proactive steps and to enable effective regulatory oversight. This consultation seeks feedback on introducing explicit anti-racism requirements to ensure clarity, consistency and accountability across the sector.

Incorporating the University Governance Principles and transparency requirements

Effective governance is essential to ensuring high-quality outcomes across the higher education sector, yet evidence shows ongoing variability in governance capability, transparency and accountability among providers. Education Ministers and the Senate Inquiry into the *Quality of governance at Australian higher education providers* have called for stronger, more enforceable regulation, including clearer expectations for academic oversight, transparency and staffing capability to support high-quality learning and outcomes. Strengthening the Threshold Standards, including by incorporating the Expert Council Governance Principles, enhanced transparency requirements and staffing capacity would improve regulatory oversight and help restore confidence in the sector. Stakeholder feedback is sought on strengthening requirements for academic oversight and staffing, incorporating the University Governance Principles and transparency requirements for public universities, and the addition of a new Part C of the Threshold Standards.

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[1] HESP is an independent statutory body. Responsibilities include providing expert advice and recommendations on making or varying the Threshold Standards.

[2] The Threshold Standards is an instrument made under the *Tertiary Education Quality and Standards Agency Act 2011*. TEQSA uses the Threshold Standards to regulate higher education providers. Available at www.legislation.gov.au/F2021L00488/latest/text.

Supporting people with disability in higher education

Students and staff with disability experience poorer outcomes and inconsistent support. While the Threshold Standards require compliance with disability legislation, they do not explicitly reference inclusive practices, disability specific responsibilities or staff obligations. Proposed amendments include modernising terminology, strengthening inclusion and participation, embedding universal design across learning and institutional environments, and clarifying expectations around inherent requirements to reduce systemic barriers and improve outcomes. The consultation seeks views on whether these key themes represent the most effective enhancements to lift outcomes and whether they collectively promote a more inclusive and equitable higher education system.

Responding to emerging technologies including Generative Artificial Intelligence

The rapid growth of emerging technologies is reshaping teaching, learning and research, yet institutions vary widely in how they manage related risks. This includes in how they are ensuring equitable access, addressing capability gaps, protecting academic and research integrity, and embedding emerging technologies into institutional risk frameworks. Explicit requirements around the adoption and use of emerging technologies would draw attention to issues of integrity, safety, security, capability, governance and equity. Feedback is sought on strengthening governance oversight, academic integrity protections, data management, and risk management frameworks, while supporting innovation.

Approach to a cyclical review of the Threshold Standards

The Universities Accord (Australian Tertiary Education Commission) (Consequential and Transitional Provisions) Bill 2025, before Parliament, proposes the introduction of a five yearly cyclical review of the Threshold Standards. This provides an opportunity to strengthen sector certainty while ensuring the Threshold Standards remain contemporary, proportionate and fit for purpose. A transparent, evidence informed review process can support stability for providers while allowing the Threshold Standards to respond to evolving policy priorities, delivery models and community expectations. The consultation seeks feedback on review methodology and effective stakeholder engagement.

Consultation questions

Demonstrating a commitment to addressing racism

1. What specific actions should higher education providers be required to take to demonstrate a clear, institution-wide commitment to addressing racism?

2. What targeted guidance would most effectively support providers to meet strengthened anti-racism expectations?

3. What are the principal benefits and potential limitations of explicit anti-racism standards compared with reliance on existing wellbeing, equity and governance provisions?

Incorporating the University Governance Principles and transparency requirements

4. If a new Part C is created to incorporate the University Governance Principles, what are the advantages and risks of having some standards apply only to 'public universities'?

5. How might strengthened standards on academic oversight, staffing profiles, and teaching quality affect student outcomes and experience?

Supporting people with disability in higher education

6. To what extent would the proposed themes in the consultation paper *(inclusion, universal design and inherent requirements)* drive a more inclusive and equitable higher education system and improved student outcomes?

7. To what extent would the proposed themes promote accountability, better governance and improved provider practice to support people with disability in higher education?

Emerging technologies and the Higher Education Regulatory Framework

8. Does the term 'emerging technologies' adequately capture the range of innovations and digital technologies that are transforming higher education? If not, please suggest alternative terminology.

9. Do the standards currently provide adequate guidance to manage risks related to emerging technologies?

10. How should amended standards appropriately balance the management of risks with the need to preserve provider flexibility, so as to support ongoing innovation?

Approach to a cyclical review of the Threshold Standards

11. What methodological approaches should underpin a cyclical review of the Threshold Standards to ensure it is robust, proportionate and evidence-informed?

12. How can a review process be designed to meaningfully engage a diverse range of stakeholders?

Providing feedback:

You are invited to provide your feedback on one or more of the issues outlined in this paper.

*Please submit your responses by **15 March 2026** via:*
- *Email: HESFconsultation@atec.gov.au, or*
- *Online feedback form: www.education.gov.au/higher-education-standards-panel-hesp*

A series of webinars will take place from 10-13 March. Further information, including on how to register, is available at: www.education.gov.au/higher-education-standards-panel-hesp.

To support transparency, submissions will be publicly available where permission is provided.

Please direct questions about the consultation to HESFconsultation@atec.gov.au.

1. Demonstrating a commitment to addressing racism

Recent national findings and incidents across Australian campuses and in the community more broadly have highlighted the need for stronger, more explicit action to prevent and address racism within Australia's higher education sector.

Government response to the Special Envoy

Following the terrorist attack at Bondi Beach on 14 December 2025, the Australian Government issued its response to the Special Envoy's Plan to Combat Antisemitism. This included a commitment to strengthening Commonwealth higher education regulation to ensure: institutions demonstrate a commitment to addressing racism; and TEQSA can monitor compliance. In line with this commitment the Minister for Education formally requested the HESP review the Threshold Standards and provide advice on amendments to deliver this commitment.

Requiring higher education providers to demonstrate a commitment to addressing racism within the Threshold Standards will clarify provider obligations around safety and inclusion, and enhance TEQSA's regulatory capacity.

The HESP has closely monitored issues of racism in higher education, liaising with the Australian Human Rights Commission (AHRC) and drawing on its work from the Respect at Uni Study[3] and the Racism@Uni Study[4]. Through this engagement, HESP has heard evidence of systemic racism within the higher education sector.

Racism@Uni Study

In 2024, the Australian Government commissioned the AHRC to examine the prevalence, nature, and impact of racism in Australian universities. Its interim findings concluded that both interpersonal and structural racism are deeply entrenched in Australian universities, and racism affects various communities differently.

In 2025, this work evolved into the Racism@Uni Study, which included a comprehensive survey of students and staff nationwide. The final report, *Respect at Uni: Study into antisemitism, Islamophobia, racism and the experience of First Nations people* (the Study), was released on 17 February 2026.

Drawing on responses from more than 76,000 students and staff across 42 universities, the Study concluded that racism is widespread, systemic and persistent across the sector. It occurs in learning environments, workplaces, governance, curriculum, complaints processes, support services, and campus environments, with significant impacts on safety, wellbeing, participation and trust in institutions. The Study also reported low confidence in complaints mechanisms, widespread fear of retaliation, and dissatisfaction with institutional responses,

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[3] The Respect at Uni: Study interim report is available at: https://humanrights.gov.au/resource-hub/by-resource-type/publications/race/interim-report-racism-australian-universities
[4] The Respect at Uni: Study full report is available at: https://humanrights.gov.au/resource-hub/by-resource-type/reports/race/respect-at-uni-study-into-antisemitism,-islamophobia,-racism-and-the-experience-of-first-nations-people

alongside concerns about leadership capability, and the lack of cultural safety, curriculum inclusion and workforce diversity.

The Study points to the need for clearer sector-wide frameworks and expectations, structural actions to build racism-free environments and diversify curriculums and workforce, consistent regulatory signals, and stronger institutional accountability mechanisms. This highlights potential gaps in the Threshold Standards, particularly those concerning student safety and wellbeing, learning environment quality, complaints and grievances, governance and risk management, and current institutional practice in addressing racism as a systemic risk.

TEQSA guidance

TEQSA has developed a range of good practice resources and guidance to support providers in managing the ongoing risks during and following the conflict in the Middle East[5].

On 4 February 2026, TEQSA wrote to universities noting the environment students are returning to is one marked by heightened debate and strong expression around issues of race, religion, geopolitics and freedom of speech. It advised that the context requires deliberate, visible leadership from universities, reminding universities of their responsibilities to ensure that all students are safe, supported and able to participate fully in university life.

In October 2025, TEQSA released a Statement of Regulatory Expectations (SRE): Student grievance and complaint mechanisms[6] to advise providers of clear actions to ensure they are meeting the applicable Threshold Standards. This followed student reports of a wide range of challenges, including difficulties accessing grievance and complaint processes

and concerns about a lack of transparency in how complaints were handled and progressed. The SRE requests that Australian Universities voluntarily publish annual complaints data and expects all higher education providers to review their relevant mechanisms and policies and implement necessary improvements.

In February 2025, TEQSA wrote to universities expressing concern about the increase in incidents of antisemitism, Islamophobia, and racism more broadly within the Australian community. TEQSA reminded universities of their obligations and the expectation that universities will ensure students are informed about codes of conduct, support services and any other relevant institutional policies or procedures.

National Student Ombudsman

The National Student Ombudsman (NSO) was established in November 2025 to receive and investigate a broad range of student complaints, including complaints from students about how a provider has handled matters such as instances of antisemitism, Islamophobia, or other forms of racism experienced on campus.

Strengthening the Threshold Standards

The Threshold Standards include requirements that providers must foster and promote a safe environment (2.3.4), and that governing bodies take steps to develop and maintain an institutional environment in which students and staff are treated equitably and wellbeing of students and staff is fostered (6.1.4). While there is a corporate governance standard requiring compliance with all relevant

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[5] www.teqsa.gov.au/how-we-regulate/teqsas-work-support-social-cohesion-and-safety-higher-education
[6] www.teqsa.gov.au/how-we-regulate/statements-regulatory-expectations/statement-regulatory-expectations-student-grievance-and-complaint-mechanisms

legislation (6.2.1.a), there is no specific requirement to demonstrate a commitment to addressing racism, extremism and prejudice. The evidence supports strengthened requirements to ensure providers meet their obligations and protect the integrity of the higher education system.

Higher education providers are expected to take proactive steps to prevent and respond to racism on campus to ensure a proactive approach by providers in how they anticipate, prevent and respond to racism. The Threshold Standards are the core regulatory instrument used by TEQSA. Systemic racism constitutes a significant risk to student safety, wellbeing, and equitable participation. Incorporating an explicit anti-racism commitment into the Threshold Standards would not only align higher education regulatory settings to sector and community values it would also ensure TEQSA can more clearly monitor compliance against the specified standards.

Amendments must provide clarity for providers on expectations and address gaps identified by the Australian Government, AHRC and parliamentary inquiries to ensure consistent accountability across the sector.

Options include amendments across the Threshold Standards to explicitly reference racism, anti-racism, and/or inclusion to target each risk area. For example, by requiring policies and procedures that promote inclusion and that support equity and diversity across the institution. This may include mechanisms for representation and participation of students and staff from identified equity groups in planning, review and decision making. Providers could also be required to ensure a safe environment is promoted and fostered (including by anticipating and responding to racism and strengthening the requirements relating to complaints and grievance policies).

Alternatively, a specific anti-racism standard could require providers to demonstrate mechanisms for anticipating, identifying, preventing, and responding to racism, monitoring, review and improvement processes specifically addressing racism, and having anti-racism training and literacy initiatives.

Whether adopted as a specific standard or embedded across multiple existing clauses, the inclusion of explicit anti-racism requirements would strengthen the regulatory framework and support a coherent national approach to preventing and addressing racism in higher education.

Consultation questions

1. What specific actions should higher education providers be required to take to demonstrate a clear, institution-wide commitment to addressing racism?

2. What targeted guidance would most effectively support providers to meet strengthened anti-racism expectations?

3. What are the principal benefits and potential limitations of explicit anti-racism standards compared with reliance on existing wellbeing, equity and governance provisions?

2. Incorporating the Governance Principles and transparency requirements

The Australian Universities Accord[7] highlighted systemic issues, including governance matters and widespread staff underpayment, which undermine universities' success and the wellbeing of students and staff.

Expert Council report and Principles

In response to the Australian Universities Accord Interim Report[8], Commonwealth and State and Territory Ministers for Education established the Expert Council on University Governance (Expert Council), comprising sector and governance experts. In April 2024, the Ministers tasked the Expert Council to develop University Governance Principles (the Principles) specifically for public universities.

After extensive consultation, the Expert Council concluded that trust in public universities had eroded, making a self-regulating approach to implementing the Principles unsuitable.

The Expert Council's Final Report and Principles[9] (the Report) identified major governance weaknesses in public universities, including unclear accountability, exclusionary practices, and poor transparency. They reported staff and student representatives are often excluded from processes under claims of confidentiality or conflicts of interest. They assessed that many governing bodies lack the openness required to engage meaningfully with their communities.

The Report called for leadership driven cultural change prioritising integrity, inclusion, transparency, and responsiveness, supported by clearer governance frameworks, stronger stakeholder engagement, and more rigorous oversight of performance, risk and remuneration.

The Expert Council developed a set of principles to set strong expectations across eight key themes. The Expert Council advised that these themes draw on best practice from the corporate and public sectors such as the ASX Corporate Governance Principles.

The eight key themes of the University Governance 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

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[7] //www.education.gov.au/australian-universities-accord/resources/final-report

[8] www.education.gov.au/australian-universities-accord/resources/accord-interim-report

[9] www.education.gov.au/australian-universities-accord/resources/expert-council-university-governance-final-report-and-principles

5. *Trustworthy:* The university operates lawfully, ethically, responsibly, and consistent with its public purpose
6. *Inclusive and 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.

The Expert Council intends the Principles to apply to public universities which are not subject to a board or shareholder oversight and are not required to comply with the ASX Corporate Governance Principles.

The Expert Council recommended mandatory annual public reporting by public universities against the Principles on an 'if not, why not' basis. It considered each university governing body best placed to determine and 'own' how the Principles should be applied to its particular circumstances and context; and requiring universities to provide a reasonable, justifiable and transparent explanation for why a Principle has not been implemented. They further recommended TEQSA be responsible for monitoring the implementation of the Principles, evaluating and reporting on university performance against them and developing additional guidance to support implementation and to enforce compliance.

Commonwealth and State and Territory Ministers for Education considered the Report and recommendations at the Education Minister Meeting (EMM) on 17 October 2025. Following EMM, the Minister for Education announced the Australian Government's commitment to implement the Principles as well as additional transparency requirements.

Under these additional requirements, governing bodies will be required to publish:
- outcomes of meetings and decisions taken
- consultancy spending, its purpose, value and justification
- Vice-Chancellors' external roles

- annual remuneration reports in line with requirements for public companies, and
- composition of governing bodies.

Senate Education and Employment Legislation Committee inquiry

On 29 January 2025, the Australian Parliament agreed to undertake a Senate Inquiry into the quality of governance at Australian higher education providers. The Senate Inquiry's Interim Report[10] recommended stronger mechanisms to enforce transparency and accountability practices.

The inquiry examined transparency, accountability, employment practices, compliance with workplace laws, and the adequacy of powers held by TEQSA. The *Quality of governance at Australian higher education providers - final report*[11] concluded widespread and systemic governance failures across Australian universities.

The Senate Inquiry highlighted the need for more enforceable governance standards. In addition to enhanced public reporting and stricter accountability frameworks for governing bodies. Specifically, Recommendation 5, includes that the Threshold Standards be amended to strengthen academic oversight, teaching capacity and support to maintain high-quality learning and outcomes, and to require academic boards to conduct annual reviews.

[10]www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance48/Interim_report (published on September 2025)
[11]www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/UniversityGovernance48/Final_report (published on 11 December 2025)

Strengthening the Threshold Standards

There has been a substantial body of evidence presented through the University Accord, the Expert Council, and the Senate Inquiry. Collectively, this material demonstrates systemic and persistent governance issues, particularly for public universities. This impacts the integrity and accountability of the sector.

The evidence culminates in a need for stronger and more enforceable regulation to support effective governance and protect the reputation of the sector.

Strengthened expectations related to governance in the Threshold Standards is warranted to restore confidence in the sector's management of public resources and its duty of care to staff and students. Likewise strengthened transparency requirements are consistent with the view that governance structures must be open, accountable, and subject to meaningful scrutiny.

Strengthened Threshold Standards should make clear there is adequate academic oversight and that providers are responsible for ensuring each course has appropriate oversight, sufficient staffing profiles, and the capability to deliver consistent, high-quality learning outcomes, while still allowing institutional flexibility in how these obligations are met.

While the Threshold Standards include standards on governance, transparency requirements and academic governance, amending the Threshold Standards to include the Principles would strengthen TEQSA's capacity to monitor compliance, provide guidance, and take action. It would also support institutions to better manage risks and support greater confidence in the higher education sector.

Part C for 'public universities'

An option under consideration is to amend the Threshold Standards to include a Part C – Additional Standards for Public Universities. This would apply to a subset of universities within the Australian Universities category. For example, universities that are in the Australian Universities category and also Table A universities as specified in section 16-15 in the *Higher Education Support Act 2003*.

Consultation questions

4. If a new Part C is created to incorporate the University Governance Principles, what are the advantages and risks of having some standards apply only to 'public universities'?

5. How might strengthened standards on academic oversight, staffing profiles, and teaching quality affect student outcomes and experience?

3. Supporting people with disability in higher education

University students and staff with disability, disability advocates and practitioners, among others, have called for more explicit requirements for higher education providers to meet the reasonable support needs of students with disability and to update potentially outmoded language in the Threshold Standards.[12]

Participation and outcomes for students with disability

People with disability are the fastest growing priority student cohort in higher education in Australia. The number of domestic commencing students with disability has increased from 39,829 in 2021 to 47,458 in 2024, a 19.2% increase over 4 years (and an increase of 11.4% between 2023 and 2024). In 2024, 12.3% of students at Australian universities reported they had a disability. This is just below the population benchmark of 13.4%, which is adjusted to reflect the age distribution of people attending universities (aged between 15-64).

However, people with disability have poorer higher education outcomes and report poorer higher education experiences than the general population. In 2022, 19.7% of people with disability had a bachelor degree or higher, compared with 35.3% of people without disability. This discrepancy is even greater for Autistic people, at 5.2% (Source: ABS Survey of Disability, Ageing and Carers).

The Quality Indicators for Learning and Teaching (QILT) Student Experience Survey (using 2024 data) shows that students with a reported disability, both at the undergraduate and postgraduate coursework levels, were less satisfied across five focus areas (Skills development, Peer engagement, Teaching Quality and Engagement, Student Support and Services and Learning Resources) than students without a reported disability. In addition, students with a reported disability are less likely to report a positive overall educational experience than their peers without disability (75.1% versus 77.0% for undergraduates and 74.4% versus 77.3% for postgraduates in 2023), and this pattern has persisted since 2017.

Stakeholder reactions to the Australian Universities Accord Final Report,[13] including a joint response signed by a range of disability peaks bodies, student groups and university disability practitioners, highlighted widespread issues and disparities in higher education providers' disability awareness, governance structures, and compliance with the Disability Standards for Education 2005 (DSE), the *Disability Discrimination Act 1992* (DDA), and the student wellbeing, accessibility, grievance process, equity and diversity provisions of the Threshold Standards. They also noted failures in meeting disability human rights obligations outlined in

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[12] Including the Higher Education Disability Roundtable (consultation forum convened by the Department of Education to support implementation of Government response to the Accord Final Report)
[13] www.education.gov.au/australian-universities-accord/resources/final-report

the Convention on the Rights of Persons with Disability,[14] to which Australia is a signatory.

In response to these issues, sector stakeholders called for change across several key areas of the Threshold Standards to help drive improved provider practice. These changes relate to themes of:

- promoting a whole of institution approach to support for students with disability
- embedding universal design and inclusive curriculum design and delivery requirements in the standards
- updating language to remove ableist terminology and clarify 'identified groups'
- embedding explicit requirements for adjustments
- clarifying accountability and responsibility as they relate to work-integrated learning (WIL), training delivered through other parties, and field and laboratory work.

Also raised through consultation was the HESP's 2016 work on *Improving retention, completion and success in higher education*.[15] Stakeholders advocated strongly for revisiting recommendations of that report in the current environment.

Strengthening the Threshold Standards

Support for students with disability flows from the DDA. The DDA prohibits unlawful direct and indirect disability discrimination in education. The Australian Government is currently reviewing the DDA.

The DSE are Standards made under section 31 of the DDA. The DSE clarify the obligations of education and training providers, and the rights of students with disability and their families under the DDA. They require education providers to make reasonable adjustments and ensure students with disability are able to access and participate in higher education on the same basis as students without disability. Regular reviews of the DSE demonstrate that enforcement is limited, reactive and too reliant on student initiation and that institutional knowledge of their obligations is uneven. The Australian Government is currently reviewing the DSE.

The Threshold Standards include implicit references to supporting students with disability as a cohort or as individuals, and reference requirements from other legislation:

- a general provision that providers must accommodate student diversity and create 'equivalent opportunities' for academic success, but only First Nations students are specified as a cohort under this provision (2.2).
- a requirement that providers offer support services to students that are informed by the needs of student cohorts, including mental health and disability needs (2.3.3).
- a requirement that providers must comply with 'any other legislative requirements' (6.2.1(a)). This includes compliance with the DDA and the DSE.

Currently, the Threshold Standards do not explicitly require inclusive practices, disability-specific supports or provide clarity on the responsibilities of staff. However, amendments with inclusion-affirming practice, such as widespread adoption of universal design concepts and techniques will benefit all students, not just students with

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[14] The Convention on the Rights of Persons with Disability entered into force for Australia on 16 August 2008, and its Optional Protocol in 2009. The convention is available at: https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd

[15] www.education.gov.au/higher-education-standards-panel-hesp/previous-projects#toc-improving-retention-completion-and-success-in-higher-education

disability. It would also have implications for WIL.

The Threshold Standards do require providers to comply with other legislative requirements. Therefore, amendments being considered will seek to maximise improvements in service provision across a range of areas that will benefit all students and staff, including those with disability. For example, establishing a culture of inclusivity and the adoption of universal design principles in the Threshold Standards would be expected to reduce the commonly encountered barriers people with disability face in higher education settings.

Consideration of amendments to the Threshold Standards to improve services for students and others with disability fall into broad themes, many of which are reflected across several of the Threshold Standards' Domains. Key areas, as follows:

Nomenclature and terminology
The Threshold Standards refers to 'students with special needs', 'student cohorts,' 'particular student cohorts', 'identified groups' and 'identified student subgroups' when referencing students with disability and other 'target' groups. These various usages require amendment. In particular, the use of 'special needs' is outdated and does not adhere to the principle of universal application and design and will be amended.

Inclusion
Institutions should reflect the diversity of their students, staff and communities in all aspects of its structure and operations. Requirements for inclusive policies and meaningful participation of students and staff in institutional planning and decision making reinforce accountability for inclusive outcomes across the institution, including WIL. Amendments to support improved access, participation and success for all students and staff could reduce the need for many existing individual adjustments and

strengthen assurance that inclusion is embedded systematically across provider operations. This will reinforce accountability for inclusive outcomes across the institution.

Inclusion may be achieved through strengthening the responsibility requirements of governing bodies to promote and maintain institutional environments that foster and support inclusion, to assist in building institutional cultures and settings that welcome and support people from identified groups, including students and staff with disability. For example, mechanisms for consultation with, and participation of, students and staff in institutional planning, review, and decision-making would support proactive measures for student support. Explicit requirements on inclusion might include ensuring inclusive recruitment, retention, and professional development, and building institutional capability to ensure providers support staff to understand and meet the support needs of diverse groups.

Universal design
Universal design including in digital, physical, policy and in learning environments minimises systemic barriers and improves accessibility and useability for all. Use and adoption of universal design across a provider's operations would support student and staff experience. For example, requiring inclusiveness from the outset and through implementation of universal design principles, courses could be delivered in a manner that meets the needs of the largest number of students. This would in turn reduce the need for individualised and tailored supports through reasonable adjustments for students with support needs. Although it will not eliminate the need for individual supports entirely, effective implementation of universal design will alleviate many common barriers encountered by students experiencing educational barriers. This would

enable dedicated disability support resources to be used for more specialised supports.

Inherent requirements

Course design should ensure all students have equal opportunities to achieve expected learning outcomes. Providers need to ensure prospective and current students are aware of inherent requirements. Inherent requirements should be flexibly designed, informed by universal design principles and regularly reviewed to ensure currency and accuracy. While the existing Threshold Standards imply an obligation to support students with disability, the absence of explicit requirements has led to variable understanding and implementation across the sector.

Consultation questions

6. To what extent would the proposed themes in the consultation paper (inclusion, universal design and inherent requirements) drive a more inclusive and equitable higher education system and drive student outcomes?

7. To what extent would the proposed themes promote accountability, better governance and improved provider practice to support people with disability in higher education?

4. Responding to emerging technologies in the Threshold Standards

Emerging technologies[16] such as Generative Artificial Intelligence (GenAI) are reshaping the higher education landscape by enhancing teaching and learning practices, supporting research through advanced data analysis, and improving operational efficiency through automation. While these technologies offer significant benefits, they also present challenges that must be addressed to ensure equitable outcomes for students and institutions, and to safeguard the quality of Australian higher education qualifications.

Emerging technologies and the Higher Education Regulatory Framework

The impact of emerging technologies has highlighted the need to raise the visibility of the associated risks within the regulatory framework. Noting work already undertaken by TEQSA and other Government agencies, amendments to the Threshold Standards could better guide providers in leveraging these technologies effectively, while remaining alert to the risks and challenges they present.

Recognising the dynamic nature of emerging technologies, amendments could reflect the need for adaptability, heightened risk awareness and improve ongoing monitoring across the sector.

Significant work has already been undertaken by TEQSA in response to GenAI tools, such as ChatGPT. When ChatGPT was first released in November 2022, initial concerns focused on academic integrity and the rigour of learning assessment. In response, TEQSA delivered a series of webinars in early 2023 to explore the implications of ChatGPT on learning, teaching and assessment. In early 2024, TEQSA undertook a 'Request for Information' process, seeking approaches to the risks posed by GenAI to the quality of awards, leading to the development of TEQSA's tool kit highlighting best practices around assessment security and academic integrity. TEQSA has expanded its guidance through the 'GenAI knowledge hub'.

Recognising the pace and breadth of impact, TEQSA announced in May 2025 its intention to shift from a predominantly educative-led approach to a regulatory-led approach for GenAI. This means that TEQSA expects providers to be able to demonstrate how they

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[16] The Scottish Government's 'Review of emerging technologies in policing: findings and recommendations' provides a useful definition setting for 'emerging technologies' or 'emerging digital technologies' as shorthand terms to describe a broad and fluid range of digital technologies across different contextual settings: www.gov.scot/publications/review-emerging-technologies-policing-findings-recommendations/pages/7/

are monitoring and managing the risks associated with GenAI.

National and International Policy Directions

In August 2024, the House of Representatives Standing Committee on Employment, Education and Training conducted an inquiry into the use of GenAI in the Australian education system, publishing its findings in the *Study Buddy or Influencer Report.*[17] The Study Buddy Report found that GenAI is already affecting assessment, teaching, academic integrity, student safety, data privacy and staff workload, yet current regulatory frameworks rely on implicit coverage through general governance and quality provisions rather than explicit requirements.

The report outlined 25 recommendations centred around maximising the opportunities presented by GenAI while ensuring adequate safeguards and guardrails are in place to prevent misuse, promote equitable access and protect student data. Recommendation 6 in the Report recommends consistent guidance and uptake of GenAI in higher education and amendments to the Threshold Standards.[18] Amendments could also align with Recommendation 7 of the Jobs and Skills

Australia report, *Our Gen AI Transition*, which calls for "embedding contemporary data, digital and AI capabilities into qualifications and assessment practices, emphasising the need for flexible, inclusive, and responsive education."[19]

International efforts to regulate GenAI in the higher education sector are underway. Singapore's updated *Model AI Governance Framework for GenAI (2024)*[20] offers a structured, national approach. Ireland's Higher Education Authority published its *Generative AI in Higher Education Teaching and Learning: Policy Framework*[21] in 2025. This built on the National Forum for the Enhancement of Teaching and Learning in Higher Education's ten stakeholder-informed considerations[22] to guide institutional GenAI adoption.

In South Korea, the *Development of Artificial Intelligence and Establishment of Trust legislation (AI Basic Act effective 2026)*[23] establishes a legal infrastructure for GenAI oversight, mandating transparency, safety, and human supervision for high-impact systems. Meanwhile, the UK has embedded GenAI guidance into the UK Quality Assurance Agency UK Quality Code for Higher Education 2024[24] and the Research Concordat,[25] reinforcing academic integrity and research ethics. These developments reflect a growing

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[17]www.aph.gov.au/Parliamentary_Business/Committees/House/Employment_Education_and_Training/AIineducation/Report.

[18] The Committee recommends that the Australian Government encourage consistent guidance and uptake of GenAI in higher education, including updating the threshold standards, and recognises TEQSA's leadership role and efforts". Recommendation 6.

[19] www.jobsandskills.gov.au/download/19846/our-gen-ai-transition-final-release/3462/our-gen-ai-transition-final-release/pdf (published 14 August 2025)

[20] https://aiverifyfoundation.sg/resources/mgf-gen-ai/#proposed-model-governance-framework-for-generative-ai

[21] www.teachingandlearning.ie/2025/12/22/hea-publishes-national-policy-framework-on-generative-ai-in-teaching-and-learning/

[22] https://hub.teachingandlearning.ie/resource/ten-considerations-for-generative-artificial-intelligence-adoption-in-irish-higher-education/

[23] Translation at: https://cset.georgetown.edu/publication/south-korea-ai-law-2025/

[24] https://www.qaa.ac.uk/the-quality-code/2024

[25] The Concordat to Support Research Integrity available at https://ukrio.org/research-integrity/the-concordat-to-support-researchF-integrity/

international commitment to regulating emerging technologies through principled, context-sensitive frameworks.

Higher education providers in Australia are similarly taking active steps to address the challenges and opportunities presented by emerging technology. One example is the development of the Australian Framework for Artificial Intelligence in Higher Education.[26]

The Association of Pacific Rim Universities Generative AI Whitepaper and project Report advised strategic and ethical governance frameworks to address GenAI and other emerging technology should be supported by cross-sector collaboration, including student engagement, to ensure adoption of emerging technology enhances educational quality rather than undermines it.[27]

Emerging risks

Emerging technologies are creating system-wide risks across the student lifecycle and institutional operations, centring on issues of equity, ethical use, capability, quality, governance, and information security. Uneven access to technology and digital skills risks exacerbating existing equity gaps, while the speed and opacity of emerging tools raise concerns around bias, transparency, academic integrity, and assurance of learning. Staff and students often lack the capability to use these technologies confidently and responsibly, contributing to inconsistent learning, teaching, and research practices.

At the institutional level, traditional approaches to quality assurance, academic standards, and research integrity are challenged by automation and the potential for fabricated or unreliable outputs. These

risks may be compounded by governance structures that struggle to provide adequate oversight, and by operational vulnerabilities related to data accuracy, privacy, cybersecurity, and the reliability of generated content.

Strengthening the Threshold Standards

The Threshold Standards are principle-based and capture equity, quality, academic and research integrity, transparency and ethical considerations. Providers are expected to uphold these in all contexts across the spectrum of teaching and learning, including online, offshore and transnational education. The existing Threshold Standards broadly address base risks, however, amendments that explicitly address emerging technologies would ensure heightened risk awareness and improve ongoing monitoring across the sector. Noting overly prescriptive amendments could inadvertently limit innovation or practices of higher education providers.

Emerging technologies present an evolving set of risks and opportunities that higher education institutions must closely monitor and address. Effective oversight requires flexible governance and policy frameworks, supported by responsive risk-management approaches.

While coordinated action is already underway across the sector, it is critical that the regulatory framework also keeps pace with evolving practices, operational models, and the broader ways in which providers conduct their activities and manage risk.

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[26] www.acses.edu.au/publication/australian-framework-for-artificial-intelligence-in-higher-education/

[27] Association of Pacific Rim Universities 'Generative AI Whitepaper and project Report is available at: https://www.apru.org/news/transforming-higher-education-apru-publishes-generative-ai-whitepaper-and-project-report/

Strengthened governance standards would ensure innovation supports equity, safety and public trust, and that institutional practices remain responsive to rapid technological change. Requiring corporate governing bodies to oversee the identification and management of risks arising from emerging technologies would ensure risks are incorporated into institutional risk management frameworks and elevate emerging technology risks to a governance level responsibility (supporting more coordinated, informed and accountable decision making). Corporate governing bodies would need to explicitly demonstrate that they are actively managing risks relating to emerging technologies through appropriate governance and risk-management processes.

Revised standards could require academic governing bodies to ensure there are coherent approaches to addressing technologies that impact learning, assessment and research activities. This could be achieved by explicitly addressing the rapid integration of emerging technologies into core academic functions and practice, reinforcing the role of academic bodies in safeguarding academic and research standards, integrity and student equity.

Amendments to the Threshold Standards would enhance responsiveness across the sector, strengthen the regulatory framework and provide clearer standards around integrating new technologies responsibly and equitably while managing associated risks. This would enable institutions to continue harnessing these technologies ethically and effectively to support high-quality outcomes for students, providers, and the broader sector.

Consultation questions

8. Does the term 'emerging technologies' adequately capture the range of innovations and digital technologies that are transforming higher education? If not, please suggest alternative terminology.

9. Do the standards currently provide adequate guidance to manage risks related to emerging technologies?

10. How should amended standards appropriately balance the management of risks with the need to preserve provider flexibility so as to support ongoing innovation?

5. Approach to a cyclical review of the Threshold Standards

The Universities Accord (Australian Tertiary Education Commission) (Consequential and Transitional Provisions) Bill 2025, before Parliament, requires the ATEC to review the Threshold Standards at least once every 5 years.

The Minister for Education has asked the HESP for advice on a cyclical approach to reviewing the Threshold Standards.

Regular reviews provide an opportunity to ensure the Threshold Standards remain fit for purpose, align with sector developments, and consider national and international developments in regulation. Likewise, potential mechanisms should exist for ongoing monitoring and to address urgent issues between scheduled reviews.

Approaches to a review and to amendments also need to consider the principles-based approach to the Threshold Standards. The Threshold Standards need to balance flexibility for diverse entities and delivery models with the need for clarity, consistency and comparability across the sector.

Consultation questions

11. What methodological approaches should underpin a cyclical review of the Threshold Standards to ensure it is robust, proportionate and evidence-informed?

12. How can a review process be designed to meaningfully engage a diverse range of stakeholders?

Attachment A: Background

The Threshold Standards

The Threshold Standards is an instrument made under the TEQSA Act. The Threshold Standards ensure that the requirements for entry into the higher education sector are set sufficiently high to underpin and protect the quality of education for students and the reputation of the sector as a whole. The Threshold Standards establish a baseline for operational quality and integrity that all registered providers must continue to meet to maintain registration. The Threshold Standards are designed to be high-level and principles-based to allow for contextual interpretation across diverse provider types, and to enable providers to continue to build excellence and diversity.

There are two parts to the Threshold Standards:

Part A – Standards for Higher Education

These standards represent the minimum acceptable requirements for the provision of higher education in or from Australia. It covers all modes of participation and course delivery, sites of delivery and all categories of students for all of the providers.

Part A describes the standards against seven domains which are structured to align with the student experience, from prospective students through to the award of a qualification. Domains include standard statements which address an underlying area of risk to be managed, such as provider viability, education quality, student experience, and graduate outcomes.

Where standard statements specify the existence of a policy and/or procedure, it is implied that the policy or procedure will be fit for its intended purpose and effective in its implementation. This avoids multiple repetitious references to appropriateness and effectiveness of individual policies/procedures throughout the standards. The intent of fitness for and achievement of an intended purpose remains, whether or not it is stated explicitly against each standard.

Part B – Criteria for higher education provider categories

Provider categories

Part B articulates thresholds for each of the provider categories and whether a provider has authority to self-accredit a course of study it delivers.

There are four provider categories:

- Institute of Higher Education
- University College
- Australian University
- Overseas University

All higher education providers must meet the requirements of Part A and satisfy the criteria for the 'Institute of Higher Education' provider category in order to deliver higher education in Australia. Providers may seek approval within a particular provider category or can apply to

change categories under the TEQSA Act. Under Part B, there are additional criteria specific to each category. The provider category of each higher education provider is detailed on the National Register of Higher Education Providers (administered by TEQSA).

Course accreditation

Providers can apply to TEQSA for self-accrediting authority, for all higher education courses of study or for limited self-accrediting authority for a specific combination of levels and/or fields of education. Under the criteria for the Australian University provider category, the provider has authority under the TEQSA Act to self-accredit each course of study that leads to a higher education qualification in all fields of education unless the university has a specialised focus.

Making and varying the Threshold Standards

HESP

The HESP is responsible for drafting standards, and for providing advice and recommendations to the Minister on making and varying, as well as on other matters relating to, the Threshold Standards. This is in addition to advice to TEQSA on matters related to the Threshold Standards, regulatory approaches, performance, reform priorities, and resourcing.

In performing its functions, the HESP is required to consult interested parties.

Minister for Education role

Under the TEQSA Act the Minister must:
- not make a new Standard unless the HESP has developed a draft
- consult with State and Territory Ministers for Higher Education and TEQSA
- have regard to the draft developed by the HESP, and any advice or recommendations given by the HESP, State and Territory Ministers or TEQSA.

The Universities Accord (Australian Tertiary Education Commission) (Consequential and Transitional Provisions) Bill 2025, before Parliament, includes an amendment to the TEQSA Act to require the Australian Tertiary Education Commission (ATEC) to undertake these functions.

Principles for amending the Threshold Standards

The following principles are a guide when considering amendments to the Threshold Standards:
- Concise: principle-based amendments should be as brief as possible to meet their purpose.
- Universal: amendments should, where possible, benefit all students, staff and visitors of an institution, rather than be relevant to a few providers or individuals or specific cohorts.
- Complement and aligned: amendments should not replicate obligations found in other legislation or regulation (for instance laws which regulate anti-discrimination, safety or working conditions) but should reinforce those obligations.
- Verifiable and achievable: amendments should cover matters that providers can control and implement and which TEQSA can assess and confirm.