

The University of Sydney submission to the HESP consultation on amendments to the Higher Education Standards Framework (Threshold Standards) 2021 (March 2026)

Introduction

The University of Sydney welcomes the opportunity to comment on proposed amendments to the Higher Education Standards Framework (Threshold Standards) 2021. The University is broadly supportive of reforms that strengthen and clarify expectations for providers relating to addressing racism, enhancing governance, responding to emerging technology and improving support for people with disability. These areas are central to fostering inclusive, accountable and high-quality learning environments, as reflected in the University's responses across the consultation issues, including concrete commitments to clearer anti-racism expectations, consistent sector-wide governance principles, and more inclusive and equitable practices for students with disability.

The University supports amendments that are principles based, reflect best practice, and provide outcomes-focused guidance to ensure providers can meet strengthened expectations while retaining the flexibility necessary to implement them effectively within their institutional context.

The University looks forward to continued engagement as the amendments progress, including the opportunity to comment in more detail on specific proposals. Ongoing dialogue with the sector will help ensure that the final standards are workable, proportionate and aligned with other concurrent regulatory reform processes and development. We welcome further discussion with the Department of Education, Australian Tertiary Education Commission and the Higher Education Standards Panel on these matters.

Issue 1 – 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?

Providers should be expected to take active, whole-of-institution measures to address racism by fostering inclusive environments and embedding anti-racism principles across policies, procedures and everyday practice, including setting firm expectations in the student code of conduct and student charter. This allows each institution to respond in ways that are appropriate to local context while avoiding unnecessary administrative burden that could detract from the intended outcomes.

This could be expressed by institutions through a clear anti-racism statement that explicitly addresses all forms of racism, both interpersonal and structural, and sets consistent standards for behaviour and culture across the university community.

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

Targeted guidance should set clear expectations that providers establish robust frameworks for addressing racism, while allowing each institution to determine the mechanisms that best suit its context and operating environment. The Threshold Standards should emphasise that anti-racism practices must be applied consistently across the whole institution and encompass all students and staff.

Guidance should avoid prescribing specific tools or processes, as overly detailed requirements risk creating administrative complexity and may limit providers' ability to implement approaches that are effective in their local context. Efforts to address racism will evolve over time as institutions mature in their practice, and any guidance should acknowledge that improvement will occur in different ways and at different rates across the sector.

The focus should remain on driving cultural and experiential change. Providers should be encouraged to adopt an outcomes focused approach and determine how anti-racism commitments are best embedded in policy, procedure and practice, noting that codification will vary across institutional settings.

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

Explicit anti-racism standards would help ensure consistent expectations across all providers and reinforce a sector-wide commitment to fostering inclusive environments in which racism is proactively identified and addressed. Clear standards also support greater accountability by signalling that anti-racism is a core component of institutional responsibility, rather than a subset of broader equity or wellbeing measures.

However, explicit requirements may also introduce complexity that risks diluting the overall intent. Overlapping or narrowly prescriptive obligations for different forms of inequitable behaviour can create unnecessary administrative burden and shift attention away from the outcomes sought, improving the experience and safety of those affected by racism. If not carefully designed, additional standards may unintentionally divert focus from meaningful cultural change toward compliance activity.

Issue 2 – 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’?

The distinction between public and private status is not one that is typically visible or particularly relevant to the main users of universities including students, researchers, industry partners and the broader community. Principles of governance that reflect the public good should underpin the entire sector and therefore minimum governance standards should apply consistently across all providers, regardless of type.

Any adjustments to the Threshold Standards must also consider how state legislation interacts with governance requirements, as these frameworks can limit institutional autonomy. If there is a policy intent to differentiate requirements by provider type, corresponding amendments to primary legislation, including the *Higher Education Support Act 2003*, would likely need to be explored.

Advantages

- Applying additional governance expectations only to public universities may be perceived as acknowledging their distinctive public interest mandate and the higher level of accountability traditionally associated with their role.
- Clearer governance requirements could help strengthen public trust at a time when universities face increasing scrutiny regarding social licence and institutional integrity.
- Targeted regulatory oversight may offer benefits given the acute challenges public universities have experienced in recent years.

However, these potential advantages must be weighed against the significant oversight that already exists. Introducing further reporting requirements risks creating duplication, conflict with existing systems and unnecessary burden.

Disadvantages

- Differentiated standards could create regulatory inconsistency and contribute to a two-tier system, increasing complexity for compliance, oversight and public understanding of the regulatory framework.
- Public universities may face a disproportionate compliance burden if additional reporting or transparency obligations apply only to them, accompanied by greater reputational risk.
- A targeted approach risks implying that governance, transparency or integrity concerns are unique to public universities, which is neither accurate nor beneficial for sector-wide confidence.
- Divergent governance or reporting obligations could ultimately affect the student experience by creating uneven expectations across providers, with potential inequities emerging in how quality and accountability are monitored.

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

Stronger standards in these areas have the potential to deliver more consistent and higher-quality learning experiences for students. Clearer expectations for academic oversight can improve curriculum coherence, uphold academic integrity, and reduce risks associated with teaching and learning quality. Similarly, strengthened requirements for staffing profiles can help ensure that students receive more reliable learning support and benefit from teaching teams with appropriate expertise and capacity, contributing to more consistent educational experiences across courses and programs.

At the same time, it is essential that providers retain flexibility in how they demonstrate effective governance and academic oversight. Institutions operate in diverse contexts, and uniform governance structures should not be assumed to equate to higher quality. A principles-based approach allows providers to meet strengthened standards in ways that best reflect their academic models, student cohorts and organisational structures, while still promoting improved student outcomes and safeguarding quality.

Issue 3 – 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?

The proposed themes have strong potential to advance a more inclusive and equitable system by strengthening expectations for institution-wide accessibility and more consistent support for students and staff with disability. Embedding inclusion and universal design principles across all aspects of university operations would ensure that staff, students and visitors can access services in ways that meet their individual needs, rather than relying on reactive or ad-hoc adjustments.

Updating terminology, such as removing references to “special needs”, would help align sector language with contemporary practice and reinforce respect, dignity and equity for students with disability.

Importantly, support should not be limited to enabling students to meet inherent (typically minimum) requirements, but should ensure they have equitable opportunities to excel and achieve comparable academic outcomes to their peers.

The themes also highlight the importance of designing accessible systems, services and curriculum from the outset. Clear expectations for universal design would help ensure accessibility is embedded proactively, rather than treated as an add-on. Funding structures must similarly avoid creating internal barriers to the recruitment, development or admission of people with disability.

Greater clarity is required on whether “inclusion” refers primarily to participation in higher education or to successful completion. As inherent requirements are set at the degree level, many students may not understand their implications until late in their program. This challenge is closely connected to work-integrated-learning (WIL) placements, where extending inclusive practice expectations to external partners could create significant administrative complexity for providers. Clear and practical guidance will be essential to ensure these expectations are workable and do not impose disproportionate compliance burdens.

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

The proposed themes have strong potential to strengthen accountability and improve governance by embedding inclusive practice, universal design principles and clear inherent requirements across institutional processes. These approaches are widely recognised as best practice for enhancing outcomes for students with disability and for ensuring providers adopt consistent, proactive, whole-of-institution frameworks.

The University also strongly supports co-design, collaboration and genuine consultation with students with disability as critical mechanisms for improving provider practice. Embedding the voices and lived experience of students with specific learning requirements within governance and decision-making structures, such as

through the Students as Partners framework now under development with student leaders (SRC, SUPRA, USU and others), helps ensure that institutional policies, services and learning environments reflect the needs and perspectives of those they are intended to support.

Collectively, these themes would promote better governance by creating clearer expectations for inclusive practice, stronger feedback loops between students and institutional leadership, and more consistent provider accountability for embedding accessible and equitable approaches across the student lifecycle.

Issue 4 – 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.

Whilst ‘emerging technologies’ is a widely used term that captures the transformative impact and disruptive potential, fast growth, and immediacy in focus on new innovations, it does not adequately encompass the full range of digital technologies or mature (fully established) and incremental innovations.

An alternative expanded way to encapsulate the broader stages of technology that providers must respond to could be ‘*established, emerging and future technologies*’.

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

Focusing the Threshold Standards on outcomes, integrity expectations and provider responsibilities rather than prescribing specific mechanisms provides a sound basis for managing risks associated with emerging technologies. This approach ensures providers retain the flexibility to determine how best to embed risk management in policy and practice while still meeting core integrity requirements.

However, there is currently significant variability across the sector in how providers manage risks associated with assessment in the context of emerging technologies and across different study modes. This inconsistency affects students directly, particularly in the application of secure assessment practices between face-to-face and online delivery.

To address this, it would be beneficial for the Threshold Standards to specify clearer expectations for providers and explicitly require that secure assessment used to assure learning outcomes in online courses be supervised face-to-face. Establishing consistent standards in this area would strengthen sector wide integrity, support equitable assessment practices regardless of study mode, and reduce current inconsistencies in student experience.

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

The amended Threshold Standards should remain principles-based and outcomes-focused, setting clear expectations for risk governance, accountability and assurance while avoiding prescriptive requirements that constrain institutional agility or stifle innovation. This balance recognises the diversity of institutional missions, operating contexts and risk profiles, and supports innovation while safeguarding quality, integrity and public trust.

The Threshold Standards should require providers to demonstrate that material risks are actively identified, assessed and governed through established academic governance structures. This includes risks arising from emerging and rapidly evolving digital technologies, such as GenAI. Risk oversight should be embedded within enterprise risk frameworks and supported by routine assurance, thematic risk programs and escalation mechanisms, rather than fragmented compliance activities.

Emerging technologies present significant opportunity alongside inherent risk. Amended standards should therefore emphasise responsible innovation, requiring providers to evidence that the adoption and use of new

technologies are supported by appropriate governance, capability and risk controls, including for academic integrity, research integrity, data governance (enterprise data and research data), privacy and cybersecurity. Importantly, the standards should not prescribe specific tools, platforms or technical solutions. Instead, they should focus on whether institutions can demonstrate fit-for-purpose assessment, approval and monitoring processes, aligned to institutional risk appetite and informed by regulatory guidance.

It is important that amended Threshold Standards should function as regulatory guardrails, reinforcing compliance with existing legislative and regulatory obligations without duplicating them. This alignment supports clarity, reduces unnecessary regulatory burden and enables institutions to focus on effective implementation and outcomes rather than on overlapping or resource-intensive reporting processes.

Providers should be expected to demonstrate proportionate assurance, reflecting institutional scale, complexity and impact. Governing bodies should retain discretion in how controls are designed and implemented, provided they can evidence effective oversight and continuous improvement.

Overall, the appropriate balance is achieved when standards strengthen accountability for risk governance while preserving institutional flexibility. A principles-based approach enables responsible innovation, protects quality and integrity, and maintains confidence in a rapidly changing higher education environment.

Issue 5 – 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?

The University supports processes that are proportionate and based on evidence and consultation. Further, the approach should ensure an awareness of the wider legislative and regulatory context that universities operate in to avoid duplication or contradictions across legislation.

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

A meaningful review process should be tailored to stakeholders' varied experiences and contexts, using engagement methods that are accessible and inclusive. A mixed-method approach, such as interviews, focus groups, workshops, online surveys, and co-design activities, would capture a broad range of perspectives and ensure participation is feasible for different groups.

Engagement should extend beyond institutional representatives to include community members, governing boards and subject-matter experts, ensuring that diverse insights inform the review's direction and outcomes. Transparency is also essential. Sharing emerging findings throughout the process would build trust, enhance understanding, and demonstrate how stakeholder input is shaping the review.

Sustained engagement with key academic groups (e.g. Deputy Vice-Chancellor groups, Chairs of Academic Board) as well as student, staff and sector representative bodies would encourage coherence and ensure that proposed changes align with existing systems and frameworks, reducing the risk of duplication and supporting more effective implementation.