Learner Representation and Advocacy in VET: Final Report

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WISeR
Informing Decisions

LEARNER REPRESENTATION AND ADVOCACY IN VET

FINAL REPORT

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Overview

This study examines effective models of learner representation and advocacy in vocational education and training (VET) that shape and support the inclusion of the learner voice. The key focus of this study is on whether and how learner representation and advocacy have been implemented in the VET sector, and the degree to which these account for disadvantaged learners. Recognising that the higher education sector has had a stronger tradition of student involvement over the years, this research examines whether higher education models have potential to translate across, or to inform suitable models in the VET sector. A setting that is particularly informative in this respect is dual or tertiary providers that combine higher education and VET programs within a single institution. At the same time, there is a clear necessity to understand more fully what is happening in relation to learner representation and advocacy among VET-only providers, and to understand this in the context of the national VET reforms, jurisdictional policy, and other legislative and regulatory frameworks.

The methodology for the study involved a review of key documents, policies and literature that provide context and background, and targeted consultations with jurisdictions, providers, and practitioners. Through a snowballing technique involving contact with 57 individuals, this study identifies and documents eight models demonstrating effective approaches to representation and/or advocacy support to VET learners. Based on an examination of the models, this study also isolates the successful features, or enabling principles which would support the broader application or design of learner representative and advocacy models in VET institutes. A summary of the case studies is provided on page iii. The principles are provided on page vii. The full case studies are presented on page 47 of the Report.

This Report was commissioned by the National VET Advisory Council and undertaken by the Australian Workplace Innovation and Social Research Centre (WISeR) at The University of Adelaide.

Summary of Findings

Definitions and dimensions of the learner voice, learner representation and advocacy

Student representation and advocacy are conceived as distinct but highly interrelated functions. The power of the learner voice articulated through student representation refers to direct and indirect student input into decision-making processes. Input may be achieved by way of student satisfaction surveys, student participation in focus groups or forums (informal), and student inclusion in various committees, advisory groups and councils (formal). The reach of the student voice may extend along a strategic continuum from individual, to classroom, to faculty, to Institute-wide matters, with the degree of influence or impact reported to diminish along this continuum.

Advocacy refers to the active pursuit of student interests, rights and entitlements. A student representative may be seen as advocating for all of these. Advocacy can fall within an empowerment model (supporting the student to self-advocate) or a person with the requisite skills, knowledge and power can advocate on behalf of a student. In terms of the student representation and advocacy models on show, there is a need to distinguish between individual advocacy (self-advocacy, casework), group advocacy (addressing a specific collective concern or issue), and systemic advocacy (targeting endemic issues or failings in the system).

Impact of VET reform, policy and legislative frameworks providing for the learner voice

Stakeholders consulted for the project observed that the VET environment has been in an ongoing process of reform for some decades with an enduring theme of making the system more responsive to the needs of industry. While benefits have been flagged in terms of economic development, targeted skills and employment outcomes, it is suggested that this has been at the cost of a strong 'learner voice' to support the rights, entitlements and interest of learners. As industry and productivity centred reforms have taken hold, the learner voice has been increasingly marginalised from high level, strategic, decision making processes. This frames the general perception among the broader stakeholders consulted that very little is happening in VET in the student representative and advocacy space, particularly in some jurisdictions. There is a key focus on including expert, highly skilled leaders in higher level governance settings (in line with legislative requirements) and a move away from direct student involvement in the governance area.

The broader discussion about 'the marginalised learner voice' in the context of industry and productivity driven VET reforms is less about learners and industry having mutually exclusive interests or needs but rather a discussion about the way in which benefits to learners are perceived and valued. Benefits to learners, under this view, are assumed to involve delayed returns in the form of employment provided by employers whose needs match the skills developed by those learners. In other words, the focus on learners relates to the outcomes of their participation rather than to the participation process itself.

At the same time, there is growing recognition that the VET learner experience is vitally important to an increasingly competitive VET marketplace. Providers cannot afford to ignore the learner voice, they have to understand and respond to learner needs in a way that translates to positive learner experience and outcomes- both from an educational and social aspect point of view. In spite of this, and in the context of entitlement based funding approaches, concerns are raised by stakeholders about the potential impact of VET reforms for learners with more intensively and costly learning needs. Concerns range from compromised access for disadvantaged learners on the one hand and the impact on the quality of training and supports available to them on the other.

This study finds that in the absence of mandatory requirements, legislation and targeted funding prioritising learner representation and advocacy, the most influential determinant in the design and implementation of an effective model is the perception of its benefit to the provider and the value the provider places on the rights, entitlements and interests of learners, and in turn, the resources and independence it is willing to afford to these services.

Policy, legislative frameworks and programs supporting the learner with disability voice

A key message of the National Disability Strategy refers to the involvement of people with disability in decision-making processes, namely that the views of people with disability are central to the design, funding, delivery and evaluation of policies, programs and services which impact on them, with appropriate support and adjustment for participation. Similarly, the Disability Standards for Education provide a good framework for promoting the requirement for students with disability to be able to access and participate in education on the same basis as all other students, however effective compliance and implementation in the VET sector has not yet been realised. It has been noted that many of the legislative and policy frameworks targeting disability demonstrate a groundswell toward recognising the rights of people with disabilities, yet it is important to note that these fall short of enforcing the rights of people with disabilities. For example, developing and implementing a Disability Action Plan (DAP) is a voluntary, proactive approach to Disability Discrimination Act (1992) compliance.

The National Disability Coordination Officer (NDCO) program has potential to deliver tangible and ongoing outcomes, particularly where NDCOs are 'linkage makers' for building relationships and networks within regions and improving coordination of service

provision across multiple providers and stakeholders. However, the focus of the program tends be more on higher education than VET, with success in the latter dependent on the profile of VET in the NDCO's region.

DisabilityCare Australia (formerly NDIS) is designed to fund a broad range of individualised supports, targeted mainly to aids and appliances, personal care, domestic assistance, respite, home and vehicle modifications and community access. Provision of health, education, employment, housing, transport and income support remains a mainstream concern, however DisabilityCare has a role in promoting the development of, connecting people to, and where needed, supporting the activity of people in mainstream services. There is also scope for the NDIS Agency to have a role in raising awareness of the needs of people with disability in the education system and advocating on their behalf.

The higher education experience: lessons for VET

Historically, there has been a tradition (albeit contested) of student representation and advocacy in the higher education sector, raising the question of whether models could be transferred to the VET sector. Tracking the ideological debates about the form and function of student organisations in universities – particularly in the transition to voluntary student unionism and the subsequent Higher Education Legislation Amendment (Student Services and Amenities) Act 2011 – is useful in highlighting issues and thinking about options for the VET sector. Key questions to consider relate to the value given by education institutions to learner representation and advocacy structures, the importance of the independence of these structures, the types of student services and activities included in the remit, how membership is constituted, how the structures are funded and whether this is secure and/or sustainable.

For a range of reasons, student organisations and student activism have figured to a much lesser extent in the VET sector compared with the higher education sector, with the exception of dual-sector universities which have drawn VET students into their existing structures. The lag in VET-only institutions may relate to different student demographics (age, gender, health status, SES status etc), motivations for studying (career-oriented, social/personal development, Centrelink requirement etc), and study patterns (part-time, off-campus, work placement, apprenticeships etc). However, in spite of differences in student population between the VET and higher education sectors, there is an important overlap with respect to learner views on representation and advocacy. Research has shown that VET learners express support for a dedicated role to protect their rights and interests, and to provide advocacy and support services for students. Learners also consider they should have a greater role in planning and provision of student support services and amenities.

Summary of case studies

RMIT university student union (RUSU) model (Victoria – tertiary/dual sector institution) has a strong dual focus on student representation and advocacy. Elected RUSU student representatives sit on a range of boards and committees, and feed student input into various levels of institutional decision-making, for example at faculty level, in reviewing assessment policies, and Appeal and Student Discipline Committees. RUSU has a particularly strong advocacy focus and works closely with individual students (casework approach) to support their student rights. RUSU staff also work closely with student services to achieve outcomes for students, and have detailed legislative and policy knowledge. Although RUSU relies on RMIT for funding, it is independent from the Institute in that it employs its own staff, and has discretion about how it manages and distributes its funds. It presents itself as uncompromisingly an organisation of and for the student body.

The Swinburne Student Amenities Association (SSAA) model (Victoria – tertiary/dual sector institution) similarly has a strong dual focus on student representation and advocacy. The SSAA supports elected student representatives to participate on a range of

boards and committees across the institution, where 'the intent is to present a student perspective to normal operational matters'. The SSAA also supports a leadership and volunteer program to strengthen and support student representatives, and SSAA staff regularly contribute to policy development and raise student-related issues. The SSAA offers an independent advocacy service for students, focusing on students' education-related complaints and grievances, reassessment and appeals; non-education-related issues are referred to the appropriate services. The SSAA is a university-owned company, but operates under its own EBA, employs its own staff, and its operations are independently audited. The SSAA presents itself as having no vested interest other than the educational interests and wellbeing of students on campus.

The Canberra Institute of Technology Student Association (CITSA) (ACT - TAFE only institution) is a 'guild model', which combines features of the independent student union model (operating commercial services) and the Student Representative Council (SRC) advocacy model. CITSA is fully independent; all staff are employed and funded by the Students Association. CITSA income is sourced from a compulsory student services fee, and from running commercial services on campus. CITSA supports the participation of elected student representatives on the CITSA Council, the Canberra Institute of Technology Council, and on teaching centre advisory committees. CITSA's main representation and advocacy focus is centred on the student experience on campus (i.e. apolitical), however it will occasionally extend its focus to national student campaigns. CITSA engages in individual casework and advocates for groups of students, and are proactive on systemic issues. They assist students with education-related issues and external issues (e.g. with Centrelink).

The Box Hill Institute Student Representative and Activities Committee (SARC) (Victoria - TAFE only institution) is a more traditional student association model that provides a range of services and support to the student body to improve the quality of student life on campus. Within this, the SARC supports student representative committees and student media as a channel for the learner voice, however advocacy is limited to advising and supporting students with a complaint or grievance with regard to options and formal procedures available to them (i.e. SARC does not play a specific advocacy/casework role). Students with serious issues are referred to appropriate Institute-based services. The SARC is positioned within the Box Hill Learner Services Centre, and is run by an Activities, Participation and Representation Officer and a Media, Representation and Activities officer – both of whom are employed and paid directly by the Institute.

The Sydney Institute Student Association (SISA) (NSW – TAFE only institution) is a further step removed from direct student input and control over the broader Institute learning environment. Elected student representatives participate in individual SISA college boards, student experiences and issues are then fed up to the all-of-Institute level SISA Council by the executive officer of the Council (R/Student Services Coordinator). The main interface with students is about improving the campus experience, enhancing facilities, providing recreational and basic educational services for students. SISA does not lay claim to an 'educational voice' with respect to how programs or courses are run, and has a limited advocacy role beyond advising students about their options. SISA is presented as an explicitly non-political and non-religious service provider, operating within the TAFE system and primarily answerable to the Institute. It is managed by TAFE employed staff, funded by the $20 voluntary membership fee and income sourced from managing some commercial outlets on campus.

The Southbank Staff Student Community Voice Committee (SSCVC) (Queensland – TAFE-only institution) is a recently established student association structure with no dedicated funding or directly employed staff to manage the structure. The model relies on recruiting students to fulfil a student engagement and representation role on campus. In general, student advocacy is seen as the remit of the Institute Student Services Division, however SSCVC student representatives can advocate on behalf of individual students if they wish. The SSCVC provides a support network of non-educational Southbank staff (volunteers) to

support the student reps in their various roles. Participating students attend committee meetings and meetings with heads of school, hold student focus groups and take on leadership roles. The SSCVC is distinguished from the other models in that student members are nominated rather than elected to the committee.

TAFESA Adelaide North Institute (TANI) Student Services (SA – TAFE only) is principally a service provision system that is entirely integrated with (rather than independent from) the Institute. As a 'node' for the learner voice, student services staff see themselves as operating autonomously from (beyond the influence of) the educational area, having close contact with students, and channelling their issues and needs either to the relevant Education Manager, or where necessary directly to the higher level Quality Unit. In this way they advocate for individual and systemic change for the benefit of the student body. Formalised student representation does not figure in the model, which is geared more towards vulnerable and less-engaged students who are less likely to present as student representatives and self-advocates. TANI Student Services view themselves as a dedicated support service for students with a strong remit to advocate on behalf of their student clients. They characterise their independence in terms of being separate from the educational area, and supported and enabled by higher management to actively critique and seek to improve Institute systems on behalf of students.

The Office of the Training Advocate (SA – Independent statutory authority) is a state-wide contact point for all SA students (not limited to VET) with training related questions or complaints. The Office recognises that the training and education landscape (spanning legislation, rights and requirements) is complex for students to navigate. It also recognises that students may wish to source advice and support for study-related issues from an independent, confidential service; if the students wish, their education institution never need know the training advocate was involved in developing a strategy for the student. The Office of the Training Advocate follows a student-empowerment, case management advocacy model, which involves equipping students with information and advice about how to proceed with their complaints. The Office is clear that it does not seek to change institutional policies or procedures, but works within these to seek resolution of issues – this is a key factor in maintaining productive relationships with providers toward the interests of students. The main focus of the Office is advocacy, with limited functionality regarding student representation.

Key themes arising from the consultation and case study interviews

There is no consistent model of student representation and advocacy, within or between jurisdictions. Some models have a strong dual focus on representation and advocacy, others focus to a greater or lesser extent on one or the other. Moreover, it was observed that those Institutes that are attempting to develop a coherent approach to student representation and advocacy are doing so largely in isolation. Notably, many expressed a keen interest in hearing about what others are doing, what works well, so they may learn and develop accordingly.

An issue in TAFE is not simply that the learner population is reportedly less aware and/or less inclined to participate in representation and advocacy activities compared with higher education, respondents also noted that the provider culture can also work against student involvement, particularly where educators are drawn from industry backgrounds.

In the majority of cases, student representation and advocacy processes are explicitly de-politicised (with the exception of the RMIT student union model). It was noted that VET students have a keen interest in actively shaping their learning, however, their interest is very specific and localised, and does not extend to broader politics; this differentiates them from university students who are perceived as more politically and intellectually engaged. VET students are more pragmatic, and focused on their immediate circumstances and needs. To a large extent, this is where the 'learner voice' is pitched by many of the student representation and advocacy models presented in this study.

It was generally agreed that having an independent structure to support the learner voice through student representation and advocacy processes is important in order for students' interests to compete with the powerful interests of educators and institutions more broadly. Some of the models deal directly with this problem by establishing structural independence from the Institutes in which they operate, with dedicated representation and advocacy staff, reporting at a strategic level to hold the Institute to account. A number of the student association models with TAFE-employed staff acknowledged that they were working within TAFE, and were ultimately answerable to TAFE. In this context, the associations are able to support and advise students with complaints and grievances, but are not able to actively represent them in a serious case against the Institute (students are referred to other services and systems, e.g. formal complaints). The TAFESA Adelaide North (TANI) Student Services staff are employed by the Institute expressly to support and advocate for students, in particular vulnerable students. Provided the student support structures in place operate independently of the educational areas of the Institute, they should be able to effectively advocate for the individual and systemic educational interests of students.

There a strong argument that the strength of the learner model depends on its financial independence and security. As part of dual or tertiary sector providers, the RMIT student union and Swinburne Student Amenities Association receive a measure of funding through the higher education compulsory student services and amenities fee; other TAFE Institutes rely on direct allocation from TAFE budgets. Alternate sources of income include commercial returns for services run on campus, negotiated with Institute management. CITSA is unique among TAFE Institutes in that the Canberra Institute of Technology ACT allows it to collect a compulsory student services fee, which together with revenue from commercial services run on campus means CITSA operations are completely self-funded.

There was a view that formal VET student representation is limited in efficacy. The diversity of the student body and the rapid turnover of students raise the question whether any given student can adequately represent the disparate interests and needs of the wider VET student body. There is also a view that student representatives have limited influence over proceedings in higher level governance settings. Student representation often means engaging students to participate in dialogue with the Institute, to feedback student experiences and issues, and to provide ideas about how to develop and improve the Institute to give students a better experience. Depending on the Institute, a focus on promoting and advancing student rights and interests (including advocacy) occurs to a greater or lesser extent. There is some support for more 'grassroots' learner participation as opposed to formal representation mechanisms, including small group work, leadership groups, and forums where conversations can take place.

In relation to learners with disability, it was observed that understanding and application of the Disability Standards for Education (DSE) are not consistently strong, particularly among smaller private providers. Respondents noted that it would be good to think that the learner with disability voice was included in negotiating the DSE, but none were aware that this specifically happened. Nor were they aware that the DSE actively promoted the learner voice in any meaningful way. There is a further view that the DSE are not sufficiently prescriptive and that compliance requirements are weak and open to interpretation. Disability Action Plans were seen to encourage institutions to provide a more inclusive, independent environment for students with disability, and to promote individual students taking more control. However, this is seldom informed by student representation and advocacy processes.

As an independent, neutral entity, it was considered that the NDCO program could support learner with disability representation and advocacy if it had the power to mandate responses at institute level - as it stands this is not the case. The NDCOs work in partnership to try and have the voice of the learner heard but it depends how committed

the institute is to be involved. Issues identified include difficulty getting information about students from institutes, being unable to contact students directly, and having to rely on disability support staff to distribute information. In some cases this worked well, but not all disability support staff were cooperative in this respect.

The majority of respondents were unsure how DisabilityCare (previously the NDIS) would interact with the way education services are provided to students with disability and what individual, group or systemic advocacy issues might arise from this interaction. Some considered that while DisabilityCare funding is not targeted to the delivery of education services per se, the potential flow on benefit in VET is through increased capacity to access goods and services that may indirectly support the student with disability to study effectively (e.g. personal attendant care).

At the same time, Practitioners interviewed for this study recognised the potential for consumer directed care models in VET environments, such as a future where DisabilityCare could expand to directly cover tertiary participation. The perceived potential is for individuals to plan and design their support arrangements in VET, including through self-directed funding (e.g. for Auslan interpreters, adaptive equipment, note-taking). This could potentially address the institutional barrier of prohibitive costing associated with providing support and adjustments for students with disability, and would give students' 'learner voice' a higher profile and currency. However, if such an expansion of DisabilityCare were to be considered, attention would need to be given to accommodating students with disability who fall outside eligibility criteria.

Recommendations and principles

Given jurisdictional variation in policy and legislation, and institutional variation in approaches to (and readiness for) student representation and advocacy, it is questionable that any given model that works well in one context will necessarily work the same way in another. This works in much the same way as the argued need for flexibility in determining which representation mechanisms will work well in different contexts. However, there is a set of principles emerging from the case studies in view that is well-positioned to underpin a strategy moving forward. This would encourage careful consideration of methods to achieve the following:

➢ **A coherent, recognised, and institution-wide structure with sufficient independence safeguards** to fearlessly represent student interests and with sufficient access to (and influence with) upper management to feed the learner voice effectively into key decision-making processes. An important component of this is establishing strong relationships across students, teaching staff (educational managers) and Institute management. Executive buy-in can be supported by demonstrating key benefits to the organisation (e.g. improving student satisfaction ratings, improvements in services and facilities etc).

➢ **A secure financing system for the student representation and advocacy structure** that at best reflects self-sufficiency (requires commercial negotiation with the Institute), and at the very least reduces fiscal insecurity from year to year (where the structure is wholly reliant on discretionary funding from the Institute). This is critically dependent on the institution recognising the value of the structure from a student satisfaction and business case perspective.

➢ **A comprehensively knowledgeable and skilled, and suitably resourced, staffing structure** to support (and sustain) student representation and advocacy activities. Learner representation and advocacy structures inhabit a complex and shifting legislative and policy landscape, and successful advocacy for learner rights and interests relies on the application of dedicated staff able to stay abreast of new developments. Moreover, specifically resourcing roles within a defined learner

representation and advocacy structure signifies institutional commitment and valuing of its wider role and relevance.

➢ **A student engagement and representation process that succeeds in capturing the diverse and dispersed VET learner voice**. This requires close consideration of the VET student population per Institute, determining the most effective means of reaching and communicating with the student body (e.g. maximising the potential of ICTs and social media), and identifying the most effective advocacy and representation mechanisms to channel the learner voice to where it most needs to be heard. A critical component in engaging the student body is demonstrating/feeding back positive outcomes as a result of their participation.

➢ **A strong disability awareness and process in mainstream student representation and advocacy structures**, including specialised training and development in working with students with disability, and effective strategies to include the voice of students with disability directly or indirectly (underpinned by the COAG National Disability Strategy which calls for people with disability to be included at all levels of decision-making). It is important to consider distinct barriers to participation for learners with disability both from an access and a readiness (e.g. skills, confidence) perspective and ways to overcome these, potentially tying this in with a, institutional Disability Action Plan. It is also important to be aware of the risks associated with subsuming disability-specific experience and needs within a 'catch-all' concept of addressing the needs of 'all students who walk through the door'. (Notably, a similar argument was made in relation to Indigenous students).

➢ **A learner representation and advocacy structure with a strong disability focus able to work with the Institute to strengthen a systemic response to learner disability rights and interests** (informed directly by the learner with disability voice). Although policy, legislation and programs addressed to improving outcomes for learners with disability provide strong frameworks for providers, compliance remains an issue. Wherever possible, work in partnership with Institute disability services to support this brief, particularly in foregrounding the agency of learners with disability rather than as passive recipients of support and services.

➢ **A vibrant process to support learners to contribute to representation and advocacy in an active and** engaged **manner**. This could potentially include capacity-building and leadership development (e.g. targeted training and development activities, peer support etc), and consideration of a recognition and/or reward system to incentivise and value student participation (e.g. paying an honorarium, awarding credits toward their study program).

1   INTRODUCTION

The study approaches learner representation and advocacy through the 'learner voice' lens, which has attracted considerable attention and research in recent years[1]. The learner voice directly articulates the experience, interests and rights of learners, signalling an active, influential role for learners in shaping their learning contexts. This position is based on the understanding that learner engagement and outcomes stand to benefit from more direct input into, and influence over, all facets of their learning environment. This extends beyond their immediate learning context and influence over curriculum and course content, to exerting influence in higher level, governance settings. An effective learner voice injects learner perspectives into key decision-making processes, alongside those of other stakeholders such as policy makers, providers, industry, and the broader community. Potential exists for the learner voice to have an impact across a range of decision-making contexts, from the classroom through to program, faculty and institutional governance levels, and beyond to community and policy debates.

Research has highlighted the importance of the learner voice insofar as positive outcomes, for students, staff and institutions alike, have been associated with the ability of students to influence their learning environment. Identified outcomes include a better learning experience for students, stronger retention and completion rates, improved institutional accountability and responsiveness, and stronger institutional reputation and marketability in a competitive provider environment (Manefield Collins, Moore, Mahar & Warne, 2007; Trowler & Trowler, 2010; Synergistic, 2013).

In directing the learner voice focus toward learner representation and advocacy, the study engages the question about how to ensure the learner voice is loud, clear and heard among the various stakeholder voices in VET. Learner representation and advocacy are two distinct but interrelated strategies designed to inject the learner voice into decision-making processes at various levels. Learner representation involves recruiting students (on a voluntary, elected or appointed basis) to participate in various processes at various institutional levels where student-related input is sought. Learner advocacy involves direct action on the part of learners themselves (self-advocacy) or independent advocates (on behalf of learners) to pursue specific or general learner rights or interests (can have an individual, group or systemic orientation).

The key focus of the study is on whether and how learner representation and advocacy have been implemented in the VET sector, and the degree to which these account for disadvantaged learners, including those with disability. It also seeks to understand more fully what is happening in relation to learner representation and advocacy among VET-only providers, and situates this in the context of national VET reforms, jurisdictional policy and legislative and regulatory frameworks.

The study recognises that learner representation and advocacy in the VET sector lags behind the higher education experience, and investigates the potential to transfer and/or adapt successful models and principles across the two sectors. It is particularly pertinent in this context to acknowledge the many lessons learned in higher education about what contributes to effective student representation, for example the need to address attitudinal barriers within institutions, the risk of tokenism, the need to prepare, train and support student representatives, and the value of student representative networks and mentoring systems.[2] It is also important to consider the key attributes of the VET sector and how these

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[1] A major objective of the NVEAC Equity Blueprint 2011 – 2016 Creating Futures: Achieving Potential through VET (Equity Blueprint) is to realise 'an equitable and inclusive VET system that enables all learners to achieve their potential through skills development and to access the opportunities society has to offer' (2011: 6). NVEAC propose that this can be accomplished by reform in six key areas, one of which is "Reform Area 6: Listening to the voice of the learner when designing the VET system and continuously improving its services".
[2] Barrow, D (2009)

potentially intersect (or not) with the higher education context, and what this means in terms of transferring models and principles across the two sectors.

The study is also concerned with the extent to which learner representative and advocacy models support the '*learner with disability voice*' in decision making and governance arrangements, especially in the light of the National Disability Strategy, and the implementation of the Disability Standards for Education and the take up of Disability Action Plans by VET institutes. It also seeks to understand stakeholder views on the potential intersection of DisabilityCare (formerly known as the National Disability Insurance Scheme) and the VET system, and the potential individual, group or systemic advocacy issues that may arise as a result. Critically, this focus on 'learner with disability voice' is concerned with progressing the overall learner representative and advocacy agenda for disadvantaged learners and is based on meaningful consultation with learners, one which is adequately embedded and neither tokenistic nor an isolated event.

This report was commissioned by the National VET Equity Advisory Council (NVEAC) and undertaken by the Australian Workplace Innovation and Social Research Centre (WISeR) at The University of Adelaide .

Project findings are presented in the following series of chapters:

Chapter 1 introduces the background, focus and purpose of the study, including a working explanation of the learner voice expressed through learner representation and advocacy.

Chapter 2 presents the methodology used, including an overview of the stakeholders consulted for broad interviewing and organisations selected to provide case studies for learner representation and advocacy model currently in use.

Chapter 3 provides an overview of the VET system in Australia, including a snapshot of VET providers and learners, and a review of the key reforms, policy and legislative frameworks that provide the backdrop for including the learner voice in VET. Specific reference is made to National VET reforms (2012-17), Standards for the regulation of VET and legislative frameworks for including the learner voice by jurisdiction. The section goes on to examine policy and legislative frameworks, and programs specifically targeted at learners with disability, and how this intersects with the learner voice focus. Reference is made to the National Disability Strategy (2009), Disability Standards for Education (2005), Disability Action Plans, the National Disability Coordination Officer (NDCO) Program, and DisabilityCare (formerly the NDIS).

Chapter 4 examines research literature addressing the learner voice in VET, including definitions and dimensions of the learner voice, how the learner voice is activated through learner representation and advocacy, the challenges and facilitators associated with learner participation in representation and advocacy. This chapter draws on the experience and learnings accrued over decades of student representation and advocacy in the higher education sector, and examines potential applications for the VET sector.

Chapter 5 presents the findings of the stakeholder and case studies interviews. A summary is provided of the individual case studies presented, followed by an analysis of the key themes raised in both the case studies and broader stakeholder interviews about learner representation and advocacy in the VET sector, and implications for models used. This extends to learner representation and advocacy for learners with disability, and learners with disadvantage more generally, in the VET sector.

Chapter 6 presents detailed case studies for each of the eight selected organisations.

Chapter 7 outlines recommendations and principles extending from the overall analysis of the study findings.

2 METHODOLOGY

The project methodology involved the following elements:

- A review of key documents and policies to provide context and background for the study;
- A literature review focused on learner representation and advocacy in VET and Higher Education, and lessons learned from Higher Education
- 18 targeted stakeholder consultations with policy, provider, and learner representation, advocacy and disability experts across various jurisdictions. Table 1 identifies the policy and educational areas from which individuals were drawn from for the broad stakeholder consultations. A snowball sampling approach was undertaken to identify these stakeholders, involving contact with 57 individuals linked with learner representation and advocacy and disability services in VET, who provided referrals to the most appropriate targets for broader level interviews and case study interviews.
- Case study interviews were undertaken with nine organisations delivering student representation and/or advocacy support and services to VET learners (one of these subsequently withdrew consent to be an identified case study and requested that their contribution be put toward the general consultation findings). Two of the remaining eight were dual or tertiary sector providers, five were VET only providers and one was an independent statutory authority established as a point of contact and advocacy service for tertiary students more broadly (including VET). The case studies were selected on the advice of the broader stakeholders consulted, who were asked to identify where effective learner representation and advocacy was happening in the VET sector. The case studies were designed to demonstrate the models in use, key characteristics of the models, challenges and learnings experienced, major achievements, and critical success factors. Table 2 identifies the sources of the case studies included in the study.

TABLE 1: CONTRIBUTORS TO STAKEHOLDER CONSULTATIONS

➢ Academic Policy and Governance, RMIT	➢ VET Equity Division, Qld
➢ Disability Services, RMIT	➢ TAFE NSW Disability Division
➢ Training Queensland, Equity and Diversity	➢ Illawarra TAFE Student Association
➢ NDCO officer, SA	➢ Brisbane North Institute of Technology (BNIT) Student Association and Disability Services
➢ NDCO officer, Tasmania	
➢ Student advocate, UniSA	
➢ Students with disability advocate, WA	➢ YouthWorX, Northern Territory
➢ Students with disability advocate, Vic	➢ Social Inclusion and Vocational Access, NSW
➢ Office for disability, Vic	
➢ Skills Tasmania, Equity Division	➢ Training and Tertiary Education Branch, ACT
➢ Victorian TAFE association	

Institution	Student representation and advocacy structure	Interview conducted with:
RMIT (VIC)	RMIT Student Union (RUSU)	Student Rights Officer, RMIT Student Union
Swinburne University of Technology (VIC)	Swinburne Student Amenities Association (SSAA)	Operations Manager Swinburne SSAA Office
Box Hill Institute (VIC)	Box Hill Institute Student Representative and Activities Committee (SARC)	Centre Manager, Student Support Services
Sydney Institute (NSW)	Sydney Institute Student Association (SISA)	A/Student Services Coordinator, TAFE NSW Sydney Institute
Canberra Institute of Technology (ACT)	Canberra Institute of Technology Student Association (CITSA)	Student Services Coordinator, CIT Student Association
Southbank Institute of Technology (QLD)	Southbank Staff Student Community Voice Committee (SSCVC)	Student Service Officer and Education Manager
TAFE SA North (SA)	TAFE SA Adelaide North Institute Student Services	Case Manager & Disability Counsellor, Learner Support Services
Office of the Training Advocate (SA)	Office of the Training Advocate	Training Advocate

See Appendix A for the Case Study Question Schedule and Appendix B for the Stakeholder Question schedule.

3 THE VET SYSTEM IN AUSTRALIA: IMPLICATIONS FOR THE LEARNER VOICE

This chapter provides an overview of the vocational education and training (VET) system in Australia, including a snapshot of VET providers and learners, and a review of the key reforms, policy and legislative frameworks that provide the backdrop for including the learner voice in VET. Specific reference is made to National VET reforms (2012-17), Standards for the regulation of VET and legislative frameworks for including the learner voice by jurisdiction. The section goes on to examine policy and legislative frameworks, and programs specifically targeted at learners with disability, and how this intersects with the learner voice focus. Reference is made to the National Disability Strategy (2009), Disability Standards for Education (2005), Disability Action Plans, and the National Disability Coordination Officer (NDCO) Program, DisabilityCare (formerly the NDIS).

3.1 OVERVIEW OF VET PROVIDERS AND LEARNERS IN AUSTRALIA

The National Skills Standards Council (NSSC) Position Paper (2013: p 2-3) provides a concise overview of VET, which consists of around 5,000 registered training organisations, ranging from:

- around 60 large government-owned Technical and Further Education (TAFE) institutes with many thousands of learners and hundreds of qualifications on scope; to
- providers registered to offer both vocational education and training and Higher Education qualifications (approximately 90 providers); to
- large private training colleges providing a broad range of training; to
- very small private colleges focused on niche industry and learner needs; to
- community colleges; to
- not for profit organisations; to
- enterprises delivering training and assessment to its employees; and to
- secondary schools.

According to the NSSC, training and assessment of learners is conducted in a range of environments, from workplaces to institutions, to simulated workplace environments and in some instances, on-line. The VET system provides services to:

- 1.9 million learners in the public vocational education and training system[3] including 1.5 million government funded students and an estimated 400,000 domestic full-fee paying students[4];
- Approximately 249,400 VET in School students of which about 18,500 are school-based apprentices and trainees;
- 37,000 international full-fee-paying students studying in Australia[5];
- 73,000 learners studying Australian vocational education and training qualifications offshore in 2009, across 68 different countries[6].

VET provides approximately 3,300 nationally recognised vocational education and training qualifications, including 59 Training Packages managed by 11 Industry Skills Councils and AutoSkills Australia; and around 1,600 accredited courses developed to meet needs not covered by the Training Packages.[7]

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[3] NCVER 2012, *Australian vocational education and training statistics: students and courses 2011, revised August 2012*.
[4] Ibid.
[5] Ibid.
[6] National Quality Council, 2010, VET Offshore by Public and Private Providers, 2009.
[7] Office of the NSSC analysis of data from www.training.gov.au

In comparison to the higher education sector, VET has significantly higher proportions of Indigenous students, non-English speaking students, students with disability and students from a low socioeconomic background (Skills Australia, 2010). In general, public VET providers have a stronger track record in providing support to disadvantaged learners, but this does not mean that some private providers also make similar provisions (NVEAC, 2011). VET is considered to be a more open, accessible, friendly and supportive study environment, underlying its successful recruitment of students from disadvantaged backgrounds (Gale, 2010).

Stakeholders consulted over the course of this project consistently flagged differences between VET and higher education students. It was observed that VET students are a highly diverse group, with diverse reasons for studying (consider the differences between apprentices and 'tradies' on block release and students enrolled in IT, community services, hospitality, hair and beauty programs). It was frequently noted that students come to TAFE with little other thought than to complete their qualification as efficiently as possible, and that extending into other dimensions of student life is 'not on their radar'. This is because:

- VET students frequently combine part-time study with full-time work, infrequent attendance on campus, often studying at night;
- There is a high turn-over of students, as they are frequently enrolled in short study programs;
- The diverse nature of the student body and dispersed nature of the learning environment (compared to a centralized campus) means there is less of a sense of community among TAFE students – although this is something that student representation and advocacy organisations are keen to change.

3.2 THE VET REFORM CONTEXT

Stakeholders consulted for the project observed that the VET environment has been in an ongoing process of reform for some decades, with an enduring theme of making the system more responsive to the needs of industry. The drive to better match student skills to industry needs has gathered momentum in recent national VET reform and through VET system reviews rolling out across jurisdictions. There has long been a move toward a market driven system, with private providers competing with public providers where once TAFE was the key provider. While benefits have been flagged in terms of economic development, targeted skills and employment outcomes, it is suggested that this has been at the cost of a strong 'learner voice' supporting the rights, entitlements and interests of students. As industry and business centred reforms have taken hold, the learner voice has been increasingly marginalized from high level, strategic, decision-making processes. This frames the general perception among the broader stakeholders consulted that very little is happening in VET in the student representation and advocacy space, particularly in some jurisdictions. There is a key focus on including expert, highly skilled leaders in higher level governance settings (in line with legislative requirements) and a move away from direct student involvement in the governance arena.

At the same time, there is a growing recognition that the VET student experience is vitally important in an increasingly competitive VET marketplace. TAFEs cannot afford to ignore the learner voice; they have to understand and respond to learner needs in a way that translates to positive learner outcomes – both from an educational and social (life on campus) point of view.

3.3 POLICY, LEGISLATIVE AND REGULATION FRAMEWORKS PROVIDING FOR LEARNER VOICE IN VET

This section outlines the key vocational education and training policy, legislative and regulatory frameworks that provide the context for framing learner representation and

advocacy. It also highlights features of these frameworks which support, or have direct relevance to the learner voice in VET, including the learner with disability voice.

3.3.1 NATIONAL VET REFORMS (2012-17)

The central pillar of national VET reform is the revised National Agreement on Skills and Workforce Development (NASWD) 2012-17, signed by COAG on 13 April 2012. NASWD sets out the joint commitment between the Commonwealth and the States to 'deliver a vocational education and training (VET) system with improved quality and greater transparency for students, employers and governments; greater access to training opportunities and improved outcomes for disadvantaged students; and greater efficiency' (COAG, 2012: 1). The National Partnership Agreements on Skills Reform sit beneath and support the NASWD at jurisdictional level. Under the Partnerships, the agreed structural reforms are based on:

- Transparency;
- Quality of teaching and training in VET;
- Accessibility and equity; and
- Efficiency and responsiveness.

The structural reforms aim to achieve the reform directions set out in the NASWD to improve training accessibility, affordability and depth of skill, and improve training, participation and qualification completions, by those experiencing disadvantage. The mechanisms chosen to create a more accessible and equitable training system are the national training entitlements up to Cert III and expanding the income contingent loan (ICL) scheme, otherwise known as VET FEE-HELP.

With the exception of transparency, the states and territories are able to decide how these reforms will be implemented; this flexibility recognises the different circumstances and stages of reform prevailing across jurisdictions. The National Partnerships provide rewards for jurisdictions that deliver on national reforms or achieve service delivery improvements. Jurisdictions negotiate targets through implementation plans signed with the Commonwealth. Each state and territory is expected to develop an implementation plan to support these reforms; to date, the ACT, Northern Territory, Tasmania Western Australia and South Australia have agreed plans. Additionally, each state and territory has local policy for VET, for example, Smart and Skilled (NSW), the Victorian Training Guarantee, and Skills for All (South Australia).

The move towards a competitive, client focused training system to help drive the next wave of innovation and productivity occupies a contested ideological space in the case of access and equity. For some, there is a tension between the focus on access and equity in the NASWD and the mechanisms chosen to support it – entitlement to training and Income Contingent Loans.

Opening up the training market through entitlement, or demand driven public funding arrangements raises questions about whether the true costs of meeting the needs of disadvantaged learners can be achieved through provider efficiencies, especially for learners with more intensive and costly learning needs. Concerns have been raised about the potential impact on disadvantaged learners in the context of providers being able to set their own prices, higher subsidies for courses associated with priority skill areas that may be inaccessible or unattractive to disadvantaged learners, and the removal of base level funding for TAFE providers. In this sense, concerns centre on compromised access for disadvantaged learners on the one hand, to the impact on the quality of training and supports available on the other.

The concept of 'client driven' in the VET reforms is also contested. VET reforms have traditionally focused on making VET more relevant to industry in order to better respond to the needs of a skilled economy, and in doing so, the VET 'client' was defined as being industry rather than individual learners. Benefits to learners, under this view, are

assumed to involve delayed returns in the form of employment provided by employers whose needs match the skills developed by those learners. In other words, the focus on learners relates to the outcomes of their participation rather than to the participation process itself.

3.3.2 STANDARDS FOR THE REGULATION OF VET

The Australian Skills Quality Authority (ASQA) is the newly established national regulator for the Australian VET sector, and is responsible for ensuring nationally approved quality standards are met by providers. The national regulatory system signals a change from the previous state-based system, and involves a referral of powers to Commonwealth by most states. Victoria and Western Australia are exceptions in not referring their regulatory powers to the Commonwealth, so RTOs may be subject to regulation by either their state regulator, ASQA or in some cases both.

Therefore, RTOs are regulated by one of two sets of Standards depending on their location of delivery and learner cohort. These include the

- VET Quality Framework, consisting of the NVR standards and the associated legislated instruments, and the Australian Qualifications Framework
- AQTF Essential Conditions and Standards for Initial / Continuing Registration, and the Quality Indicators

While there are differences between the NVR legislative instruments and the AQTF in terminology, structure and layout, there is no significant variation to the intent or effect of the standards. Applying to initial and continuing registrations, the Standards comprise a mechanism to 'guide 'nationally consistent, high quality training and assessment services' for VET clients, applicable to initial and continuing registration of RTOs (Australian Skills Quality Authority, 2013).

The Standards (applying to initial and continuing registrations) cover a range of areas, with some having greater relevance for learner representation and advocacy. Generally, RTOs are required to comply with relevant Commonwealth, State or Territory legislation and regulatory requirements (SNR 9, SNR 20, AQTF Condition of Registration 3); more specifically they are required to show they have strategies in place to adhere to the principles of access and equity and to maximise outcomes for clients (SNR 5, SNR 16, AQTF Standard 2). These include demonstrating how they will establish and meet the needs of clients, inform clients about the services to be provided and associated rights and obligations, establish mechanisms to ensure services met the individual needs of learners, and establish a defined complaints and appeals process that will ensure learners' complaints and appeals are addressed effectively and efficiently.

The Standards also require RTOs to consult effectively with industry about training and assessment strategies (SNR 4.2, SNR 15.2, AQTF Standard 1.2) and to demonstrate how the decision-making of senior management is informed by the experiences of trainers and assessors (SNR 7.2, 18.2, AQTF Condition of Registration 1). The Quality Indicators focus on the extent to which learners engage in activities that are likely to promote high quality skill outcomes. It includes learner perceptions of the quality of their competency development and the support they receive from their RTOs. The source of data to measure this indicator is a survey of students undertaken by an RTO using the Learner Questionnaire[8], generally administered at the end of the learner's training with limited opportunities to affect the learning journey for the individual.

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[8] Available on the National Skills Standards Council website, see
http://www.nssc.natese.gov.au/__data/assets/pdf_file/0007/67525/AQTF_LearnerQuestionnaireLQ_005.pdf

3.3.3 LEGISLATIVE FRAMEWORKS FOR INCLUDING THE LEARNER VOICE IN VET GOVERNANCE ARRANGEMENTS

A review of state and territory VET and TAFE legislation and reform processes shows that provision for student representation on TAFE governing bodies varies from state to state.

The **New South Wales** VET sector is headed up by the NSW TAFE Commission Board, established under the Technical and Further Education Commission Act 1990, No 118 (New South Wales Government 2011). The Commission Board makes recommendations to the Minister on policies, strategic planning, the efficiency and effectiveness of TAFE operations and management, TAFE NSW's commercial activities, and cross-sectoral issues. Board members at this level are drawn from industry, the education and training sector and the wider community on the basis of their experience and expertise. It is noted that in making board appointments, the Minister is to give regard to (amongst other factors) 'persons who have knowledge or expertise in the education and training of women, Aborigines, persons from non-English speaking backgrounds, persons with disabilities and persons from rural area' (New South Wales Government 2011, Part 4, Section 11). There is also provision for the Commission Board to establish committees to assist in exercising any of its functions.

Running parallel to the Commission Board is the NSW Board of Vocational Education and Training (BVET), established under the Board of Vocational Education and Training Act 1994 and hosted by the Department of Education and Communities. The BVET also provides strategic advice to the Minister, as well as overseeing policy and planning initiatives and fostering partnerships in the NSW VET sector.

In New South Wales individual institutes are not stand alone statutory bodies and as such have Institute Advisory Councils rather than governing boards. Institute Advisory Councils provide input on community, business and customer needs and issues and also offer direction for improving industry, community and student outcomes. Councils consist predominantly of professionals drawn from a cross-section of industry and the community bringing a wide range of expertise and advice to each Institute. Student representation is not mandated.

Looking to the future, the NSW Government acknowledges TAFE's role as the public provider of vocational education and training in NSW. However, the Government is considering how to improve TAFE structures and governance in order to ensure that TAFE is able to compete effectively in a reformed training environment. This includes consideration of proposals contained in the Commission of Audit Report including: greater autonomy for individual TAFE institutes; budget reforms which allow TAFE to plan over a three or four year period; changes to TAFE employment structures; and a review of the service relationship between TAFE NSW and the Department of Education and Communities (New South Wales Government 2012).

Queensland has a hybrid governance model combining eleven non-statutory TAFE institutes and two statutory TAFE institutes. Non-statutory TAFE Institutes are governed by a TAFE Institute Council, which reports to and is subject to direction from the Minister. Institute councils have the option to appoint student members, but this is not mandatory. Statutory TAFE Institutes are required to have a Board that must account to the Minister and Chief Executive for the Institute's performance. The Board itself is not required to appoint a student representative, however it is required to establish a staff, student and community voice committee which advises on 'the welfare of students and staff of the institute; and the development and maintenance of the institute's relationships with students, staff, the vocational education and training sector and the general community' (Queensland Government 2012).

Concerns have been raised in some quarters about the hybrid governance model of two statutory and 11 departmental institutes, signalling a shift toward more autonomous organisational models in Queensland. The Queensland Skills and Training Taskforce Final

Report (2012) noted that 'key to the Taskforce's consideration of organisational structure was creating an entity separate to the department, and to the VET investment purchasing function, that would position TAFE with a clear commercial focus' (Queensland Skills and Training Taskforce 2012). This involved establishing a parent entity as a Statutory Body or a Government Owned Corporation (GOC).

The Taskforce final report, which is currently under consideration, places heightened emphasis on industry engagement, involvement and leadership in the governance and provision of TAFE services. While reference is made to engaging key community leaders to participate in the reform process, no reference is made to student engagement or to a potential role for the staff, student and community voice committees currently operating under Boards of statutory TAFE institutes.

The **Western Australia** VET sector operates under the Vocational Education and Training Act 1996, overseen by the VET (WA) Ministerial Corporation. The State Training Board provides advice to the Minister on a broad remit of VET related matters, and consists of members appointed by the Minister. There is a mandate to include a person experienced in employers' interests and a person experienced in workers' interests, but no reference is made to including persons experienced in learner interests (Western Australian Government 2010).

In Western Australia, individual VET colleges are required to have a governing council, which among other functions 'must ensure the college's courses, programmes and services are responsive to, and meet, the needs of students, industry and the community' (Western Australian Government 2010). Governing Councils are considered a mechanism for community input into VET provider operations, however student representation is not mandated.

The **South Australian** *Training and Skills Development Act 2008* (South Australian Government 2011) established the Training and Skills Commission subject to the control and direction of the Minister. The Commission as established under the Act was responsible for advising the Minister, regulating training providers and promoting investment, equity and participation in vocational education and training.

The Office of the Training Advocate, established in 2003 to 'complement the Training and Skills Commission in raising the quality of and increasing community satisfaction with vocational education and training', continues to play an important role under the Act. A review of the Office of the Training Advocate in 2007 demonstrated widespread support for strengthening and increasing the independence of the role within a legislative framework, such that the Training Advocate was given statutory recognition under the Training and Skills Development Act 2008.

The Training Advocate provides the following functions[9]:

- Promoting higher education, vocational education and training and adult community education in the state
- Promoting employment and skills formation
- Independent complaint handling process
- Advocacy
- Information and advice
- Monitoring the training system.

Notable features of the Training Advocate Charter include the ability to 'speak for and negotiate on behalf of education and training providers and clients (and prospective clients) of education and training providers in the resolution of any matters arising out of the delivery of education and training', to 'provide information and assist people to

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[9] Source: Government of South Australia, Office of the Training Advocate, http://www.trainingadvocate.sa.gov.au/about-us/functions, accessed 28 February 2013

navigate the training system in South Australia', to 'give advice on the power that may be exercised in relation to matters arising under the Act' and to 'monitor the administration of the Act and make recommendations (if any) for legislative change' (South Australian Government 2008).

Specific to the TAFE sector, under new South Australian legislation enacted on 1 November 2012 (the *TAFE SA Act 2012*), TAFE SA legally separated from the Department of Further Education, Employment, Science and Technology (DFEEST) to become a Statutory Corporation. Under this arrangement an Independent Board of Directors governs TAFE SA on behalf of DFEEST, with members selected on the basis of expertise, abilities and experience. Notably, under the rules and by-laws section, TAFE SA has power to make rules to 'provide for the formation of an association of students, or students and staff, of TAFE SA for the purposes of promoting the interests of student or of students and staff' (South Australian Government 2012). The Office of the Training Advocate continues to function in line with the Charter in accordance with Part 2 Division 4 Section 21 of the Training and Skills Development Act 2008.

Further to this, the *TAFE SA Code of Practice*[10] stipulates that:

- Our Institutes ensure that clients have access to a fair, equitable and inexpensive process for expeditiously dealing with grievances and provide an avenue for students to appeal against decisions that affect their progress. Every effort is made to resolve grievances.
- Our Institutes have established quality systems with mechanisms in place to continually improve services including processes to obtain feedback from clients on their satisfaction with the services received.
- Our Institutes are committed to providing learning and assessment services that as far as possible meet individual learning needs.

Victorian TAFE Institutes operate under a structure of autonomous governance, with TAFE Boards being ultimately responsible to the Victorian Minister for Higher Education and Skills. Institutes are governed by boards of directors with a broad range of expertise and experience, particularly knowledge of industry and community training needs and various governance skills.[11] Originally the Victorian Education Training Act 2006 included reference to mandated student representation on institute boards, such that 'one [member] must be a student of the institute elected by students of the institute' (Victorian Government 2012). However, from 1 January 2013 (Authorised Version No. 038), this stipulation was removed from the Act (Victorian Government 2013).

This development reflects recent moves by the Victorian government to remove requirements for student representation on TAFE boards (and higher education governing councils), embodied in the Education Legislation Amendment (Governance) Bill 2012. The *Review of legislative, governance and oversight arrangements between Skills Victoria and TAFEs* (Dandolo Partners 2011) report commissioned by the Victorian Government reflects the view that 'the presence of elected staff and student representatives impacts negatively on Board effectiveness as they are seen to represent narrow interests' (p. 38) and 'the notion of having elected Board representatives (staff and student elected officials) is at odds with contemporary governance practice where Board members should have an institution-wide view rather than a particular stakeholder view' (p. 44). The authors of the report recommended removing student and staff representatives from boards, except where 'a person from one of these groups [is] eligible for consideration in terms of skills/experience' (p.44).

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[10] Source: Government of South Australia TAFE SA Code of Practice
http://www.tafesa.edu.au/docs/apply_enrol/tafesa_code_of_practice.pdf?sfvrsn=0
[11] Source: Victorian TAFE Association http://www.vta.vic.edu.au/?Name=Governance_Introduction Accessed 4 March 2013.

There are currently three Acts governing VET in **Tasmania:**

- Education and Training (Tasmanian Polytechnic) Act 2008
- Education and Training (Tasmanian Skills Institute) Act 2008
- Vocational Education and Training Act 1994

Following a review of the Tasmanian VET system undertaken in 2012, with a view to reforming the sector, the government has accepted the recommendation that a single piece of legislation would better serve the sector. Consequently, a new Act is currently under development and is anticipated to take effect from 1 July 2013.

VET oversight is provided by Skills Tasmania, a statutory authority established in 2007 to replace the Tasmanian Learning and Skills Authority. Its functions include advising the Minister on Vocational Education and Training (VET) policy and strategy and administering VET in Tasmania. This role is envisioned to continue under the reform process. Skills Australia is governed by a Board of Directors drawn predominantly from industry.[12]

The reform also means that Tasmanian Polytechnic and Tasmanian Skills Institute will be superseded by TasTAFE, a 'one stop shop' for public VET in Tasmania. TasTAFE will comprise a statutory authority, with a CEO and board accountable to the Minister for Education and Skills. Notably, under the Education and Training (Tasmanian Polytechnic) Act 2008, board members were required to demonstrate the usual remit of key knowledge and skills pertinent to governance, business and industry, however specific reference was made to (Tasmanian Government 2008):

- Including members with an understanding of the post-Year 10 education and training needs of students and potential students and the requirements for meeting those needs
- Taking into account the desirability of having as directors persons with an understanding of the interests of parents and the community
- The Board may establish any committee it considers appropriate in   relation to the functions and powers of the Polytechnic.

With respect to board membership of TasTAFE, the implementation plan signalled that the Board should 'reflect the characteristics of the community and industry the new entity serves and include experts from areas such as other educational sectors, finance, human resources, risk management, property and the law', with board membership stipulations to be set out in the new VET Act.

The Virsis consulting review of VET in Tasmania recommended that working groups be established to drive the implementation process. In a clear relegation of the student representation role, the report advised that 'working group membership be based on expertise rather than representation and include nominees from DoE, Skills Tasmania, the Tasmanian Polytechnic and TSI as appropriate'. However, the report also indicated that 'a formal and regular communication process with stakeholders be part of the implementation process' (Virsis Consulting 2012, p. 79).

The **Australian Capital Territory** VET sector operates under the Training and Tertiary Education Act 2003.[13] The Act describes the functions and operations of the Accreditation and Registration Council, with no reference to student involvement at any level.

The ACT Education and Training Directorate (the Directorate) is responsible for providing strategic advice and overall management of VET and higher education. According to the Education and Training Directorate website, the Directorate gathers advice from research

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[12] Ibid.
[13] Source: Australian Capital Territory *Training and Tertiary Education Act 2003* A2003-36, Republication No 15, effective 22 September 2012.

and industry stakeholders to predict industry trends and identify the future training requirements of the ACT. The directorate has comprehensive communication networks with all major VET clients and stakeholders and exchanges information with industry, the community and VET industry stakeholders using a range of strategies to inform the development and implementation of client focussed policy and programs.[14]

The **Northern Territory** VET sector operates under the Northern Territory Employment and Training Act, as in force March 2011. The Act established the Ministerial Advisory Board for Employment and Training and the Northern Territory Employment and Training Authority. Under the Act, the composition of the Advisory Board requires community (rather than learner) representation to the extent that '3 persons, each of whom is resident in a regional centre or community outside the major centres of Darwin and Palmerston' must be included (Northern Territory Government 2011, p. 8). The Advisory Board is specifically required to consult with industry, but consultation with other stakeholder groups is not legislated. However, the Board is able to establish whatever committees it deems necessary to assist it in executing its duties.

In the majority of cases, legislation does not require Institutes or state level training bodies to include learner representatives within their governance structures. However, there does tend to be a focus on recruiting members with knowledge of industry, business and community training needs and various governance skills. In the case of Victoria, removal of the requirement for student representation on TAFE boards was based on a 'contemporary' perspective that Board members should have an institution-wide view rather than a particular stakeholder view, and that selection should be based on expertise rather than representation. However, many of the legislative tools make provision to establish any sub-committee deemed necessary to assist in executing duties, with potential application for capturing the learner voice.

3.4 Policy and Legislative Frameworks, and Programs that support learner with disability voice in VET

This section reviews the policy and legislative and programs that provide for/support the participation of people with disability in tertiary education. It considers the extent to which learner with disability voice in VET is supported through the National Disability Strategy, the Disability Standards for Education, the disability Action Plans and the National Disability Coordination Program.

3.4.1 National Disability Strategy, COAG (2009)

The National Disability Strategy (NDS), leading from the Disability Discrimination Act (1992), focuses effort on 'achieving a society that is inclusive and enabling, providing equality and the opportunity for each person to fulfil their potential' (Council of Australian Governments (COAG) 2009: 3). The purpose of the NDS is to:

- Establish a high level policy framework to give coherence to, and guide government activity across mainstream and disability-specific areas of public policy
- Drive improved performance of mainstream services in delivering outcomes for people with disability
- Give visibility to disability issues and ensure they are included in the development and implementation of all public policy that impacts on people with disability
- Provide national leadership toward greater inclusion of people with disability.

A key message of the NDS refers to the involvement of people with disability in decision-making processes, namely that the views of people with disability are central to the

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[14]Source: ACT Government Education and Training Directorate, http://www.det.act.gov.au/training, accessed 4 March 2013.

design, funding, delivery and evaluation of policies, programs and services which impact on them, with appropriate support and adjustment for participation. A major focus is improving the mainstream response to people with disabilities (COAG, 2011):

> *The Strategy provides a cohesive vision for advancing the interests of people with disability, their families and carers across the whole community. The Strategy will work in conjunction with the NDA and other Commonwealth-State/Territory agreements to ensure that all mainstream services and programs across the country - including healthcare, education, Indigenous reform and housing - address the needs of people with disability.*

The NDS covers six policy areas, with Area 2 of particular relevance to this Project - Rights *protection, justice and legislation*. This includes statutory protections such as anti-discrimination measures, complaints mechanisms, advocacy, the electoral and justice systems. Identified areas for future action include:

- Area 2.6: Improve the reach and effectiveness of all complaint mechanisms.
- Area 2.10: Ensure people with disability have every opportunity to be active participants in the civic life of the community—as jurors, board members and elected representatives
- Area 2.11: Support independent advocacy to protect the rights of people with disability.

Notably, many of the legislative and policy frameworks targeting disability demonstrate a groundswell toward *recognising* the rights of people with disabilities, yet it is important to note that these fall short of *enforcing* the rights of people with disabilities. Indeed, the *Shut Out* report highlighted 'the gap between the principles enshrined in the legislation and the lived experience of many people with disabilities' as identified by consumers (National People with Disabilities and Carer Council 2009: 14).

3.4.2 DISABILITY STANDARDS FOR EDUCATION, COMMONWEALTH OF AUSTRALIA (2005)

The Disability Standards for Education 2005 were formulated under the *Disability Discrimination Act 1992* and tabled in Parliament on 17 March 2005. They came into effect in August 2005. The Standards clarify the obligations of education and training providers to ensure that students with disabilities are able to access and participate in education and training on the same basis as those without disability.

The Standards cover enrolment, participation, curriculum development, accreditation and delivery, student support services and the elimination of harassment and victimisation. Each part sets out the rights of students with disability in relation to education and training to help people understand what is fair and reasonable under the Standards; the legal obligations or responsibilities of education providers; and measures that may be implemented to comply with the requirements of the Standards[15]. Table 3 illustrates these requirements against identified rights. All education providers including preschool and kindergartens, public and private schools, public education and training places, such as TAFE, private education and training places, such as private business colleges, universities, and organisations that prepare or run training and education programs are bound by the Standards.

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[15] Source: http://deewr.gov.au/disability-standards-education

TABLE 3: OVERVIEW OF RIGHTS AND REQUIREMENTS UNDER THE STANDARDS

Rights	Requirements
Enrolment	
Right to seek admission and enrol on the same basis as prospective students without disability including the right to reasonable adjustments.	Take reasonable steps to ensure that the enrolment process is accessible. Consider students with disability in the same way as students without disability when deciding to offer a place. Consult with the prospective students or their associates about the effect of the disability on their ability to seek enrolment; and any reasonable adjustments necessary.
Participation	
Right to access courses and programs; use services and facilities; and have reasonable adjustments, to ensure students with disability are able to participate in education and training on the same basis as students without disability.	Take reasonable steps to ensure participation. Consult with the student or their associate about the effect of the disability on their ability to participate. Make a reasonable adjustment if necessary. Repeating this process over time as necessary.
Curriculum development, accreditation and delivery	
Right to participate in courses and relevant supplementary programs that are designed to develop their skills, knowledge and understanding, on the same basis as students without disability and to have reasonable adjustments to ensure they are able to participate in education and training.	Enable students with disability to participate in learning experiences (including assessment and certification). Consult with the student or their associate. Take into consideration whether the disability affects the students ability to participate in the learning experiences.
Student support services	
Right to access student support services provided by education institutions, on the same basis as students without disability. Students with disability also have the right to specialised services needed for them to participate in the educational activities for which they are enrolled.	Ensure that students with disability are able to use general support services. Ensure that students have access to specialised support services. Facilitate the provision of specialised support services.
Harassment and victimisation	
Right to education and training in an environment that is free from discrimination caused by harassment and victimisation on the basis of their disability.	Implement strategies to prevent harassment or victimisation. Take reasonable steps to ensure that staff and students are informed about their obligation not to harass or victimise students with disability. Take appropriate action if harassment or victimisation occurs. Ensure complaint mechanisms are available to students.

One of the aims of the Standards is to provide clarity and guidance about the rights of students under the DDA. The Standards do this by specifying how education and training services are to be made accessible to students with disability at all stages of the education and training process.

Under Section 32 of the Disability Discrimination Act (DDA) it is unlawful for a person to contravene a Disability Standard. An aggrieved person or someone on their behalf can make a complaint to the Australian Human Rights Commission (AHRC) about non-compliance with the DDA, which can include non-compliance with a Disability Standard. If conciliation by the AHRC is unsuccessful, an aggrieved person may commence legal proceedings in the Federal Court or Federal Magistrates Court. Additionally, most States and Territories have Equal Opportunity legislation. People who wish to lodge a complaint about discrimination can choose to complain under the Commonwealth's Australian Human Rights Commission Act 1986 or equivalent anti discrimination state/territory legislation. Since 2005, approximately seven per cent of complaints made under the DDA relate to disability discrimination in the area of education, although it is noteworthy that

the time and resource-intensive nature of the AHRC process likely constitute a key deterrent for learners and their families to pursue this avenue of redress (DEEWR, 2012).

A review of research about vocational education and training and people with a disability highlighted issues associated with providing adequate timely support to students with disability. A key identified issue is non-disclosure of disability at the time of enrolment or at later times when issues arise for the student, which may be related to perceptions of stigma or lack of knowledge about available supports. As the DSE only apply at the point of enrolment, this represents a particular problem for students with disability who do not disclose upfront. The research also turned up examples where the provision of support has failed (e.g. interpreters not turning up) or the support has been deemed inappropriate by the students involved. There are also indications that teaching staff have insufficient access to training, development and information about how to be inclusive of people with disability (NCVER, 2008).

These observations were complemented by a subsequent review of the Disability Standards for Education 2005 (DEEWR 2012: v), which determined that the Standards provided a 'good framework for promoting the requirement for students with disability to be able to access and participate in education on the same basis as all other students', but that their effectiveness had been undermined on a number of levels. Key identified issues included:

- A lack of general and targeted awareness about the Standards
- A lack of clarity about key terms such as 'consultation' and reasonable adjustment'
- Instances where the intent of the Standards is not being met in practice
- Insufficient focus on measures to remove discrimination
- Inaccessible complaints process, limited consequences for failures to act on complaints, and a lack of accountability for compliance with the Standards.

Overall, the various failings associated with the Disability Standards for Education identified in the review point to a culture of minimal compliance in VET. This is supported in large part by the difficulty involved in challenging the 'unjustifiable hardship' defence that is available to VET providers. Add to this the lack of skills, knowledge and confidence on the part of learners with disability (who are often subject to multiple levels of disadvantage) to self-advocate for their educational rights, and the importance of establishing a learner rights support structure (aka an effective learner representation and advocacy process) becomes more pronounced.

BOX 1: RESOURCES THAT ASSIST IN APPLYING THE STANDARDS

In addition to the information contained in the Disability Standards and Guidance Notes, other resources have been developed to assist people with disability and education and training providers to understand the provisions of the Standards.

A number of States and Territories have developed guides to assist education providers in implementing the Standards. For example, the South Australian Government's Guidelines 'On the same basis' (DECS) provide practical advice to education staff on implementing the Standards.

DEEWR established a website to help users understand the Standards http://www.ddaedustandards.info

The Australian Human Rights Commission has a range of resources in relation to the Disability Discrimination Act and the related Standards and Guidelines. These are available at their website at www.ahrc.gov.au.[16]

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[16] **Source:** Discussion Paper prepared for the Review of Disability Standards (2005) http://foi.deewr.gov.au/node/21158

3.4.3 DISABILITY ACTION PLANS

The **Disability Discrimination Act 1992** (DDA) encourages organisations to develop 'action plans' to eliminate discriminatory practices. It is effectively a strategy for changing business practices which might result in discrimination against people with disabilities.

For an organisation to benefit from the work involved in developing an action plan, the Australian Human Rights Commission (AHRC) recommends that an action plan should[17]:

- eliminate discrimination in an active way
- improve services to existing consumers or customers
- enhance organisational image
- reduce the likelihood of complaints being made
- increase the likelihood of being able to successfully defend complaints
- increase the likelihood of avoiding costly legal action
- allow for a planned and managed change in business or services
- open up new markets and attract new consumers.

An action plan will be effective in ensuring compliance with the DDA if it convinces complainants and ultimately a Hearing Commissioner or the Federal Court that it

- demonstrates commitment to eliminating discrimination
- shows clear evidence of effective consultation with stakeholders
- has priorities which are appropriate and relevant
- provides continuing consultation, evaluation and review
- has clear timelines and implementation strategies and
- is in fact being implemented.

Developing and implementing an action plan is a voluntary, proactive approach to DDA compliance. It has benefits both for organisations and for people with disability. For organisations, the development and implementation of action plans enhances corporate image, delivers services more efficiently and accesses a wider market. It also enables organisations to set objectives and actions, assign accountability and responsibility and measure outcomes through effective evaluation methods.

How is a plan developed?

Key people who are responsible for delivering policies and processes relating to all internal and external processes including IT, property, employment, communications, advertising and goods and services need to:

- review current practices to identify barriers
- develop policies and programs to eliminate barriers
- allocate responsibility
- devise evaluation strategies to monitor progress
- develop communication strategies.

In a small business, this may be relatively straightforward and businesses may choose to implement changes rather than formally develop and lodge a DAP. However, in large complex organisations with multiple outlets, the required changes may need to be planned over a period of years.

Each business unit manager needs to establish how accessible their policies, processes and goods and services currently are for people with disability. This can be done in consultation with people with disability stakeholder groups including employees with disability. Actions need to be prioritised to eliminate the barriers that have the greatest impact first.

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[17] **Source**: Australian Human Rights Commission, *Developing an effective Action Plan*, http://www.humanrights.gov.au/disability_rights/action_plans/Effective_Plan/effective_plan.html

Action planning needs to allocate the financial and people resources required to implement the required changes. An action plan that is not supported by financial and people resources is destined to fail. Once developed, an action plan can be given to the Human Rights and Equal Opportunity Commission. In the event of a complaint, the Commission is required by the DDA to consider the organisation's action plan. Action plans can be prepared using guides on the Aust Human Rights Commission website - http://www.humanrights.gov.au/disability_rights/action_plans/index.html [18]

3.4.4 NATIONAL DISABILITY COORDINATION OFFICER (NDCO) PROGRAM

The NDCO Program aims to address the barriers that people with disability face in successfully accessing and completing post-school education and training and subsequent employment, by improving coordination and collaboration among service providers and building their capability to support people with disability. The officers provide support and services to individuals, education and training providers, and employment, disability support and community agencies (Australian Government, 2013).

In particular, NDCOs work strategically and collaboratively with tertiary education and training providers to improve participation outcomes for learners with disability and to improve their transitions between school/community, tertiary education and subsequent employment. To assist education and training institutions with providing better services for people with disability, NDCOs can provide a range of advice and support, including:

- Improving knowledge and awareness among stakeholders, and establishing/supporting local networks of stakeholders and partners to improve local tertiary education participation and subsequent employment outcomes for people with disability;
- Collaborating with local stakeholders to identify and work towards overcoming identified barriers to the participation of people with disability;
- Assisting in building education and training providers' capability to better support students or prospective students with disability;
- Cultivating communities of practice that encourage shared learnings, goals and collaborations to improve transitions and participation for people with disability;
- Improving awareness and understanding of responsibilities under the Disability Discrimination Act 1992 and the Disability Standards for Education 2005, and knowledge about disability programs;
- Informing people with disability about their rights, entitlements, provider obligations, services and supports available;
- Developing inclusive strategies that are reflective of the regional demographics of people with disability;
- Ensuring that student accommodation is appropriately equipped to meet the needs of people with disability;
- Ensuring that appropriate support is provided to students to assist them in their course of study through building the capacity of providers' disability support staff;
- Building better linkages with other key organisations within specific regions to ensure that the best possible assistance is available for people with disability (Australian Government, 2013).

The Department of Education, Employment and Workplace Relations commissioned PhillipsKPA (2011) to conduct an evaluation of the National Disability Coordination Officer Program (NDCO). Specifically, the evaluation was asked to consider whether the NDCO

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[18]**Source:** Aust Network on Disability, *What is a disability action plan?* http://www.and.org.au/pages/what-is-a-disability-action-plan.html

program provides a good return on investment for the Australian Government. In relation to the VET sector, the evaluation found that:

- There is much variation in effectiveness of the program in the VET sector across the states and regions, and overall much work is needed in this sector. In some regions, the VET sector's profile was low on the agenda of the NDCO and in others it was a more significant element in intervention measures; and
- The NDCO program's impact on the higher education sector is considered effective, but depends greatly on the level and quality of relationships developed in regions. It is not always the case that being hosted by a university leads to a more effective relationship with the higher education sector.

There is a key role for NDCOs to assist in transitioning completing TAFE students with disability into employment, however particular challenges exist in this context. The evaluation reported that 'a major issue for colleges and institutes is that they are servicing the same students over and over as they rotate back through the education and training system after not being successful in finding work' (ibid., 45). A further issue is that students with disabilities are entering apprenticeships and courses to which they are not suited, are often not able to complete, and when they do they do, are on occasion unable to fulfil licensing requirements due to occupational health and safety issues. The report recommended that NDCOs work more closely with employer groups, Australian Apprenticeship Centres and schools to consider suitable adjustments in the system.

In summary, many positive aspects of the NDCO program are found to suggest its potential to deliver tangible and ongoing outcomes as changes to the disability landscape continue to emerge. The role of NDCOs in the program holds strengths where they are 'linkage makers' for building relationships and networks within regions, improving coordination of service provision across multiple providers and stakeholders. However, the extent to which these linkages are proved effective and interventions are successful in the VET sector will rely greatly upon the value of the profile of the VET sector within each NDCO's region.

The evaluation report also specifically articulates a reorientation of the NDCO program away from an individual 'troubleshooting' approach (e.g. casework advocacy-style) to a more strategic focus on systemic barriers related to individual cases:

> *In our view, the broader needs of the community will not be met, and a sustainable impact of the program is unlikely, if NDCOs focus on lower order activity at the expense of supporting effective networks and working with organisations across the school to work continuum to effect sustainable change' (ibid., 7).*

3.4.5 DISABILITYCARE AUSTRALIA (FORMERLY THE NDIS)

On 28 March 2013 the *National Disability Insurance Scheme Act 2013* was passed through both houses of parliament, and the scheme was renamed DisabilityCare Australia. The scheme provides the following[19]:

- A framework for a national scheme including eligibility criteria, age requirements, and what constitutes reasonable and necessary support.
- The establishment of the NDIS Launch Transition Agency as an independent body, enabling it to operate the launch of the scheme in five sites across Australia from July 2013.
- Clarity regarding how a person can become a participant in the scheme, how participants develop a personal, goal-based plan with the Agency, and how reasonable and necessary supports will be assured to participants. People will be able to decide for themselves how to manage their care and support, and

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[19] Sourced from http://www.ndis.gov.au/ndis-legislation/, accessed 10 April 2013.

choose how they want to manage their supports. They will also be able to access assistance from local coordinators.

- Responsibility on the part of the Agency for the provision of support to people with disability, their families and carers. This could include providing funding to individuals and organisations to help people with disability participate more fully in economic and social life.

DisabilityCare Australia will fund a broad range of individualised supports, targeted mainly to aids and appliances, personal care, domestic assistance, respite, home and vehicle modifications and community access. It is highlighted that provision of health, education, employment, housing, transport and income support will remain a mainstream concern; however DisabilityCare would have a role in promoting the development of, connecting people to, and where needed, supporting the activity of people in mainstream services.

Specifically in the educational context, the Productivity Commission has noted that partnerships between families, communities and schools are needed to identify and respond to the needs of individual students. DisabilityCare would have a role in meeting some of the needs of students typically centred on the provision of goods and services to support the student (e.g. personal attendant care, a hearing aid, or a wheelchair). There is also scope for the Agency to 'have a role in raising awareness of the needs of people with disability in the education system and advocating on their behalf' (Productivity Commission, 2011: 249).

4 THE LEARNER VOICE IN VET

The learner voice has been defined in different ways in different educational settings with varying degrees of clarity. However, there appears to be general consensus about what learner voice should and should not entail (e.g. Golding op cit, Lavender Angus & Foley 2012b; Parsons & Taylor 2011; Rudd Colligan & Naik 2006; Seale 2009). Features of capturing 'authentic' student voice are listed below, although to what extent they are achieved will vary across institutions. Learner voice should:

- Be more than listening and consultation
- Link student voice with action
- Encourage learners to be co-designers of what and how they learn
- Provide empowerment where learners and teachers are 'equal partners' in the evaluation of teaching and learning and can solve problems and influence change (Golding et al, 2012b; Seale, 2009).

Research findings highlight the important relationship between learner voice and learning outcomes in that the more a learner's voice is heard the greater their engagement with learning. This has benefits for the student at a personal level (e.g. increased self-esteem, improved behaviour and academic achievement), the institution (e.g. improved quality of services, enhanced reputation) and the broader community (Manefield Collins, Moore, Mahar & Warne, 2007; Trowler & Trowler 2010). Synergistiq[20] (2013) identified learner benefits in terms of improved confidence, self-esteem, independence and motivation through to better learning outcomes, retention, completion and employment potential. Institutions benefit from learner participation through stronger enrolments, better reputations, increased completion rates and enhanced quality improvement processes Furthermore, incorporating learner voice in educational institutions is critical if the concept of personalising education is to be successful (Rudd et al 2006).

WISeR's review of the literature[21] confirms the finding of Golding et al (Golding B, Angus L, Foley A & Lavender P 2012a and b) that there is a very limited amount of research on participation and other strategies which support the hearing of learner voices in the VET system. It is observed that:

- There was generally a poor understanding amongst interviewees of either learner voice or, particularly, learner feedback, either theoretically or practically other than at a classroom, workshop or workplace level
- There was a widespread perception that, in the 'competitive training market', learner voice is rarely sought or heard other than 'by their feet'; that is, when people stop coming to programs
- Learner voice and feedback in VET and ACE, on the evidence of a substantial number of Australian interviews, appears to be particularly poorly implemented at institutional, course, or faculty level

There is a significant amount of research literature that relates to learner voice, but significantly less on learner participation and advocacy which can be seen as components of learner voice.

4.1 ACTIVATING THE LEARNER VOICE THROUGH REPRESENTATION AND ADVOCACY

Evidence from the higher education sector shows that learner representative and advocacy services are central to voicing the opinions and interests of learners in key

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[20] Please note, this report is not currently available publically.
[21] Search terms used in the literature review included: student representation and advocacy, student engagement, learner voice, further education, higher education, tertiary education.

decision making processes, and for ensuring a fair complaints process, provider accountability and compliance, quality assurance and responsive provision of education and support services, which is especially important for students experiencing disadvantage. Student representative organisations have played an important role in enabling this to happen, by:

- Representing the interests of learners, by forming a focal point for the expression of views and opinions held by the learner community. This feeds learner perspectives about tertiary education issues into classroom-level, department/faculty and higher level, institutional decision-making processes, and into public, community debates relevant to education;
- Comprising a mechanism to ensure the accountability of learning institutions to their learner communities, by publicly advocating for the rights of learners and ensuring a fair complaints process;
- Providing individual learner advocacy by way of independent help and advice on an individual basis to assist disadvantaged learners to understand what an education provider is required to deliver to them (NVEAC 2012).

Learner representation and advocacy are conceived as distinct but highly interrelated functions. The power of the learner voice articulated through student representation refers to direct and indirect student input into decision-making processes. Input may be achieved by way of student satisfaction surveys, student participation in focus groups or forums (informal), and student inclusion in various committees, advisory groups and councils (formal). The reach of the student voice may extend along a strategic continuum from individual, to classroom, to faculty, to Institute-wide matters, with the degree of influence or impact reported to diminish along this continuum.

Advocacy refers to the active pursuit of student interests, rights and entitlements. A student representative may be seen as advocating for all of these. Advocacy can fall within an empowerment model (supporting the student to self-advocate) or a person with the requisite skills, knowledge and power can advocate on behalf of a student. In terms of the student representation and advocacy models on show, there is a need to distinguish between individual advocacy (self-advocacy, casework), group advocacy (addressing a specific collective concern or issue), and systemic advocacy (targeting endemic issues or failings in the system).

The development of an effective learner representation and advocacy system in the VET sector could respond to the key gap identified in the 2012 Australian Government Report on the Review of Disability Standards for Education 2005, namely that the Disability Standards for Education are not effectively integrated in VET (Department of Education, Employment and Workplace Relations; DEEWR, 2012). The Report identified a number of recommendations relating to awareness raising, the importance of building advocacy and negotiation skills for people with disability in VET, and for strengthening the complaints, accountability and compliance process.

Developing mechanisms to support the inclusion of the 'learner with disability voice' is an important focus in progressing these recommendations, and for the overall learner representation and advocacy agenda. Critically, the emphasis on learner advocacy, self-advocacy and representation in this context is based on meaningful consultation with learners with a disability, one which is adequately embedded and neither tokenistic nor an isolated event.

The literature is consistent in conceptualising learner participation as a spectrum which ranges across different degrees of meaningfulness. Rudd et al (2006) summarise the nature or levels of learner voice participation well; they prescribe three levels of engagement: non-participation (involving manipulation, decoration and informing), tokenism (involving consultation, placation and partnership) and learner empowerment (involving delegated power and learner control). Golding, Angus, Foley and Lavender (2012a) argue that learner voice in the Australian VET sector has reached as far as 'non-

participation' and perhaps a tokenistic level but much work is needed for learners to participate in more than a 'manipulation' (i.e. learners are directed and not informed) and 'decoration' (i.e. learners are indirectly involved in decisions but not aware of rights or involvement options) fashion.

4.2 CHALLENGES AND FACILITATORS FOR LEARNER REPRESENTATION AND ADVOCACY

Previous experience in the higher education sector suggests there are a range of important factors to consider in developing an effective VET learner representation and advocacy system. In particular -

- There needs to be a strong platform established for learner representation and advocacy, including grassroots structures to involve diverse learners.
- There also needs to be a concerted focus on how to strengthen the capacity of learners, particularly those who are less advantaged, to contribute on multiple fronts including representation on boards and committees, contributing in public and media settings, and in policy development (AONTAS, 2012).

The literature identifies a number of barriers to learner participation in representative activities, with most of these being identified in the higher education setting:

- lack of disposable time to be involved in representative activities (66% of the 3,054 students who responded);
- concern that representation would have a detrimental effect on their academic results and the repercussions of this (e.g. disappointment of family; 56% of students); and
- lack of awareness about what student representation involves and how to become involved (39%; GA Research 2008).
- Student representatives being unaware of the specific representational, consultation or feedback mechanisms available;
- 'non-traditional' students (e.g. those enrolled part-time, involved in work-based learning or located in outreach centres) are less actively involved in these processes;
- student consultation tends to focus on issues relating to facilities and social activities rather than on financial resources and program or course design and delivery; and
- student representatives usually gain the necessary participative experience and confidence prior to or after completing their course (Katsifli & Green 2010).

All of these barriers are compounded for learners with disadvantage as these students require specific and tailored forms of support in order to engage effectively in participative processes and structures. Disadvantaged learners experience a range of barriers to participation in learning in general, extending from individual (e.g. human capital resources, skills etc) to structural (e.g. transport, child care issues) to personal (e.g. disability, health, housing instability etc). Research has identified the importance of learning support that is 'actually tailored to the aspirations, achievements and abilities of the individual', understanding their motivations, and developing responses that are attuned to the particular terms of their social disadvantage (Hargreaves, 2011). These factors are equally relevant in the context of encouraging and supporting the 'disadvantaged learner voice' in educational settings.

4.3 MECHANISMS FOR INCLUDING THE LEARNER VOICE

Findings from the Centre for Higher Education Research and Information (CHERI) study in England showed that student representation on university committees was the most common approach with student representation at faculty or school level and at a course level fairly common. However there was a discrepancy between institutions and students

as to how effective these approaches are with students considering them less effective than did the institution. This study also showed that student feedback questionnaires are the most common form of student 'engagement' in the UK (Little et al 2009). Trowler and Trowler (2010) concluded that –

> *Students are typically presented as the customers of engagement, rather than co-authors. Where students are involved in shaping the design and delivery of curriculum, it tends mostly to be indirectly through feedback surveys, often with problems reported around closing the feedback loop. Student participation on programme or departmental committees has been found in several institutions in England but great variability exists at this level and there is little evidence of the nature, function or quality of this form of engagement (p.14).*

In terms of what is important to students about their higher education experience, the University of Western Sydney (UWS), in collaboration with their Student Association, examined student representation options at UWS and surveyed students' attitudes towards these options. The UWS found that:

- 80% of the 3,054 UWS students who responded to the online survey felt that student representation and feedback will help ensure that students gain the most from their time there.
- Education was considered the most important aspect, followed by the quality of support services for students (e.g. counselling, financial advice and accommodation assistance) and then recreational services (e.g. orientation week, clubs and societies).
- 81% of the students were in favour of student representatives being elected by other students.
- Students recognised that effective representation is more than just attendance at meetings. It should include opportunities such as:
    - Written/online evaluations of courses and facilities
    - Surveys
    - Audits
    - Focus groups
    - Representatives at course, school or university level.
- Approximately 50% of the students who responded to the survey indicated they would be interested in participating in university committees or student representative organisations (GA Research 2008).

In England, Katsifli and Green's study (2010) titled 'Making the Most of the Student Voice in Further Education' found that it was important for an institution to have a **range** of mechanisms to gain student feedback and involve them in decision making. Furthermore, that face-to-face interviews were optimal in doing this compared to surveys. Golding et al (2012b) presented a summary of several examples of input or feedback mechanisms to adult learners in the UK, often focusing on those applied to more disadvantaged students. 'Surveys, questionnaires and feedback' were the most common and 'simplest' mechanisms used in addition to student representatives, tutorials and management/leaderships teams talking directly to students. In some places, the course representative system is accompanied by a handbook geared at students who have English as a Second Language and some handbooks utilise pictures to assist students with cognitive impairment. One Scottish institution employs 'talking mats' (involves arranging visual symbols to prompt discussion of issues) for students with the most severe communication difficulties.

The National Adult Learning Organisation (AONTAS) in Ireland acknowledges specific attributes of adult learners that reinforce the necessity for effective student representation and advocacy. These attributes include: the adult and community education sector contains a complex mix of learners with a wide range of abilities, qualifications and needs; adults learn in all sorts of settings; adults lead complicated lives and have countless responsibilities; and the adult learning population is highly transient

and does not easily lend itself to structured representation (e.g. a Union) in the same way as other university students, for example. In response to these learner characteristics, AONTAS recommends the follow mechanisms to support learner representation in the adult learner population:

- Establishment of a small advisory group or steering group of adult learners, to support the learner representative in their role and to provide experience on a broad range of learner issues;
- Hosting a regular focus group to explore particular challenges faced by both learners and policy makers;
- The use of social media/internet and other technology to engage with and communicate with a wider group of learners;
- The sharing and promotion of best practice regarding local decision making structures which allow for enhanced learner participation in service delivery;
- The development of a Learner Ambassador initiative which encourages learners to become role models for others and to become involved in their own learning; and
- Development of a learner charter by learners with support from relevant organisations (AONTAS 2012).

Golding et al (2012a) conducted a study investigating what stakeholders think about learner voice in VET and Adult Community Education (ACE). The questions they asked of these organisations from across Australia were informed by the work of Rudd et al (2006) on Learner Voice. These included - how do you *collect* information from enrolled students and graduates about their experiences or attitudes to learning, and when? How do you *analyse, summarise and feedback* that evidence to learners and other stakeholders? What are your understandings about the r*egulatory framework for collecting information* about student experience of teaching and learning? A summary of the findings pertaining to information collection are provided below:

- Results showed that these two aspects are extremely variable in Australia and that only a very small number of learning institutions use extensive, strategic, systematic and learner-focussed techniques (e.g. Individual Learning Plans; ILPs).
- Rather, occasional, ad hoc surveys about students' attitudes were more common and tended to be conducted in keeping with minimum statutory and regulatory requirements.
- In contrast, experienced and fully trained teachers and trainers consider it part of 'normal professional practice' to ascertain the appropriateness of their teaching and the program to the learners and do this by formal and informal means in the classroom, workshop or workplace environment.
- Students' attitudes about their learning experience are explored in the NCVER Student Outcomes Survey. However, given that the students have completed their period of study when assessed, the information is of little use for student learning feedback or institutional strategic planning.
- Even though it is prescribed that Government-funded VET in Australia ensure all Registered Training Organisations (RTOs) seek feedback from their clients/students about the services they offer (via the AQTF Learner Questionnaire), this does not mean that the data are being used in a meaningful way or even being analysed.

Golding et al (2012a) identified that it is 'non-completers' who are least likely to have their voice heard. A possible strategy to avoid this is to prevent students not completing in the first case. An example of how this might be achieved is through mentoring programs, designed to detect and support students in difficulty before they leave. This approach has been used by some higher education providers but its use in VET appears less common. However, student support services have a critical role to play in preventing non completion, particularly in relation to their advocacy services. Interviewing students

prior to leaving a course has been shown to be useful, particularly via home visits as this setting provides the broader context of the student's life and challenges and helps providers to understand the reasons for non completion.

NVEAC (2011) has identified an effective informal learning approach used in Sweden and the United States, '*Community Wide Study Circles'*, which captures the voice of both current and potential VET learners while engaging the local community. Other possible participation approaches currently suggested from the review of literature include:

- having one or more elected students on VET provider boards;
- including learners on advisory committees; and
- funding independent learner controlled organisations that provide advocacy, student services and input into policy and practice.

Hastings (2009) proposes the following measures to help overcome some of the barriers to student representation involvement in higher education and to also improve the quality of the representatives:

- High profile elections (i.e. advertise the election and what the position involves in student and university publications and direct emails to students).
- Provision of training for student representatives (e.g. Australian Institute of Company Directors or similar training courses, internal induction programs), aiming to establish a national training program (the NUS in collaboration with Universities Australia).
- Providing financial support, either by honoraria (e.g. Melbourne University offers $15,000) or in-kind support (e.g. recognition in curriculum or transcript), helps guarantee a meaningful contribution and opens the role up to the less financially fortunate students.
- Including student representatives during the policy development process not just as the final "check".
- Ensuring documentation relevant to meetings arrives on time (i.e. students tend to need at least twice the amount of time to digest complicated bureaucratic language and financial statements)
- Providing special briefings to students representatives (e.g. Chancellor or Vice-Chancellor meets regularly with the student representatives on the university council to go over issues privately and ensure the student feels confident asking questions about areas of the agenda that may seem unclear).
- Providing individual mentors to student representatives (i.e. pair external or alumni representatives with a student representative to mentor the student during their time on the Council or committee). A more experienced committee member can provide a lot of background and contextual information in addition to being a good "debriefing" source for controversial university meetings or decisions.
  Encouraging communication and collaboration among student representatives (e.g. some universities in Canada and NZ hold "student representative networks" which bring together for regular meetings and discussions student representatives on all university boards and committees).

It is evident from the literature review that no single strategy to achieve representation will be applicable for all learners, and that a combination of strategies will be mutually reinforcing and therefore, more effective.

> *...aside from teacher feedback in class, which can be of benefit to the particular students in that class, no current leaner voice mechanism is both widespread and currently effective for most learners across all forms of VET in Australia. All existing mechanisms are ineffective for disadvantaged groups of learners (Golding et al 2012b: 76).*

4.4 DRAWING ON THE HIGHER EDUCATION EXPERIENCE: HISTORY AND POLICY CONTEXT

Learner representation and advocacy in the VET sector has lagged behind the higher education experience, suggesting potential to transfer and/or adapt successful models and principles across the two sectors. Formalised student representation and advocacy structures have had a long tradition in the higher education sector, with many of the debates and developments across the years relevant to informing a related system in the VET sector. Australian student organisations, premised on universal student membership, were galvanised in the 1920s, driven by students and based on the desire to 'create a student life on campuses beyond lectures and laboratories' (Hastings, 2007, Appendix 3, p.1). This focus progressed to include having a voice on faculty and university bodies, leading to the first Student Representative Councils. Over a number of decades, independent student organisations were valued at an institutional level for supporting the social, cultural and intellectual development of student body, and for providing services, amenities and facilities 'which are essential parts of the functioning of the university' (Sixth Report of the Universities Commission 1975, cited by ibid). For a long period of time, bi-partisan support existed for the compulsory student union model, with both major political parties opting to leave decisions about the management of student representation and services to the university sector.

The *Higher Education Support Amendment (Abolition of Compulsory Upfront Student Union Fees) Act 2005* implemented by the Howard-led Coalition Government[22] signalled a turning point in political thinking about student unionism in higher education settings. In large part this was based on the argument that compulsory student union membership infringed upon the fundamental right to freedom of association. In essence, the 2005 Act 'prevents a higher education provider requiring students to be a member of a student association, union or guild and prevents a compulsory fee for facilities, amenities or services that are not of an academic nature' (Department of Parliamentary Services 2010, p.9). In its place a system of Voluntary Student Unionism (VSU) was legislated, applying across all 39 Australian Universities since 1 July 2006[23], whereby student organisations were required to be self-funded and sustained through voluntary member fees and other self-propagated income streams (Hastings, 2007).

Prior to VSU, the majority of fees collected under the compulsory system were disbursed to student organisations to deliver a range of services, activities and representation functions, with some funds going to the universities to run their own services, and some going to others such as private providers. A notable feature of student organisations pre-VSU was that democratically elected students were responsible for governing and delivering associated services at most universities. Key areas of responsibility included:

- Independent student rights and advocacy focus in relation to academic issues and grievances (student representation and advocacy role encompassing individual, institutional and broader community focus)
- Equity and welfare services
- Cultural and arts services, student media and sport
- Campus life, infrastructure.

Following the VSU legislation, universities took control of funding the activities and roles they deemed important and necessary (replacing block grants to student unions). The National Union of Students (NUS) conducted a survey and student interviews investigating the impact of VSU, and found that while student representation had not

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[22] But developed by the previous Labour Government (i.e. John Dawkins)

[23] Irrespective of the introduction of VSU, many universities continued to charge international students and some VET providers (i.e. TAFE and dual-sector Institutes) services fees, even when the student union no longer existed (Cumming, 2011).

changed drastically, there had been a loss of independent student advocacy and support services (Hastings, 2007). For example, eight universities had or were planning on taking direct control of the major student service provider and for at least six universities, the student rights advocacy support was mainly conducted by the university or a university owned company (ibid).

This change in funding ownership has raised a number of concerns about the level of student control over student affairs, access to independent advocacy services, and provision (and prioritisation) of services that serve students interests as opposed to the interests of the higher education provider (HEP; Anderson, 1999). In light of the loss of net income from the compulsory services and amenities fee, there are also keen concerns about the diminished level of funding available for student services via university coffers, resulting in major staff and student service cuts.

In 2008, the Australian Government released a discussion paper and invited submissions commenting on the impact of VSU on student services, amenities and representation and how needs could be adequately met. This was framed in the context of a government commitment to ensuring that 'university students have access to the amenities and services they need, including child care, health care, counselling and sporting facilities, as well as independent and democratic student representative bodies' (Department of Education, Employment and Workplace Relations, 2008). The ensuing Summary Report highlighted concerns that the abolition of the compulsory student union fees had impacted negatively on the provision of services and amenities for students, with the new university-sourced funding arrangements considered tenuous, if not unsustainable in the medium to long term. Student advocacy services were being funded by specific university grants to student organisations or in-house/contracted providers required to act in the interests of students. Submissions showed that students were inclined to believe that this lack of transparent separation represented a 'conflict of interest', particularly in addressing education-related complaints and grievances (ibid).

Concerns have also been expressed specifically about the nature and effectiveness of student representation and advocacy services under VSU. The RMIT Student Union noted in its submission that VSU had led to fewer elected representatives and staff employed to provide representation and advocacy services to students. Reduced student honorariums had limited student capacity to participate, resulting in diminished presence on RMIT committees and student input and involvement in decision-making consequently reduced. In effect, the student voice had been lost (RMIT Student Union, 2008).

At the same time, the Summary Report noted that some institutions reported benefits, particularly in terms of innovation, associated with VSU:

> *'These included the streamlining and more efficient delivery of services to suit student needs, the opening up of the provision of services to a commercial model, and consultation with students to determine what could be defined as essential services. Some universities and student organisations had engaged commercial companies to assist them in reviewing the model for delivery of services' (DEEWR, 2008).*

As this would suggest, submissions in response to the VSU Impact Discussion Paper highlighted some key areas of difference and debate in conceiving a workable model for effective student representation and advocacy. Central to this debate was the question of who should determine and lead the design and delivery of student services and representation. Pre-VSU, student organisations were independently able to design and deliver services (in both a financial and operational sense), with direct reference to the student constituency through democratically elected members. Post-VSU, universities exerted greater control in selecting and delivering services previously provided by student organisations.

The main distinction drawn out here is between an *independent student-based model* and a *mediated institution-based model,* and what this means for effective student

representation and advocacy. The central question is whether higher education providers can defend student rights and interests robustly, when these may be (and often are) at odds with institutional practices, policies and directions.

Ideological tensions framing the debate around effective models of student representation and advocacy refer to a range of key issues.

- Should students be compelled to be a member of student unions and/or pay a fee for services and amenities (including representation and advocacy)?
- What is an acceptable and sustainable mix of funding arrangements? Are there strategies and checks and balances to ensure that student rights and interests are not compromised by the discretionary flow of funds from university coffers?
- Who should administer and/or deliver student representation services? How important is independence from the higher education institution in this context? Is it more important to ensure independence in the delivery of some rather than other services? (e.g. separating student rights, advocacy and representation - particularly relating to educational matters - from the more social sphere of clubs and activities, infrastructure.) What about student support services such as counselling, housing, financial and legal advice – can these satisfactorily be provided by university appointed staff?

Following due consideration of the issues raised in the consultation process, the *Higher Education Legislation Amendment (Student Services and Amenities) Act 2011* was subsequently passed to replace VSU. Key features of the Act included:

- Higher Education Providers can charge a capped student amenities fee and make it compulsory for students;
- Students are able to defer payment thought the SA-HELP scheme;
- Public Higher Education Providers are required to comply with new benchmarks regarding access to non-academic services and requirements to ensure the provision of student representation and advocacy;
- Funds will be administered by higher education providers rather than student unions, and funds must not be spent to support a political party or candidate for political office.

The Act adopts a middle line approach by resurrecting an important source of revenue to fund many of the student rights, advocacy, welfare and cultural services decimated by VSU, without reasserting the role of independent student organisations in designing and managing these services. This aligns with the original commitment voiced by government that it would not return to the contentious model of compulsory student unionism. However this is seen by some as failing to restore the 'learner voice' that had been silenced by VSU. This view posits that students continue to be at a critical remove from decision-making about how funds are directed, and politically unable to 'activate' for their views and rights (RMIT Student Union, 2008).

At the same time, the Act specifically highlighted the requirement on the part of providers to ensure the provision of student representation and advocacy, with universities required to consult with students about how funds are to be spent (Collins & Olding, 2011; Creagh, 2011). In December 2011 specific guidelines were created in the Higher Education Support Act 2003 addressing student services, amenities, representation and advocacy. In particular, National Access to Services Benchmarks and National Student Representation Protocols were formulated (Commonwealth of Australia, 2011). See *Section 4.4.3* for details of those Protocols.

It is worth noting that the 2011 Act discussed above refers specifically to higher education, and that no equivalent piece of legislation exists for the VET sector. Nonetheless, in some cases TAFE Institutes charge students with a services and amenities fee or similar under another name (e.g. general services fee), although this is considerably

piecemeal, especially across jurisdictions. In similar vein to higher education under the Act, these inflows go directly to the Institute which then funds the student services within its remit. Organised TAFE Institute student bodies (student union and associations) also have the option to charge a voluntary student membership fee, usually a nominal amount, to contribute towards their operations.

4.4.1 MODELS OF STUDENT REPRESENTATION AND ADVOCACY: THE VSU IMPACT SUMMARY REPORT

As the previous section indicates, student representation and advocacy (historically intertwined with the role of student unions) have occupied an ideologically unsettled space in the higher education sector. This has had major implications for recent thinking about student services models. Submissions in response to the *VSU Impact Summary Report* show how higher education providers, given the reins to student services, have pursued a diverse range of models reflecting quite different orientations. Indeed, a number of submissions noted that higher education institutions are diverse in nature and constituency, requiring a large degree of *flexibility* in how student services are designed and delivered (DEEWR, 2008). The key question is how this is done – is it driven by institutional interests and priorities, by student interests and priorities (attributed or determined via direct input), or a combination of these?

The *VSU Impact Summary Report* tables the array of preferred models identified by the higher education providers who provided submissions (Ibid, Appendix 4, p. 42-52). Some submissions clearly foreground an institution-led model, whereby HEPs identify services that best meet the needs of their student profile and allocate funding governed by university policy. Other submissions argue for government funding to go directly to student organisations (ruled out by the 2011 Amendment Act), otherwise funding be channelled through the HEP to the student organisation to administer on behalf of students, with a mechanism to ensure adequate flow-on of funds. This independent student-led model posits that student organisations themselves should solely determine, fund and deliver the services students need.

A considerable proportion of submissions signal the potential for a shared responsibility model between HEPs and students. In this context, HEPs work closely (rather than in tokenistic style) with student bodies to determine what services are required and funded. Sometimes in these cases there is a separation of functions, whereby the institution may take more of a lead role in funding sport, activities, child care and infrastructure, while student bodies focus more on welfare, advocacy and representation functions that benefit for increasing independence from the institution. Some submissions include more innovative approaches in this mix, in terms of developing commercial and other partnerships to better support the student body. At least one submission argued for an advocacy agency separate from both the university and student association.

4.4.2 IMPLICATIONS FOR LEARNER REPRESENTATION AND ADVOCACY MODELS IN VET

For a range of reasons, student organisations and student activism have figured to a much lesser extent in the VET sector compared with the higher education sector.[24] This may relate to different student demographics (age, gender, health status, SES status etc), motivations for studying (career-oriented, social/personal development, Centrelink requirement etc), and study patterns (part-time, off-campus, work placement, apprenticeships etc).

However, in spite of differences in student population between the VET and higher education sectors, there is an important overlap with respect to learner views on representation and advocacy. When asked, TAFE learners express support for a dedicated role to protect their rights and interests, and to provide advocacy and support services for

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[24] With the exception of dual-sector universities which have drawn VET students into their existing structures.

students. Learners also consider they should have a greater role in planning and provision of student support services and amenities. In fact, learners have been found to enrol with the expectation they will be treated as mature adults – a far cry from not being acknowledged as legitimate stakeholders. Anderson (ibid, p. 117) noted that:

> *A strong feeling existed among students that they are now perceived and treated as passive consumers of VET products rather than as active participants in the production of knowledge, skills and organisational culture. A consistent message emerging from the consultations was that students would prefer to see themselves (and TAFE management and staff) as part of an educational community rather than a commercial market.*

Anderson argued the importance of involving VET learners in decision-making processes at *all* levels, relating to governance, curriculum decisions (which tend to be dominated by industry, e.g. by way of competency-based training), and aspects of the learning process (e.g. student-teacher negotiation). Similar to higher education settings, learner participation can be direct in nature (i.e. directly involved in decision-making processes) or indirect (consulted about issues).

The poor attention given in the VET sector to student representation and advocacy is reflected in an accompanying absence of a rights-based approach to this issue and not surprisingly, a low level of awareness by its learners about their rights as consumers. Anderson (ibid, p.110) found that –

> *…students are generally unaware of their rights and obligations as consumers, and generally unable to exercise their powers of 'voice' and 'exit' in an effective manner.*

This signals the important role of strong and independent student bodies that can advocate for VET students as consumers and support and strengthen VET student representatives in their own right. This role encompasses:

- Communicating students' needs
- Providing feedback leading to institutional quality improvement
- Ensuring students are aware of/able to exercise their rights and responsibilities as consumers.

The battlelines drawn between compulsory student unionism and voluntary student unionism, leading to the *Higher Education Legislation Amendment (Student Services and Amenities) Act 2011* (providing for a compulsory student services and amenities fee while retaining provisions that made it illegal to require students to be members of a student organisation) have particular resonance for the VET sector. Similar arguments apply concerning the importance of promoting and protecting learner rights, representing and advocating for learner interests, and considering the degree of representational independence needed to achieve this. These debates may have even greater potency in the VET sector, where the compounded disadvantage of the learner population means learner engagement and participation is even more important to ensure successful outcomes for learners. Particular provisions would need to be made in the VET sector around building and supporting the capacity of student representatives from disadvantaged backgrounds, and developing a flexible model that fulfils the needs of student participants while providing important benefits to educational institutions (e.g. quality improvement).

Dual institutions (higher education and VET) offer interesting scope for applying the higher education model of student representation to the VET setting (Cumming 2012), and case studies involving dual institutions form part of this report – see Section 1. Overall, university provision of these services remains the benchmark for dual and mixed institutions but these providers remain relatively under-researched (Wheelahan et al 2012).

In a notable exception, however, Victoria has introduced legislation into parliament dispensing with the requirement for including elected staff and student representatives on university governing councils. The Minister for Higher Education and Skills argues this will provide greater flexibility for university councils and TAFE boards in 'selecting people with the right skills and experience to excel in the job' (State Government of Victoria. 2012). This move has been widely criticised as undermining student representation, especially with regard to the impact on dual providers. The National Tertiary Education Union (NTEU, 2012) has responded with the following statement:

> *Universities are not corporations or businesses; they are important civic institutions with diverse responsibilities to the whole of society. That is why they have their own individual Acts of parliament. If the core role of universities is to engage in teaching, learning and research, then the people who understand those activities best – staff and students – should be directly involved in the decision making bodies.*

4.4.3 NATIONAL PROTOCOLS FOR STUDENT REPRESENTATION

The Commonwealth of Australia (2011) provides a set of protocols to guide student representation. These are summarised in the box below and are taken from the *Higher Education Support Act 2003*. While no equivalent exists for the VET sector, these protocols signal important considerations in thinking about VET applications.

BOX 2: NATIONAL STUDENT REPRESENTATION PROTOCOLS

☑ The form of student representation must be established through consultation between enrolled students and the relevant Higher Education Provider (HEP) (S 3.2.1).

☑ A HEP must publish the details of the mechanisms, approved by the governing body of that HEP, by which enrolled students are consulted and able to participate in the decision making processes of the HEP (S3.2.2).

☑ A HEP must provide enrolled students with the opportunity to participate in a process to democratically elect student representatives (S3.2.3).

(a) Student representatives must be students enrolled at the relevant HEP. Representatives must be elected by students, with at least one representative elected from an undergraduate course of study, from a postgraduate course of study and from overseas students.

(b) In meeting this obligation a HEP is to meet the necessary and reasonable costs of conducting valid and transparent polls for this purpose, for example, include funding for polling booths and ballot papers.

☑ A HEP must provide adequate and reasonable support resources and infrastructure for elected student representatives to carry out their functions on behalf of enrolled students, for example, office space and IT equipment (S3.2.4).

☑ HEPs must have a formal process of consultation with democratically elected student representatives and representatives from major student organisations at the HEP regarding the specific uses of proceeds from any compulsory student services and amenities fee charged under section 19-38 of the Act (S3.2.5). Consultation must include:

(a) Publishing identified priorities for proposed fee expenditure and allowing opportunities to comment on those priorities by students and student associations and organisations; and
(b) Meeting with democratically elected student representatives and representatives from major student organisations at the HEP to consider the priorities for use of fee revenue.

Note: These Guidelines do not preclude student representatives at a HEP forming an organisation that represents enrolled students at that HEP.

Source: Commonwealth of Australia, Higher Education Support Act 2003, Student Services, Amenities, Representation and Advocacy Guidelines (19 September 2011)

5   LEARNER REPRESENTATION AND ADVOCACY IN THE VET SECTOR: A REVIEW OF CURRENT MODELS

The following is an overview of the models described in greater detail in Chapter 6. The summary shows how the models currently in operation variously configure their representation and advocacy services depending on their interpretation of the learner voice, their ideological positions, and practical circumstances. How the learner voice is understood is different across the different models examined. Depending on the orientation, dimensions of the learner voice might intersect with:

- Students' active, political identity;
- Their sense of community, shared experience; student well-being, social dimension/opportunities
- An avenue to address grievances, influence decision-making – from campus environment/facilities, to course/program related, to institutional/strategic matters.

The overview is followed by a discussion of the key themes raised by the case studies in relation to the models used, and reflections expressed in the broader stakeholder interviews.

5.1 SUMMARY OF THE LEARNER VOICE CASE STUDY MODELS

RMIT university student union (RUSU) model (Victoria – tertiary/dual sector institution) has a strong dual focus on student representation and advocacy. Elected RUSU student representatives sit on a range of boards and committees, and feed student input into various levels of institutional decision-making, for example at faculty level, in reviewing assessment policies, and Appeal and Student Discipline Committees. RUSU has a particularly strong advocacy focus and works closely with individual students (casework approach) to support their student rights. RUSU staff also work closely with student services to achieve outcomes for students, and have detailed legislative and policy knowledge. Although RUSU relies on RMIT for funding, it is independent from the Institute in that it employs its own staff, and has discretion about how it manages and distributes its funds. It presents itself as uncompromisingly an organisation of and for the student body.

The *Swinburne Student Amenities Association (SSAA)* model (Victoria – tertiary/dual sector institution) similarly has a strong dual focus on student representation and advocacy. The SSAA supports elected student representatives to participate on a range of boards and committees across the institution, where 'the intent is to present a student perspective to normal operational matters'. The SSAA also supports a leadership and volunteer program to strengthen and support student representatives, and SSAA staff regularly contribute to policy development and raise student-related issues. The SSAA offers an independent advocacy service for students, focusing on students' education-related complaints and grievances, reassessment and appeals; non-education-related issues are referred to the appropriate services. The SSAA is a university-owned company, but operates under its own EBA, employs its own staff, and its operations are independently audited. The SSAA presents itself as having no vested interest other than the educational interests and wellbeing of students on campus.

The *Canberra Institute of Technology Student Association (CITSA)* (ACT - TAFE only institution) is a 'guild model', which combines features of the independent student union model (operating commercial services) and the Student Representative Council (SRC) advocacy model. CITSA is fully independent; all staff are employed and funded by the Students Association. CITSA income is sourced from a compulsory student services fee, and from running commercial services on campus. CITSA supports the participation of

elected student representatives on the CITSA Council, the Canberra Institute of Technology Council, and on teaching centre advisory committees. CITSA's main representation and advocacy focus is centred on the student experience on campus (i.e. apolitical), however it will occasionally extend its focus to national student campaigns. CITSA engages in individual casework and advocates for groups of students, and are proactive on systemic issues. They assist students with education-related issues and external issues (e.g. with Centrelink).

The *Box Hill Institute Student Representative and Activities Committee (SARC)* (Victoria - TAFE only institution) is a more traditional student association model that provides a range of services and support to the student body to improve the quality of student life on campus. Within this, the SARC supports student representative committees and student media as a channel for the learner voice, however advocacy is limited to advising and supporting students with a complaint or grievance with regard to options and formal procedures available to them (i.e. SARC does not play a specific advocacy/casework role). Students with serious issues are referred to appropriate Institute-based services. The SARC is positioned within the Box Hill Learner Services Centre, and is run by an Activities, Participation and Representation Officer and a Media, Representation and Activities officer – both of whom are employed and paid directly by the Institute.

The *Sydney Institute Student Association (SISA)* (NSW – TAFE only institution) is a further step removed from direct student input and control over the broader Institute learning environment. Elected student representatives participate in individual SISA college boards, student experiences and issues are then fed up to the all-of-Institute level SISA Council by the executive officer of the Council (R/Student Services Coordinator). The main interface with students is about improving the campus experience, enhancing facilities, providing recreational and basic educational services for students. SISA does not lay claim to an 'educational voice' with respect to how programs or courses are run, and has a limited advocacy role beyond advising students about their options. SISA is presented as an explicitly non-political and non-religious service provider, operating within the TAFE system and primarily answerable to the Institute. It is managed by TAFE employed staff, funded by the $20 voluntary membership fee and income sourced from managing some commercial outlets on campus.

The *Southbank Staff Student Community Voice Committee (SSCVC)* (Queensland – TAFE-only institution) is a recently established student association structure with no dedicated funding or directly employed staff to manage the structure. The model relies on recruiting students to fulfil a student engagement and representation role on campus. In general, student advocacy is seen as the remit of the Institute Student Services Division, however SSCVC student representatives can advocate on behalf of individual students if they wish. The SSCVC provides a support network of non-educational Southbank staff (volunteers) to support the student reps in their various roles. Participating students attend committee meetings and meetings with heads of school, hold student focus groups and take on leadership roles. The SSCVC is distinguished from the other models in that student members are nominated rather than elected to the committee.

TAFESA Adelaide North Institute (TANI) Student Services (SA – TAFE only) is principally a service provision system that is entirely integrated with (rather than independent from) the Institute. As a 'node' for the learner voice, student services staff see themselves as operating autonomously from (beyond the influence of) the educational area, having close contact with students, and channelling their issues and needs either to the relevant Education Manager, or where necessary directly to the higher level Quality Unit. In this way they advocate for individual and systemic change for the benefit of the student body. Formalised student representation does not figure in the model, which is geared more towards vulnerable and less-engaged students who are less likely to present as student representatives and self-advocates. TANI Student Services view themselves as a dedicated support service for students with a strong remit to advocate on behalf of their student clients. They characterise their independence in terms of being separate from the

educational area, and supported and enabled by higher management to actively critique and seek to improve Institute systems on behalf of students.

The Office of the Training Advocate (SA – Independent statutory authority) is a state-wide contact point for all SA students (not limited to VET) with training related questions or complaints. The Office recognises that the training and education landscape (spanning legislation, rights and requirements) is complex for students to navigate. It also recognises that students may wish to source advice and support for study-related issues from an independent, confidential service; if the students wish, their education institution never need know the training advocate was involved in developing a strategy for the student. The Office of the Training Advocate follows a student-empowerment, case management advocacy model, which involves equipping students with information and advice about how to proceed with their complaints. The Office is clear that it does not seek to change institutional policies or procedures, but works within these to seek resolution of issues – this is a key factor in maintaining productive relationships with providers toward the interests of students. The main focus of the Office is advocacy, with limited functionality regarding student representation.

5.2 KEY THEMES ARISING FROM THE CONSULTATION

5.2.1 DIFFERENT CONTEXTS, DIFFERENT RESPONSES

As the summary above shows, there is no consistent model of student representation and advocacy, within or between jurisdictions. Some models have a strong dual focus on representation and advocacy, others focus to a greater or lesser extent on one or the other. Moreover, it was observed that those Institutes that are attempting to develop a coherent approach to student representation and advocacy are doing so largely in isolation. Notably, many expressed a keen interest in hearing about what others are doing, what works well, so they may learn and develop accordingly.

Where there is no coherent, system-wide learner voice model or strategy within a given Institute, it can quite possibly be occurring in isolated pockets for example Children's Services or Community Services programs, where the educators have a stronger connection and affinity with advocacy. It was observed that students are more likely to have their voices supported in these contexts rather than, for instance, Business or IT programs. As one respondent noted, TAFEs are big institutions and study areas operate in silos - current reform process are seen to exacerbate this problem.

An issue in TAFE is not simply that the learner population is reportedly less aware and/or less inclined to participate in representation and advocacy activities compared with higher education, respondents also noted that the provider culture can also work against student involvement. One respondent observed that TAFE educators may harbour mistrust or suspicion about a student rights approach, and lack awareness of policies and structures to this effect. This may be because educators are sourced from industry and may prefer to work outside prescriptive boundaries. Notably, management is not perceived in this way (i.e. are more cognizant and supportive of student participation and related policies and legislation), which represents a potential disconnect across these different Institute levels. Where student representation and advocacy structures are functioning in TAFE, working closely with teaching staff to develop awareness and a responsive approach is often a major part of the role.

5.2.2 'PITCHING' THE TONE OF STUDENT REPRESENTATION AND ADVOCACY IN VET

In the majority of cases identified in the present study, student representation and advocacy processes are explicitly de-politicised (with the exception of the RMIT student union model). The student associations that evolved as an alternative to student unions around the time of VSU report this being part of their Charter, tying in with an ongoing perception that VET students have limited interest in engaging with issues outside their direct learning experience. It was noted that VET students have a keen interest in actively

shaping their learning: 'if they are not happy with the way their learning experience is unfolding, they are usually prepared to stand up and complain'. However, their interest is very specific and localized, and does not extend to broader politics; this differentiates them from university students who are perceived as more politically and intellectually engaged. In contrast, VET students are more pragmatic, and focused on their immediate circumstances and needs. To a large extent, this is where the 'learner voice' is pitched by many of the student representation and advocacy models presented in this study.

5.2.3 INDEPENDENCE FROM THE INSTITUTION

Respondents discussed the importance of having an independent structure to support the learner voice through student representation and advocacy processes. Independence was seen as important in order for students' interests to compete with the powerful interests of educators and institutions more broadly.

Some of the models deal directly with this problem by establishing structural independence from the Institutes in which they operate, with dedicated representation and advocacy staff, reporting at a strategic level to hold the Institute to account. For example the RMIT student union is a wholly independent model, employing its own staff; the Canberra Institute of Technology Student Association is an Incorporated Association which employs its own staff; and Swinburne Student Amenities Student Association is a university owned company, but operates under its own Enterprise Bargaining Agreement and employs its own staff. It is argued that independent, dedicated staff has more time to assist student holistically, are less compromised by their dependence on the Institute for their position and career progression.

Notably, a number of the student association models with TAFE-employed staff acknowledged that they were working within TAFE, and were ultimately answerable to TAFE. In this context, the associations are able to support and advise students with complaints and grievances, but are not able to actively represent them in a serious case against the Institute (students are referred to other services and systems, e.g. formal complaints). The intent is often to self-empower students to progress their own cases against the Institute, however there is a counter view that this lack of hands-on engagement leaves a significant gap for more vulnerable students. The TAFESA North Institute (TANI) Student Services model offers an alternative to the more traditional student association model, in that staff are employed by the Institute expressly to support and advocate for students, in particular vulnerable students, at both an educational and executive level. TANI makes the point quite strongly (reiterated by some other respondents) that working from within the Institute can confer a measure of influence over decision-making not otherwise available. Independence of operation is a function of having the support of the executive to press forward the learner voice. As long as the student support structures in place operate independently of the educational areas of the Institute, they should be able to effectively advocate for the individual and systemic educational interests of students.

5.2.4 RESOURCING OF THE MODEL

There a strong argument that the strength of the learner model depends on its financial independence and security. Legislative developments regarding the collection of student fees have profoundly changed the landscape for student representative and advocacy bodies. As it currently stands, tertiary providers (dual sector) RMIT and Swinburne University are able to collect a compulsory Student Services and Amenities fee (SSAF) which goes in part toward funding RUSU and the SSAA. While significant proportions of their revenue are provided by their institution, these models are able to self-direct their funding allocation. The SSAF legislation does not apply to TAFE institutions, so funding for student associations relies on direct allocations from TAFE budgets (or in the case of Southbank, no dedicated allocation at all; reliant on in-kind support). Other sources of income may include commercial returns for services run on campus, negotiated with Institute management. The CITSA is unique among TAFE Institutes in that the CIT ACT

allows it to collect a compulsory student services fee; together with revenue from commercial services run on campus CITSA operations are completely self-funded. There was a view that the more self-reliant the student representation and advocacy model is, the stronger its position to act of and for the student body.

5.2.5 TYPES OF STUDENT REPRESENTATION IN VET

There was a view expressed by a number of respondents that formal VET student representation is limited in efficacy, for a range of reasons. The diversity of the student body and the rapid turnover of students raise the question whether any given student can adequately represent the disparate interests and needs of the wider VET student body. Respondents also flagged concerns about whether student representatives promote 'individual gripes' over broader student concerns. This concern sits alongside another view that even among more organised student rights and advocacy groups, the views expressed represent a dissatisfied cohort, not necessarily the whole student body. Therefore what is presented is not necessarily a rounded picture of student life. It was noted that from a management perspective, care needs to be taken to balance the views of different student groups and staff needs and interests.

Concerns were also expressed that even if students sit on high level committees, their effectiveness as student representatives and influence over proceedings are limited. Some respondents considered that Institute management welcomes the student viewpoint, but less so in a high level strategic sense.

These perceptions of student representation underscore key elements of the student association approach (which has a high profile given that the majority of models presented fall into this category). A core feature of this model - in its various forms - is the brief to develop and augment campus life in order to enhance the social engagement and wellbeing of the student body, including a strong focus on facilities, amenities and events. Depending on the Institute, the focus on promoting and advancing student rights and interests (including advocacy) occurs to a greater or lesser extent. From the perspective of student associations, student representation often means engaging students to participate in dialogue with the Institute, to feedback student experiences and issues, and to provide ideas about how to develop and improve the Institute to give students a better experience. Depending on the Institute, this can be less about strategic positioning and planning, and more about improving library facilities, canteens and green spaces on campus.

Extending from this, support was expressed by some respondents for more 'grassroots' learner participation as opposed to formal representation mechanisms, including small group work, leadership groups, and forums where conversations can take place. Some see a role for student representation and advocacy organizations to develop these processes from the ground up, to flexibly and nimbly capture VET student experiences and issues, and provide a mechanism to feed these into more strategic settings. It was envisioned that these student focus groups could take the form of random selection at lunch time to canvas general perceptions and needs, through to targeted focus groups where heads of departments could nominate students to participate.

5.2.6 ADVOCACY APPROACHES IN VET

Participants identified different avenues for student rights advocacy. The complaints process was identified as an important avenue, as Institutes must address complaints raised in this way. This is reported to be an effective mechanism to turn up systemic failings (poor communication, poor staff induction) which the institution must deal with, although it is important to remember that complaints reflect one side of the story (the student's perspective) but this is not the whole story.

Before issues escalate to the formal complaints process however, there are avenues for redress. Student representative and advocacy structures generally have a process whereby the student (supported) or someone on behalf of the student will take problems

to Educational Managers, or progress these up the line until some kind of resolution is achieved. It is often reported that the students are ill-equipped to deal with this process in isolation. Commonly, Institutes will follow an empowerment line, whereby the support staff equip the students with information and skills (problem-solving, assertiveness) to argue their own cases, but will accompany individual students if requested. In some cases supported student representatives might advocate on behalf of other students; in some cases the student support/rights officers will take a much more hands-on, active, leadership role in advocating for the needs of students.

5.2.7 KEY CHALLENGES AND LEARNING

Without some manner of mediating student representation and advocacy body, isolated students can be reluctant to voice their discontent - afraid it will affect their relationship with lecturers, marks, and ultimately their outcomes. It is unreasonable to expect that the general student body (particularly vulnerable students) can advocate effectively for their rights unsupported, even with a solid complaints mechanism in place. Not all, but many VET students need a strong 'backer' to push their voice forward, and to assist them to navigate the potentially intimidating path of provider accountability and responsiveness.

Securing genuine institutional interest, value and investment in a coherent system of student representation and advocacy is a key challenge, but a major prerequisite for securing a meaningful process. A general observation is that Institutes want the structures in place, but at minimal cost and labour. It is only when benefits are demonstrated (e.g. improving student satisfaction ratings, improvements in services and facilities etc) that management start to really commit on an ideological and practical level.

VET students are less likely to engage with student representation and advocacy bodies, due to the nature of their study (part-time, flexible learning, dispersed across campuses), their reasons for studying (professional, specific, technical), and a general lack of awareness and interest in this type of activity. A key challenge for VET-centred student organisations is to make themselves visible, relevant and engaging for VET students.

TAFE teaching staff in some program areas have less background, awareness and sympathy for a student representation and advocacy approaches. A challenge for student organisations is to establish strong relationships across students, teaching staff (educational managers) and Institute management. Productive contact and communication with TAFE staff (teachers and leaders) is important to lay the foundation for an institution-wide, systemic engagement with student representation and advocacy.

In the absence of formalized support structures, sustaining the energy and momentum of student representation and advocacy activities is very difficult. It is often enthusiastic individuals (may be TAFE staff or students) who trigger valuable processes such as support groups who develop a voice or consultative committees, only to have these fade away when people move on. This reiterates the importance of securing institutional commitment to an embedded student organization, with dedicated staff and resources to support the necessary work.

Achieving an acceptable balance between individual casework, which is time and resource intensive, and wider systemic advocacy is an identified challenge for some institutions.

Some respondents flagged difficulties with a student election model in the VET sector due to the high and rapid turnover of students moving through the system. Some look toward a nomination system as a productive alternative (e.g. Southbank Institute), which can have both positive and negative implications. Where a nomination system is engaged, it is important to demonstrate transparency about which students are nominated and by what processes or criteria, and how this transects the student body.

Communicating with and engaging a diverse and dispersed student population is a continuing challenge for the purposes of student representation and advocacy. Information and communication technologies are critical in this context, with social media

opening up new possibilities daily for the injection of the learner voice into Institute matters.

5.2.8 CRITICAL SUCCESS FACTORS

A number of critical success factors were identified across the range of models examined. These are summarised as follows:

- It is important for student representation and advocacy to be **an embedded process** in Institutes. Passionate individuals (students or staff members) will champion an effective process (often piecemeal), but this is prone to dissipate when key people move on. The only way to secure a strong, sustainable, system-wide process is for the Institute to commit value and resources to the process.
- The ability for a student representation and advocacy model to advocate fully and fearlessly for students is highlighted. The model needs **sufficient autonomy** from the institution to represent student interests free from conflict of interest.
- Is important for the student representation and advocacy model to be staffed or serviced by people who have **influence at strategic, decision-making level**, or the message risks getting lost. There are alternate views about whether this is best achieved by individuals who are independent of the institution, or working from within it.
- Fostering a **strong working relationship** with Institute management based on mutual understanding of goals and directions, a shared agenda for improving the holistic student experience, and a cooperative, non-confrontational approach. Strong communication and negotiation skills are critical. Part of this involves understanding that management teams (and sets of priorities) will change over time, so models need the ability to communicate effectively and adapt accordingly.
- The ability of student representation and advocacy structures to **argue and demonstrate positive outcomes** for the Institute and its students contributes to the Institute respecting, valuing and investing in these structures.
- Student representation and advocacy structures must demonstrate a **solid understanding of the sector**, including policy, legislation, strategic maneuvering, student concerns, and how to bring this all together to support student rights and entitlements. Expecting individual students to have an adequate grasp of these complexities is unreasonable, therefore a strong, skilled, well-resourced support team is vital.
- It is vitally important to develop **strategies to engage VET students and support their participation** as representatives and advocates. In particular by:

    o developing a profile and presence on campus ;
    o providing a range of engagement and student voice opportunities beyond formal representation to capture diverse VET student experience (e.g. student focus groups); and
    o supporting participation through financial remuneration (e.g. honorariums, scholarships – see RMIT model), study credits (e.g. Work Integrated Learning (WIL) model providing students participating in governance activities with WIL credit points – see Swinburne model), personal and professional development (e.g. skills, experience, CV development – see Box Hill model), and feeling recognised and valued by the Institute, reward of giving something positive to the student body (see Southbank model).
    o Preparing students for their involvement, providing leadership development for students, mentor programs; also providing Institute staff with professional development to build awareness and support for student representation and advocacy activities in VET.

5.3 LEARNER WITH DISABILITY REPRESENTATION AND ADVOCACY IN THE TERTIARY SECTOR

Respondents reported that the VET sector has a high proportion of students with disability compared with higher education, and that this cohort is relatively well recognised and catered for compared to other disadvantaged groups in TAFE. This is supported by high profile legislative requirements to consult with students with identified disability about their needs, and confirming their right to make complaints and have their grievances heard. However it was noted that there are damaging inconsistencies about definitions of disability and eligibility criteria across the VET sector.

It was observed that recognition at an Institute level of learner with disability rights and entitlements does not necessarily translate at the level of student representation and advocacy structures. There is a view that advocacy and representation for learners with disability does not happen in any *structured* way, and respondents were not aware of any particular participation policies or strategies. On the whole, mainstream mechanisms for supporting the learner voice do not *specifically* address disability – more often these groups characterise themselves as working 'for all students', with disability falling within this remit. Respondents from within these structures (particularly those with a greater advocacy focus) note that by virtue of what they do, they tend to attract and work for more disadvantaged than advantaged students. Their stated commitment is to 'work equally hard for a student with disability that walks through the door', with close reference to relevant disability specific resources. However, no specific strategies were identified to specifically encourage the inclusion of learners with disability in mainstream representative settings, although disability specific groups and events had been facilitated.

There was a shared view that student representation and advocacy structures may lack capacity and require more professional development targeted to disability and Indigenous support and inclusion. This is particularly important as one respondent noted that generic advocacy can exacerbate disability related issues for TAFE students:

> *Mainstream student groups or organisations are not adequately resourced (they don't have the funding or capacity) to ensure minority voices, the student with disability voice, are included. As a consequence, these voices don't get heard. These groups may respond on a case by case scenario, but are rarely actively seeking out disadvantaged reps, or supporting needs of disadvantaged reps to properly participate. Student rep and advocacy bodies need more training specific to minority needs. Generic advocacy can compound issues for students with disability.*

An intervening factor for mainstream VET student representation and advocacy groups is that support for learners with disability is largely provided, and resourced, by TAFE disability support services. For example, TAFE NSW employs specialist staff known as *Teacher/Consultants for Students with Disabilities*, who work with students with disabilities to support equal access to training. Teacher/consultants provide assistance to students in relation to educational matters (e.g. course selection and enrolment, classroom support, assessment modifications, tutorial support, adaptive technologies etc). As part of their role the Teacher Consultants for Students with Disability represent and advocate for the rights of learners with disability with reference to the Disability Standards, and also conduct disability awareness training for TAFE NSW staff. The existence of such mechanisms may reduce the demand on mainstream student representation and advocacy structures by students with disability, although it was noted that disability support services are more likely to support individual students at the expense of a collective learner with disability voice.

One respondent identified a trend for provider-based disability support services to see themselves as undertaking a systemic role (providing advice to the institution) rather than advocating for individual students. This is driven by the need to 'not be seen as taking

sides'. For example, the disability liaison unit at one Victorian institution assists students in relation to access, adjustments, and inclusive practices (i.e. fulfilling obligations under the DSE), but does not engage in case management, advocate for individual grievances, assist/advise about course selection, recruitment and enrolment processes, or provide career advice and counselling. These latter services are referred to the student representative and advocacy body (if issues are education related) or externally for other issues.

It was observed that generally TAFE practitioners (and this includes disability liaison and support staff) tend to be 'out of touch with the social model of disability, and continue to think in terms of working *for* rather than *with* students with disability. Providers are also conscious of budget constraints and wary of the expense implications involved with addressing disability. Unlike schools and the higher education sector, VET providers do not have a dedicated fund to pay for requisite adjustments to support students with disability; money has to be found in the TAFE budget, which means taking from another area. This is highlighted as a national inequity disadvantaging the TAFE system.

There are some key issues flagged in relation to engaging the student with disability voice. It was observed that it is difficult to recruit student representatives for the following reasons:

- There is a confidentiality issue at stake; some students with disability do not wish to publicly identify. It is easier in this instance for an advocate to be the public face of the student with disability voice.
- Students have enough to do managing their disability and studying, without taking on further responsibility.
- Many students with disability are uncomfortable with the notion of representing the 'student with disability' voice. It makes sense for people working closely with these students to channel issues through the avenues available to them.

5.3.1 STAKEHOLDER VIEWS ON DISABILITY FRAMEWORKS PROVIDING FOR THE LEARNER WITH DISABILITY VOICE

Disability Standards for Education (DSE)

There is limited connection between the DSE and student representation and advocacy structures. The DSE is understood as underlining the enforcement of student with disability rights and entitlements to ensure they are on an equal educational footing to students generally. Respondents note that it would be good to think that the learner with disability voice was included in negotiating the DSE, but none were aware that this specifically happened. Nor were they aware that the DSE actively promoted the learner voice in any meaningful way. It was generally considered that other systems existed to serve the learner voice through student representation and advocacy, independent of the DSE.

From the perspective of an NDCO officer hosted in a TAFE Institute, the DSE is the fundamental platform driving their work for students with disability. It was observed that most providers are very familiar with the requirements and are willing to apply them to achieve strong outcomes for their students with disability. Another respondent noted that institutions, and the schools within them, are very aware of their obligations – 'it has got to the stage now where it is difficult to claim ignorance'. Disability services within Institutes engage in a 'transactional process' to resolve student needs, and all of the recommendations that come from the service are framed against the DSE. At the same time, understanding and application of the DSE is not seen as consistently strong, particularly among smaller (private) TAFEs.

There is a further view that the Disability Standards for Education are not prescriptive enough and that compliance requirements are 'wishy-washy' and open to interpretation;

'the DDA as a supporting law is a very weak law'. These mechanisms are viewed as inadequate in supporting learners with disability because they 'lack teeth'. A student with a complaint that was unsatisfactorily addressed could progress the case all the way to court under the DDA, but was highly unlikely to successfully navigate this complicated and messy process.

Disability Action Plans (DAP)

It was observed that DAPs tend to focus on access rather than quality service provision and student engagement issues. There is also a tendency to develop DAPs to meet legislative requirements and have these lodged with the AHRC, rather than to genuinely serve the interests of TAFE students with disability: 'I have never seen these plans used as a tool to provide better representation of the voice of the learner [with disability]'. Moreover, learner with disability input into DAPs tends to be limited to feedback sought from the disability support unit – 'they feedback what they know, rarely in constructive consultation with learners with disability'.

DAPs encourage institutions to be a more inclusive, independent environment for students with disability, and promote individual students taking more control. However, this is not informed by student representation and advocacy processes.

National Disability Coordination Officer (NDCO) Program

The Australian Government's NDCO program focuses on partnerships between secondary education, tertiary education and employment agencies. The main identified problem is that the program is not linked into a coherent, overarching commonwealth policy - it works on a region by region basis. NDCO officers deal with a large number of students, so there is scope for NDCOs to act as a systemic conduit for the learner with disability voice, to raise profile of these learners, and articulate how best to support transitional pathways. Even though the NDCO program is shifting away from casework to systemic advocacy, NDCOs have the singular advantage of talking to a range of people all the time (including students with disability), hearing about what has and has not worked, and being strategically positioned to advocate on a range of levels. It was observed that NDCOs could also facilitate student networks to operate independently from institutions and feed this voice through relevant channels.

An example of where the NDCO program facilitated the learner with disability voice involved the Social Inclusion and Vocational Access Skills Unit (SI&VA) working closely with TAFE NSW Institutes and local NDCOs to facilitate participation and maximise outcomes for students with disability in TAFE NSW. In 2012 SI&VA worked with State Training Services, the National Disability Coordination Officer Program and three TAFE NSW Institutes to facilitate community forums to support apprentices with a disability. Forums involved local stakeholders including students, teachers, employers and Disability Employment Services.

As an independent, neutral body, it was considered that the NDCO program could support learner with disability representation and advocacy if it had the power to mandate responses at institute level - as it stands this is not the case. The NDCOs work in partnership to try and have the voice of the learner heard but it depends how committed the institute is to be involved. Issues identified include difficulty getting information about students from institutes, being unable to contact students directly, and having to rely on disability support staff to distribute information. In some cases this worked well, but not all disability support staff were cooperative in this respect.

DisabilityCare Australia

The majority of respondents were unsure how DisabilityCare (previously the NDIS) would interact with the way education services are provided to students with disability and what individual, group or systemic advocacy issues might arise from this interaction. One respondent noted that DisabilityCare would only bring value where students were unable

to source the supports they needed; however under a strong system students should have ready access to adequate support. Other respondents saw much more potential for the DisabilityCare to improve outcomes for students with disability. Students' ability under DisabilityCare to direct their funding support rather than have a central person 'deciding' what they can or cannot have, was seen to have great potential to strengthen the position of learners with disability: 'giving the students control to direct their support I think is a positive way to provide them with access to what they need and to have their voice heard'.

While DisabilityCare funding is not targeted to the delivery of education services per se, the potential for benefit to VET is through increased capacity to access goods and services that will indirectly support students with disability to study effectively. This fits with the NDIS outline, which states:

'The NDIS would have a role in meeting some of the needs of students. This would typically be centered on the provision of goods and services that would be needed regardless of whether a person was attending school or not (personal attendant care, a hearing aid, or a wheelchair)' (Productivity Commission, 2011: p. 248).

However, it was also noted that the changes in disability funding heralded by DisabilityCare (i.e. the focus on consumer directed care) signal potential changes in how disability supports could be funded in tertiary education. As it currently stands, education providers fund supports for students with disability, in providing adaptive equipment and services such as note taking, participation assistance (e.g. help with packing/unpacking books in class, guiding students with vision impairment around campus etc), and provision of Auslan interpreters. Practitioners interviewed for this study recognised the potential for consumer directed care models in VET environments, such as a future where DisabilityCare could expand to include tertiary participation. The perceived potential is for individuals to plan and design support arrangements in VET, including through self-directed funding. This could potentially address the institutional barrier of prohibitive costing associated with providing support and adjustments for students with disability, and will give students' 'learner voice' a higher profile and currency.

It was also noted that details about who is eligible for DisabilityCare and what it will cover may continue to evolve, and therefore the implications for the tertiary sector remain unclear. Pending any future expansion of DisabilityCare, or other consumer directed care models in VET environments, the issue of eligibility may be particularly pertinent, as there may be a body of students with disability who fall outside the DisabilityCare boundaries and that would still require adjustments and supports from providers.

6 CASE STUDIES

6.1 RMIT UNIVERSITY STUDENT UNION (RUSU)

OVERVIEW OF THE RMIT STUDENT UNION (RUSU)

The Royal Melbourne Institute of Technology (RMIT) is a dual sector tertiary institution located in Melbourne and with overseas campuses, with approximately 55,000 students studying in Australia, roughly 20,000 of whom are TAFE students.

As an organisation, RMIT University Student Union (RUSU) is independent of RMIT (i.e. it employs its own staff), although RUSU relies on RMIT for funding, office space, security, facilities and IT services. RUSU is governed by 25 student representatives who are elected each year and whose roles include holding positions on RMIT's governing council and other decision making bodies, as well as publishing a student newspaper. RUSU employs around 20 staff members whose roles include:

- Advice and Advocacy
- Clubs and Societies
- Activities
- Referrals
- Finance
- Governance and Development
- Administration, Reception and Community Development
- Media and Design
- Recruiting and Coordinating student volunteers to run an organic cafe on campus

RUSU's objectives include:

- Ensuring student's voices are heard and acted upon, and their needs and interests are supported
- Assisting disadvantaged students to achieve better outcomes
- Fostering community to encourage continued engagement in studies

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

Elected student representatives play a visible role in RMIT decision-making processes. Victorian University Governing Councils are no longer required to include student representatives, but RMIT is still considering their options in this regard. There are various examples at RMIT where the learner voice has played a role in decision-making processes:

- The Academic Board is derived from the RMIT Act 2010 and reports to Council. The Board is supported by a policy and programs committee, which includes input from a RUSU student representative.
- RUSU ensures a student sits on all Appeal Committees as a voting member of the decision making panel. This includes committees deciding on student's appeals about exclusion, assessment, special consideration and disciplinary decisions.
- RUSU works to ensure that all RMIT's programs respond to the needs and interests of students. For example, student rights officers participated in the recent review of assessment policies, advocating for student interests and flagging implications for disadvantaged students.
- On behalf of students, RUSU proposed that Student Staff Consultative Committees (SSCC) be established by the University. This was subsequently implemented, with the SSCCs run by university but supported by RUSU.

Students are put forward by the class to have input at a faculty level. There are certain limitations associated with the SSCCs in that students have a voice and an ability to be involved, but have expressed dissatisfaction with their level of influence (not adequately listened to). A lack of central organisation of the SSCC (such as a constituent database) makes it difficult for RUSU to contact and provide support, and difficult for the RMIT staff tasked to resource the SSCC representatives to know who to contact to provide training and support to the SSCC student representatives.

Student Rights and Advocacy

As staff of an independent service, student rights officers in RUSU have a focus on dedicating the necessary time to assist students holistically, finding out about all the aspects of their situation and providing comprehensive advice on the policies that apply to them. This includes discussing the pros and cons of different courses of action that are open to the student, exploring all the problems and finding suitable solutions.

The student rights service assists students who require advice, advocacy or representation within the university for any matter, including:

- Complaints about the actions of other students or staff (including discrimination and harassment complaints)
- Applying for special consideration in assessment because of disability, illness or other life circumstances
- Appealing against assessment or exclusion decisions made by the university
- Seeking reductions, cancellations, waivers or refunds for fees charged
- Seeking scholarships or extensions to scholarships
- Appealing against selection decisions (when former or prospective students have their application for enrolment denied)
- Plagiarism and other disciplinary issues

RUSU has an effective relationship with RMIT student counsellors – it interfaces with them on a variety of matters, for example providing information to prepare them for students' visits and needs.

The student union model incorporates efforts to influence systemic processes such as fair complaints handling, provider accountability and compliance, and quality assurance and responsive service provision. The union has the legislative and policy knowledge and resources to assist individual students to work through the complaints process. On a more systemic level, the union is better positioned than individual students to critique the formal complaints process if required.

The student union monitors compliance issues and writes letters about compliance breaches where these are identified. RUSU can and will advocate for students when exclusion notices are identified as ill-considered, or without sufficient rationale. When large numbers of students are affected, or a systemic issue is identified, RUSU is prepared to go beyond individual case work to advocate more strategically, and if necessary to raise issues with senior management and beyond.

Supporting the voice of disadvantaged learners, including those with disability

The **Compass Program** run by RUSU is an information, referrals and support service with a strong focus on students experiencing disadvantage. The service provides assistance to students with issues including:

- Housing, homelessness
- Employment, Centrelink
- Domestic and Family Violence
- Mental Health, Alcohol/Substance Use
- Disability, legal, health

RUSU student rights officers provide assistance to students with disability on the same grounds as any student who walks through the door. Individual case work often deals with disability-related issues, for example where it is observed that the Disability Standards for Education are not complied with, and students are not provided with reasonable adjustments to allow them to study successfully.

The disability space is complex in that definitions are very broad and students may not wish to self-identify at the commencement of their study program. Sometimes it is only when students later experience problems that they come forward with their disability. This has implications for the special consideration process; RUSU will often advocate for the student when the Academic Registrars Group (which is responsible for determining special consideration) takes the line that the student should have approached the Disability Liaison Unit earlier. In this case, RUSU may provide a counter-argument, and prepare a case for the student.

There is no dedicated elected position for a student with disability on the Student Union Board. It was observed that students with anxiety and depression probably feel the most ownership at student union level, as recipients of RUSU's advocacy services. It was acknowledged that students with other disabilities may feel less accommodated by the student union, and that it is important to strengthen the student with disability voice within RUSU. It was believed that there is scope within the RUSU to do more to address systemic issues on this level.

CHALLENGES EXPERIENCED

Developing an adequate profile among students, particularly VET students, is a challenge. At RMIT's main campus, most of the VET programs are located across the road from where the student union offices are located. The student union also has outreach offices in one of the TAFE buildings at the main campus and at the other suburban campus locations. It is vital to have a strong presence and visibility in order to engage students.

A challenge for RUSU is to work out the balance between an individual casework focus (achieving outcomes for individual students), and a focus on broader, systemic issues. At present there is more of a casework focus, but there is some debate about whether this should shift, or more room should be made, for addressing bigger picture issues.

KEY LEARNINGS

Tension can exist between advocating for students, meeting their expectations regarding outcomes, and maintaining a good relationship with RMIT staff members. These relationships are important for talking about student issues; if staff members are identified and/or criticised in a process, they can be difficult to interact with later. It is important to be diplomatic, not accusing in tone, and to talk about the effect of processes (rather than imposing judgment on individuals).

MAJOR ACHIEVEMENTS

Student engagement and representation

RUSU has been instrumental in securing vital student input into key decision-making processes, and supporting student rights and interests at RMIT. Key achievements include:

- Supporting students to sit on student appeal and discipline hearings, thereby providing a student perspective about issues affecting disadvantaged students (e.g. depression, anxiety, other disability) in hearing deliberations.
- Campaigning and lobbying for services and amenities that are important to the student community, e.g. successfully reversing the decision to close an open access computer lab in a building housing TAFE courses, reinstating the IT services students require to be successful in their studies.

- Capacity building for students involved with RUSU activities, e.g. developing valuable skills among student volunteers, providing recommendations to assist with job applications and interviews.

Student Rights and Advocacy

The monitoring role performed by RUSU plays a key role in ensuring that RMIT processes adhere to university policy so that no student is unfairly disadvantaged. For example, compliance assessments were undertaken against fees for compulsory course work materials to ensure these aligned with government directives/requirements.

Advice and advocacy provided by RUSU in a large number of student rights cases has resulted in key wins for predominantly disadvantaged students at risk of exclusion or failing their courses. In some instances where students have faced disciplinary action, RUSU has identified breaches of policy, even corrupt practices in certain programs that have resulted in corrective action at the program, school or faculty level.

RUSU has also played a key role in providing students with high quality advice and information to highlight options and recourse to counter-action not previously considered (or understood) by the student. These relate variously to the areas of privacy, disability, human rights, discrimination, fees, immigration and trade legislation. It is not uncommon for students to be under or mis-informed about procedures, requirements and conditions of study (e.g. in relation to judgements about reasonable adjustments for students with disability). RUSU's experience and expertise in these matters has filled a critical gap for students with limited knowledge, confidence and power in dealing with the teaching bureaucracy.

Anecdotally, the Compass coordinator has reported that the TAFE student drop ins are often on lower incomes, have achieved lower VCE results, are more ethnically diverse and are more likely to have issues relating to housing, relationships, mental health, cost of living and cost of studying issues than University student drop ins. In this context, key achievements associated with the Compass Program include:

- Cancelling student debts to the university
- Providing information about financial support available from Centrelink and the University
- Facilitating collective purchasing and free photocopied textbooks.

CRITICAL SUCCESS FACTORS

The location of RUSU on RMIT grounds, and shared infrastructure in terms of buildings and IT, makes the Union accessible to students and gives the union the ability to interact with RMIT's staff and processes effectively.

RUSU's organisational independence is the key to its success. Educational staff may be fearful of criticising the institution at various levels, as this may compromise their standing and/or career progression. The student union operates independently, and is therefore able to identify issues for students, and provide an open critique of implicated structures and processes. This also benefits the institution more broadly through continuous improvement processes.

Student rights officers draw on RUSU's wealth of experience and skills in dealing with student matters, both from the perspective of working with students and communicating with RMIT staff and leadership. They are particularly skilled in talking to students about their problems, informing them about their rights, and advising them about courses of action they can follow (empowerment approach). They are equally skilled in pursuing and arguing cases for students (casework approach), which is particularly important for supporting disadvantaged students. All of this rests on a thorough and up to date understanding of policy, procedures and related legislation.

At RMIT students are able to voice their opinions, they are not curbed by institutional interests; however RUSU staff are integral in assisting with this. For example, students sit on appeal committees, but it is demanding for them to read hundreds of pages of policies and documentation – RUSU staff can provide valuable assistance in this respect. Notably, staff can advise on particular courses of action, but students have the final say, they are free to disagree.

The autonomy with which RUSU can manage and distribute its funds is an important part of the model. Its independence is cemented by the fact it employs and pays its own staff. It is also able to pay honorariums to students to recognise and support their contribution to student life.

6.2   SWINBURNE STUDENT AMENITIES ASSOCIATION (SSAA)

OVERVIEW

Swinburne University of Technology is an inter-sectoral tertiary provider spanning TAFE and higher education (also known as a dual provider institution). In March 2006, the Swinburne University established the Swinburne Student Amenities Association (SSAA) – a wholly owned company with students and staff on its Board. SSAA's mission is to receive funding and to deliver student services as efficiently and effectively as possible, for the benefit of Swinburne students. SSAA also provides a mechanism for student involvement in decision making about the distribution of funds for the benefit of students.

Since its establishment the SSAA has become a direct service provider, assuming responsibility for the delivery of certain services such as university sport and sports clubs. The full range of services provided by the SSAA includes:

- Academic Advice & Advocacy
- Activities & Events
- Clubs & Societies
- Night Bus
- Orientation
- Student Diary & Publications
- Vice-Chancellor's Leadership Development Program
- Student Representation

Additionally, the SSAA Board allocates funds for a variety of activities and functions across the university, including:

- Emergency Student Loan Fund
- Swinburne Sports Clubs - Operated through Swinergy
- Australian University Sport (AUS) - Membership and subsidisation for University Games
- Course Handbook (Undergraduate)
- Ask George - An on-line information source for students
- Youth Worker - TAFE Division
- TAFE Careers and Employment Service
- Student Insurance

Although the SSAA is a university owned company, it operates under its own Enterprise Bargaining Agreement, and employs its own staff. The University Council set up a sub-committee to conduct rigorous auditing of the operations of the SSAA, independent of the University. Members of committee include a student representative from the University Council and two external members appointed by University Council (a lawyer

and a business auditor). The SSAA has no vested interest other than to represent the educational interests and wellbeing of students on campus.

The SSAA operates on an income of $5 million annually, received from a variety of sources:

- Student Amenities Fee (SAF)
- Percentage of the International Student Fee
- Return on investment trust
- Commercial return on rentals (campus space), diary advertising and sponsorship

 Half of SSAA funds are spent on operations and half on grants:

- SSAA operations:
    - Five advocates
    - Two staff who run the volunteer and leadership programs and assist with SRC administration
    - Eight staff working in activities and clubs (of which there are 110 total, 40 TAFE-based)
    - Legal service.

- Direct grants to different areas, e.g;
    - TAFE careers officer employed by the University Office;
    - youth workers in the TAFE Division employed by Swinburne, but paid through the SSAA;
    - library IT rovers paid by SSAA.

A weakness of the funding model is its unpredictability: if student numbers go down, the SAF and International Students fee are vulnerable.

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

Students are directly elected by the student body to the following positions:

- **Faculty Academic Committees** X 3 student reps (under-graduate, post-graduate, international – *no TAFE rep*)
- **Academic Senate** X 3 student reps (1 X Higher Degree, *2 X TAFE – Diploma & Certificate I-IV*)
- **SSAA company board** (four student company directors; representing under-graduate, post-graduate, international, *TAFE*)
- **Student Representative Council (SRC)** – all of the above come together. All SRC members qualify for the leadership program. The SSAA also runs the vice Chancellor's Leader of the Year Award. The SRC is run on a consensus model; VET representation is very small – filling 3 of 25 positions.

Students are full members of these committees and have the same input as any other member. The intent is to present a student perspective to normal operational matters. Other university committees and panels such as academic progress and appeals also must include student representatives. Students can be briefed and provided background for these roles by SSAA advocates.

No honorarium is paid to elected student representatives, however a small scholarship of $3000 is paid per year, administered by the SSAA. The SSAA does not administer the SRC (it is controlled by the students) however some support is provided (minutes and agendas).

WISeR (2013)

The Student Leadership and Volunteer Program (SLVP) at SSAA offers students the opportunity to develop and demonstrate leadership through various activities at Swinburne. These activities are distinguished from volunteer work, allowing all students to gain leadership experience and potentially qualify for leadership awards, such as the Vice-Chancellor's Leadership Certificate and Student Leader of the Year.

There are a variety of ways that students can make valuable leadership contributions at SUT. Many of these areas are rewarded with SLVP hours (Students who reach 15+ volunteer hours are eligible for free training, certification and other benefits); double hours are awarded for particularly responsible leadership roles. Examples of leadership opportunities include:

- Student Representative Council (SRC)
- Student representation on panels ** Double SLVP hours **
- Committee members (non-scholarship) for the International Student Advisory Group (ISAG) and the Postgraduate Student Advisory Group (PSAG) ** Double SLVP hours **
- Non-scholarship Swinburne committees ** Double SLVP hours **
- Faculty Mentor students
- Executive (elected) members of Clubs (limited to 15 SLVP hours)
- YMCA Youth Parliament (sponsored by SSAA)[25]

SSAA is regularly consulted on policy development; sometimes it initiates discussion on important matters.

Student Rights and Advocacy

SSAA offers an independent advocacy service for all students. This independence is guaranteed under the SSAA Advocacy Independence Charter. The Charter sets out a number of requirements which apply to Student Academic Advisers when advising and advocating on behalf of a student. One of these is the requirement that the Student Academic Advisers must be completely independent and impartial.

The My*SSAA* website[26] outlines what the advocates can and cannot do for students -

"The service can:

- Explain what your options are if you have an issue
- Help you discuss and resolve issues with your teacher/ lecturer about your course
- Help you arrange for a reassessment of your work if you think you have been unfairly treated
- Assist you in drafting an appeal letter
- Assist you in drafting a formal grievance letter
- Assist you in drafting a formal reassessment letter
- Assist you in drafting a Show Cause letter
- Explain Swinburne's policies and procedures
- Help you understand the processes for complaints and grievances
- Advocate with you at hearings and meetings
- Provide you with information on other services available to you at Swinburne and refer you to outside bodies where appropriate

The service cannot:

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[25] Sourced from http://www.myssaa.com.au/Representation-Leadership, access date 14 April 2013.
[26] Sourced from http://www.myssaa.com.au/Advocacy, access date 14 April 2013.

- Make anonymous complaints. Natural justice dictates that people have a right to know the nature of a complaint against them if they are to respond. You may wish to consider a group complaint as an alternative
- Respond belatedly. Swinburne has very strict time lines for resolving grievances. Once this has passed it is very difficult for us to assist
- We cannot assist you with immigration and visa issues, we can refer you to appropriate advice.
- Provide personal counselling or legal advice. We can refer you to free and confidential counselling."

The SSAA employs five advocates, of these 2 FTE are dedicated to TAFE demonstrating a particularly strong resourcing of this sector.

Supporting the voice of disadvantaged learners, including those with disability

Swinburne TAFE section is described as being very 'hands on' in the area of disability, and the SSAA works closely with the Disability and Equity service. The SSAA hosts a disability club which started as a social club, but was instrumental in identifying problem areas, for example regarding access issues, environmental issues, availability of note-takers, carers, and course-related matters. These students were very capable in advocating for higher level change; however, once they graduated the club was not able to sustain its energy over time.

The SSAA has actively contributed to the development of a Disability Action Plan on campus, by setting up student focus groups to inform the process. Input also happened informally through SSAA's networks, for example discussions over coffee – an approach found to work particularly well in the TAFE setting.

CHALLENGES EXPERIENCED

The SSAA tried to support TAFE student representation on course-level committees but it was found to be not feasible logistically. Student representation in TAFE is described as being difficult due to:

- The length and type of courses; including a higher propensity for flexible learning, and for online learning .
- Cert I to Cert IV courses are often completed in twelve months; this counts out an annual student election process unless reps are limited to second year diploma level.
- Many students are part-time, and may rarely, if ever, come onto campus during the week (night attendance).
- Many students are trade apprentices and do not perceive themselves as students in the 'traditional' mode.
- TAFE doesn't have faculty structures and committees as occurs in higher education.

While management support the SSAA, there can be some resistance from teaching staff; they might say 'students have rights and support, but what about ours? The SSAA preferred approach is conciliatory, but it will pursue an adversarial line if necessary to seek the best outcome for the student. Some staff may see the SSAA as a bit aggressive. Staff education/development is an important response, e.g. professional development days, workshops to educate staff about policies. Many VET teachers are from Industry, they may not have adequate knowledge about misconduct, plagiarism policies etc.

The problem with the networking approach in place of formal participation structures, is the former is not subject to a reporting or evaluation process. Instead Swinburne uses student surveys, including ratings of satisfaction.

A perceived challenge into the future is linked to the VET system becoming increasingly driven by the Private Sector and Industry, and how best to respond to this.

KEY LEARNINGS

TAFE is described as being more flexible than the Higher Education sector, and for this reason can more easily accommodate changes in how things are done. There is also a stronger emphasis on access and equity compared with higher education. However, compared with higher education, the VET learner voice is seen as being 'under-featured in matters of governance'. Despite this, students have been found to be generally aware of their rights and entitlements, and reasonably proficient in articulating these.

While the numbers of formal TAFE student representatives are seen as low in comparison with those in higher education, they are not without influence. SSAA representatives observe that –

> *Their voice is valued and listened to because the University is conscious that TAFE is a strongly competitive marketplace and they are looking for a competitive edge for attracting students.*

On the whole, consultative processes (e.g. focus groups and workshops) have been found to work better than formalised representation processes at capturing the voice and experience of diverse VET students.

MAJOR ACHIEVEMENTS

The SSAA has been instrumental in retaining VET enrolments at Swinburne, mainly due to its interpersonal approach. The organization states that it represents and advocates for students no matter what their issues are, which supports them to resolve their issues and to continue with their studies.

An example of the potential of the disability support model to achieve successful outcomes for students involved developing an institutional response for a student with a behavioural condition. The SSAA negotiated with the student and parent, established a direct relationship with the Director and course manager, and arranged to have a mixture of on and off-campus learning delivery, including a support person who worked with the student both on and off campus. After numerous attempts at completing the course at other institutions, the student successfully graduated.

Other outcomes achieved include:

- Successfully represented many students facing exclusion for misconduct
- Successfully mediating cases or grievance between student to student, student to staff and staff to student.
- Negotiated policy changes for greater flexibility in dealing with challenged students deemed at risk of leaving
- Involved in internal pathways for students, e.g. year 10 to Pre Apprenticeship to Apprenticeship

CRITICAL SUCCESS FACTORS

- Cultivating and sustaining strong networks across the SSAA, teaching staff and management is identified as a key critical success factor.
- Developing student friendly policies and procedures in conjunction with Governance Unit
- Provision of free, accessible legal aid (use of Skype when needed)
- Providing further leadership development for VET students
- Surveying students and benchmarking Swinburne's representation and advocacy services against those of other universities. The SSAA has found that Swinburne student satisfaction levels compare strongly.

6.3 CANBERRA INSTITUTE OF TECHNOLOGY STUDENTS ASSOCIATION (CITSA)

OVERVIEW

The Canberra Institute of Technology Student Association (CITSA) Incorporated is the official student organisation and a provider of non-academic services on campus for students at the Canberra Institute of Technology (CIT). CITSA has existed as an incorporated Association since 1974. The Association is a not for profit organisation and provides commercial and non-commercial services on campus, based on a memorandum of understanding (MOU) with the CIT. The Students Association operates Bookshops, Canteens, Cafes and Office Shopfronts for the benefit of students.

The CITSA model is a guild model, which combines features of the independent student union model (operating commercial services) and the Student Representative Council (SRC) advocacy model. CITSA is fully independent; all staff are employed by the Students Association. There are two general managers who are employed by the Student Council.

CIT has four campuses; CITSA Student Services Officer positions exist on three of these. Their role is to provide:

- Academic and non-academic student support
- An advocacy and lobbying role
- A program of social events

Canberra is a city state and CIT is the largest TAFE provider. It occupies a unique space in TAFE insofar as the CIT Act (1987) allows the Institute to set its own fees and charges. In the case of CITSA, the Institute has agreed to set a compulsory fee for CITSA services. This model is possibly unique across Australia.

CITSA runs all commercial services on campuses and this income (supplemental to the compulsory student fee) enables it to self-fund all activities. CITSA is in a position of strength to operate successfully on a commercial level; for example, it out-tendered a bookshop competitor because it were able to provide a better service for students (e.g. longer opening hours). CITSA provides subsidised services for students and reinvests profits back into improving the campus facilities and services; it provides facilities and hardware, and renovates its own premises and student areas. In short, CITSA puts more back into the Institute than private competitors (whose prime motivation is profit taking not student services) – the Institute recognises and values this return.

CIT imposes a compulsory student fee (written into the underpinning CIT legislation; not a national fee structure). As part of the MOU, CITSA negotiates with the Institute about the amount levied, how it is collected, how it is paid to CITSA, and how CITSA spends the money (i.e. where, when and what services it provides).

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

The **CITSA Council** is a representative student body comprised of 9 students elected annually. The Council also includes one CIT appointed staff member and one CITSA staff member. CITSA Council meets regularly to discuss educational and service issues relevant to students.

At a higher level, the **CIT Council** includes a student representative position, drawn from the CITSA Council. The CIT Council meeting includes a standing agenda for student matters, which gives CIT students a voice on the peak CIT board. One of the CITSA managers has a specific observer role on the CIT Council and accompanies, and provides support to, the student representative.

CIT has specific teaching centres, each of these has an advisory committee; student representative inclusion is not required on these committees, but their attendance has never been excluded. If there are no student representatives available to attend, a CITSA staff member will attend in their place.

The reality is the CIT student body does not overtly express external political interests; their interests are centred on day-to-day teaching and learning issues. However, while the students express limited interest in national student campaigns, CITSA managers do some work in this area, attempting to galvanise students and occasionally getting them involved in wider issues.

CITSA has been a policy mover for a long time. While it is ostensibly apolitical, it has supported the Indigenous Unit both financially and politically in the development of Reconciliation Action Plans and inclusion of indigenous students in wider campus issues.

Student Rights and Advocacy

CITSA engages in individual casework, advocates continuously on behalf of students and can attend meetings with them on request. The Association also advocates on behalf of groups of students on issues such as timetabling, problems with teaching styles (e.g. using non-interactive video links to deliver lectures and e-learning, to which the students are reportedly struggling to adapt). CITSA's process in these cases is to approach the educational manager to discuss the students' concerns and potential ways forward.

CITSA also assists students with issues external to TAFE, e.g. with Centrelink problems, assisting ESL students who don't know what questions to ask, haven't been given enough information (e.g. when assessed non-eligible for income support).

CITSA's role is to advise and guide students through systemic processes. With regard to complaints it facilitates action and support students at all stages of the process if that's what they require. CITSA Council is the place that CIT goes to seek feedback on policies that directly affect students, for example, the most recent consultation was on the Anti-Bullying and Harassment Policy. Students were consulted on interpretation, implementation and access to information of the Policy from beginning to end, how and where it should be distributed and whether they understood how to report harassment.

CITSA will also progress a group or class complaint, usually by approaching the education manager; examples include dissatisfaction with teacher competency (addressed by installing a mentor for the teacher in the classroom), requesting a re-grading, teachers not turning up for class (it was discovered that the CIT didn't have a process to deal with this, CITSA pushed this through the Council, and now CIT has a standard messaging process to notify students if teachers are absent).

CHALLENGES EXPERIENCED

CITSA has found the system of annually electing student representatives is difficult when courses are typically one to two years in length.

The student population is dominated by part-time students, older age students, many working full-time, and doing short courses. In contrast, those who nominate and are elected as student reps tend to be younger full-time students. It is observed that these students typically represent their own issues, or those of their direct classmates – they do not represent the voice of the broader student body.

Making the student body aware that CITSA exists – marketing itself to students – is a challenge. Social media strategies are used as much as possible, but the best advertising comes from students who have had a good experience with CITSA.

A challenge looking forward will be once VET-HELP is introduced; CITSA anticipates that students will have much higher expectations in terms of education provision, with possible ramifications for services provided. VET Fee HELP courses are full fee paying

courses (higher level) which are funded differently to public access courses which have local ACT funding. When the cost of a program increases substantially as it will in the case of full fee programs, students will have higher expectations regardless of whether it is an upfront cost or not.

The best example of this is to look at the expectations of International Students who have always been full fee paying students. International Students are CIT's most vocal groups of students in terms of customer service expectations and access to resources. International Students at CIT have questioned all aspects of their program from the high cost of parking at the campus, to challenging additional fees and charges, they have expectations to be able to access teaching staff outside of class time if and when required, and to access to resources out of business hours. Whether or not these expectations are justified depends on a range of circumstances, however the point is that students have expectations because they know they pay a lot for the program.

Therefore, the challenge is how to ensure that student expectations of excellent service delivery are met by the institution. Every institution has to ensure that it always meets student expectations, but when the full cost is passed on to the student, they become significantly vocal in their expectations.

CIT also has to consider implications of fluctuating (reduced) student numbers and changes in education provision – and what this means for student fee arrangements. Issues of particular note include:

- online learning,
- Recognition of prior learning
- custom courses
- Competition from University of Canberra lowering its entrance score, taking students that would otherwise have come to CIT.

KEY LEARNINGS

- ➢ A formal representative structure with constitutional objectives allows the opportunity for students to have an impact on the institution, if not for them, then for other students.

- ➢ By giving the student representative body the opportunity to run commercial services the organization has additional financial viability and the capacity to provide a range of student services that benefits everyone.

- ➢ It is an unrealistic expectation for individual student representatives (SR) to make a marked difference at higher levels of Institute governance. SRs may have recently completed Year 12, and are unlikely to have an appreciation of full student body views, particularly in such a diverse sector. This is really the role of CITSA management.

- ➢ Effective advocacy is underpinned by having a solid understanding of the sector, the various systems that intersect with it, and the underlying legislation. It is also important to develop key relationships with different stakeholders, e.g. Centrelink officers look to us to provide feedback about what is and is not working for students.

MAJOR ACHIEVEMENTS

The principle gain for student representatives is the experience they get through their participation in the process. They become skilled at being good advocates and learn the role of CITSA Council within an educational institution. What they achieve as individuals at a systemic level is limited; nevertheless, the collective voice of CITSA Council is given much credibility within the institution and once students realise that is the place to make

changes, they become very active beyond their own needs. If you are realistic about your expectations and provide the structure and opportunity students will do their upmost to uphold the organisational objectives.

CITSA has succeeded in putting in place a recognised and influential process to channel student input to the CIT Council, covering:

- Different aspects of student experience, adequacy of campus services
- How policies are unfolding for students – important because policies may be implemented with the best intentions that are not borne out on the ground
- How healthy the Institute is at ground level, with student representation seen as providing great 'check and balance'.

CITSA advocacy has achieved important outcomes for students, from helping them to transition into and navigate an entirely new experience to finding them accommodation in group houses. The Association has provided employment opportunities for students (including students with disabilities) in their cafes, with sufficient flexibility to 'sandwich' working hours in between classes. Often this involves working closely with non-CITSA student services on campus, and this ability to cooperate and collaborate is a key strength of the model.

CITSA has developed productive, personalised partnerships with industry to serve the interests of students, including:

- Working with Centrelink officers to improve their services for students
- Working with the ATO to assist students with Tax returns
- Working with major supermarket chain to organise accommodation for block release apprentices.

CRITICAL SUCCESS FACTORS

Having a strong working relationship with Institute management is critical; after years of translating words into action CITSA believes it has credibility and influence. This outcome requires more than simply putting structures in place, it requires careful building and sustaining of effective working relationships. Over the years CITSA has seen leadership teams change; it is critically important to manage this process carefully, gauging the interest level and approach of new management, and working around that.

If CEOs are genuinely interested in the student experience, they will move on topics such as the cost of parking (a common student complaint).

CITSA representatives believe that it is important not to adopt a confrontational approach – and instead to work hand in hand with the Institute. This involves solid negotiation skills, getting management to understand what is important for students, and why this is important for the Institute. CITSA is very flexible in its approach; for example, the Institute is currently restructuring and CITSA is involved in discussions about levying the compulsory student fee, and has made it clear that it is happy to negotiate different ways of securing its income. Its representatives believe that mutual trust is beneficial and that CIT understands that without CITSA it doesn't have the capacity to run the services as effectively and efficiently and, so it is in their interests to work with CITSA.

6.4 Box Hill Institute Student Representative and Activities Committee (SARC)

Overview

Box Hill Institute Learner Services Centre provides a wide range of support to learners to help them make the most of their studies and campus life. Learner services provide the following range of supports:

- Bookshop, library, IT support, student communications and media, lounges and cafeteria
- Indigenous student support, International student services, younger student support, welfare support, career and employment services
- Counselling, disability liaison service, parent support
- Skills recognition and Assessment, Study Abroad
- Student activities (SARC)

The Student Representative and Activities Committee (SARC) is the Box Hill Institute student association .The SARC team coordinates a host of activities, events, trips, sporting opportunities and other recreational events for students to participate in. Activities are decided from student polls, surveys and anecdotal feedback. These activities are a chance for students to relax and have some fun outside class time. SARC supports student representative committees, student media (magazines, the e-zine, student television program), manages student lounges and organises fun activities on campus. Students are actively encouraged to be part of SARC, as an opportunity to gain hands on experience, develop skills, meet other students and have some fun.

The SARC also offers support for students who are facing disciplinary action or in need of support with grievances.

As part of Learner Services, SARC is wholly supported by the Institute, which directly pays the salaries involved. About 50% of SARC time is spent on student representation and advocacy processes, the other 50% on making the Institute a good place to be for the students. Disability Liaison Officers make a further contribution to student advocacy, adding their resources (1.8 FTE) to those of SARC.

Key features of student representation and advocacy within the model

Student engagement and representation

SARC is currently staffed by two paid employees: the Activities, Participation and Representation officer and the Media, Representation and Activities officer, whose roles include the brief to ensure that the student voice is being heard at an individual and group level.

Historically, SARC staff worked with the student member on the Institute Board, however, recent legislative change in Victoria has removed the mandate to include a student representative on Institute boards. The perception at Box Hill Institute has been that the student board representative was a valued but not crucial role, due to difficulties in sourcing students who were genuinely representative of the diverse population of students moving rapidly through the Institute.

SARC staff get involved in the student orientation phase, to sign students up for clubs and committees, including the student representative council (SRC); with ongoing support provided to students who get involved. Staff work with the Student Representative Council (SRC) which meets each fortnight to work on student issues and interests. SARC targets different teaching areas across campus to achieve varied representation on the SRC. It has been difficult to recruit students, but SARC encourages attendance by providing lunch. At the end of the day, SARC staff report that they are 'lucky' if they recruit 10 students; more often than not these reps are recruited by 'a tap on the

shoulder' method although the process is open to anyone. The SRC holds minuted meetings, capturing issues that the students believe are important.

The SARC invests in ensuring the Institute board representation process maximises its potential, by promoting the process and generating interest among students, disseminating relevant information and assisting nominees to prepare candidate statements. Student board representatives are elected through the registrar's office.

Other roles performed by SARC staff include:

- Helping students to find a voice, especially the media students, via the student magazine; we support a writers club and a media committee (though not many students want to be involved).
- Providing mentoring and coaching targeted to specific activities (e.g. elections).

SARC and SRC processes are independent in that student members have input and sign off on issues generated through the student experience survey, however SARC distinguishes itself from a student union insofar as the student body at Box Hill is not engaged with politics, only the immediate issues that affect their study and life on campus, e.g. library closing hours, access to IT and parking, receiving good feedback from teachers. However, students can and do engage in wider intellectual debate through student media/magazine.

Student Rights and Advocacy

The SARC does not play a specific advocacy/casework role; serious issues are directed to the Institute Complaints Officer. However, SARC staff will talk and walk the student through the process. There are detailed grievance procedures in place at Box Hill Institute to ensure a fair complaints and appeals process. There are also many people who spend a huge amount of time listening to and supporting students' concerns – SARC staff, disability liaison officers, youth workers etc. Students are never 'fobbed off'.

The student voice features strongly in driving provider accountability and compliance. Learner Services (which overarches SARC) are very familiar with all the relevant legislation and compliance is something that is communicated about frequently. It is embedded that Learner Services comply with Equal Opportunity and the Disability Standards for Education in very specific ways, for example providing interpreters for people who are deaf/have a hearing impairment, and other reasonable adjustments as required.

There is a strong quality system at Box Hill Institute, with policies and a Teaching and Assessment Strategy in place for every course. SARC, and by extension Learner Services, bring the student perspective – including identifying and meeting student needs – to these more formal processes.

Supporting the voice of disadvantaged learners, including those with disability

The SARC, as part of the broader learner services response, has been involved in drafting the Disability Action Plan for the next three years, and has assisted with a structured consultation with students (including with disability) to provide input into this process. There is a Koori Liaison Officer to assist in building a connection with and involvement of Indigenous students.

Box Hill Institute is required by legislation to consult with identifying students with disability about their requirements and this occurs via the Disability Liaison Unit. There are budget pressures applied to many Institutes, and responding to disability needs requires a significant level of funding. The Disability Standards for Education forces Institutes to look at what they can do to respond to disability needs, and to write this up in a plan for the student. This needs someone in management who has expertise in this area, to understand and drive this process – staff at lower levels have less knowledge and capability in this area.

Young students are described as the most likely to disengage from study; Box Hill used to have Youth Pathways officers to support these students but these were lost in a round of budget cuts. In working with vulnerable students the focus is described as being less on representation and more on communication, using a web-based SMS strategy to quickly connect with disengaged students.

CHALLENGES EXPERIENCED

The greatest challenges are described by SARC representatives as the diversity of students, organisational structures and courses at Box Hill Institute. Students are also highly dispersed (as opposed to centralised on one campus). For this reason SARC uses online communication to reach students, and student satisfaction surveys to determine their needs.

KEY LEARNINGS

Wherever possible there is an attempt to integrate student involvement and action within SARC and the SRC with their learning programs, particularly where a commonality is perceived. SARC works with learning programs to indicate these activities and skills as key competencies. This is a major encouraging factor for students to participate.

MAJOR ACHIEVEMENTS

Wherever possible the attempt is made to integrate learning programs with student involvement and action within SARC and the SRC. A major motivator for students to participate in SARC and SRC activities is the opportunity to develop a range of skills and competencies.

In this context, the learner voice involves more than 'student representation' – contributions made by students, such as, providing input into the writing group or graphic design yield benefits in terms of skill and confidence development, and also benefit the wider student body by way of engagement.

There have also been important outcomes for the Institute. The SRC board representative initiated the student experience survey four years ago; the Institute has since embraced that and integrated it into the system as a work plan requirement. Student input has played a key role in changes to the library facilities and other campus facilities.

CRITICAL SUCCESS FACTORS

> ➢ Having a strong relationship and line of access to Institute decision-makers is critical. For this to work well, it is important to understand and work with where the Institute is coming from, and what they are seeking to achieve.

> ➢ It is important to be proactive as a student association, but also to have realistic systems (in terms of what students are expected to do and achieve) and to be able to support and facilitate these systems.

6.5 SYDNEY INSTITUTE STUDENT ASSOCIATION (SISA)

OVERVIEW

TAFE NSW Student Associations provide benefits and educational support services to their student members; many provide local campus facilities, actively raise funds for refurbishments in partnership with campus management; and support college business. Student association membership is voluntary, incurring a $20 annual fee which is the amount set by the Minister. Student Associations can also negotiate other incomes with their respective Institutes. For examples SISA receives 50% of canteen rental and vending machines, 50% of bookshop commissions and 50% of car park fees (from some colleges).

SISA also sells movie tickets; has a small gym, hirse lockers to students, etc. The Institute also supports the association by paying the salaries of the Association Officers at each of the campuses.

Student Associations are generally managed by Board of management in accordance with constitutional rules. TAFE NSW Student Association Board positions are held by elected current student and staff members.

TAFE NSW student associations have two stage models:

- Stage 1 student associations are managed by TAFE-employed staff. Funding is pinned mainly to the voluntary $20 joining fee, with some income sourced from commercial outlets on campus (e.g. canteen, bookshops, some parking stations) based on agreements with Institute management.
- Stage 2 student associations are independent bodies employing their own staff. These primarily provide services and manage commercial outlets, for example bookshops, food services, educational resources, and sponsorship of events. Resources are used to develop appropriate facilities, services and activities to benefit the campus community.

The Sydney Institute has seven colleges; the largest is Ultimo College. Each College has a local Student Association governed by an elected Board. Board members include four elected students (making up the positions of President, Vice President, Secretary and Treasurer) and up to four other staff members nominated by the College Director. Some of the smaller colleges struggle to get sufficient elected students, and may have only two. Individual Colleges are able to create specialised committees - including members and non-members of the College SA Board - to support the activities of the Board.

The Sydney Institute Student Association Council sits at Institute level, and is comprised of the presidents and directors of the seven colleges, the Institute Director (or a designated representative), and the Executive Officer of the Council (the R/Student Services Coordinator) who feeds student experiences, needs and concerns up to this level.

Sydney Institute Student Association (SISA) runs the member lounges with kitchen facilities, entertainment and events, and provides subsidised photocopying and printing.

Each College has a student association officer; these are employed and funded by TAFE. Ultimo, as the largest college (8000 SA members) also has three assistant student association officers who are funded by student association monies.

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

SISA is very clear that according to its Constitution, it is principally a non-political, non-religious service provider; for example, SISA would not comment about announced cuts in the TAFE sector when contacted by the media – this not seen as part of their remit. The student association operates within the TAFE system, and is primarily answerable to the Institute. The interface with students is primarily about improving the campus experience, enhancing facilities, providing recreational and basic educational services for students. The SA does not lay claim to an 'educational voice' with respect to how programs or courses are run. The SA works with different teaching sections in an event management capacity, to engage and interest students in various activities.

Student Rights and Advocacy

SISA has a limited advocacy role. If students approach the association with an issue, staff can explain the process for them to follow, liaise to a certain extent, but cannot directly represent them. What SISA does do is to provide a free mobile legal service (the only TAFE in NSW currently doing this) and a Careers Connect employment service, both of which were developed in consultation with students, based on their identified needs.

Supporting the voice of disadvantaged learners, including those with disability

The goal of SISA is to be one student association for all students, however students with disability have not featured greatly in their work to date. SISA works with disability consultants on campus to run events, but students with disability primarily source their support (for representation and advocacy) from Institute disability services. SISA legal service records show that that a large portion of the students who access the service identify themselves as having a physical or psychological disability. The service also works very closely with Institute counsellors and disability consultants.

CHALLENGES EXPERIENCED

Engaging the VET student cohort to participate in organised student activities is inherently challenging, due to:

- Constant flux in student presence on campus; many study for a short period of time, some courses are only one and a half months to six months; students may only come to campus once a week
- Very diverse group: from early school leavers up to retirement age. On average, the age is a bit higher than university students
- 75-80% study part-time

VET student needs are highly divergent, so finding a product that fits everyone is very difficult. If you ask what students want, there are so many things you can't accommodate them all.

KEY LEARNINGS

SISA notes that it is critically important to have strong and effective networks in place, particularly with key teaching staff in the Institute. Teachers are an important gateway to students and if they believe in what the student association has to offer, they can facilitate student engagement and involvement with the student association. It is also important for the student body to be networked with higher level directors, CEOs, other TAFEs and universities. A noted impediment is encountering key individuals who are not interested in, or committed to, the work of the student association, as these can prevent effective cut-through of the message to the student and teaching body.

Participation in conferences and forums provides opportunities to see what others are doing in a similar space, to share experiences, ideas, issues and solutions. This can help to alleviate a sense of professional isolation and to avoid 'reinventing the wheel' where others have travelled a similar path.

SISA is currently undergoing a major rethink about where and how it fits with ongoing developments in the tertiary sector. These 'external forces' include the increasing shift to online learning and away from campus-based learning. It is observed that student association services are a better fit for full-time students, however even these students are now spending less time on campus due to changing learning practices or other commitments. Campus environments are notably 'quieter' than they used to be, so it is incumbent on student organisations to respond in creative and flexible ways to emerging and shifting student need.

One example of this was a SISA-led design and funding of a Statement of Attainment in Governance three unit learning module for students involved in the Student Association. The learning focus targeted the skill sets involved in student participation, and was promoted to students in terms of opportunities to network with other students from across different colleges and learning areas, from different levels and with different interests. It was noted that student life in TAFE can be quite insular (class-room based), and by encouraging greater mixing across programs and campuses, students gained experience and insights otherwise unavailable to them.

SISA has a strong relationship with both the student body and TAFE staff. It performs a key linking role between different teaching areas and the student body. The teaching areas now approach us if they need to access students to participate in committees, forums (e.g. the International Students Forum). SISA facilitates, promotes and engages students to participate in Institute-wide focus groups to canvas their views on various (non-political) matters.

The student voice has had an impact on campus life through the student association in terms of improved facilities and refurbishments based on what students want. As a result:

- The Institute environment is more green and appealing
- The library has been refurbished with a quiet area for students

SISA has developed a strong relationship with the students who sit on the Board, following their journey and seeing what they get out of their participation. This has included consulting with student board members about a training package to support student representatives.

SISA also developed a leadership program which was tied in with the Institute Open Day; on the last occasion 20 students in the program attended the event and it was a great success. Student board members were given the project of presenting their ideas about campus life to prospective students at the Open Day, and articulating what the Student Association should be for students, focusing on the key principles of 'fun, support and community'.

CRITICAL SUCCESS FACTORS

SISA is very highly regarded by TAFE, they think what SISA does is important and they support the role. They particularly value that SISA funds and runs the legal and employment services and holds events for International students – these are seen as important elements of a positive student experience on campus. Funds are increasingly tight, but TAFE is responsive when SISA puts in project or grant applications for refurbishments.

SISA has a strong presence on campus, the students know they are they and they relate well to the association. They may not look for it when they first arrive because they are a different cohort to university students – their study focus is very targeted and they give less thought to 'campus life'. But then they arrive, they find the association, and discover that it makes their life as students easier and more comfortable.

6.6 SOUTHBANK STAFF STUDENT COMMUNITY VOICE COMMITTEE (SSCVC)

OVERVIEW

The current student representation process at Southbank is very new. Previously, there had been elected student representative positions on the Board but this was not viewed as an effective process. The key concern was that these student representatives were not sufficiently networked with, or sufficiently representing, the wider student body of 30 000. When this arrangement ended, the Board of Directors approached a student counsellor and an education leader in the Institute to work together to establish a new mechanism to facilitate a connection and feedback process between the Board and the student body. These two staff members both had a background working in higher education and knowledge of student representation and advocacy models; moreover they brought with them a hybrid approach, coming respectively from student services and education management roles.

The brief was to provide two representatives to report to the Board sub-committee, as well as the necessary structure to sit behind these individuals to ensure they were voicing the issues of the student body as opposed to individual interests. The result was the development of the Staff Student Community Voice Committee (SSCVC), which was achieved over a tight two month deadline to be ready to report to an upcoming Board meeting.

The organising principle of the SSCVC was to achieve representation from across as many schools as possible. Due to the tight deadline, an election process was ruled out. In its place, heads of schools were asked to approach teachers in their Divisions to nominate suitable student candidates. Around fifty nominations were put forward and invited to participate, of these twenty four responded in the positive, exhibiting a good distribution across schools, genders, domestic and international students.

The next question was how to support these students to perform their role as representatives and advocates. The organisers approached staff members from a range of Institute areas (other than educators), who could bring a range of experiences, skills and perspectives to a student mentoring process. Those who agreed to participate included a head of school, student counsellor, student services and scholarships officer, and people from IT services, corporate services, human resources, and the library.

There are no dedicated funds to run the SSCVC. The work to support the committee is an additional responsibility given to staff members on top of their existing roles.

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

The broad purpose of the SSCVC is to:

- Identify with, advance and promote the interests of SBIT students
- Promote participation of students in matters affecting them
- Facilitate communication between students, educators and administrative sectors of SBIT
- Provide input and direction for coordination of campus activities and events
- Liaise and work closely with the Staff Student Community Voice representative
- Take part in various leadership roles and opportunities

Participating students are asked to:

- Attend Staff, Student, Community Voice Committee (SSCV) meetings and represent student views (2 reps only) (SSCV is a subcommittee of the SBIT Board). The SSCV meet 4 times a year
- Hold Student focus groups in Schools: Gather ideas and proposals to take to Student Rep meetings referral to SSCV meeting.
- Have regular meetings with your Head of School: To action immediate and local concerns from your student group
- Represent students: Play an active role in your student group and discuss issues and share ideas
- Leadership: Take on a leadership role to improve all aspects of student experience at Southbank
- Contribute to student transition and engagement with SBIT. Support commencing students in a number of different ways.

At this early stage of the SSCVC's development, there is little in the way of formalized support (e.g. **dedicated** funding or management/staff positions). Students are not financially remunerated, nor is there a system of awarding study credits. Students are principally motivated by developing their experience and skills in valued ways. Training and support is provided, for example student representatives were provided a three hour, externally facilitated student leadership workshop involving:

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- Mix of group activities, partner work, individual self-reflection in an informal, experiential environment
- Experiential and group activities and games that focus on trust, building rapport and inter-personal skills
- Exploration of leadership skills required of student leader
- Exploration and discussion of what makes people effective: values > thinking > feeling > behaviours > results.

Student Rights and Advocacy

The Student Support Services on campus (as distinct from the SSCVC) provide a range of support and casework-based services for students with particular needs. These include: counselling services, international student support, AccessAbility services, literacy and learning support, sexual harassment referral and support, student administration and services, Aboriginal and Torres Strait Islander support, financial support. Southbank also provides employment and accommodation services for students.

The SSCVC itself doesn't provide a traditional advocacy service representing the interests of students, as would be found in universities. Beyond what Student Support Services provide, student representatives on the SSCVC might choose to undertake advocacy work on behalf of individual students, consequently they are provided with training and support in how to deal with people in distress and related processes (e.g. student conduct/rules, the grievance process etc). Student representatives may seek advice on various matters, but they are encouraged wherever possible to be independent in their advocacy role.

Supporting the voice of disadvantaged learners, including those with disability

The Southbank student population has a many students with traditional forms of disadvantage, including refugees, migrants, students with disability, people studying for the first time, people returning to study after an extended lay off. The model is pitched very much to including these voices.

There are strong disability services at Southbank proving all manner of support and advocacy for students with disability.

CHALLENGES EXPERIENCED

The process of setting up the SSCVC was delegated to two staff members to accomplish in addition to their usual roles, i.e. there was no consideration of specifically investing in the process. The process was driven purely by the commitment of the staff involved to develop a quality service for Southbank students.

There is no dedicated budget for supporting student-led representation and advocacy on campus.

There are a range of practical and logisitical challenges, including scheduling common meeting times while students' program commitments (including attendance on campus) are extremely varied.

KEY LEARNINGS

Gaining support, recognition and value from the executive is crucially important; at the moment this is considered to not be as strong as it could be.

Securing 24 interested student representatives is considered to be a major success that was due to explaining the role, the benefits students could gain, and what the student body as a whole stood to gain. It was also crucial that students knew there was a support structure to back them up; they did not have to do it alone.

Although driven by time constraints, basing the student representative selection on nomination rather than student election process worked very well. There was some concern about not using elected students, but it transpired the nominated students were very well positioned to do the role. In a number of cases, teachers nominated students who ordinarily would never have put themselves forward (e.g. quiet, shy in nature), but who they believed would make a valuable contribution. This has worked brilliantly in a number of cases, including for one student with a disability.

Another challenge is working in the face of limited expectations – some cannot see the value in focusing on student representation and advocacy when the students are here for such a short period of time.

MAJOR ACHIEVEMENTS

The SSCVC has opened a key line of communication between students and the head of school about issues. The SSCVC has opened a path for student representative to take localised issues to the head of school; organisation-wide issues (e.g. pushing for improved facilities and amenities, common room space, televisions etc) are reported to the student rep Chair, who can progress developments facilitated by the appropriate mentors. In one successful instance, the corporate services mentor assisted the student representative to write a business case for the CEO to support the installation of a BBQ.

Students are described as valuing the opportunity to cross over into different schools and faculties, and getting to know the rest of the campus. Their thinking was also expanded because their role has spanned educational and social matters on campus. The SSCVC has been valuable in teaching students that they have rights and a pathway to pursue these; they feel empowered to address their issues.

Student participant outcomes include developing key leadership and other functional skills; they also benefit from including their experience on their CV and sourcing references from the mentor team.

Students have organised themselves strongly within their SSCVC role. They independently voted for the Chair and Deputy at their first formal meeting, as well as delegating finance, PR, events and logistics roles. They also produced their own highly professional brochure about the SSCVC.

The mentors have reported feeling highly rewarded as a result of their involvement; they have been very generous in sharing their time and skills with students, and have valued the opportunity to interact with students given many of their roles are entirely separate from student life on campus (e.g. corporate services staff member).

CRITICAL SUCCESS FACTORS

Students viewed the invitation to participate as a great privilege.

The mix of staff members forming the mentorship group brought an enormous level of skill and support for student representatives; they could give advice on a range of issues, and assist and train students in a range of tasks that helped to lay down life-long skills for students.

Having strong practices underpinning the student selection and preparation process. These included:

- Preparing heads of schools about the nature and purpose of recruiting students to the SSCVC, and giving them the opportunity to provide feedback
- Preparing students as much as possible for their new role, including leadership training provided by an external consultant, that involved an experiential workshop (students reported this to be very successful)

- Mentors were allocated tasks according to their knowledge base and expertise, for example corporate services assisted with writing a business case to secure a grant
- Clearly established due process with both students and staff involved, e.g. regarding confidentiality, duty of care

Students knowing that there is a solid support structure/network there to act as a sounding board, source of advice

The CEO of Southbank officially launched the SSCVC, welcomed the students, talked about their advocacy role and responsibilities to the student body; this made them feel their role was important and valued.

6.7 TAFE SA ADELAIDE NORTH INSTITUTE STUDENT SERVICES

OVERVIEW

TAFE SA North Student Services are designed to help students with any problems they are experiencing that are having an impact on their study experience and outcomes. These might include working with the student to resolve:

- study issues, including liaising and mediating with lecturers, program coordinators
- personal problems, including financial and legal
- disability issues
- career counselling

The Student Services team is comprised of social workers, psychologists and qualified counsellors dedicated to supporting the student body, particularly disadvantaged students.

At one point a student body was set up in the South, whereby members were elected by students to have a say in policies and processes, however the North student cohort was seen as quite different and less conducive to a formal student representation model (due to engagement issues). It was noted that 'one system won't work for all'. A student liaison officer (SLO) was employed by student services to communicate by email to all students in the North, to engage students by running competitions, and also to identify issues. The SLO has a unique role in working directly for the students; he creates a student newsletter, not just about study issues but about the wider student experience. The SLO also acts as a conduit to enable students to have a say in policies and processes.

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

Some campuses support student representation, but it is impossible for individuals to represent the whole student body which is highly diverse, extending from tradies to single mothers, varied demographic characteristics.

Student Rights and Advocacy

Learner Support Services use a case management approach: at-risk students are referred to this particular service, their learning barriers are identified, and a response is mapped that may include being assigned a tutor or peer tutor to support specific learning needs, or referral to a counsellor for more personal issues.

Student Services staff occupy a strong position for advocating for the learning needs of students as they are not answerable to the Education Manager, and are therefore able to act and speak in the best interests of students. The Student Services Manager takes

equity and access matters to the Quality Unit (QU), demonstrating a voice at a key strategic level. The QU refers the issue to the Education Manager who is required to report the outcome back to the QU.

TAFE SA adheres closely to guidelines and policies about student and disability rights. Students have access to a strong fair complaints process at TAFE SA, such that if a complaint is lodged there is a process the TAFE must follow in response. Student support services provide assistance to students embarking on this process if students request support. If a pattern of complaints about a particular program is noted, the support services manager will take this up with the relevant education manager.

Issues or complaints raised through the student satisfaction surveys are fed down from the Quality Unit to the educational managers who are required to report a plan back to the QU about how they intend to address the problem. In this way, the process is strongly backed and actioned by senior TAFE management.

Supporting the voice of disadvantaged learners, including those with disability

There are disability experts in the student services team who follow due process when responding to students with disability. For students with a verified disability, the service assesses how the disability affects learning and the counsellors will develop a disability access plan with the student. The necessary adaptations will be communicated to the lecturers, and if the client is unhappy with the outcome they can return to us for follow up. Sometimes it is not possible to fully meet the expectations of students, and sometimes lecturers are not happy with the adjustments asked of them; however support services' role to achieve the best resolution within realistic constraints.

There are disability liaison staff in each Institute as well as a whole of region (state) person, whose role is to understand the legislative and policy requirements attending disability. Matters of serious nature (e.g. lecturers not performing or performing in discriminatory fashion) would be escalated to this level, and might be channelled through student support services, the student themselves, or from a complaint within the general public.

Student Support Services have counsellors who 'march for people with disability', to the extent that some of the problems they deal with are external to TAFE (e.g. problems paying a power bill).

CHALLENGES EXPERIENCED

In terms of engaging TAFE students at an involved, representative level, TAFE courses can be short (some are only 8 weeks long), so many students are not around long enough to join groups. Many students are part time, which also works against organised student involvement.

In terms of what student support services do to listen to, and advocate on behalf of student needs, it can be challenging responding to student needs when program changes have been forced by budget cuts. Sometimes there is little room for the TAFE to move. The response is to lobby programs to respond flexibly to students, to take into account that some may be more disadvantaged than others by the changes.

The active nature of student services is both a strength and a challenge. Learner services staff go to every program to introduce themselves to students, so they know they have a place to come for support and advice. This means, depending on the time of year and location, staff could potentially be solidly booked out up to three weeks ahead - capacity can be quite stretched.

KEY LEARNINGS

Having operated within both a student union and student support services context, it is observed that student support services have more power to affect systematic change at

an institution level. Teaching staff are respectful of the support service's position as it is know they have the 'ear' of senior management, and students know that they are 'here to bat for them'. Support services have the 'ear' of senior management who recognise that it is in the best interest of TAFE for students to be doing well in their studies. They play a key role in supporting students and staff to put processes in place to ensure the best possible outcomes of both.

MAJOR ACHIEVEMENTS

Student Support Services see daily successes. On an individual level, the outcomes are often invisible in any formal sense – except to the students themselves. Students who are failing their studies present to the service, it works out why this is happening (could be due to social or personal reasons, transport or even dietary issues), and gets the students back on track.

Student Support Services have also had important successes in influencing responsive program delivery. In response to budget cuts, the Hospitality program changed its mode of delivery. The original mode was for lecturers to do a demonstration at the front of class, for students to go away and have a try, and then return to consolidate. The subsequent approach was for students to go away and replicate the meal in their classroom, removing the interactive dimension. This was particularly detrimental for students with learning issues (where smaller chunks of information are better assimilated) and who lacked competency in taking notes. Acting on student dissatisfaction, support services were able to argue for a return to the original mode of delivery.

Student Support Services supported a number of students in the community services program who were deaf/had a hearing impairment to access an AUSLAN interpreter. They were also aware that these students had reading and writing issues and organised for a peer tutor to assist with these activities.

CRITICAL SUCCESS FACTORS

The multi-disciplinary nature of the student services team means student support services can amalgamate their strengths, have ongoing discussions, share approaches and insights about problems that arise before passing these up the line to the Quality Unit.

Student services staff are a highly professional, skilled and dedicated group of people with a variety of specialisations, including working with refugees and people with disability;, interfacing with Centrelink and JSAs; and who have backgrounds in social work, career counselling etc.

The self-advocacy approach can be problematic if students are worried about negative impacts on their relationship with lecturers and study outcomes. The ability of student services to advocate directly and forthrightly for students clears the way for students to express their issues and concerns openly.

Being a separate branch under their own educational manager is a critical success factor, as it ensures independence from the teaching sections and fearlessness in responding to identified student need. This allows them to intervene even in difficult contexts such as compressed courses. The Educational Managers Team is where many of the big decisions are made – the support services manager provides key input in this setting, about issues that are streaming through the door (many things the students might not directly tell their lecturers), and feedback on how support services staff are interacting with other educational managers.

6.8 THE OFFICE OF THE TRAINING ADVOCATE

OVERVIEW

The South Australian Office of the Training Advocate (Office) is a state-wide contact point for students (including trainees, apprentices, domestic and international students, but not exclusive to VET) who have any training or education questions or complaints. It also provides a navigation service to assist students access the right information or support for their particular situation. The Office is not an education provider, nor a regulator, nor a funder of education and training services. The Office is established under the *Training and Skills Development Act 2008* (SA) and as such is funded through the relevant portfolio through the Department of Further Education Employment, Science and Technology.

The services are available to prospective and current students, who are either unsure about what course of study to pursue, or how to resolve problems that arise (commonly academic, work placement, fee-related issues, among a range of others). The model recognises the huge diversity among VET students and the range of vocations and flexible study arrangements available, including on-line learning. The VET system is complex as there are national and state legislative requirements and regulations that need to be met, along with recognising the different regimes of funding, rules for eligibility, different equity issues with implications for access to programs, courses and providers.

Established in 2003, the Office of the Training Advocate became a Statutory Authority in 2008, ensuring true independence and the ability to advocate for all students who need support including those who are vulnerable. There is a Charter outlining the functions of the Office, which are designed to enhance consumer protection by improving access and effective participation in employment and skill formation opportunities and contribute to strategies which raise the quality and responsiveness of the training system in SA.

Most training providers, including TAFE, have the Office listed in their policies as a key point of contact for students to source support or to lodge an external appeal.

KEY FEATURES OF STUDENT REPRESENTATION AND ADVOCACY WITHIN THE MODEL

Student engagement and representation

The Office of the Training Advocate does not play a direct role in supporting student representation activities. However, if the Office is aware of specific community consultation processes, they will notify the students who may have raised an interest in a particular area. This gives them the opportunity to provide input.

Part of the Office of the Training Advocate Charter includes monitoring issues brought to the attention of the Office as they relate to the training system. If a systemic problem is perceived, they will take action to address this. On occasion groups of students will bring issues to the Office, which will respond to these where possible by speaking for the group or guiding them to the appropriate jurisdiction. As one of the functions is to promote the development of employment and skills formation policies, and will where appropriate, represent the views expressed by our clients

Although the Training Advocate deals mostly with individual students who come forward with an issue there are some avenues to receive more general student input. For example South Australia has an International Student Roundtable, which includes student representatives. The Office of the Training Advocate has no official mechanism per se to include more general student input.

Student Rights and Advocacy

The Office of the Training Advocate provides advocacy through case management with consent from the student. When a student contacts the Office, a confidential conversation/consultation process is initiated designed to:

- Establish the nature of the issue/problem
- Explain the student's rights and responsibilities surrounding the issue; this involves helping the students to understand the terms of the contract they have entered into with the provider
- Insofar as possible - help the person to help themselves, equip them with information and a plan so they can go back to the provider and handle the situation themselves
- If they need more help, additional information is sourced about who they can talk to
- The Office of the Training Advocate can also take on a more hands on approach and accompany the student attend meetings if required.

The principal aim is to keep the relationship between student and provider strong. The Office of the Training Advocate is clear that it does not intervene in, nor seek to change, provider policies or procedures; instead they work explicitly within these. The Office is also clear about not duplicating existing services. If the student has not contacted a provider's on-site services, such as talking to a student counsellor or disability support officer, they are guided there initially.

> *Beyond individual case work and where appropriate we will advocate on behalf of groups of students who raise a more systemic issue. These issues would usually be taken to the manager of the organisation, where we would discuss the situation, with the aim of identifying options to address the immediate issue, and perhaps other preventative measures.*

Supporting the voice of disadvantaged learners, including those with disability

When students with a disability contact the Office, they are provided with the same level of service as for all students, with an additional disability focus. The Office of the Training Advocate will assess what support they may need, then assist the student to consult with their training provider to:

- Assess their specific needs and how they can best manage their study program;
- Access relevant learning support services (this may include access to a tutor or other resources)
- Develop a Disability Action Plan to support their studies

Every outcome is effectively tailored. The Office acknowledges that it is not an expert in the disability area, but that a strong network exists in South Australia and the Office is able to tap into this where necessary.

> *'We are able to assist students understand their study arrangements in conjunction with the provider's operating guidelines and policies, in effect to determine how we can bring these together for the best possible outcome for the student'.*

The Office finds that most training providers are aware of the Disability Standards for Education and outline their support services in their policies. Some providers specialise in the area of disability. Where appropriate the Office will connect with the NDCO program to enable training providers and students to access assistance to suit their particular circumstances. It may be that the student or their family is not aware of the opportunities available to access additional support, such as tutoring or learning support, which can assist them through their training.

CHALLENGES EXPERIENCED

The Office of the Training Advocate identified the following key challenges:

- Ensuring we stay abreast of any changes in the VET national and state legislative and regulatory arrangements

- It is critical to give students the right advice and direction. We are not industry experts; for example, the requirements in a nursing course of study may not apply in an engineering program context.
- Sometimes students' desired outcomes cannot be achieved – in these cases we assist the student to understand the situation and explore other options to determine how best they can achieve their study goals.
- Managing the facts in conjunction with any emotional aspects which the student may be experiencing. High level interpersonal and communication skills of staff are essential.

KEY LEARNINGS

Some students prefer to source support and advice from an external organisation; they may be unsure (even unknowing) about their rights, be concerned about raising an issue internally as they feel it may compromise their study and/or relationship with lecturers/staff. Students tend to find out about us from a range of sources including their training provider, the internet or recommendations from their friends. We can provide students with the information and the types of questions they need to ask their provider to progress their own case, and the provider need never know they came to us.

MAJOR ACHIEVEMENTS

The Office of the Training Advocate has assisted students in a number of areas including the following examples:

- Re-negotiating their study or commercial arrangements with the provider, e.g. developing a financial plan to repay fees in light of financial difficulties, look at whether withdrawal or deferment from study options are feasible/desirable
- Assisting students in relation to academic issues, e.g. access to a provider's recognition of prior learning process, resitting exams, resubmitting assignments
- Developing tailored learning plans for students which may include additional tutoring or a negotiated assessment task.

CRITICAL SUCCESS FACTORS

The skill level of staff, and their ability to listen, understand and interpret what is required to resolve an issue is critical to the success of the Office. In particular, staff need to be able to empathise with a student and to assess what options they realistically can access. Following this up with a student empowering approach is a critical success factor from the perspective of the Office, in building skills, knowledge and capacity to self-advocate among the student base.

Applying principles of procedural fairness and equipping students with enough information and guidance to make an informed decision about how best to manage their own situation are seen as important to successful outcomes. This also involves assisting students to recognise both sides of a situation.

Having a comprehensive and up-to-date knowledge of policies and legislative requirements relating to the students' issues and relevant to the training providers obligations is a critical success factor. All staff are trained in investigation techniques, which include keeping accurate documentation and utilising a case management model.

It is vital to consistently follow up with clients to ensure an adequate resolution of the problem was reached or to discuss any other option available to them.

WISeR (2013)

It is important to maintain a professional relationship with providers to ensure a responsive relationship. Providers are aware that the Office of the Training Advocate's role is not to judge their policies (the Office is not a regulator); the role is to work productively with providers on behalf of students, to negotiate, conciliate and facilitate the resolution of issues. Providers have indicated that they appreciate the assistance of the Training Advocate in resolving issues.

7   RECOMMENDATIONS AND PRINCIPLES

A requirement of this study is to make recommendations about where representation and advocacy models could be applied and strengthened in VET to ensure the voices of disadvantaged learners are reflected in VET institution decision making processes, and for ensuring provider accountability and compliance, quality assurance and responsive VET provision.

There are a number of factors to consider in recommending a workable model, the foremost of which is the level of institutional interest, understanding, and commitment to student representation and advocacy. In the absence of legislation to mandate independent funding for student organisations and inclusion of student representatives in high level governance, the breadth and depth of any potential model implementation relies on what the Institute is prepared to dedicate in terms of value and resources.

The case study findings showed that tertiary (dual) sector institutions have drawn on the strong tradition of student representation and advocacy in higher education to develop a coherent approach and structure that cross over to their VET student cohort. Both the RMIT student union model and the Swinburne Student Amenities Association (SSAA) demonstrate a strong commitment to both student representation and advocacy. RUSU is distinct as an entirely independent organisation governed by the Student Union Council, which is wholly comprised of members elected *from* and *by* all eligible students enrolled at RMIT. The SSAA is a university owned company and is run by the SSAA Board, which is comprised of the Vice Chancellor (VC), four university directors nominated by the VC, four Swinburne Student nominees (elected by the student body), and the CEO (appointed by the Directors). While Board membership includes a mix of students and staff, the SSAA has built-in mechanisms to ensure independent support for student interests.

Both of these models offer potential applications in the wider VET landscape, bearing in mind the concession that engaging VET students presents more of a challenge than higher education students, particularly in terms of involving students in formalised representative roles (e.g. members on boards, committees, etc; elected or otherwise).

Traditional student association models applied in VET are very much a product of the post-VSU environment, in demonstrating a de-politicised approach to student affairs, focusing largely on the direct student experience, and limiting their advocacy roles to accommodate their operational alignment with the Institute. In general these models show how student representation and advocacy structures can work in a 'budding sense', that is to say growing out of an environment where understanding of, and commitment to, student representation and advocacy processes are at an early stage of evolution. These models are interesting to note in how they reflect and respond to the unique VET experience and circumstances.

In terms of these TAFE only student association examples, CITSA presented the most comprehensive model, spanning both advocacy and student representation roles. Backed by thirty years of operational experience in the VET sector, the CITSA model demonstrates a key understanding of VET realities, a productive approach to working with CIT management, and a self-sufficient operational model; at the same time, it has also managed to incorporate elements of a higher education approach, including some focus on political student campaigning. It must be acknowledged that the CITSA model is supported by TAFE legislation specific to CIT that enables it to collect and administer a mandatory fee from students, however this is supported by powerful commercial arrangements with CIT from which key income is sourced.

The Office of the Training Advocate in South Australia is a unique structure supporting the rights of vulnerable VET students. The Office participates in a range of activities spanning individual case work (based on an empowerment model rather than direct intervention) to broader, systemic consultations about training directions and issues. The Office is

entirely independent from provider institutions in both structure and funding. What the model does not offer is a program to support student representation in decision-making; also the Office adopts an explicitly neutral stance on matters of institutional policy and procedure, and in this way holds back on the degree to which it is prepared to assert the learner voice over and above that of the provider in associated matters.

Given jurisdictional variation in policy and legislation, and institutional variation in approaches to (and readiness for) student representation and advocacy, it is questionable that any given model that works well in one context will necessarily work the same way in another. This works in much the same way as the argued need for flexibility in determining which representation mechanisms will work well in different contexts. However, there is a set of principles emerging from the case studies in view that is well-positioned to underpin a strategy moving forward. This would encourage careful consideration of methods to achieve the following:

➤ **A coherent, recognised, and institution-wide structure with sufficient independence safeguards** to fearlessly represent student interests and with sufficient access to (and influence with) upper management to feed the learner voice effectively into key decision-making processes. An important component of this is establishing strong relationships across students, teaching staff (educational managers) and Institute management. Executive buy-in can be supported by demonstrating key benefits to the organisation (e.g. improving student satisfaction ratings, improvements in services and facilities etc).

➤ **A secure financing system for the student representation and advocacy structure** that at best reflects self-sufficiency (requires commercial negotiation with the Institute), and at the very least reduces fiscal insecurity from year to year (where the structure is wholly reliant on discretionary funding from the Institute). This is critically dependent on the institution recognising the value of the structure from a student satisfaction and business case perspective.

➤ **A comprehensively knowledgeable and skilled, and suitably resourced, staffing structure** to support (and sustain) student representation and advocacy activities. Learner representation and advocacy structures inhabit a complex and shifting legislative and policy landscape, and successful advocacy for learner rights and interests relies on the application of dedicated staff able to stay abreast of new developments. Moreover, specifically resourcing roles within a defined learner representation and advocacy structure signifies institutional commitment and valuing of its wider role and relevance.

➤ **A student engagement and representation process that succeeds in capturing the diverse and dispersed VET learner voice**. This requires close consideration of the VET student population per Institute, determining the most effective means of reaching and communicating with the student body (e.g. maximising the potential of ICTs and social media), and identifying the most effective advocacy and representation mechanisms to channel the learner voice to where it most needs to be heard. A critical component in engaging the student body is demonstrating/feeding back positive outcomes as a result of their participation.

➤ **A strong disability awareness and process in mainstream student representation and advocacy structures**, including specialised training and development in working with students with disability, and effective strategies to include the voice of students with disability directly or indirectly (underpinned by the COAG National Disability Strategy which calls for people with disability to be included at all levels of decision-making). It is important to consider distinct barriers to participation for learners with disability both from an access and a readiness (e.g. skills, confidence) perspective and ways to overcome these, potentially tying this in with a, institutional Disability

Action Plan. It is also important to be aware of the risks associated with subsuming disability-specific experience and needs within a 'catch-all' concept of addressing the needs of 'all students who walk through the door'. (Notably, a similar argument was made in relation to Indigenous students).

➢ **A learner representation and advocacy structure with a strong disability focus able to work with the Institute to strengthen a systemic response to learner disability rights and interests** (informed directly by the learner with disability voice). Although policy, legislation and programs addressed to improving outcomes for learners with disability provide strong frameworks for providers, compliance remains an issue. Wherever possible, work in partnership with Institute disability services to support this brief, particularly in foregrounding the agency of learners with disability rather than as passive recipients of support and services.

➢ **A vibrant process to support learners to contribute to representation and advocacy in an active and engaged manner**. This could potentially include capacity-building and leadership development (e.g. targeted training and development activities, peer support etc), and consideration of a recognition and/or reward system to incentivise and value student participation (e.g. paying an honorarium, awarding credits toward their study program).

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APPENDIX A: CASE STUDY QUESTIONS

1. Please describe the student representation and advocacy process in your particular TAFE. What are the particular features of the model/approach used? (*if necessary, prompt the following*):
   a. Is there a measure of independence in how learner representation and advocacy happen in your institution?
   b. Is the tendency to consult students (indirect input) or involve students (inclusion on committees, boards etc) - or both?
   c. How are students brought into the process (elected, self-nominated, nominated by staff)
   d. Do student reps receive specific training/support to assist them in their role?
   e. Are there specific supports/structures/adjustments in place to encourage participation of more disadvantaged students (e.g. with disability, low confidence, etc)?

2. How effective is the model/approach in **injecting the student voice into decision-making** at various levels of institutional operation (e.g. classroom, faculty, curriculum planning, governance, strategic directions etc)
   a. If effective, what are the critical success factors behind this? What outcomes have been achieved?
   b. Were there any key challenges you can identify?
   c. What could be done to strengthen the model, particularly for better including the disadvantaged VET student voice?

3. How effective is the model in **advocating for the rights and interests** of VET students?
   a. If effective, what are the critical success factors behind this? What outcomes have been achieved?
   b. Were there any key challenges you can identify?
   c. What could be done to strengthen the model, to better advocate on behalf of students?

4. How does the VET student voice feature in ensuring a **fair complaints process**? Can you describe if/how this happens under your model? Is there a need to do this better? If so, how?

5. How does the VET student voice feature in ensuring **provider accountability and compliance**? Can you describe if/how this happens in your institution? Is there a need to do this better? If so, how?

6. How does the VET student voice feature in **quality assurance and responsive service provision**? Can you describe if/how this happens in your institution? Is there a need to do this better? If so, how?

7. In what way does your model account for learners with disability in the VET sector? Please describe how the 'learner with disability voice' has been included:
   f. in formal decision-making processes within your Institute, including tailored strategies to support inclusion
   g. By way of disability-specific advocacy services

8. The **Disability Standards for Education** outline the rights of students with disability in terms of accessing, participating in, and benefiting from education and training services in a full and fair manner.
   a. Is there a strong voice representing/advocating for the rights of learners with disability with reference to the Disability Standards, and if so is this voice actively informed by learners themselves? How so?

9. **Disability Action Plans** play an important role in eliminating organisational practices that discriminate against people with disability.
   a. Are you aware of disability plans in place in your Institute?

b.   How do Disability Action Plans intersect with learner representation and advocacy processes (either by encouraging them or being informed by them)?

10. The **National Disability Coordination Officer (NDCO) Program** works collaboratively to address systemic barriers faced by people with disability in accessing and completing post-school education and training.

a.   Does the NDCO Program intersect at all with the work you are doing to support learner representation and advocacy in VET? Do you think there is a potential role for supporting this process at an institutional/systemic level?

11. How are student representation and support services funded in your Institute? What has been the cost associated with supporting student representation and advocacy services at your TAFE?

12. Do you have any information or documentation about your model that you can send to us for review?

APPENDIX B: STAKEHOLDERS QUESTIONS

2. The notion of 'learner voice' refers to VET students having active and meaningful input into decision-making processes at all levels of their education institution. In your view:
   a. How well accepted/developed/ integrated is the learner voice in the TAFE sector?
   b. Do you know of any specific requirements (internal or external) that exist to mandate the inclusion of the learner voice in Institutes' governance or other decision-making structures? To what extent are Institutes meeting these requirements?

3. How does the TAFE sector/your Institute support learner representation and advocacy for VET students? What models/approaches are you aware of? [*probe if necessary*]
   a. Is there a measure of independence in how learner representation and advocacy are carried out?
   b. Is the tendency to consult students (indirect input) or involve students (inclusion on committees, boards etc) - or both?
   c. How are students brought into the process (elected, self-nominated, nominated by staff), and what are your views about this?
   d. Do student reps receive specific training/support to assist them in their role?
   e. Are there specific supports/structures/adjustments in place to encourage participation of more disadvantaged students (e.g. with disability, low confidence, etc)?

4. How effective are the various models in **injecting the learner voice into decision-making** at various levels of institutional operation (e.g. classroom, faculty, curriculum planning, governance, strategic directions etc)
   a. Provide examples of how this has worked, outcomes achieved, and key enablers
   b. Describe the issues or barriers that prevent the learner voice from contributing effectively
   c. What could be done to strengthen the LRA approach, particularly for better including the voice of disadvantaged VET learners?

5. How effective are the various models in **advocating for the rights and interests** of VET learners?
   a. Provide examples of how this has worked, outcomes achieved, and key enablers
   b. Describe the issues or barriers that prevent effective advocacy from occurring
   c. What could be done to strengthen the LRA model, to better advocate on behalf of students?

6. How does the learner voice feature in ensuring a **fair complaints process**? Could this be done better, and if so how?

7. How does the learner voice feature in ensuring **provider accountability and compliance**? Could this be done better, and if so how?

8. How does the learner voice feature in **quality assurance and responsive service provision**? Could this be done better, and if so how?

9. Do you see value in drawing on higher education models of student representation and advocacy in developing an approach for VET? How do you see the LRA process playing out for university students and VET learners respectively?
   a. What are the key differences between Higher Ed and VET that need to be considered in strengthening the voice of VET learners?

10. How well are learner representation and advocacy services working for learners with disability in the VET sector? Please describe how the 'learner with disability voice' has been included:
    a. in formal decision-making processes within your Institute, including tailored strategies to support inclusion

      b.   By way of disability-specific advocacy services

11. The **Disability Standards for Education** outline the rights of students with disability in terms of accessing, participating in, and benefiting from education and training services in a full and fair manner.
      b.   Is there a strong voice representing/advocating for the rights of learners with disability with reference to the Disability Standards, and if so is this voice actively informed by learners themselves? How so?

12. **Disability Action Plans** play an important role in eliminating organisational practices that discriminate against people with disability.
      c.   Are you aware of disability plans in place in your Institute?
      d.   How do Disability Action Plans intersect with learner representation and advocacy processes (either by encouraging them or being informed by them)?

13. The **National Disability Coordination Officer (NDCO) Program** works collaboratively to address systemic barriers faced by people with disability in accessing and completing post-school education and training.
      b.   Is there a role for the NDCO program to support learner representation and advocacy processes at an institutional/systemic level, to better include and empower the voice of learners with disability? Have you seen evidence of this happening? Could it happen, and if so, how?

14. Under the **National Disability Insurance Scheme (NDIS)** it is proposed that participants will be able to choose the types of support and services they use, who provides them, and how they want to manage their funding. While the NDIS does not directly apply to education services:
      a.   Do you see any potential for these systems to interact?
      b.   If yes, are there any potential systemic advocacy issues arising from this interaction?

15. In your view, what do you think are the most important elements of an effective learner voice model for the VET sector?

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