



UNSW Submission – Quality of governance at Australian higher education providers

UNSW welcomes the opportunity to provide a submission to the Senate Education and Employment Legislation Committee's inquiry into the quality of governance at Australian higher education providers. As a leading Australian university, UNSW is committed to upholding the highest standards of governance, transparency, and accountability to ensure excellence in education, research, and societal impact.

About UNSW

UNSW is a world-leading research and teaching-intensive university, known for innovative, pioneering research and high-quality education with a longstanding global impact. Since our foundation in 1949, our aim has been to improve and transform all lives through excellence in research, outstanding learning and teaching experiences, and a commitment to advancing Australia's economic growth and prosperity.

UNSW is proud of being ranked first in Australia for graduate employment outcomes, as well as being consistently recognised as the AFR's Most Employable University. We have one of the best graduate outcomes for Australian students in relation to employability and highest average salaries across the sector. UNSW also ranks in the top 20 universities in the world, with more than 70,000 students and over 4,200 higher degree research candidates.

The University's governance framework is supported by a structured committee system, comprising the University Council, Academic Board, University Committees, and Faculty Boards and Committees. The University Council, as the governing authority, is responsible for strategic oversight and policy direction. Chaired by the Chancellor, the Council includes appointed, elected, and ex-officio members, including the Vice-Chancellor. The Vice-Chancellor, serving as the Chief Executive Officer, is responsible for the overall management of the University. The Academic Board is a critical governing body, and unique to universities in organisational governance. All academic governance, academic quality assurance and academic integrity is managed on behalf of Council by the Academic Board. The Board is composed of over 50 academics and has 11 student representatives (one of the highest proportions of student representation in the sector). In addition, the President of the Academic Board is a member of Council.

UNSW's executive leadership team, led by the Vice-Chancellor, includes Deputy Vice-Chancellors, Vice-Presidents, Pro Vice-Chancellors, and Faculty Deans, each overseeing academic and operational functions. Additionally, the University maintains a network of specialised committees, including sub committees of the Academic Board, which advises on academic policies and standards. The University operates within the regulatory framework established by the NSW Higher Education Act 2001 and ensures alignment with national education policies and governance best practices.

The adequacy of the powers available to the Tertiary Education Quality and Standards Agency to perform its role in identifying and addressing corporate governance issues at Australian higher education providers

UNSW acknowledges the critical role of the Tertiary Education Quality and Standards Agency (TEQSA) in ensuring sound governance within the higher education sector. We recognise that TEQSA, and the *Tertiary Education Quality and Standards Act 2011* which underpins it, is just one pillar of the framework which governs the Australian higher education sector. Australian universities are among the most regulated in the world with significant requirements for transparency and accountability. UNSW is subject to more than 270 laws and regulations, and accountable to the NSW parliament through the *University of New South Wales Act 1989*.

Under the *Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)*, TEQSA already has the authority to:¹

- register regulated entities as higher education providers and accredit their courses of study,
- conduct compliance and quality assessments,
- conduct re-accreditation assessments of courses developed by providers without self-accrediting authority,
- provide advice and make recommendations to the Commonwealth Minister responsible for Education on matters relating to the quality and regulation of higher education providers,
- cooperate with similar agencies in other countries,
- collect, analyse, interpret and disseminate information relating to quality assurance practice and quality improvement in higher education, and
- to investigate and take action against individuals or organisations offering or advertising commercial academic cheating services to students at Australian higher education providers.

TEQSA's current regulatory framework provides a solid foundation for the oversight of Australian universities. TEQSA currently possesses adequate powers to fulfil its mission, '*to protect student interests and the reputation of Australia's higher education sector through a proportionate, risk-reflective approach to quality assurance that supports diversity, innovation and excellence*'.²

¹ Tertiary Education Quality and Standards Agency, *Our Role*, < <https://www.teqsa.gov.au/about-us/teqsa-overview/our-role> >

² Tertiary Education Quality and Standards Agency, *TEQSA Overview*, < <https://www.teqsa.gov.au/about-us/teqsa-overview> >

TEQSA's stated regulatory approach is guided by the three regulatory principles:³

1. regulatory necessity,
2. reflecting risk, and
3. proportionate regulation.

Any new measures proposed by this committee should be consistent with this approach. It is essential that administrative requirements imposed on universities in the areas of governance and transparency are balanced to ensure that they do not divert resources from the University's core missions of teaching and research. Further duplication of reporting obligations between the multiple reporting agencies is unlikely to improve governance outcomes. Instead, excessive compliance requirements risk fostering a superficial, procedural approach rather than driving genuine accountability. Universities should continue to be supported to identify and address underlying governance challenges, ensuring that policies and reporting mechanisms actively enhance integrity, transparency, and accountability.

Composition, Transparency, and Accountability of Governing Bodies

UNSW supports a governance model that prioritises transparency, accountability, and diversity. At UNSW, governance is supported by a committee structure which includes the University Council, Academic Board, Academic Board subcommittees, University Committees and Faculty Boards and committees.

Under the *University of New South Wales Act 1989*, the University is governed by a Council of 15 members led by, and including, the Chancellor. Of those 15 members, 3 are ex-officio, the Chancellor, Vice-Chancellor and President of the Academic Board; 2 are ministerial appointments made by the NSW Minister with responsibility for the Act; 5 are appointed by Council and 3 are elected from among academic staff, professional staff plus 2 from among the undergraduate and postgraduate student body.

This ensures that the University's governing body, the UNSW Council, is composed of a mix of independent members, staff representatives, student voices, and external experts to ensure broad oversight and informed decision-making. It also ensures that the majority of UNSW Council members are active experts (staff or students) in university education.

Members of Council and Committees hold diverse experience across higher education; community engagement; finance; health; property and infrastructure; information and communication technology; law (Federal Court judge); and business. Biographies for each of our Council members are available on our website.

Council Members must declare conflicts of interest on appointment and notify of any changes as they occur. A register is reviewed by all Council members to ensure it is current. Our process for managing material conflicts of interest align with the requirements in the *UNSW Act*. This includes the relevant member being excluded from participating in discussion or decision-making, where there is a perceived conflict of interest.

³ Tertiary Education Quality and Standards Agency, *Our Role*, < <https://www.teqsa.gov.au/about-us/teqsa-overview/our-role> >

Regular reporting on governance matters, risk management strategies, and financial transparency ensures effective accountability mechanisms. UNSW's Annual Report is formally tabled in the NSW Parliament and is publicly available. This report details the Council's activities and the University's adherence to the Voluntary Code, now superseded by the Code of Governance Principles and Practice for Australia's Public Universities.

The role of the Academic Board has often been understated in recent commentary with regard to university governance. As previously referenced, the Academic Board is the principal academic body of the University responsible for approving academic proposals and for providing advice on academic policy, academic strategy and academic standards. The Board's membership includes the Vice-Chancellor, members of the Executive Team, Deans, two elected non-professorial staff from each faculty, two elected professorial staff from each faculty and 11 students. The Academic Board advises the Vice-Chancellor and Council on matters relating to teaching, scholarship and research – and ensures that academics and students are at the centre of governance decision-making processes that relate to pedagogy. The Academic Board oversees academic governance and supports teaching, scholarship and research, and furthers and coordinates the work of the faculties and other academic units.

As a public entity, the university may be referred to the New South Wales Independent Commission Against Corruption (NSW ICAC) or the NSW Ombudsman, should any individual have cause to question the integrity of our operations or governance processes. In addition, the newly established National Student Ombudsman can also receive and investigate complaints about a broad range of issues.

Financial Reporting Standards and Effectiveness of Financial Controls

UNSW operates under stringent financial reporting obligations, ensuring full compliance with Australian Accounting Standards and subjecting its financial operations to regular independent audits. A robust framework of financial safeguards, including internal risk management committees and external audit processes, upholds the integrity and transparency of financial reporting.

The Director Financial Control and Compliance oversees the UNSW Accounting Standard, ensuring that all financial operations align with statutory requirements, Australian Accounting Standards, and relevant regulatory guidelines. The University prepares general-purpose financial statements in accordance with the Conceptual Framework for Financial Reporting, as issued by the Australian Accounting Standards Board (AASB). These statements are publicly accessible through UNSW's annual financial report.

Each year, UNSW's financial statements undergo independent audit by the NSW Auditor-General or a designated representative. As part of its statutory reporting obligations, the University submits audited financial statements to the NSW Parliament, in accordance with the *NSW Government Sector Finance Act* and the *Treasury Circular on Annual Reporting Requirements (TPG23-10)*.

In cases where Commonwealth funding is allocated for teaching, learning, or research, such grants are exclusively used for their approved purposes. Compliance is maintained through regular reporting to Commonwealth agencies, in strict accordance with grant conditions and funding guidelines. Similarly, when the University receives philanthropic contributions or

industry partnership funding for specific projects or initiatives, these funds are subject to rigorous oversight and strict reporting requirements, as mandated by the terms of the respective agreements.

Comprehensive details on UNSW's financial compliance policies and procedures are publicly available on the University's website.

Compliance with Legislative Requirements

UNSW operates within a complex legal and regulatory environment spanning both state and federal jurisdictions. The University is a statutory body corporate established by an Act of the Parliament of New South Wales. At present, UNSW is required to comply with no fewer than 272 laws and regulations, including 10 that specifically govern higher education.

The University is subject to a diverse set of statutory obligations, covering areas such as Defence Trade Controls, Animal Research Ethics, Workplace Safety, Environmental Protection, and Personal Information Privacy. A comprehensive governance framework ensures compliance across these domains, safeguarding the University's standing as a globally recognised institution.

UNSW has openly acknowledged past compliance issues with our payroll systems. Any instance of pay inaccuracy or underpayment is regrettable, and we recognise and deeply apologise that such errors have occurred. We have taken swift action to address these issues and remain committed to rectifying past non-compliance while strengthening our payroll systems to prevent future occurrences and ensure pay confidence. UNSW has and will continue to dedicate significant resources to improve pay-related systems and processes to deliver ongoing and long-term improvements for all staff. In addition, we are continuing a comprehensive training program to help staff and managers better understand their pay and record-keeping responsibilities. We take this matter seriously and are dedicated to restoring trust, ensuring our staff receive fair and accurate compensation for their work.

UNSW is committed to full compliance with all legislative and regulatory obligations, including workplace laws, student protections, and academic integrity requirements.

Impact of Employment Practices

The governance of employment practices is integral to maintaining public trust in higher education providers. In negotiation with the NTEU, UNSW has committed to new provisions in UNSW's Academic Staff Agreement to provide more secure employment opportunities for casual academic employees.

This includes a commitment in respect of at least 20 percent of UNSW's existing casual academic workforce. These opportunities may include conversion to continuing or convertible tenure-track employment, alternative offers of employment, or prioritising existing casual academics for available roles before seeking to fill the role externally.

In alignment with recent amendments to the Fair Work Act, UNSW is introducing a new casual conversion application process, providing eligible casual academics with an additional pathway to more secure employment opportunities.

At UNSW, our people are our highest priority. This begins with ensuring that everyone is paid fairly and accurately for their work in accordance with Enterprise Agreements and relevant legislation.

Conclusion

UNSW is committed to the highest standards of governance, transparency, and accountability in higher education. The university supports measures that enhance TEQSA's regulatory capabilities, improve financial oversight, strengthen compliance mechanisms, and promote responsible employment and remuneration practices.

We welcome further engagement with the Committee to ensure that Australian higher education governance continues to meet the expectations of students, staff, and the broader community. Should you wish to discuss any issue raised in this submission, please do not hesitate to contact our Director, Government Relations and Policy, Mr Robin Schuck, on 0411 124 258 or r.schuck@unsw.edu.au.