

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

Executive Summary

The University of Newcastle welcomes the opportunity to respond to the proposed amendments to the Higher Education Standards Framework (Threshold Standards) 2021. We support targeted, principles-based enhancements that (i) strengthen safety, inclusion and integrity; (ii) embed robust governance and transparency; and (iii) keep pace with emerging and digital technologies without constraining innovation. This submission reflects the HESP consultation paper, sector perspectives, and internal expert feedback.

Key positions:

1. **Addressing racism:** We support explicit anti-racism expectations in the Threshold Standards, centred on proactive prevention, effective response pathways, transparent reporting, and governance accountability.
2. **Governance & transparency (Part C):** We support incorporating the University Governance Principles and enhanced transparency for public universities, implemented in a proportionate, auditable way that elevates academic oversight and student outcomes.
3. **Supporting people with disability:** We strongly support making inclusion, Universal Design for Learning (UDL) and clearer inherent requirements visible across multiple Standards, with WIL/placement guidance co-developed with TEQSA/HESP and professional bodies, and phased implementation with capability supports.
4. **Emerging technologies (incl. GenAI):** We support adding a concise, technology-neutral definition; recognising digital/AI literacy as graduate capabilities; requiring explicit assurance-of-learning through assessment; strengthening integrity provisions for AI-assisted misconduct; and ensuring interim monitoring keeps pace with technological change.
5. **Cyclical review:** We support a predictable five-year review cycle with evidence-informed methodology, complemented by interim mechanisms to address urgent issues between cycles.

We have included in the attached specific answers and suggestions in response to the Consultation Questions.

Response to Consultation Themes and Questions

1) Demonstrating a commitment to addressing racism

Position: Introduce explicit anti-racism requirements in the Threshold Standards that mandate proactive prevention, monitoring, and response, embedded in corporate and academic governance, complaints systems, and campus culture. This aligns with government commitments, TEQSA regulatory expectations and the sector evidence base presented in the consultation paper.

What providers should be required to do:

- **Institution-wide policy** explicitly committing to anti-racism, with clear definitions, scope, and responsibilities; integration with Codes of Conduct and safety/wellbeing frameworks.
- **Prevention and capability:** mandatory induction and periodic development for staff and students on anti-racism literacy; inclusive curriculum guidelines; and regular climate checks.
- **Accessible complaints pathways** with protections against victimisation, system-level analysis of complaints, and public reporting (aggregated data), aligned with TEQSA's Statement of Regulatory Expectations on student complaints and the role of the National Student Ombudsman.
- **Governance accountability:** an annual Academic Board statement on safety/inclusion and a governing-body attestation that anti-racism risk is actively monitored within institutional risk frameworks.

Targeted guidance: We recommend HESP/TEQSA guidance that provides good-practice models for policy, complaints triage, restorative responses, leadership accountability, and data reporting, updated iteratively as the landscape evolves. We further recommend careful thought be given to the intersection of new obligations in respect of anti-racism with other related areas, such as antisemitism and gender-based violence, to ensure that there is a coherent regulatory landscape.

Benefits vs limitations of explicit standards: Explicit expectations will reduce variability, increase transparency, and strengthen TEQSA's oversight, while still allowing contextual implementation. Care is needed to avoid duplication with anti-discrimination law; the Standards should focus on verifiable, governance-level duties rather than prescriptive processes.

2) Incorporating the University Governance Principles and transparency requirements (Part C)

Position: We support embedding the University Governance Principles and transparency requirements for public universities through a targeted Part C, with proportionate compliance and clear scope. This will improve accountability and public trust while maintaining diversity of institutional missions.

Advantages and risks of a Part C applying only to public universities:

- **Advantages:** Aligns with the Expert Council's intent; strengthens transparency and stakeholder engagement where public funding and public purpose are paramount; supports TEQSA oversight.
- **Risks:** Divergent obligations across provider categories could create inconsistency. Mitigation: calibrate obligations to public purpose and scale, and provide guidance to all providers on good practice to encourage voluntary convergence.

Strengthening academic oversight, staffing and teaching quality:

We support clearer expectations that each course has appropriate academic oversight and staffing profiles to deliver consistent outcomes, and that academic boards conduct regular, evidence-based

reviews. This complements our proposals on assessment assurance and staff capability (see “Emerging technologies” below).

3) Supporting people with disability in higher education (Questions 6–7)

Position: We endorse embedding inclusion, UDL, and inherent requirements across the Standards to shift practice from reactive adjustments to proactive, accessible-by-design learning. The strongest internal evidence we received demonstrates that voluntary uptake is insufficient without explicit regulatory signals paired with capability and workload supports.

How inclusion/UDL/inherent requirements will improve outcomes (Q6):

- **UDL by default** reduces reliance on individual adjustments, addresses common barriers (inaccessible materials, inflexible assessment), and improves completion. Evidence from our stakeholders shows capability/time/system constraints impede uptake, hence the need for explicit standards and resourcing.
- **Inherent requirements** must be plain-language, aligned to learning outcomes, regularly reviewed with disabled students and practitioners, and distinguish essential outcomes from means of demonstration to avoid “ableist drift.”

Governance & provider practice (Q7):

Embedding these concepts across student participation, course design, monitoring and governance will drive auditable improvement: Inclusion & UDL Plans with measurable targets; workload-recognised capability building; LMS/procurement accessibility-by-default; and annual public reporting on inclusion/accessibility metrics.

WIL/placements and accreditation:

We strongly support HESP/TEQSA co-badged WIL guidance with discipline exemplars and model partner clauses, a joint position with professional accreditation bodies clarifying that competencies are education-intrinsic outcomes (not fixed workplace conditions), and a phased implementation with proportionate early-year monitoring so that inclusion gains are realised without undermining placement capacity or accreditation integrity.

4) Emerging technologies and the HESF (Questions 8–10)

Position: Adopt a technology-neutral, principles-based approach with explicit expectations that support innovation while ensuring safety, integrity, equity and quality. Our internal analysis proposes targeted amendments and definitions to close material gaps created by the rapid uptake of GenAI.

Q8 — Terminology:

Use “**emerging and digital technologies**” with a concise definition in the **Definitions** section, e.g.:

“Emerging and digital technologies means digital tools, platforms, systems, and algorithms—including but not limited to generative artificial intelligence, automated decision-making systems, and machine learning—that materially affect or have the potential to affect how higher education is designed, delivered, assessed, or administered. The term is not limited to technologies in existence at the time these Standards were created.”

This balances durability and clarity and mirrors the definitional approach referenced in the consultation paper.

Q9 — Adequacy of current standards:

Current clauses provide implicit coverage but lack specificity for GenAI-era risks. In particular,

assessment validity (HESF 1.4.3–1.4.4), academic integrity (5.2.1–5.2.2), staff capability (3.2), and monitoring/review pace (5.3) require targeted strengthening.

Q10 — Balancing risk and flexibility: Recommendations

- **R1: Add the definition** of “emerging and digital technologies” (Definitions).
- **R2: Recognise digital/AI literacy as graduate capabilities** (amend 1.4.2; signal engagement with technology’s discipline impact in 3.1.3).
- **R3:** Require explicit, documented assurance-of-learning through assessment — providers maintain course-level evidence that assessment tasks, individually and in combination, credibly verify attainment of each learning outcome; subject to academic governance at approval, re-approval and interim monitoring (amend 1.4.3–1.4.4).
- **R4:** Strengthen integrity clauses to name AI-assisted misconduct and require an assessment security strategy capable of verifying individual attainment (amend 5.2.2).
- **R5: Require proportionate staff development/resourcing** in the pedagogical, ethical and technical dimensions of emerging technologies (amend 3.2).
- **R6: Align monitoring and review with technology pace** — comprehensive reviews explicitly assess technology impact on course currency and assessment validity; interim monitoring must consider material technology risks (amend 5.3.2–5.3.3).

These recommendations preserve provider autonomy while making assurance expectations explicit and auditable. They dovetail with the ATN’s call for principles-based standards that elevate governance and integrity without prescribing tools or assessment formats.

5) Approach to a cyclical review of the Threshold Standards

Position: Support a five-year cyclical review with transparent scoping, evidence synthesis, and broad stakeholder engagement, complemented by interim mechanisms (e.g., targeted updates, guidance, or SREs) for urgent issues between cycles. This balances stability and responsiveness, consistent with the consultation framing.

Methodological approaches:

- **Evidence-informed:** integrate student outcomes data, complaints trends (including National Student Ombudsman insights), TEQSA regulatory intelligence, and international comparators.
- **Risk-based and proportionate:** focus change where risk and impact are greatest; avoid duplicating other legislation.
- **Inclusive and transparent:** targeted engagement with priority cohorts (e.g., students with disability), professional accrediting bodies, and providers with diverse delivery models (incl. transnational, third-party, CRICOS).

Proposed Textual Amendments (Illustrative)

These suggested insertions are indicative and may be refined through drafting instructions. They demonstrate how our recommendations could be operationalised while remaining principles-based.

1. **Definitions (new):** *Emerging and digital technologies — as per the definition above (see Q8).*
2. **1.4.2 (Learning outcomes):** *Add to generic skills: “digital literacy and the ability to engage critically and ethically with emerging and digital technologies relevant to the field.”*

3. **3.1.3 (Course design):** Require explicit engagement with the impact of emerging/digital technologies on the discipline and professional practice.
4. **1.4.3–1.4.4 (Assessment):** Require providers to maintain documented course-level evidence showing how assessment tasks assure each learning outcome; subject to academic governance review at approval/re-approval and during interim monitoring.
5. **5.2.2 (Academic integrity):** Include AI-assisted misconduct/AI-generated submissions as foreseeable risks; require an assessment security strategy appropriate to course context.
6. **3.2 (Staffing):** Require resourced ongoing professional development for staff in pedagogical/ethical/technical aspects of emerging technologies used in learning and assessment, noting this should be subject to a broader policy and resourcing conversation between the sector and the government.
7. **2.x / 3.x (Inclusion and UDL):** Insert cross-cutting clauses requiring providers to:
 - adopt **UDL principles** in curriculum, assessment and digital environments;
 - publish an **Inclusion & UDL Plan** with measurable targets;
 - ensure **inherent requirements** are plain-language, outcome-aligned, and regularly reviewed with student/practitioner input;
 - ensure **WIL/placements** include shared responsibility, pre-placement adjustment planning and, where feasible, equivalent tasks.
8. **6.1 / 6.2 (Governance):** Require governing bodies to monitor inclusion and anti-racism risk, publish annual statements on progress, and ensure transparency consistent with the new Part C for public universities.

Implementation and Transition Considerations

- **Phased implementation:** Prioritise high-impact, low-regret areas (e.g., clarity on inherent requirements, accessibility-by-default templates, assessment assurance mapping for courses with major integrity risks), with a reasonable transition window for WIL-heavy and accredited programs.
- **TEQSA/HESP guidance ecosystem:** Co-develop WIL guidance and assessment assurance exemplars for diverse disciplines; publish good-practice case studies; and update guidance iteratively.
- **Capability and workload:** Recognise the time required for staff to redesign assessments, uplift accessibility, and engage with technology-focused development; incorporate expectations into institutional planning and workload models.
- **Proportionate monitoring:** In early years, emphasise improvement trajectories and formative risk dialogues rather than punitive compliance, particularly for WIL-intense disciplines and complex partnerships.

Conclusion

The proposed amendments present a timely opportunity to strengthen inclusion, integrity, and governance while preserving the flexibility that underpins excellence and innovation in Australian higher education. We endorse a principles-based, evidence-informed approach that clarifies expectations, improves accountability, and supports providers to deliver equitable, future-ready outcomes for students and the community.