



Charles Sturt
University

Charles Sturt University
Submission

TEQSA Consultation: Draft
Legislative Instrument

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Emeritus Professor Peter Coaldrake AO
Chief Commissioner
Tertiary Education Quality and Standards Agency
GPO Box 1672
MELBOURNE VIC 3001

Via email: standards@teqsa.gov.au

Draft Legislative Instrument

Dear Professor Coaldrake,

Charles Sturt University welcomes the opportunity to provide feedback on the Draft Legislative Instrument TEQSA has put forward for consideration in relation to assessments of research quality.

The revised Provider Category Standards (PCS) are a significant reform for Australia's higher education sector, and in the development of the new categories and descriptions the Government has offered the sector a suitably long lead time for existing and new providers to meet the yet-to-be-determined performance thresholds for research.

Charles Sturt considers the framework set out by TEQSA to be an important first step in the process for determining new performance thresholds. As such, it would be useful for TEQSA to provide further advice to the sector on the timetable for finalising the legislative instrument, which will need to take into account the different research profiles and missions of different providers. It will also need to accommodate any changes from the reviews of Excellence in Research for Australia (ERA) and the Engagement and Impact Assessment (EI), which have not yet been announced.

Some of the metrics suggested by TEQSA are already part of the reporting and accountability requirements for higher education providers. Charles Sturt urges TEQSA to make as much use as possible of existing data and other information in any future assessments, especially for universities seeking re-registration in the 'Australian University' category. This would reduce duplication of effort and increase consistency and certainty for providers.

The University also suggests that the framework put forward by TEQSA will need to be revised to take into account significant developments in research policy and funding over the past two decades, most notably the emphasis placed by successive governments on increased collaboration with industry and increasing the economic benefits from investment in research. Universities including Charles Sturt have responded to this signal from government with major changes in their research activities, and at present this is not well reflected in the text put forward by TEQSA.

The text also uses a number of terms – including 'publication', 'citation', 'researcher', 'current or recent research', 'research activity' and 'engaged' – for which there are no commonly accepted definitions across the higher education sector, or across disciplines. Establishing definitions for these terms will require further discussion.

With these issues in mind Charles Sturt University suggests that TEQSA will need to undertake extensive consultations on the development of the legislative instrument, as the instrument will have a significant bearing on universities' activities over at least the next decade. The consultations will need to



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be as inclusive as possible and may involve multiple iterations of the instrument. This is not a process which can be rushed to meet an undisclosed timetable.

Thank you again for this opportunity and we look forward to further discussions with TEQSA on the legislative instrument.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Germov".

Professor John Germov
Interim Vice-Chancellor

TEQSA Consultation: Draft Legislative Instrument – Charles Sturt University response

Charles Sturt University welcomes the opportunity to provide feedback on the draft legislative instrument proposed for the *Higher Education Legislation Amendment (Provider Category Standards and Other Measures) Bill 2020*. That research should be a 'defining feature' of what it means to be a University in Australia is recognised as of fundamental importance to society as a whole and the global competitiveness of the Australian university sector.

However, the framework set out in the draft legislative instrument is somewhat out of step with the broad direction of research policy and funding in Australia over the past decade and more, such as

- a greater emphasis on the quality rather than the quantity of research outputs,
- encouraging universities to diversify their sources of funding for research, and
- a clear expectation that universities will engage with industry and boost commercial returns from investment in research.

The result has been major changes to block grant and competitive grant funding schemes, the introduction of Excellence in Research for Australia (ERA) and the Impact and Engagement Assessment, and significant shifts in many universities' research activity. These need to be reflected in the legislative instrument to a greater degree than is currently the case.

Charles Sturt urges TEQSA to ensure that any measures included in the legislative instrument make use of existing data and exercises, such as HERDC, ABS and ERA, and do not duplicate existing reporting to Government or create additional levels of reporting for the university sector. We suggest that TEQSA make use of existing data collections and quality assessments for universities seeking re-registration in the 'Australian University' category.

The wording of the legislative instrument as it stands risks raising conflicting imperatives on what is required of universities. A focus on publications for example, may have the unintended consequence of discouraging innovation, translation and commercialisation.

Charles Sturt University also suggests that there should be strong alignment between the proposed instrument and the relevant standards in the Higher Education Standards Framework. This is particularly relevant where standards are already in place for maintaining registration.

There are two issues on which we would like further information from TEQSA:

1. the process and timelines for the development of the legislative instrument, and
2. the comment that 'the list is non-exhaustive'.

It is not clear whether this implies that further measures will be considered for inclusion in the legislative instrument – which would require further consultation before the instrument can be finalised – or that TEQSA will consider amending the instrument over time (which would, again, require a consultation process, if not immediately).

Comments on the draft text for the legislative instrument are included below. In making these comments, Charles Sturt is making some assumptions about how the instrument might be applied. Those assumptions include that a minimum threshold will apply to any metrics, and that this minimum will be subject to a separate consultation with the university sector.

COMMENTS ON THE DRAFT TEXT FOR THE PROPOSED LEGISLATIVE INSTRUMENT

a. the volume of citations, and the quality of the publications in which those citations occurred, for peer-reviewed journal papers;

Charles Sturt recognises that peer reviewed publications are a fundamental mechanism for the dissemination of research findings. However, they are not the only mechanism. Other modes of communication are relevant and should not be discounted. These include reviewed industry or Government reports, discipline-specific conference proceedings, data sets, and protected intellectual property, all of which should be considered as quality outputs from a research provider.

Any measurement of citations must be based on the existing Field Weighted Citation Impact (FWCI), which account for citations associated with the relevant discipline. Relying on citation volume alone would grossly bias against many disciplines, where citation rates are generally low.

Furthermore, relying on citation alone would bias against disciplines which do not naturally rely on citation based metrics, especially the Humanities, Arts and Social Sciences (HASS) disciplines. It is well-established and well-accepted that HASS disciplines do not have broad coverage in Scopus/Web of Science databases for example. Similarly, it is common for Computing Science to publish primarily via conferences (which are often not included in databases capturing citations), and Creative Industries publish via non-traditional research outputs. As such, citation rates alone should not be the only indicator of the quality of research outputs.

Also, given citations are largely captured in the ERA process, there is a danger of duplication of data, especially for entities seeking re-registration.

b. whether publications have been peer reviewed and, where peer review has occurred, the nature of the peer review process and the results of that process;

This is a highly subjective condition. The peer review process is, and is widely accepted to be, an inherently biased system. Only fully blinded peer-review can be considered to be truly independent of influence – either by financial status of the authors or applicant institution – or from impact of pre-conception of quality or reputation of an institution. This is particularly relevant for regional universities, or those in emerging cultures, where excellent research is frequently viewed through a perceived quality lens where truly blind peer review is not undertaken. TEQSA will need to consider how this metric can be applied in a way that will not further entrench biases present in the peer review (and funding) systems.

It is also unclear what is meant by the ‘nature of the peer review process’. Charles Sturt would welcome further clarification here.

The University also notes that, as is the case in (a) above, this information is largely captured in the ERA process, there is a danger of duplication of data, especially for entities seeking re-registration.

c. results from Excellence in Research for Australia or any comparable evaluation in Australia, and from comparable national and international research assessment exercises;

The use of ERA for assessing research performance and impact is well understood and widely accepted. It should be the fundamental metric in defining Australian University status. The impact of ‘comparable national and international research assessment exercises’ will need to be carefully considered where national or global rankings metrics may also be subject to internal processes of bias, such as international rankings systems that are based on ‘reputation’ metrics. Clear guidelines will need to be established that demonstrate a framework independent of any systems

bias that reflects the unique position and experience of the various research providers across the sector, which are not uniform.

Charles Sturt also suggests that this metric should make explicit mention of the ARC Impact and Engagement Assessment.

In addition, the University would welcome advice from TEQSA on how it will map data reported against the recently revised Australia New Zealand Standard Research Classifications, used in ERA, against the Fields of Education referred to in the final report of the Review of the Higher Education Provider Category Standards. ERA itself will soon be revised and TEQSA will need to take this account in the timetable for finalising the legislative instrument.

d. the regulated entity's governance framework for research including:

- i. its policy framework for research;*
- ii. its financial support for the pursuit of research; and*
- iii. whether and how the governance framework for research is implemented.*

Charles Sturt University supports this part of the draft legislative instrument although measurement of financial support for research should be undertaken with caution as it is well-known that only a few universities have the financial capacity to invest in their own research (noting that the goal of investment is often to improve international rankings and attract more international students, rather than meet Australian research needs). Any measurement of financial support should include staff time allocation for research (as part of workload allocation), not just direct financial support for research only.

e. the extent to which there is a research community at the regulated entity, including:

- i. the number of researchers at the regulated entity;*

The number of researchers at a university is not a good indicator of research quality. The individual outputs of those researchers will be an indication of research activity and quality. Charles Sturt strongly opposes a metric based on number of researchers only (as this would bias towards larger universities), and if this researcher number is included it should be weighted for university size determined by total FTE academic staff numbers. Using FTE academic staff rather than 'research active' staff or 'researchers' would avoid the complications caused by universities' differing definitions of 'research active' or 'research only', different workload allocation models and so on.

- ii. the relationship between individual researchers and the regulated entity;*

Charles Sturt welcomes the use of this metric, as it ensures that researchers with 'adjunct' status are only included where there is demonstrable research activity for the regulated entity. If there is no evidence of research outputs for example, or the adjunct researcher is not directly contributing to the research effort of the entity (for example, through research student supervision), then they should not be included in the metric.

- iii. whether all researchers are engaged in the research community at the regulated entity;*

While Charles Sturt supports the intent behind this metric, the term 'research community' will need to be carefully defined.

iv. the extent to which research at the regulated entity is current or recent; and

Charles Sturt accepts the intent behind this metric but we suggest it is an issue for further consultation, in part to establish an acceptable definition of 'research currency'. This will vary across disciplines, especially in those where there is a long lead time for publications. In environmental and agricultural research and many HASS disciplines, the gap between research and publication can be years; in IT and data science it is only a few months. The metric, if used, will therefore need to take into account research outputs produced by researchers who may no longer be employed by the university (and therefore may not be considered 'current'). The metric will also need to discourage 'gaming' in the form of short-term hiring of research productive staff.

v. the supervisory and study environment for research activity at the regulated entity; and

Charles Sturt University welcomes this metric, with the caveat that it needs to include more specific reference to Higher Degree by Research students as well as Early Career Researchers.

In relation to the research environment at a university, Charles Sturt also suggests that TEQSA could take into account the library and archival services, curation of data, and other research services including technical and professional staff.

f. the success of the regulated entity in competitive research grant rounds and other direct funding for research.

Charles Sturt has several concerns with this metric.

First, there is no correlation between the amount of competitive grant funding and research quality. Success in competitive grant funding should not be considered as a provider category metric until there is a level competitive funding environment for all providers. At present, the funding environment for Australian universities is strongly biased toward large metropolitan providers, the result of historical concepts of research performance, access to facilities, and internal research support funding. This bias has been exacerbated by the allocation of funding for research infrastructure and, more recently, universities' effectiveness in lobbying for *ad hoc* funding. If this metric is to be used, it should be weighted for opportunity, particularly for schemes for which access to particular resources or infrastructure are required.

Second, as noted above universities have been encouraged to diversify their sources of research funding. Research income from competitive and non-competitive sources have long been given equal weight in block grant formula. Placing the emphasis back on competitive grant income would be inconsistent with the wider policy settings for universities.

Finally, given this is included in the ERA exercise, Charles Sturt advocates that it is not required for institutions seeking re-registration. If it is to be a stand-alone measure, then further information is required about how success will be measured, including discipline differences.