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Greg Simmons
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By email: standards@teqsa.gov.au

Dear Greg,

Thank you for the opportunity to respond to the discussion paper: *Making and assessing claims of scholarship and scholarly activity*.

I have considered this discussion paper in light of the recent TEQSA feedback report, the recent UA DVCAs meeting with TEQSA colleagues, and the TEQSA webinar of 9 December.

Our submission includes a potential alternative approach as well as feedback on the current approach, which I hope TEQSA will find helpful.

Yours sincerely,

(signature removed)

Pip Pattison

The University of Sydney submission in response to TEQSA's discussion paper: *Making and assessing claims of scholarship and scholarly activity, December 2020*

Summary

The current and proposed guidance notes on making and assessing claims of scholarship and scholarly activity are framed in such a way as to potentially limit higher education providers' ability to respond to the rapidly changing education environment.

The University of Sydney suggests a guidance note which relies more on general description and narrative examples and is supplemented with a quality assurance audit of TEQSA-specified courses to ensure that principle is translating to practice.

General feedback on the discussion paper

TEQSA's regulatory approach during and beyond the pandemic

TEQSA's proposed revision of the guidelines for making and assessing claims of scholarship and scholarly activity invites a timely reconsideration of the purpose of regulation and the role of the regulator in a sector undergoing a period of accelerated change.

TEQSA's response to COVID-19 has been widely hailed as exemplary. The regulator recognised the exceptional work being done by the sector to support students, and the sector benefitted from more flexibility from the regulator, and from TEQSA's provision of supporting material, such as the sectoral overview of student experience data. The experience of 2020 has shown us that regulatory flexibility is possible and desirable. The Federal Government has recognised the benefits of de-regulation and is engaged with agencies to cement some of the lessons of regulatory flexibility into our regulatory frameworks.

The 2020 TEQSA stakeholder feedback report¹, undertaken by Professor Valerie Braithwaite, identified four areas where HEPs want to see clearer understanding and TEQSA leadership; three are relevant to this discussion:

- *Self-accredited providers expressed concern about TEQSA over-reaching its remit*
- *Misunderstandings in the use of guidance notes by TEQSA and providers continue to cause annoyance*
- *The breadth of experience and spirit of innovative inquiry present in external experts was challenged.*²

Between them, COVID and the Government's *Jobs-ready Graduates* package have accelerated the evolution of Australian higher education delivery: HEPs must create a scholarly environment without the budgetary reserves provided by international student fees and with no research component in the 'base funding' administered through the *Higher Education Support Act*. We must be innovative and agile, re-think our offering and spend less while we continue to create an excellent student experience in a world-class scholarly environment.

As the stakeholder feedback report notes, TEQSA's relational and responsive regulatory model is valued by the sector (Braithwaite, p. 1) and the sector is ready for a maturing of the relationship (ibid., p. 16).

¹ Braithwaite, V., 2020, *TEQSA 2020 stakeholder feedback report*, TEQSA, viewed 6 December 2020, <<https://www.teqsa.gov.au/latest-news/publications/teqsa-stakeholder-feedback-report-and-response-2020>>

² TEQSA, *TEQSA 2020 Stakeholder Consultation Findings and Responses*, p. 2., viewed 6 December 2020, <<https://www.teqsa.gov.au/latest-news/publications/teqsa-stakeholder-feedback-report-and-response-2020%3e>>

Considered against this background, the current and proposed guidelines around scholarly activity demonstrate a regulatory approach which does not seem consistent with the Government's preferred approach or with the sector's requirements and preferred relationship with TEQSA, and indeed seem at odds with the requirements of the TEQSA Act³. While the sector welcomes TEQSA's view as to the desirable characteristics of what constitutes an excellent student experience in a world-class scholarly environment, it does seem to us that there should be sufficient confidence in the individual members of the sector for them to be relied upon, in their own distinctive ways, to deliver that outcome. Our concern with the guidance note is that it appears to negate the opportunity for such diversity of approach and is, rather, prescriptive, expensive to implement, limited and limiting, with the underlying assumption that unless HEPs are forced to demonstrate compliance, they will not meet the standards. Accordingly, we submit that, at least in the first instance, it would be preferable if the guidance note focused on desired outcomes, rather than the means by which they are to be achieved.

The role of TEQSA's guidance notes under the regulatory framework set by its Act

As the TEQSA stakeholder feedback report makes clear, guidance notes are valued by the sector, and particularly by HEPs seeking self-accrediting authority. TEQSA creates its guidance notes with the sector's frequently asked questions in mind and aims to provide a comprehensive account of its expectations. This approach, while motivated by a service outlook, has unintended consequences largely arising from the range of experience of the people and institutions which use them. The sector's 'annoyance' arises from the fact that, at some quite significant level, guidance notes are treated as prescriptions by key actors such as external experts, assessors and staff within TEQSA.

TEQSA guidance notes should better reflect the lessons of 2020. The sector is deeply committed to providing an excellent student experience and to creating a world-class scholarly environment. TEQSA regulatory practice and guidance notes could springboard from a base which recognises the inherent quality drivers in the sector: HEPs maintain a scholarly environment because it is both inherently valued, and is critical to their mission and sustainability.

A scholarly environment is maintained through the collective efforts of the members of an academic community, including through external collaboration, adding value in research and education that is beyond the sum of individual contributions. Aspirations for excellence are not only core to each university's mission, but highly instrumental as well, since excellence and impact in research and education are, in turn, the key drivers for investment of external resources, including research grants and contracts, recruitment of talented staff and students to the university community, tuition fee levels, public recognition of the university's value, philanthropy and influential university rankings. In this environment, TEQSA can afford to set a higher jumping off point for its regulatory oversight. Compliance will not improve the sector's motivation to create a scholarly environment; an audit and sampling framework may be more appropriate, triggered by, for example, a drop in student retention, student satisfaction on course content in current surveys or graduate outcomes.

If TEQSA provided this kind of guidance, HEPs would have at their disposal both resources (freed from compliance expenditure) and intellectual courage (freed from 'list' restraints) to find innovative and imaginative ways to provide up-to-date courses to their students in whatever manner best suits their staffing profile and institutional scholarly environment. Imagination and innovation will be critical to HEPs' abilities to respond to the post-COVID challenges.

The constant evolution of scholarly environments and practices

Expecting HEPs to map learning outcomes to course staff expertise and research ignores both past and future realities. The yoking together of research and education is not a given despite the appeal of the Humboldtian ideal. Historically, the University of Sydney, for instance, started as a teaching institution. The focus on research began to develop in the early 20th century. In 1965, 21% of Australian academic staff were focused primarily on teaching. By the 1990s, this number had

³ TEQSA Act 2011, Principles of Regulation s.13-17 incl.

declined to 3.5%, and in 2018 it was 4.35% (and research only staff at 14.1%).⁴ At the University of Sydney, as of June this year, 3.9% of continuing and full time academic staff were education focused, 16.6% were research focused, and 79.5% teaching and research focussed. A just-published OECD report on the resourcing of higher education noted that “changes in technology and funding in higher education have also led to greater differentiation of the academic career structures, tasks and working conditions”⁵. Those changes, the report said, have led institutions to place a growing number of academic staff in specialised roles with responsibility solely for teaching, research or engagement.

We have also seen significant growth in casual teaching roles over the past 30 years and the more recent emergence of fixed-term and continuing education-focussed roles, particularly in disciplines experiencing high growth in student numbers. These roles have been vital not only to manage the very real demand that comes with high student growth, but also to inject educational expertise into curriculum development and educational practice as universities have moved to teach larger cohorts in progressively more efficient ways.

We therefore see substantial opportunity in a future in which new forms of deep expertise in education, research and engagement can be productively assembled through collaboration, both within and across disciplines, and within and outside universities, to achieve outcomes that are not only more efficient and productive but also spur more innovative education and research practice.

Importantly, greater diversity of expertise creates the potential not just for innovation but also for ‘multiplier’ effects in which one form of expertise creates impact for another by providing a distinctive perspective or contribution that can be leveraged to add value. For example, the industry-funded research project of one staff member might create authentic, cutting-edge learning opportunities for the students of another; basic research at the very cutting edge of a discipline might offer unanticipated, paradigm-shifting insights that inspire transformational changes in society; a post-experience postgraduate teacher might challenge a research colleague with an important societal problem that can attract research funding; or a researcher might add richness to the class of an excellent educator by engaging with their students, and, in turn, be prompted to think differently about a research problem in light of that engagement. What is common to these and many other subtle examples is fruitful interaction among those with different forms of expertise and different perspectives within an intellectual community, whether an organisational unit, a multi-unit team brought together for a special research or education project, or an informal, multidisciplinary network arising around a common interest.

A potential model for the scholarship guidance note

Both the current and proposed guidance notes may discourage HEPs from exploring the opportunities presented by a changing educational landscape. Guidance notes are useful: it is useful to know how the regulator interprets the standards and where the regulator sees the risks. Clearly, it is in everyone’s interest to prevent rogue operators from bringing the Higher Education sector into disrepute and cheating students out of a premium educational experience. We suggest that the guidance note could give examples in narrative form of educational practice which would signal a healthy scholarly environment to the regulator. Lists of acceptable practice tend to turn into tick boxes, whereas a narrative example encourages assessors and TEQSA staff to look for the practices which indicate that courses are up-to-date and staff well-informed. On the other hand, a short list may be useful for alerting assessors to poor practice, which is much more easily quantified – staff who are unqualified academically or by profession, lack of a robust curriculum review process, etc. Assessment of an HEP’s scholarly environment, instead of being a compliance-driven mapping exercise, could be an audit of TEQSA- specified courses to ensure that the scholarly environment and scholarship strategy are truly translated into an excellent student learning experience.

⁴ See Davis G., ‘The Australian Idea of the University’, *Meanjin* (2012); Department of Education, Skills and Employment, ‘2018 Staff Full Time Equivalents’, <https://docs.education.gov.au/node/51696>.

⁵ OECD (2020), *Resourcing Higher Education: Challenges, Choices and Consequences*, p 105, Higher Education, OECD Publishing, Paris.

Responses to the discussion paper's specific consultation questions

1. Is the approach to classification of activities as scholarship appropriate (Principle 1)? If not, why not and what amendments would you propose?

- A classification of some activities as scholarship (and, by implication, others as not) potentially stifles innovation and HEPs' abilities to provide a diversity of scholarly environments within a rapidly changing educational environment.
- A classification of activities runs the risk of extending regulation into the guidance note and can appear to be an overreach of TEQSA's remit.
- Meeting these classifications imposes significant expense on HEPs and, together with other constraints on providers, runs the risk of encouraging scholarship and research that is of less than ideal quality. It may be unclear what benefit that expense delivers.
- The Boyer model may not be appropriate as a template for the entire sector, and the model itself is open to question in this context.

2. Principle 2: Evidence of scholarship must include demonstrable links to intended outputs or outcomes of that scholarship and be accompanied by mechanisms to monitor and evaluate those outputs or outcomes.

- This principle appears to be compliance-driven, impractical, expensive to implement and out of touch with the realities of current scholarly activity as it informs teaching and curricula. It is too easily interpreted to apply individual by individual rather than to the intellectual milieu within which teaching takes place.

3. Is it appropriate to distinguish various forms of external engagement from 'scholarship' as identified under Principles 1 and 2? If not, why not and what amendments would you propose?

- The educational landscape is constantly and rapidly developing to include informed external engagement as an embedded and, ideally, integrated component of a scholarly environment. There seems little quality assurance benefit to separating or separately quantifying external engagement from scholarly activity.

4. Is it workable for providers to be able to demonstrate their planning, monitoring and involvement in scholarship in the aggregate as proposed (Principle 4)? If not, why not and what amendments would you propose?

- HEPs must be able to demonstrate a clear strategy for creating and maintaining a scholarly environment, and mechanisms for ensuring that students are receiving the most up-to-date and informed teaching that is available, delivered by appropriately skilled and knowledgeable staff.
- One possible quality assurance route is a light touch audit of selected TEQSA- specified courses to ensure that the scholarly environment and scholarship strategy are truly translated into the student learning experience.



5. Are there any potential issues you foresee with the application of Principle 5 by TEQSA?

- The application of Principle 5, that TEQSA will accept different approaches to scholarship that reflect the nature of the HEP, does not present a problem as a principle, but if translated as separate lists of requirements depending on the HEP category, risks falling into a prescriptive compliance model.

6. Are there specific types of scholarship inputs and outputs within each provider type that should be considered as integral requirements to ensure that the reputation of the sector is upheld?

- As noted throughout our submission, we would prefer to see TEQSA cultivate a QA-led regulatory approach rather than a compliance-led approach when assessing scholarship.