

## **TEQSA Interim Statement of Regulatory Expectations: Student Grievance and Complaint Mechanisms 2025**

27 March 2025

Key takeaways:

1. This Interim Statement of Regulatory Expectations (SRE) sets out a more prescriptive and interventionist regulatory approach, which appears inconsistent with TEQSA's legislative requirement to implement regulation in a risk-reflective and proportionate manner.
2. TEQSA's approach should have prioritised regulatory attention to the most likely breaches of Higher Education Standards Framework Section 2.4, and is inconsistent with the goal of generally improving student complaints mechanisms.
3. TEQSA should delay implementation of the Interim SRE and urgently engage sector leaders in order to develop a robust approach which is risk-reflective and prioritises student welfare in its application of additional regulatory requirements.

The Australian Technology Network of Universities (ATN Universities) welcomes the opportunity to contribute to TEQSA's *Interim statement of regulatory expectations: Student grievance and complaint mechanisms*. ATN Universities represent Australia's most industry-engaged institutions: Curtin University, Deakin University, RMIT University, The University of Newcastle, University of South Australia, and University of Technology Sydney.

**This Interim Statement of Regulatory Expectations sets out a more prescriptive and interventionist regulatory approach, which appears inconsistent with TEQSA's legislative requirement to implement regulation in a risk-reflective and proportionate manner**

The Interim Statement of Regulatory Expectations (SRE) from TEQSA outlines new compliance measures for student grievance and complaint mechanisms in Australian higher education institutions. ATN Universities values the essential role TEQSA plays in maintaining the quality, standards and integrity of Australia's higher education sector; our member universities are committed to the continuous improvement of student grievance and complaint mechanisms. Unfortunately, this work would be adversely impacted by TEQSA's proposed approach in the Interim SRE, further outlined below. We request that TEQSA clarify how its regulatory expectations align with existing frameworks to prevent unnecessary duplication and ensure compliance efforts lead to meaningful improvements in student outcomes.

**TEQSA's approach should have prioritised regulatory attention to the most likely breaches of Higher Education Standards Framework Section 2.4, and is inconsistent with the goal of generally improving student complaints mechanisms**

ATN Universities has long supported efforts to improve university governance that focus on identifying the specific problem or weakness and seeking a solution that aligns with principles of good institutional governance. This approach reinforces universities' existing commitment to maintaining

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transparent and effective grievance mechanisms in line with the Higher Education Standards Framework (HESF). The recognition of student wellbeing as a core component of university governance is welcomed, as it aligns with well-established mental health and support frameworks in place across the sector. ATN further endorses the encouragement of student engagement in feedback processes, as structured consultation mechanisms help build trust and improve institutional responses to student concerns. In instances where a provider's processes are not sufficient to meet the requirements of HESF *Section 2.4 Student Grievances and Complaints* and of HESF Standard 6.2.1j, TEQSA has existing powers to ensure appropriate steps are taken.

The current approach proposed by TEQSA does not prioritise regulatory attention to the most likely breaches of Section 2.4 and does not facilitate a general improvement in complaints mechanisms. Universities are categorised in the Interim SRE as bearing the highest risk to students. This is justified by "*the number of students they enrol and the complexity of their operations*". This is not an adequate justification for greater regulatory requirements being set beyond those already required in the HESF and assured by TEQSA. Larger scale and more developed systems provide more resourcing and expertise to protect student wellbeing. ATN Universities requests a data-driven rationale and evidence to justify any assertion that universities present higher risks to students due to their size and complexity. ATN reiterates our call to TEQSA for a data-driven regulatory approach, as articulated in our response to TEQSA's 2024 consultation on fees and charges, where we raised concerns about the lack of empirical evidence underpinning assumptions about risk in larger institutions.

### **TEQSA should delay implementation of the Interim SRE and urgently engage sector leaders in order to develop a robust approach which is risk-reflective and prioritises student welfare in its application of additional regulatory requirements**

Several specific expectations set out in the Interim SRE are likely to be harmful or ineffective, risking wastage of resources that could be spent on actual improvements to the student experience:

- **Mandatory external review of unresolved complaints** – Complaints processes should be trauma-informed and prioritise student welfare. It should remain the student's choice to pursue external review; it risks harms to a student to mandate further review against a student's wishes, such as retraumatising the student or discouraging complaints
- **Regulatory duplication** – ATN remains concerned about the potential for poor outcomes for students and other stakeholders resulting from additional compliance burden and regulatory duplication with the National Student Ombudsman, state-based ombudsmen and the forthcoming Australian Tertiary Education Commission, which could lead to diverting of limited resources which could be best used to support students.
- **Parts 4.v. and 4.w. specifying proactive requirements** – These proactive requirements could impose unreasonable expectations on providers. As drafted, the requirements are broadly framed and may be difficult to regulate. The language also overlaps substantially with existing governance requirements. A thorough review is necessary to assess whether these requirements align with the HESF and TEQSA's regulatory principles.
- **Standardised complaints reporting categories** – A one-size-fits-all approach is considered impractical given the diversity of institutional structures and student cohorts.

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ATN reiterates the need for sector-wide collaboration in designing regulatory frameworks, rather than imposing top-down requirements that may not align with institutional best practices.

The Interim SRE as drafted requires fundamental redevelopment to effectively support students. ATN Universities remains committed to working with Government to co-design workable solutions.

Further enquiries should be addressed to:

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