



UNIVERSITIES ACCORD (AUSTRALIAN TERTIARY EDUCATION COMMISSION) BILL 2025



**SUBMISSION TO:
SENATE STANDING COMMITTEE ON
EDUCATION AND EMPLOYMENT**

JANUARY 2026

Submission to the Senate Standing Committee on Education and Employment inquiry into the *Universities Accord (Australian Tertiary Education Commission) Bill 2025*

The Academy of the Social Sciences in Australia (the Academy) is an independent, not-for-profit organisation that brings together the multidisciplinary expertise of our nation's leading thinkers to provide practical, evidence-based advice on important social issues facing society.

As the pre-eminent organisation in Australia representing excellence across the social science disciplines, we welcome the opportunity to respond to the *Universities Accord (Australian Tertiary Education Commission) Bill 2025* (the Bill).

Overview

The Academy strongly supports the establishment of the Australian Tertiary Education Commission (the ATEC). Well designed, the ATEC will play a central role in shaping the future of tertiary education, promoting system harmonisation, long-term stewardship, and a coherent policy framework for tertiary education funding.

The Bill underpins several welcomed reforms, including:

- **Enshrining a National Tertiary Education Objective**, reflecting an appropriate and contemporary understanding of the contribution of education to democratic participation and social development.
- **Embedding an explicit focus on improving outcomes for people facing systemic barriers to tertiary education**, by requiring the ATEC to carry out their roles with an equity lens.
- **Enshrining the seven objects of the Act**, in particular the emphasis on stewardship, collaboration, system capability, and quality teaching and research which provides a strong foundation for a tertiary education system that supports national prosperity and wellbeing.
- **Elevating First Nations knowledge**, through the creation of a full-time First Nations Commissioner and a dedicated First Nations Advisory Committee.
- **Strengthening decision-making standards**, by committing the ATEC to operate transparently, rely on evidence, and act free from undue influence or bias.

Recognising the complexity of overseeing reforms of this scale, we make five recommendations intended to clarify and further strengthen the Bill:

Recommendation 1: Establish the ATEC as an independent statutory authority, separate from the Department of Education, enabling it to exert autonomy in recruitment processes, sourcing of expertise and providing advice.

Recommendation 2: Increase the number of Commissioners to ensure that the ATEC has the leadership capacity and breadth of expertise required to perform its functions.

Recommendation 3: Allow Commissioners to be recruited or seconded from the tertiary education sector, while ensuring that any conflicts of interest are appropriately managed.

Recommendation 4: Ensure mission-based compacts foster genuinely diverse institutional missions and sector innovation, not just formal compliance with national strategic priorities.

Recommendation 5: Ensure the legislation sets a clear framework for careful and comprehensive consideration of a funding system to underpin growth and equity in higher education.

To discuss any matters raised in this submission, please contact Andrea Verdich, Policy Director on 0438 218 352, or andrea.verdich@socialsciences.org.au.

Strengthen governance and resourcing for long-term stewardship and independence

Establish the ATEC as an independent statutory authority

The Bill sets out a model for establishing the ATEC as a statutory office within the Department of Education. The [Australian Tertiary Education Commission Implementation Consultation Paper](#) framed the statutory office model as a practical, cost-efficient, and administratively streamlined approach which will ensure clear ministerial accountability.

While this is true, embedding the ATEC administratively within the department may undermine its institutional independence, capacity for long-term stewardship, and ability to provide expert advice in several ways, including:

- The ATEC will draw staff from the Department of Education (Section 22 (1)) and the Secretary is accountable for approving external contractor and consultant appointments (Section 24 (1)). **This limits the ATEC's ability to build genuinely independent capacity and exert autonomy in hiring and sourcing external expertise.**
- Many functions can only be performed "at the request of the Minister" (Section 41 (1)) and the ATEC can only publish advice or recommendations to the Minister with their agreement (Section 6 (69)). **This limits the ATEC's ability to proactively advise the Minister, and to make its own public commentary.**

To fulfil its purpose, the ATEC requires a governance model that supports genuine independence. An independent statutory authority model would allow the ATEC to operate at arm's length from government and provide evidence-based, long-term advice while remaining accountable to Parliament.

Recommendation 1: Establish the ATEC as an independent statutory authority, separate from the Department of Education, enabling it to exert autonomy in recruitment processes, sourcing of expertise and providing advice.

Ensure the ATEC has the leadership capability and breadth of expertise to deliver its functions

The [Accord Final Report](#) proposed that the ATEC be governed by a Board comprised of a Chief Commissioner, two Deputy Commissioners, and broad representation of additional Commissioners from key statutory bodies and expertise areas. The Board would oversee the delivery of a large, complex suite of decision-making and advisory functions.

The [Australian Tertiary Education Commission Implementation Consultation Paper](#) proposed to reduce the ATEC to four Commissioners who would operate collectively as the Commission. The Bill has reduced the number of Commissioners again, providing for the ATEC to be *led by three independent, expert Commissioners – a Chief Commissioner, a First Nations Commissioner and a Commissioner*.

The model proposed in the Bill materially reduces the size and breadth of expertise of the key leadership and decision-making body, yet the scope of the ATEC’s functions remains similar to the Accord Final Report. This mismatch raises questions about **whether the ATEC will be adequately resourced to fulfil its required functions and puts constraints on its ability to achieve the level of cross-sector collaboration required to successfully oversee the complex task of tertiary harmonisation**. In our view, the number of Commissioners should be increased, some of whom could be part-time.

Recommendation 2: Increase the number of Commissioners to ensure that the ATEC has the leadership capacity and breadth of expertise required to perform its functions.

The three Commissioners will collectively be required to have knowledge and experience across higher education, vocational education and training, tertiary education governance and administration, stakeholder engagement, and regional Australia. They are also required to have “appropriate independence from all tertiary education providers” (Section 56 (3)). It is unclear what is meant by “appropriate independence” – previous consultation on the ATEC implementation suggested it could be, for example, “not having worked in a leadership position in the tertiary sector within a set number of years”.

Based on all the criteria listed in the Bill for appointing Commissioners, we suggest there will be a limited number of experts from outside of the tertiary education sector who would be available to the ATEC. In our view, it is possible and necessary for Commissioners to be able to be appointed from the tertiary education sector, while also ensuring that potential conflicts of interest are appropriately managed.

The Bill allows the ATEC to establish Advisory Committees which has the potential to ensure the Commissioners work is guided by diverse and widely representative input and expertise. Both HASS and STEM expertise should be represented on the Commission and the committees and advisory mechanisms it establishes. The committees should also be supported by effective channels to provide independent, evidence-based research to ensure advice is robust.

Recommendation 3: Allow Commissioners to be recruited or seconded from the tertiary education sector, while ensuring that any conflicts of interest are appropriately managed.

Drive genuine institutional diversity and innovation

Ensure mission-based compacts are meaningful and varied enough to meet the needs of a more complex system

In our [submission to the Australian Universities Accord](#) the Academy emphasised that the reforms progressed via the Accord should focus on creating greater provider diversity and a regulatory environment that supports innovation. Differentiation among higher education providers will support a more efficient market structure capable of meeting the broad, yet unknown, future needs of the nation. At the same time, it can provide equitable opportunities for a wider population to achieve success and university qualifications, and the social, economic and wellbeing opportunities that this makes possible.

The model for mission-based compacts set out in the Bill emphasises that institutional missions must align with national, state, and local priorities, strategic planning, industry engagement, and innovations in learning and teaching. We are concerned about the omission of research and researcher training from this list, as the compacts should also acknowledge, more directly, the relationship between teaching and research in universities.

In developing mission-based compacts, the ATEC must only “consider” the goals, missions, strategic plans and locality of the provider and the effect of terms on academic freedom (Section 29 (2)). Compacts may therefore include many prescriptive requirements and be constrained in their consideration of unique provider goals.

While we support the concept of mission-based compacts, they need to be meaningful and varied enough to meet the needs of a more complex system, including new cohorts arising from equity targets and tertiary harmonisation.

Recommendation 4: Ensure mission-based compacts foster genuinely diverse institutional missions and sector innovation, not just formal compliance with national strategic priorities.

Deliver a sustainable and fair funding system

A funding model to underpin growth and equity

The Accord Final Report sets an ambitious target of increasing the proportion of 25–34 year olds with a university qualification from 45% to 55% by 2050. Achieving this will require a doubling of Commonwealth supported students and new growth among cohorts currently unrepresented in the higher education system, including Aboriginal and Torres Strait Islander peoples, those from low-socioeconomic backgrounds and regional and remote areas, and non-school leavers.

Funding settings—particularly the balance between Commonwealth and student contributions—will be decisive in determining whether these equity and growth objectives can be realised. The current funding settings imposed under the Job-ready Graduates package (JRG) have significantly and unfairly increased student contributions, leaving many with large HELP debts, while also reducing funding available to support quality teaching and program sustainability across the system.

More than half of all Australian university enrolments are in the social sciences.¹ While the impact of JRG differed across the social science programs and disciplines, it is an active policy setting which dissuades students attaining knowledge, skills and ways of thinking which are increasingly valuable to employers, communities and the nation.

Critically, many students from under-represented groups—whose participation is critical to meeting Accord targets—study these disciplines and are highly sensitive to fee increases. For example, nearly one-third of First Nations students are enrolled in the highest-cost Society and Culture degrees. Dealing with JRG cannot wait for the passage of the ATEC legislation and reform of this policy should be prioritised.

Changes to pricing creates a complex mix of incentives and disincentives for both students and providers and should be considered holistically, taking account of their combined effects across the tertiary education system. While the Bill enables the ATEC to advise on the efficient cost of higher education and Commonwealth contribution amounts, it does not clearly empower them to consider student contributions as part of an integrated funding system. By focusing on Commonwealth funding in isolation and limiting advice to matters requested by the Minister, the legislation constrains the ATEC's capacity to provide independent, system-wide advice on the funding reforms required to deliver the Accord's equity and growth objectives.

Recommendation 5: Ensure the legislation sets a clear framework for careful and comprehensive consideration of a funding system to underpin growth and equity in higher education.

¹ Department of Education, Australian Government, Selected Higher Education Statistics – 2024 Student data, [Section 2 – All Students](#).