



Submission
of the
**New Zealand Union of Students’
Associations**
on
**Proposed changes to how compulsory
student services fees are regulated**

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To	Ministry of Education
From	New Zealand Union of Students' Associations (NZUSA)
Date	16 June 2021
Subject	Proposed changes to how compulsory student services fees are regulated

1. Introduction

- 1.1. The New Zealand Union of Students' Associations ("NZUSA") would like to thank you for the opportunity to make a written submission on consultation on Proposed changes to how compulsory student services fees are regulated.
- 1.2. The New Zealand Union of Students' Associations (NZUSA) is the national voice of students in tertiary education. We are proudly owned by students' associations and councils from universities, institutes of technology and polytechnics around the country. We work alongside our partner organisation Te Mana Ākonga (National Māori Tertiary Students' Association), Tauira Pasifika (National Pasifika Tertiary Students' Association) and the National Disabled Students' Association to fight for a barrier-free education for all.
- 1.3. NZUSA's members are:
 - Albany Students' Association (ASA)
 - Students' Association at UCOL (SAU)
 - Auckland University Students' Association (AUSA)
 - Lincoln University Students' Association (LUSA)
 - Massey at Distance (M@D)
 - Massey Wellington Students' Association (MAWSA)
 - Massey University Students' Association (MUSA)
 - Otago University Students' Association (OUSA)
 - Students' Association at NMIT (SANITI)
 - Students' Association at Wintec (SAWIT)
 - Student Connection at Weltec & Whitireia
 - Unitec Student Council (USC)
 - Victoria University of Wellington Students' Association (VUWSA)
 - Yonited Students' Association at Eastern Institute of Technology

2. Preamble

- 2.1. NZUSA welcomes consultation on proposed changes to how compulsory student services fees are regulated. We perceive many challenges with the current legislative framework on the CSSF and commend the Ministry for investigating improvements.
- 2.2. We believe that the current framework does not allow the setting of compulsory student services fees to be a truly learner-centric process. To uphold the commitments outlined in the *Tertiary Education Strategy* and *National Education and Learning Priorities* we would encourage the Ministry to engage closely with learners and their representatives on the shape of the new legislative framework.

3. Current Situation

- 3.1. NZUSA believes that current provisions under the *Education and Training Act* and the expectations outlined in the *Ministerial Direction on the Compulsory Student Services Fee* for setting and allocating the CSSF do not embody the changes occurring across the wider education system to place learners at the centre.
- 3.2. A particular and longstanding challenge that learners and their representatives have had with the *Ministerial Direction* is the phrase “jointly or in consultation with students”. Providers across the tertiary sector have used this language to disempower the voices of learners and reduce their role in decision making. In many tertiary institutions, students are only consulted on the CSSF after major resourcing decisions have been made. In some extreme instances we are aware of, learners were only party to conversations on what services were required in their institution after contracts for said services had already been signed.
- 3.3. While some of the behaviour witnessed by providers in setting and allocating the CSSF may arguably breach the current *Ministerial Direction* there is a real fear among students and their representatives about speaking out. A hesitancy to “bite the hand that feeds” has led to the current direction going unheeded. Any new framework must empower learners and their representatives to make complaints about breaches and offer great clarity on what actions students can take.
- 3.4. There are concerns across the tertiary sector that the new Code of Pastoral Care recently released for consultation could result in greater costs for providers. NZUSA and students are concerned that providers could use the current *Ministerial Direction* to pass these costs on to students. Due to the nature of

the current direction and the vagueness many of the categories outlined within it we believe that the *Ministerial Direction* is not fit for purpose post-2021 and will require significant reform to prevent the unintended consequences outlined above.

- 3.5. With the changes to the tertiary education sector through the Reform of Vocational Education and the creation of Te Pūkenga there is a greater recognition of the diversity of learners and their studies. Those engaged in work-integrated learning post-2022 will experience more support than they currently receive but will also face greater costs under the CSSF if the current framework is retained. The *Ministerial Direction* and providers attitudes to the delivery of these services is very campus-based and does not align with the transition being seen across the sector towards on-job and online learning.
- 3.6. Alongside these changes, we believe that a significant failing of the current framework is the inconsistent fee settings for distance and part-time learners. There is no one framework to define how much a part-time or distance student should pay which has led to inequitable outcomes across the sector. Some providers charge on a per credit basis, while others have blanket "full-time" and "part-time" charges. Distance students face even greater inconsistency, with fees varying by hundreds of dollars, despite similar services being provided.
- 3.7. In addition to these inconsistencies, the student cohorts affected by them are often not engaged by providers and their voices go unheard. It is rare for Māori, Pasifika, and disabled students to be meaningfully engaged in discussions on the allocation of services under the CSSF. In addition, where consultation with these students does occur, the voices of their representatives are often shut out. We have longstanding concerns that the *Ministerial Direction* does not require providers to engage with learner representatives and in effect has been used to hand pick students to consult with. This has led to services being cut despite significant pushback from the wider learner body and their representatives.
- 3.8. However, while we do have many apprehensions with the current framework, there are some pockets of best practice that we would encourage the Ministry to investigate and incorporate into any new framework. *Lincoln University's Campus Service Council* is a good example of where a provider has decided to act jointly with students and embed their voice in decision making. It consists of representatives from *Lincoln University*, the *LU Students' Association* and *Te Awhioraki* (the LU Māori Student Association). This council is chaired by the student President and has an even split between staff and students. It endeavours to make decisions via consensus and is in our view the best example of student partnership in CSSF decision making in Aotearoa. Any reforms to the legislative framework must enable and build on structures such as this.

4. Proposal for Change

- 4.1. NZUSA supports the proposal outlined in the discussion document. It addresses many of our concerns with both the provisions in the *Education and Training Act* and the *Ministerial Direction on the Compulsory Student Services Fee*. We welcome the proposed alignment of the CSSF with other compulsory fees charged to students.
- 4.2. We do however note that this change could create uncertainty for both learners and those that provide student services. The Act must have requirements on the Minister to partner with students and providers before making changes to the CSSF framework.
- 4.3. NZUSA believes that to truly embed the learner-centric system outlined in the *Tertiary Education Strategy*, the Act should have requirements that there must be demonstrated support from both students and providers for changes to the CSSF framework to be made. All providers and student organisations must be engaged with as part of this process and must play a role in shaping the changes that may be introduced.
- 4.4. The Act must have flexibility to allow for minor changes to the framework without significant delay. Where there is widespread support for changes that are primarily technical in nature, we are supportive of a shortened consultation period. However, to make the process more accessible to learners, we feel that consultation must be at least 28 days and actively communicated across the tertiary sector.
- 4.5. NZUSA feels that the proposed minimum stand-down period of three months is too short for many providers to meet changes to the framework. Student services are often outsourced to organisations such as students' associations and this can result in lag time that can delay change.

5. Conclusion

- 5.1. NZUSA firmly commends the intent and aims of the proposed changes to how compulsory student services fees are regulated. We are heartened that the voice of learners and their concerns with the current framework have been heeded and we look forward to further engagement with the Ministry as the work on a new CSSF framework continues.