



Working with  
Women Alliance

# **Submission**

## **Modernising and Strengthening Tertiary Education Quality Standards Agency (TEQSA) Powers**

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**Submitted by**

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# Acknowledgement

The Working with Women Alliance (WwwA) acknowledge the Traditional Owners of the land on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present and future. We value Aboriginal and Torres Strait Islander histories, cultures, and knowledge. We extend our respect to Aboriginal and Torres Strait Islander women who for thousands of years have preserved the culture and practices of their communities on country. This land was never surrendered, and we acknowledge that it always was and always will be Aboriginal land. We acknowledge the strength of Aboriginal and Torres Strait Islander people and communities. We acknowledge that Australian governments have been complicit in the entrenched disadvantage, intergenerational trauma and ongoing institutional racism faced by Aboriginal and Torres Strait Islander people. We recognise that Aboriginal and Torres Strait Islander people must lead the design and delivery of services that affect them for better life outcomes to be achieved.

## About Us

The Working with Women Alliance (WwwA) represents two key portfolios: National Women's Safety (NWS) and National Women's Equality (NWE). The WwwA connects the critical areas of gender-based violence prevention and the advancement of women's economic equality and leadership, bridging these important policy fields for greater impact. We work with members and stakeholders, including the Australian Government, to provide expertise and advice on gender equality and women's safety.

# Executive Summary

The Working with Women Alliance (WwwA) are grateful for the opportunity to consult on strengthening the powers of the Tertiary Education Quality Standards Agency (TEQSA). This submission highlights the need for effective enforcement mechanisms to ensure providers of education are proactive in ensuring students' safety. Higher education environments are considered 'high-risk' for perpetration of gender-based violence. The WwwA emphasise that providers of higher education have a significant role to play in addressing all forms of gender-based violence, particularly given the prevalence sexual violence in university and training settings.

With the implementation of the Action Plan Addressing Gender-based Violence in Higher Education (the Action Plan), and subsequently, the National Code to Prevent and Respond to Gender-based Violence (the National Code), TEQSA's role as a regulator of higher education providers is increasingly pertinent to prevention, intervention and support pathways in cases of gender-based violence.

The WwwA support the proposed reforms to strengthen TEQSA powers, but stress the importance of providing support to education providers to understand and meet compliance standards, and implement meaningful initiatives in addressing and responding to gender-based violence.

# Gender-based Violence in Higher Education Settings

As Australia grapples with increasing rates of gender-based violence, and technology-facilitated abuse, particularly in education environments, opportunities for early intervention must be maximised. Addressing gender-based violence in higher education requires a system-wide approach with support from every angle to achieve the objective of student safety. TEQSA must be granted powers to enforce compliance with student safety standards, and higher education providers must co-design effective reporting mechanisms, safe data collection and appropriate support for victim survivors.

Experiences of violence are disruptive to learning, and can be hugely consequential for an individual's wellbeing and economic stability. *The Cost* reports that experiences of domestic violence cause an exponential reduction in degree completion.<sup>1</sup> As a result of non-completion, victim-survivors may be left with student loans that are disproportionate to their salary and inflated due to the indexation applied over the period taken to pay off the debt.

## TEQSA's Role Within the Action Plan

With the introduction of the Action Plan in January 2026, TEQSA will play a role in enforcing compliance with the National Code under the TEQSA Act. The National Code will apply to more than 200 higher education providers. It introduces specific new standards for accountable leadership, safe environments, timely and trauma-informed support, data transparency, and evidentiary reporting.<sup>2</sup>

Alongside TEQSA's enforcement powers under the TEQSA Act, the Department of Education (the Department) will erect a specialist Gender-based Violence Reform Branch responsible for monitoring and enforcing compliance with the National Code. This branch will provide education and regulatory guidance to support higher education providers in understanding their obligations.<sup>3</sup>

## Considerations

### Coordination with Compliance Bodies

The Department acknowledges that the TEQSA Act has not been reviewed since legislation and notes that the policy environment has changed with the establishment of regulatory bodies: The National Student Ombudsman (NSO), Australian Tertiary Education

Commission (ATEC), and now the Department's role in enforcing the National Code through the Reform Branch.

A modern regulatory approach must consider the role these compliance bodies play in reinforcing each other's objectives and upholding all aspects of regulation – from supporting providers, reporting and monitoring to enforcement action.

The NSO, established under the Universities Accord 2024 has powers to escalate issues to TEQSA where higher education providers have responded to a student complaint inadequately. However, the NSO's annual report showed only 2% of the 1,711 complaints received to be classified as domestic violence. As identified by the Department, TEQSA does not have powers to refer issues of gender-based violence to the student ombudsman in return. This indicates significant underreporting to the NSO, and an ineffective relationship between TEQSA and the NSO.

With the addition of the specialist Gender-based Violence Reform Branch, the Department should consider the efficacy of how compliance bodies work together to address gender-based violence and identify inefficiencies in reporting and enforcement mechanisms.

### **Support for Education Providers**

With the implementation of the National Code, higher education providers need to be supported to ensure they deliver safe environments, timely and trauma-informed support, data transparency, and evidentiary reporting. The Department has flagged that the specialist Gender-based Violence Reform Branch will play a role in preparing education and training providers. The Australian Tertiary Education Commission (ATEC) also supports providers by negotiating compacts that align with national standards.

The risk of granting TEQSA greater regulatory powers without supporting higher education providers is that no real progress will be made on student safety. The threat of regulatory action itself is not sufficient to enforce compliance with the National Code.

The WwWA membership has raised concern that universities may seek compliance advice from consultants who are not subject matter experts. We emphasise the need for education providers to co-design initiatives to address gender-based violence with students, experts in gender-based violence and frontline service providers.

### **Data Collection**

The data environment for gender-based violence remains fragmented, making it difficult to measure effectiveness of prevention, support and accountability mechanisms. This is particularly true for gender-based violence in the higher education sector. The National

Student Safety Survey reports 43.5% of students know little about the formal reporting processes for sexual harassment or assault: only one in thirty students who experienced sexual harassment made a report.<sup>4</sup> Fewer than one third of students are satisfied with their university's reporting process, with a majority of students seeking external support. Since establishment, the NSO has also received very few reports (2%) of gender-based violence.

As proposed by the Department, granting TEQSA sector-wide data access will support oversight and enable the agency to better measure effectiveness of initiatives intended to address gender-based violence. The proposal to enforce a positive duty on providers, and therefore evidentiary reporting, monitoring and evaluation will also enable better data collection.

However, the reporting mandate must also ensure that education providers use a safe and best practice method of data collection, as well as evidentiary reporting of co-designed initiatives to increase uptake of reporting and support mechanisms, particularly for at-risk cohorts.

## Recommendations

The WwWW endorse proposals made by the Department of Education to strengthen the powers of TEQSA. With the introduction of the new National Code, it is necessary that TEQSA's powers be revised to enforce compliance with actions to address gender-based violence. The reforms proposed by the Department will support TEQSA in doing this. In particular, WwWA support motions to:

- Grant TEQSA power to enforce a positive duty on education providers,
- Revise the TEQSA Act's regulatory principles to include modern bodies such as the NSO and the ATEC,
- Introduce a graduated, risk-based response to compliance concerns,
- Grant TEQSA better access to sector-wide data and referral mechanisms (particularly with the NSO),
- Streamline regulation so that relevant regulatory and compliance bodies can share information and refer cases to each other.

In addition to the proposed reforms, WwWA urge the Department to consider other aspects of implementation of the National Code and the Action Plan that will intersect with TEQSA's ability to enforce compliance. We have identified coordination with compliance bodies, support for education providers, and safe data collection to be significant for successful implementation of the TEQSA Act and the Action Plan.

## References

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<sup>1</sup> Summers, A., (2025), The Cost of Domestic Violence to Women's Employment and Education, University of Technology Sydney, <https://www.violenceorpoverty.com/the-cost>

<sup>2</sup> Clare, J., (2025), National Higher Education Code to prevent and Respond to Gender-based Violence 2025, Department of Education, Australian Government, <https://www.education.gov.au/download/18959/national-higher-education-code-prevent-and-respond-gender-based-violence-2025/42704/document/pdf>

<sup>3</sup> Department of Education, (2025), National Higher Education Code to Prevent and Respond to Gender-based Violence, Australian Government, <https://www.education.gov.au/highereducationGBVcode>

<sup>4</sup> Heywood, W., et al, (2022), National Student Safety Survey: Report on the prevalence of sexual harassment and sexual assault among university students in 2021, Melbourne: The Social Research Centre, [https://assets.website-files.com/61c2583e4730c0d5b054b8ab/623ba530bc6676dfcdb1d5dc\\_2021%20NSSS%20National%20Report.pdf](https://assets.website-files.com/61c2583e4730c0d5b054b8ab/623ba530bc6676dfcdb1d5dc_2021%20NSSS%20National%20Report.pdf)