

**DRAFT DIRECTION – COMPULSORY STUDENT SERVICES
FEES**

SUMMARY OF SUBMISSIONS

ACRONYMS

AIS	AIS St Helens
AuSM	Auckland Student Movement at Auckland University of Technology
AUT	Auckland University of Technology
CSSF	Compulsory Student Services Fees
IT	Information Technology
MAWSA	Massey Wellington Students' Association
QA	Quality assurance
PTE	Private Training Establishment
TEI	Tertiary Education Institution
TES	Tertiary Education Strategy
UCOL	Universal College of Learning
VSM	Voluntary Student Membership
VUWSA	Victoria University of Wellington Students Association

GENERAL REMARKS

General

In Support

1. Nine submitters supported the general principle of transparency. Comments:
 - increased transparency in the provision of student services through both the clarification of the distinction between services that should be funded by tuition fees and other fees, and the new administration arrangements, was supported
 - the perceptions that some tertiary providers had used CSSFs inappropriately, and that infrastructure and support services related to teaching and learning were adequately funded via the Student Achievement Component, were recognised
 - some CSSFs fees were too high, there was insufficient transparency, and there had been instances of CSSFs being wrongly used to fund core academic services that should have been funded by TEIs or by the Government (e.g. building maintenance, library services, and IT services).
2. Six submitters supported the general principle of accountability.
3. Three submitters supported increased student oversight of and consultation on CSSFs.
4. Two submitters supported other aspects:
 - the Minister of Tertiary Education taking steps to address issues of rising fees, especially CSSFs, was supported
 - giving the PTE sector clear guidance on the use of CSSFs, and placing PTEs on an equitable footing with TEIs was supported
 - the Minister of Tertiary Education's decision not to impose a specific dollar limit on fees for 2012 was supported. There was a risk that some providers would have viewed the cap as a minimum. The decision to make any future caps institution-specific was supported. This meant that those who did comply with the Minister's directions would not be penalised by the actions of those who did not.

Comments

5. Given that PTEs have not charged CSSFs to any great extent, the overall increase in such fees in the PTE sector over the next twelve months will appear more dramatic than it really is.
6. CSSFs should be for services that are not part of the core academic provision of a TEI but which are important to participation in tertiary education, and which enhance and support academic achievement, retention and completion.
7. Services funded from CSSFs should help integrate students with their academic and career goals by promoting and supporting transition, retention, and achievement within a safe and vibrant campus environment. CSSFs should not fund services that are part of the core academic provision of a TEI.

8. A set of guiding principles should be developed to enable the sector to responsibly self-regulate. There should be an emphasis on transparency, affordability, and collective provision.
9. CSSFs should be based on the following principles:
 - all services to be subject to student scrutiny
 - students to have representative input into the allocation and governance of student services
 - students to have unfettered access to universal services
 - it must be clearly justified why the service should be funded universally.
10. A balance needed to be achieved between ensuring that TEIs did not exploit students by charging them compulsory fees for irrelevant services, and ensuring that TEIs retained autonomy when it came to determining what services were appropriate as a part of enrolment at a TEI.

Concerns

11. The micro-management based approach set out in Education Amendment Bill (No 4) was not the most effective way of achieving the objectives of accountability and affordability.
12. The new system was overly directive and was being implemented to an overly tight timeframe.
13. Education Amendment Bill (No 4) should focus on policy and procedure around CSSFs, as opposed to strict regulation.
14. The process of Ministerial intervention in the setting of CSSFs was an unwarranted intrusion into the statutory autonomy of universities. Reasons:
 - there had not been a lack of transparency in fee setting at the University of Auckland. Fees had been consulted on annually with student representatives, and set by a council that included two students elected by the student body
 - there had not been any cross subsidy of tuition by CSSFs.
15. The process followed with both the EAA and the notice gave rise to considerable concern. Comments:
 - section 227A(1)(a) was not in the draft Bill, and therefore was not available for consideration in submissions. Victoria University would have opposed this part of the Bill especially strongly, as it breached established principles of university autonomy
 - there was a conflict in the intent behind section 227A(1)(a) and the existing section 181(c). Legal advice supported the University's view that the notice ran counter to the council's statutory obligations
 - legal advice also suggested that, by pre-empting rather than consulting on the categories contained in the notice, the Minister had contravened the spirit, if not the letter, of the Education Act 1989.
16. A statement of principles and goals for any service delivery provided through CSSFs would be supported. However, students, or their representatives, should determine what services were to be provided. Given that students must pay the

fees, and TEIs must provide and show accountability for service provision, there were no grounds for a Minister to direct what services should be provided.

17. The following comments were made regarding the Education (Freedom of Association) Amendment Bill:

- the introduction of two new systems (the regulation of CSSFs and VSM) in the immediate term would be significant for students associations and TEIs
- the draft direction had been a surprise to students. The Prime Minister had portrayed directions as a back-up for student associations in a voluntary membership environment, to be used when other revenue streams were insufficient. This no longer appeared possible
- while the general objectives of transparency and accountability were supported, the Education (Freedom of Association) Amendment Bill undermined the mechanism for student oversight and input into the use of CSSFs
- the new VSM environment might require some services currently provided by students associations to be funded via CSSFs. Clubs and societies, student representation, and academic and social events, in particular, should have the option of funding via CSSFs
- the Government's support for the Education (Freedom of Association) Amendment Bill would put increased pressure on TEIs and students to provide student services
- the Minister for Tertiary Education was seeking to decrease student debt through the Education (Freedom of Association) Amendment Bill, yet would be increasing student debt through the restrictions on what CSSFs could fund.

Alternative Proposition

18. One submitter suggested that there should be detailed requirements governing TEIs entering into service level agreements with students associations. This would address concern over some TEIs wishing to use CSSFs to prop up formerly compulsory associations.

General – Gazette Notice

1. The draft direction was not aligned with the TES' equity focus. The direction made no allowances for differing demographics, nor did it acknowledge the different foci and strengths of TEIs. Diversity within TEIs was a strength that needed to be actively supported.
2. Some of the policy intent set out in the Cabinet Paper had been overlooked in the construction of the draft direction.
3. The Minister for Tertiary Education's intention may be to restore the ability of universities to recognise students associations and collect fees on their behalf. This would also restore the associated sanctions. The draft direction would need amending to reflect this intent.
4. The draft direction should focus on its intended purpose of establishing a framework for how fees for student services were administered. A framework based on improved processes and principles, rather than strict regulation, would be more appropriate for addressing recent issues associated with student services and changes to service provision.
5. The draft direction should focus on funding principles and required outcomes, rather than a prescriptive list of services. The development of student services should be informed by:
 - the body of literature on student engagement, and the factors and services that contribute to higher success, retention, and completion rates
 - the needs of different student cohorts and demographics.
6. The University of Canterbury's implementation of CSSFS resulted from a highly collaborative process involving the University and the students' association. Current allocations reflected a principles-based approach, which was preferred over a rules based approach as described in the draft direction. The key principle was that expenditures should be focused on student-centred activities that were non-compulsory but which contributed to an enriched student experience and enhanced student success.
7. The Minister for Tertiary Education should focus on process and principles, not arbitrary regulation, to moderate the level of CSSFs and improve transparency and accountability. The list approach impinged on the independence and autonomy of TEIs and their students to provide the services which they need. Not every TEI had the same responsibilities or required the same services. A different, more flexible approach should be taken to the delineation of student services in the draft direction.
8. Students should retain a degree of ownership over service provision, as this ensured that events and orientation activities were appropriate and relevant.
9. Education Amendment Bill (No 4) provided the Minister for Tertiary Education with discretion as to the level of intervention to be exercised in order to achieve the objective of "ensuring transparency and accountability of providers to students. Accordingly, the direction did not need to be as directive as the current draft.
10. The intention of Education Amendment Bill (No 4) was to ensure: transparency; consultation in the setting of student services fees; and reasonable fee increases.

However, the effect of the direction would be to significantly reduce the ability of universities to support a range of services currently funded through CSSFs. In addition, the detailed specification of services pre-empted the outcome of universities' consultation with students about services. This would be to the detriment of students.

11. The draft direction emphasised the need for full consultation with students. Victoria University undertook a comprehensive consultative process in preparation for setting its 2012 student service levy. The recommended outcome from this lengthy and expensive process is currently awaiting council approval.
12. Victoria University supported the stated objectives of transparency and accountability to students, and could clearly demonstrate compliance with these. The University had not used CSSFs to circumvent Government-imposed caps on fee increases. The service categories offered had been developed in direct consultation with students, and the fees set with their full involvement; on the understanding that they covered services that were not directly related to the provision of tuition but were of direct benefit to students. The direction potentially undermined the productive relations and levels of trust that the University had established with its students.
13. The draft direction was a blunt tool being used to correct behaviours and actions of a small number of TEIs. It will have a significant unintended negative effect on student engagement and on all TEIs relying on CSSFs.
14. The requirement to codify the categories of service that a university might provide to its students is not supported. If a student body supported CSSFs at a university, it should be the council's prerogative to determine the amount and nature of the fee. A Government directive to stipulate the categories of services that would be provided from the fee was not required.
15. The draft direction will have a significant negative impact on UCOL's ability to provide quality education to all members of its communities.
16. The direction will create major difficulties for the University of Auckland. It will act in a manner detrimental to the shared objectives of the University and the Government to enhance student success and the participation of under-represented groups. The University was responsible for 40,000 students, many of whom find the transition to university challenging – and would find it more so without the range of support programmes currently offered. The direction had the potential to force a reduction in these services of nearly \$10m per annum.

The fundamental problem was that a number of categories of student services were not provided for in the proposed list of categories that the University may charge for in the future. This would lead to services not being provided or being charged on a user pays-basis. For many services, charging on a user-pays basis was not practical and would incur high transaction costs. These services were only effectively managed and delivered as a "public good".

17. The direction was well intended and offered students a greater level of protection from unjustified increases in CSSFs. However, the direction did not set a cap on fees for 2012. It restricted categories of services. Many core services were covered, but there could be a negative flow-on effect in terms of the services specifically required by the student body at each provider.

18. The draft direction was aimed at compulsory fees (in the style of student union or student association fees) charged by TEIs. AIS' student services fees covered areas outside the scope of the policy, e.g. IT network access, email services, course printing. Given that the fee was more in the nature of a resources fee, it should not be covered under the direction.

Administrative Requirements

19. Two submitters expressed concern about the administrative requirements in the draft direction. These were:
- the administrative requirements were excessive, and inconsistent with institutional autonomy
 - the high compliance costs could not be justified by the expected benefits.

Timing

20. Twenty-eight submitters opposed the direction being implemented in 2012.
21. Four submitters commented as to why the direction should not be implemented in 2012. The reasons given were:
- announcing changes to CSSFs for the 2012 academic year was unfair and an example of bad practice, because: the financial impact on Victoria University would be \$3m; the Minister for Tertiary Education's desire to ensure strong consultation would be undermined, with only eleven days of term remaining; and there would be considerable internal disruption to both Victoria University and VUWSA
 - the direction is too late to impact on 2012 fees, which have already been set. Consultation with students would need to be done prior to the setting of fees, in the prior year. If the direction were to be implemented in 2012, clarification would be required of expectations regarding consultation with students
 - switching over to a new process will be complicated. Given that universities are under a lot of pressure, it would be unreasonable to expect them to adjust to the new legislation within a year
 - the passage of both the Education (Freedom of Association) Amendment Bill and Education Amendment Bill (No 4), with implementation to occur in 2012, meant that students associations and universities would be dealing with significant change in the immediate term. MAWSA also commented that it would be seeking to secure a service level agreement for the contractual provision of services with Massey University. The short timeframe for preparation meant that implementing a user-pays model for service provision would not be feasible; however, the restrictive nature of the draft direction would limit the number of student association services which the university could contract for.
22. Twenty-six submitters proposed that the direction should be implemented in 2013.
23. Nineteen submitters proposed that implementation should be delayed until 2013. The reasons given were:
- a delay would give TEIs time to adjust and prepare

- the effective date of 1 January 2012 did not allow adequate time for associations and TEIs to prepare and adjust for dramatic changes
 - TEI budget and fee setting processes, and financial and operational planning, were well underway for 2012
 - the timeline should allow for consultation and negotiation during 2012, with fees and budgets for service delivery set in 2012 for implementation in 2013.
- Concerns:

- strict implementation of the direction would require significant and challenging revisions of planned service delivery in 2012. Services may need to be reduced in scope or scale, or withdrawn. Staff positions may be disestablished, with staff reassigned or made redundant
- the consultation/renegotiation requirements in the direction ignored the reality of the academic calendar, the hand over of responsibilities between outgoing and incoming student representatives, and the budget setting processes of councils and student bodies

- implementation of the direction, when seen in the context of the Education (Freedom of Association) Amendment Bill, could significantly impact on the availability of services to students in 2012

24. Three submitters proposed that implementation should be delayed until 1 January 2013. The reasons given were:

- with fee setting for 2012 well-advanced, there was not enough time for new fee structures to be planned, approved, and implemented.
- meeting the proposed effective date of 1 January 2012 would be challenging under any circumstances, and all the more so given the consultation process required of universities
- if the service categories were to be confirmed, Victoria University would face having to repeat its consultative process. Given the timing of the academic year, it would be impossible to complete these consultations according to established good faith procedures
- a phase in year should be allowed for. As a consequence of the passing of the Education (Freedom of Association) Amendment Bill, it was expected that TEIs would be taking over services or funding services previously provided by students associations. With budgets already having been prepared in advance of both the Bill and the draft direction, there was a risk that desirable services would fall by the wayside.

25. Four submitters proposed that implementation should be delayed until the 2013 academic year. The reasons given were:

- the direction should relate to the 2013 academic year, or be scrapped and rewritten, because the current implementation date was inadequate and unfair for the tertiary sector and students. Concerns:
 - setting of the 2012 student services fees had already been postponed, after considerable student consultation
 - Victoria University was about to open enrolments for 2012 in a few days time
 - there was a risk that important and longstanding services might be lost because of the inadequate notice period

- fees for services of the type covered by the direction were typically set annually, late in the year before their delivery. The date from which the direction would take effect fell between the time at which fees were set, and the time at which the majority of students were invoiced for and paid the fees, or started taking delivery of the services
- deferring the implementation date to the 2013 academic year would enable universities to make the adjustments required to their student services in consultation with student representatives. Concerns:
 - the timing of the introduction of the direction, in conjunction with the impact on student services from the implementation of the Education (Freedom of Association) Amendment Bill, would place pressure on universities and student representatives
 - the direction would require considerable reorganisation of existing arrangements for both the delivery and funding of student services, impacting on university budgets and student fees, at a time when the universities would expect to have confirmed their budgets for 2012 and advised enrolling students of their fees
 - university councils were in the process of setting fees for the 2012 academic year, with intending students enquiring about the fees
 - finalising the direction in October provided very little time before the end of the 2011 academic year for universities to consult with students about the services and fees for 2012
- adequate time had not been allowed for the sector to prepare for significant changes. By the time consultation was completed and Cabinet sign-off obtained, there could be less than two months for TEIs and associations to adjust. Concerns:
 - the timeframe was inadequate, given the number of affected services and the financial implications
 - the institutional budget setting processes were well advanced. These are long and considered deliberations involving student consultation and subcommittees to ensure robust and thorough budget recommendations
 - domestic and international tuition fee setting had already occurred at some TEIs and was imminent at most others
 - some TEIs were about to open enrolment for 2012
 - consultation with student members of associations would be essential to determine what services were wanted and needed under a significantly altered funding environment. With the university and polytechnic terms finishing shortly, it will be almost impossible to consult with students and make the necessary informed changes.

Requests for Clarification

26. Two submitters requested that particular matters be clarified in the direction. These were:

- whether or not TEIs are required to adhere to the requirements of the direction when spending money from their general pool on student services
- what TEIs can charge part-time and/or extra mural students.

Suggested Additions to Gazette Notice

Definition of Student Services

27. Three submitters suggested that a definition of “student services” should be included in the direction. The reasons given were:

- a definition would provide guidance to TEIs in their ongoing operations
- the inclusion of a definition in the direction is needed because there is no definition of “student services: in either the Education Act 1989 or the Education Amendment Act 2011.

28. Two of these submitters proposed definitions. These were:

- *“student services are services that assist, enhance and improve the physical, social, cultural and environmental well-being of students as a way to enhance and support their student experience and academic achievement and success”*
- *“ ‘student services’ means services that aid the physical, social or psychological wellbeing of a student as a means to enhancing their student experience, academic progress and success”.*

29. One of these submitters commented that the definition needed to be flexible enough to cover existing and future categories of services which were provided universally, and which could include pastoral care and the development of student education, health, and wellbeing. The definition should also allow for non-political representation by students as part of an existing or required TEI feedback process.

Other Additions

30. Three submitters proposed additions to the draft direction. These were:

- opt-out provisions, enabling students to opt-out of CSSFs on the basis of hardship or duplication (i.e. where CSSFs are charged for services that are also available through external providers, such as health services, crèches or gyms)
- a mechanism for varying the current list of categories to take account of new or unanticipated initiatives. For example, the Minister for Tertiary Education could be the final arbiter of what qualifies as a student service
- a provision specifying that providers had the right to use any source of income, including CSSFs, to facilitate a system of student representation or to contract any other organisation to professionally facilitate this system, providing it is not for political aims.
- a provision specifying that existing service level contracts for 2012 were not affected by the limitations in paragraph 8
- an option for “approved” TEIs to be exempt from compliance with the list of categories. A TEI could seek a regulator’s approval of plans and budgets for service delivery, with the documents having been signed off by the TEI’s governing body post consultation with student representatives. The regulator would grant approval, after having been satisfied as to the TEI’s processes for consultation, fee setting, service delivery, and transparency and accountability.

PARAGRAPH 1: OBJECTIVE

In Favour

1. Three submitters supported the objective of the draft direction.
2. One of these submitters expressed support for paragraphs 1 to 7 of the draft direction, on the basis that they constituted a significant improvement in requiring publicly funded institutions to be more transparent, responsive, and accountable to those who they serve (students and the wider taxpaying community).

PARAGRAPH 2: COVERAGE

In Favour

1. Three submitters supported paragraph 2 of the draft direction.

Comment

2. One submitter commented that international students should be covered by the direction. Student associations provide many services specifically for international students (for example, advocacy). Access to such services could be at risk unless paragraph 2 is amended to include international students.

PARAGRAPH 3: EFFECTIVE DATE

In Favour

1. Two submitters supported paragraph 3 of the draft direction.

Comments

2. Four submitters commented that the proposed commencement period was inconsistent with the effective date. As a consequence, it was unclear whether CSSFs charged by TEIs to students enrolling in 2011 for the 2012 academic year were covered by the direction.
3. One of the submitters commented that were CSSFs set in 2011 for the 2012 academic year to be subject to, and therefore invalidated by, the direction, this could give rise to an issue regarding possible retrospective action by the Minister for Tertiary Education. If the commencement period was not to be deferred until the 2013 academic year, the issue would need urgent clarification.

PARAGRAPH 4: CONSULTATION/JOINT DECISION-MAKING ARRANGEMENTS

In Favour

1. Four submitters supported paragraph 4. Two submitters gave the following reasons:

- it was reasonable for students to have significant input into, and oversight of, the particular services that would be provided with their funds, in their name, and for their use; together with the way in they were delivered
- having students included in the decision-making process ensured both transparency, and accountability of providers to a major stakeholder group.

2. Three submitters expressed qualified support for paragraph 4. The following comments were made:

- the improvement in student oversight over CSSFs was supported. However, for oversight to be effective, both student representation and consultation were required. Student representation ensured: the provision of useful and relevant services by TEIs; efficiency in service provision; and the right mix between user charges and compulsory fees. Surveys and standard consultation methods were insufficient and easily manipulated. They did not provide for genuine student oversight, or enable an ongoing discussion or contribution, in the way constructive and organised student representation could
- the enhancement of student oversight over CSSFs was supported, but it should be stronger. Student representation was vital in ensuring TEIs provided useful and relevant services based on informed contributions by students, for students
- paragraph 4 provided flexibility in the approach to consultation with students, and did not require absolute consensus on a package of services. However, there were concerns:
 - students would be actively involved in priority setting and planning wherever possible. However, the diversity and transitory nature of the student body, combined with the long-term planning and regulatory requirements of some of the services (for example, early childhood education and health), meant that full consensus was not always possible
 - heterogeneity of student representative groups is likely to increase under VSM. The fee consultation process should not allow one group to veto the provision of services by or for another
 - it would be inappropriate for funding for services that cannot be switched on and off from year to year to be withheld unless other services were provided.

Comments

3. One submitter commented that consultation in respect of the 2012 fees would take place using existing systems, with student association representatives. Future consultation and joint decision-making was likely to be more complex and costly for TEIs, due to the likely impact of VSM on the mandate student associations had to act on behalf of the general student body.

Suggested Changes

4. Three submitters suggested changes to paragraph 4. These were:

- the removal of the reference to consultation, as this would ensure proper student involvement in decision-making and oversight
- a new subparagraph should be added: *“providing mechanisms for students and providers to consult on delivery of student services including providing student input/consumer feedback on the providers’ operations”*. The arrangements for student consultation and engagement would also be valuable for gaining feedback on core academic services
- a requirement should be added that evidence of equitable consultation was to be confirmed by both TEIs and students, or their representatives, directly to the Minister for Tertiary Education. The Minister would act or appoint an independent arbiter in cases where there was a serious dispute. The draft direction did not contain an appropriate forum or mechanism to ensure that consultation would occur equitably. Under VSM, the absence of universal representation meant that there was a risk of a significant imbalance occurring between what the TEI considered appropriate as opposed to student users
- a new subparagraph should be added: *“Nothing in this section prevents a provider from contracting another body or person to provide student services on behalf of the provider under section 227(1B) of the Education Act, providing that there is an appraisal and assessment of performance targets under the contract at least yearly, made jointly or in consultation with students enrolled at the provider or their representatives”*. Student consultation requirements should not undermine the continuity of service provision from year to year. If student services were to be constantly reviewed, it was important that existing contracts or future tenders to provide services were not undermined.

Opposed

5. Three submitters opposed paragraph 4 for the following reasons:

- the draft direction unnecessarily restricted the statutory provision in the Education Amendment Act 2011 requiring TEIs to establish arrangements for joint decision-making or consultation with students on particular types of services
- requiring providers to either consult with students or make joint decisions with decisions was inherently contradictory. Providers should only be required to consult, as joint decision-making was unrealistic.

6. One submitter opposed paragraphs 4(c)[procurement] and 4(d)[method for authorising expenditure], suggesting that modern accounting methods could achieve the desired outcomes. The requirements were unnecessarily onerous, and would require a level of administration and bureaucracy costing significantly more than any benefits. If the requirements were to be retained, the additional cost of implementing and running them should be funded from CSSFs as a separately identified item.

PARAGRAPH 5: BANK ACCOUNT

TEI Bank Account Requirements

In Favour

1. Two submitters supported paragraph 5 of the draft direction.
2. One of these submitters commented that the requirement ensured that CSSFs were ring-fenced and could not be used for any other purpose.

Suggested Change

3. One submitter suggested that if the requirement were to be retained, the additional cost of implementing and operating the bank account should be funded from CSSFs as a separately identified item.

Opposed

4. Ten submitters opposed the requirement for TEIs to have a separate bank account for the following reasons:
 - the oversight provisions in paragraph 5 were unnecessary as an initial step for 2012, in light of the additional safeguards set out in paragraphs 4, 6, and 7. The safeguards, combined with the required institutional system changes, aided the overall objective of the direction
 - the requirement, in conjunction with those set out in paragraph 6, had the potential to reduce the level of student services provided. At AUT, the practice had arisen that where a service could be provided within the student services division's total budget, it was provided, with cross-subsidisation occurring as necessary. If specific fees were to be allocated to specific service categories, then any variation outside of those categories would be limited
 - the requirement for a separate bank account was of no benefit to the student body. Application of the direction would increase the administration costs associated with CSSFs, and thus reduce the actual services that could be provided
 - the additional administrative and transition costs associated with transferring the administration of student services spending to a new account may outweigh the benefit of such a move in the first place
 - the unnecessary and costly compliance costs imposed on TEIs
 - the requirements relating to accounting for the application of CSSFs would necessitate an inordinate amount of additional administration. At present, the administration of CSSFs was integrated within AUT's normal operations. Having a separate bank account would require the provision of at least one additional full-time administrator, with associated on-costs, additional bank charges and audit fees, and alterations to the financial system (a total cost of \$200,000)
 - as a means of achieving transparency, a separate bank account was unnecessary, intrusive, and inefficient. It would result in significant compliance costs, hinder efficient cash management, and make it more difficult for TEIs to meet the requirement to act efficiently as set out in the Public Finance Act 1989

- the requirement was unnecessarily onerous, and would require a level of administration and bureaucracy costing significantly more than any benefit
- the requirement was administratively impractical, expensive to maintain, and added no value over what could be provided through the ordinary reporting and audit processes associated with the expenditure of funds within the university environment. Examples of the administrative difficulties were:
 - a separate bank account would require either dual fee payment channels or the daily analysis and transfer of CSSFs received into the account
 - payment for services would become complex to administer. If agreed services were provided by an employee, the payroll system would need to be modified to make payments from both its normal transactional bank account and the specific student services account. If goods or services relating to student services were provided by a supplier that had already provided goods and/or services elsewhere in the University of Auckland, either dual supply accounts would need to be set up with the same supplier or complex processes put in place to ensure payments were made from the correct bank account
 - inefficiencies arose through increased transactional costs and account fees, and the potential inability to effectively manage cash flow and interest income returns through the use of a single consolidated bank account.

5. Submitters suggested the following alternatives:

- the accounting and auditing of CSSFs should continue to be administered through existing systems
- the outcomes sought could be achieved through modern accounting methods
- transparency would be achieved by requiring TEIs to separately account for income and expenditure in separate accounts within their accounting systems. Paragraph 5 should be replaced with: *“Accountability for the use of student services fees: providers must either hold student services fees in a separate bank account, or ensure that all income and expenditure associated with the provision of such services is separately accounted for in the providers’ accounting system”*
- the objectives of transparency and separate reporting could be achieved more efficiently by the appropriate use of cost centres and activity centres within each university’s chart of accounts. Paragraph 5 should be replaced with: *“providers must either hold compulsory student services fees in a separate bank account or ensure that all income and expenditure associated with the provision of these services is directed through cost and/or activity centres within the provider’s chart of accounts that operate for the sole purpose of providing these services”*
- the perceived benefits of a separate bank account could be achieved with a single bank account using existing accounting and cost centre reporting systems
- the standard accounts would be sufficient, with the addition of a reconciliation statement and a provision for CSSFs to be the focus of an annual independent audit
- there should be requirements for CSSFs to be accounted for, and subject to specific audit checks, as part of the annual audit process
- the objectives of transparency and accountability would be achieved through a compliance reporting process

PTE Bank Account Requirements

Comment

6. One submitter requested that the requirement for PTEs to have a separate bank account for CSSFs be clarified. Under the Education Amendment Act 2011, PTEs are required to deposit all student fees paid in advance into a trust account. Managing two legal requirements for separate bank accounts would be difficult.

Opposed

7. Three submitters opposed the requirement for PTEs to have a separate bank account for the following reasons:
 - the impracticality of the requirement
 - the increased paperwork. Modern financial systems were able to separate relevant transactions, without the need for administratively burdensome and costly methods such as separate bank accounts and audit processes
 - the increased administrative costs, which would lead to higher CSSFs
 - a complicating factor for PTEs was that StudyLink, which paid a large percentage of CSSFs, would only pay to one bank account for each organisation
 - the interaction with the PTE fee protection requirements, which covered CSSFs. The Public Trust managed trust accounts, into which all fees were paid and then drip-fed out to the provider. The logistics of the Public Trust having to deposit tuition fees and CSSFs into two bank accounts were likely to be challenging.
 - the timing as to when CSSFs were to be deposited into the separate bank account was an issue, i.e. upon payment by the student or upon periodic drawdown monthly in arrears from the central independent trust account. If a separate account were to be required, with payments to be drawn down monthly in arrears for each student, this would double both the costs of, and the administrative workload in, managing trust accounts
8. Submitters suggested the following alternatives:
 - a separate account kept within the monthly accounts, with an annual reconciliation. This could be audited at the time of the annual audit, and covered in the annual attestations to the New Zealand Qualifications Authority
 - the processing of CSSFs separately within existing accounting systems and bank accounts. Reliance on existing audit processes, along with the proposed reporting to students, would ensure a high level of compliance with minimal additional expense.

PARAGRAPH 6: REPORTING REQUIREMENTS (TEIs)

In Favour

1. Three submitters supported paragraph 6 of the draft direction.
2. One of these submitters commented that the requirement ensured transparency and accountability in the provider's dealings over CSSFs.

Suggested Change

3. A submitter suggested that paragraph 6 should be amended to include a requirement that TEIs report to students on the value gained from the provision of services

Opposed

4. Two submitters opposed paragraph 5 for the following reasons:
 - the requirements would necessitate an inordinate amount of additional administration
 - the requirements had the potential to reduce the level of student services provided. At AUT, the practice had arisen that where a service could be provided within the student services division's total budget, it was provided, with cross-subsidisation occurring as necessary. If specific fees were to be allocated to specific service categories, then any variation outside of those categories would be limited.

PARAGRAPH 7: REPORTING REQUIREMENTS (PTEs)

In Favour

1. Two submitters supported paragraph 2 of the draft direction.

Comment

2. One of the submitters commented that the requirement ensured transparency and accountability in the provider's dealings over CSSFs.

PARAGRAPH 8: CATEGORIES OF SERVICES

General

In Support

1. The Minister for Tertiary Education setting and clarifying the purpose of CSSFs was supported.

Comment

2. The list should be limited to the provision of guidance on post-study careers, because this was the only service with general application. All other services should be funded on a user pays basis, irrespective of individual circumstances. This approach would be consistent with National Party policy and with Parliament's decision to pass the Education (Freedom of Association) Amendment Bill.

Concerns

3. Nineteen submitters expressed support for the categories listed but raised particular concerns. These were:
 - the list of categories should be broadened to include the full range of services provided by students associations, as these were the services that students wanted and were willing to pay for. The most important services valued by students were: advocacy and advice; support and information; events and free food; and representation
 - the categories of services needed some form of moderation, as they were too prescriptive and in some areas inadequate
 - the narrow list was an issue. Comments:
 - the list did not include all services that were essential to supporting students during their studies or that enhanced tertiary study
 - categories of services had been omitted which were public goods; these should be included to ensure funding
 - services had been omitted which assisted in achieving TES objectives
 - services had been omitted which were particularly important for Māori and Pasifika students
 - a number of services had been omitted, and the current direction did not enable such services to be funded in 2012
 - the list omitted important services, the provision of which might not continue past this year due to the passage of the Education (Freedom of Association) Amendment Bill
 - the list of categories did not enable students and TEIs to decide for themselves what services were important.

Opposed

4. Nine submitters opposed the approach of listing categories of services. Comments:

- the Government should have directly consulted, and should still do so, with universities on the list of categories
- the identification of specific service categories was not supported. The approach was unnecessarily prescriptive, discouraged innovation, failed to account for the unique characteristics of providers, and reinforced a narrow view of student services, student learning, and the ways in which a TEI interacted with students
- no rationale had been provided for the list of services. There were significant student services that have been provided by universities for years which had been omitted from the list. Concerns:
 - there was no explanation as to why services such as student media should be able to be funded from CSSFs, but not services which students themselves valued as contributing to their success
 - the list omitted services which were equally or more aligned than the listed services to TES objectives
 - there would be a significant shortfall in funding for student services at universities if the current list stood (estimated at \$25m across the eight universities)
 - universities would need to decide if the services could continue to be provided on a user-pays basis (whether subsidised or not from other revenue). However, many services were likely to cease, due to a lack of student support and an inability to be subsidised
- no rationale had been provided for the inclusion of some services on, and the exclusion of others from, the list. Victoria University apportioned its funding according to the principle that tuition fees should fund the direct provision of academic programmes and research activities, while CSSFs should fund additional student services that were not directly related to the provision of tuition or research. Comments:
 - the student services provided by Victoria University were aligned to the Government's own objectives, in particular the first four priorities set out in the TES. Many of these services were not directly concerned with the provision of tuition, but were important to achieving successful outcomes for the widest possible range of students
 - the services that Victoria University provided that contributed most directly to meeting the Government's pastoral and academic support objectives (learning support, Māori and Pasifika support services, disability services) were absent from the list or in the case of pastoral services, narrowly circumscribed
 - Victoria university's pastoral and academic support services facilitated the delivery of a range of proven student-led support programmes (e.g. peer assisted study sessions, Vic Volunteers, campus coaches, and the Māori and Pasifika peer mentoring programme). Such services enjoyed a high level of student participation, but faced curtailment under the terms of the draft direction

- the list of services reflected and entrenched outdated concepts of student services. The draft direction could unintentionally inhibit the development of proactive and innovative student support services
- the draft direction partly recognised the TES objective of the tertiary sector responding to the diverse needs of the groups it served. The direction restricted the ability of universities to achieve the objectives of educational success by only allowing for remedial services, and not preventative ones as well (for example, peer mentoring schemes for first year students). Preventative services minimised harm to individuals and were more cost-effective for TEIs. Without preventative programmes, counselling and health services were unlikely to be able to cope with the volume of mental health issues that resulted from or were exacerbated by social isolation, and that limited academic success
- critical decisions regarding service provision should not be made by the Government. Comments:
 - by restricting the categories of services that could be made available, the Government was impinging upon the autonomy of TEIs to decide what services were required for students enrolled at their particular institution
 - the actual categories of service to be provided by each TEI should be left to the discretion of the institution and its student body. Every university's student body has a different profile, requiring a different level of service provision
 - the direction should allow for the student body determining which services should be considered core
 - students should make decisions as to what could and could not be funded, given that it was their money and their services. The prescriptive nature of the direction should be reconsidered, to allow students to decide what services they wished to be offered
- the list was too narrow. Comments:
 - the categories were too narrow in scope to provide for the specific mix of services that the student body at each provider and at each campus within that provider required
 - the current list was too narrow and prohibited the inclusion of services that might reasonably be included. As a consequence, vital service functions which could not be funded from other sources might be lost
 - the draft direction was unduly narrow and prescriptive
 - the list's limited coverage would preclude Victoria University from recovering from students the costs of a number of important non-tuition related services currently funded from student services fees. The total cost to Victoria would be around \$3m. The university would have to consider the level of services it could continue to provide and how these would be funded. Any reduction in service provision would have a negative impact on both the Government's and the university's strategic objectives. Victoria would be reluctant to pursue user pays, as this would involve considerable administrative costs, and undermine the reach and effectiveness of the services provided
- the codification of services, in conjunction with the requirement for a separate bank account, was of no benefit to the student body. Application of the direction would increase the administration costs of CSSFs, reducing the actual services that could be provided.

Suggested Changes to Paragraph 8

Opening Sentence

5. One submitter commented on the opening sentence. The opening sentence stated that “providers may make the following categories of services available”. This inferred that the only types of service a TEI might provide, even if services were provided on a user-pays basis or for free, were those on the list. This would not appear to be the intent of the notice, given that it was concerned with compulsory fees. The opening sentence should be amended to read: “*providers may apply compulsory service fees to support the delivery of the following categories of services*”.

Catch-all Provision

6. Five submitters suggested that a catch-all provision was required. Suggestions:
 - a new category should be added: “*Other core services, determined by the council of the providers as to be required by the unique needs of students at the provider*”. Having the ability to vary services was logical, given the different needs of students at different providers
 - a catch-all provision should be added: “*other: such other services as may be agreed between the provider and the students, through the arrangements established pursuant to paragraph 4*”. This would ensure that the specified range of services was wide enough to cope with the present situation (e.g. the omission of disability services and cultural activities), and flexible enough to cope with future changes in needs and expectations
 - the list of categories was problematic, in that it was ambiguous as to what was covered but clear as to what was not covered (e.g. provision of internet facilities). A catch-all provision was needed to allow TEIs to charge a fee for any other service which they deemed necessary, so long as the service was within the spirit and guidelines of the direction. Suggested wording: “*any other services deemed necessary: provision of any other services that the institution’s governing body unanimously deems to be a necessary part of the students’ enrolment, so long as that service is within the scope or objective of these directions*”.

The requirement for unanimity would not allow a TEI council to override student advocates in circumstances where students considered a proposed service to be irrelevant or unfair. It would also not allow for the re-introduction of student association membership fees through the back-door (i.e. defining compulsory membership as a “service”), because this would not fit within the scope of or the objective of the direction.

- a general catch-all provision should be included: “*services not otherwise covered here, with specific approval of the Minister/Ministry*”. The “one-size fits all” classification of valid services was too restrictive. It did not allow for variations taking into account specific circumstances (e.g. between classes of TEIs or between individual TEIs)
- a general catch-all provision should be included: “*any services specific to a provider that may be approved by the Minister from time to time, which fall within the generic definition of ‘student services’* “. A static sector-wide list did not provide for variation relative to the size and character of the provider. It

could potentially stifle innovation and impede providers from developing services that were tailor-made for that provider's student body.

Category Descriptions

7. One submitter commented on the category descriptions. The category descriptions should be revised to provide assurance to providers as to which services or aspects of services were intended to be covered by each category. The current descriptions made it difficult to ascertain what was intended to be funded. Examples:

- it was not clear what was intended by the phrase "related welfare services". This could mean only welfare services that were solely related to healthcare provision were to be provided, or the category could extend to cover welfare services that included referral or advice in areas similar to or including healthcare provision
- the phrase "pastoral care" was interpreted by providers differently and applied broadly to a wide array of services .

Compliance with the requirements of section 227A(2)(a) of the Education Act 1989 would be difficult, where category descriptions were so unspecific that providers would be unsure as to which services were to be allocated to what category.

Changes to List of Categories

New Categories

8. Thirty-eight submitters suggested new categories of services to be listed in the draft direction.

STUDENT REPRESENTATION

9. Twenty-six submitters supported the inclusion of a "student representation" category. Comments:

- student representation should be a fundable activity provided in the manner decided by students and the TEI. Representation supported participation and achievement in tertiary education
- student representation should be funded through CSSFs, because it was not a marketable commodity that could be operated on a user-pays basis. Representation was a valuable service which needed adequate resourcing and networks
- student representation (especially for appeals of grades) should be included within the list, because the absence of effective representation would affect the ability of students to up-skill and obtain employment as quickly as possible
- student representation occurred at a national level (New Zealand Union of Students' Associations and Student Job Search). Students' authority and influence over such ventures should not be removed
- the representative role (e.g. student representation on university committees): was a crucial part of QA; enabled students to make an informed and co-ordinated choice on important issues regarding their education; and provided opportunities for leadership. The costs of student representation (in particular,

the infrastructure and co-ordination costs) should be funded through CSSFs because the benefits were universal

- direct student representation through established or required tertiary feedback channels such as operational consumer groups, the Academic Board and other sub-committees, and class representatives, should be funded. There were tangible, reasonable costs associated with student representation that needed to be funded (e.g. the costs of providing training and support for student representatives)
- the provision of student access to and inclusion in non-political academic QA feedback processes and operational consumer-groups should be funded
- feedback mechanisms should be managed by an independent provider such as a students association to ensure unconstrained feedback
- the provision of independent student representation was essential to the overall student experience at Victoria University. Student representation working in partnership with TEIs ensured students were involved at all levels of decision making.
- student representation (students associations, representative groups, faculty delegates, class representatives) should be funded through CSSFs because:
 - it was important to ensure the needs of students were being met, and the delivery of services was adequately resourced and appropriate
 - organised, resourced and mandated student representation was vital to both QA, and the decision-making and accountability mechanisms and systems within TEIs
 - independent and autonomous representation was appropriate and effective in delivering quality courses, qualifications and services, and valued throughout the tertiary sector
- programme/class representatives and committee representatives ensured that student representatives could contribute to committees at TEIs, and that shared programme representative systems were maintained and funded
- class representatives were essential for providing TEIs with organised student input and helping to avoid or minimise problems. The service required organisation and resourcing that could not be provided via user-pays
- the class representative system was fundamental to student engagement and to the principles of student representation recognised in the draft direction's consultation requirements. Class representatives provided a channel for student input on practical considerations around both the delivery and support of academic programmes. The system operated at departmental level, but also carried forward to faculty level and university-wide committees where more general or widespread issues could be addressed
- self-determined representation for marginalised or minority groups of students whose voices may not otherwise be heard needed to be included on the list
- representative groups for minority students (such as Māori and Pasifika) were an essential part of supporting active participation and achievement for many students.
- student representation for groups of students should be included in the list, because representation was an integral part of support systems at university
- student representation need not cost a lot of money but it did require basic support.

CONSULTATION AND JOINT DECISION-MAKING

10. One submitter suggested that the costs of establishing and operating the arrangements for consultation or joint decision-making should be included in the list. CSSFs should be used to ensure that service provision was transparent and that providers were accountable to students

LEARNING/STUDENT SUPPORT

11. Eight submitters supported the inclusion of a “learning/student support” category. Comments:

- a new category should be included on the list: *“Student development, transition and engagement: services designed to improve outcomes for students from under-represented groups, including Māori and Pasifika; that help new students transition into university life and assist current students to progress to higher levels of study; and that facilitate student peer support and communication, including via digital media”*
- non-course related learning support services should be included in the list of categories. The University of Auckland wished to improve retention rates and levels of academic achievement, especially for under-represented groups. A range of learning support services was provided, which were not aligned to a particular course, programme, department, or faculty. Tuition fees ensured that the learning needs of each course were appropriately supported, but more generic learning support, accessible by any student from any faculty at any time, were funded from CSSFs. The omission of such services from the direction would require either that they were no longer offered, or that they were offered on a user-pays basis. Either outcome would be detrimental to academic achievement by students from under-represented groups
- there was a fine line between learning support and counselling services. Students experienced learning difficulties for a number of reasons, but personal problems were a significant cause. With the Government wanting the completion rates of qualifications to improve, it was counter-intuitive to remove the ability of TEIs to fund additional, remedial learning support
- learning support services were provided to enhance students’ academic preparedness and overall experience at university, and to prepare them for life beyond university. They included initiatives to: help new students transition to university; develop generic skills essential to high quality academic performance; and provide academic support for students falling within equity groups and international students
- a learning support category should be included which would enable students to access services such as mentoring; training assistance; and the development of study, examination, and academic skills
- learning support services focused explicitly on assisting students to make a successful transition to studying in a university environment
- a student support services category should be included, which could cover new services that were innovative and unproven.

TRANSITION SUPPORT SERVICES

12. Seven submitters suggested the inclusion of new transition support categories. Comments:

- Orientation and associated activities, and other transition support services, focused explicitly on assisting students to make a successful transition to study in a university environment. In particular, transition support services were influential in academic success
- effective and appropriate orientation into the tertiary environment was critical to students making a successful transition to tertiary study. Campus coaches and social and academic events (e.g. Orientation and Re-Orientation events) were an important aspect of the transition to tertiary study. Without CSSFs, student orientation services such as campus coaches would be underfunded
- campus coaches and social events, such as Orientation, were crucial to orientate students with the university and the university experience, and to provide them with an understanding of the culture and pastoral care of the university experience
- new student orientation programmes helped new students engage and thrive in the university environment
- events which primarily help familiarise students with the tertiary surroundings and with other students, and which cannot be user-pays (e.g. Orientation), should be included in the list of categories
- transition programmes included Orientation, on-campus orientation programmes, and peer mentoring schemes. These contributed to early socialisation and could lead to a more enduring involvement in the academic and social systems of an institution. Transition programmes should be funded from CSSFs because:
 - they were not academic activities and therefore ought not to be funded from tuition fees or subsidies
 - it was not practical or desirable to charge fees for participation in such programmes on a user-pays basis
- learning support services played a vital role in assisting some students to make a successful transition to studying in a university environment. It would be odd if these services could not be provided, while services such as careers advice which assist with transition beyond tertiary study could
- the Minister should not be making a determination regarding student orientation services. TEIs and student representatives were better placed to assess the value of such services.

PASTORAL CARE

13. Twelve submitters suggested that a new “pastoral care” category should be added to the list, because pastoral care was not limited to the provision of counselling services.

EQUITY SERVICES

14. One submitter suggested that an equity services category should be added to the list, covering services to Māori, Pasifika, and students with disabilities, which enhanced recruitment, retention, and academic achievement in tertiary education. The list of categories omitted equity for students with disabilities. Unless equity was targeted, the support provided by TEIs for such students was vulnerable.

DISABILITY SERVICES

15. Two submitters supported the inclusion of a “disability services” category.
Comments:

- a disability services category should be added to cover the provision of support to enable access to tertiary study for disabled students
- a disability services category should be added to cover:
 - the provision of student coaching, planning, and support that was tailored to ensure students with impairments could fully access the university environment, while also helping with the development of resilience and independence
 - the provision of services to improve the retention and academic outcomes of students with permanent or temporary disabilities.

MĀORI SUPPORT SERVICES

16. Two submitters supported the inclusion of a “Māori support services” category.
Comments:

- a category covering support services for Māori students should be added. This would focus on the provision of pastoral care and academic support for Māori students, and the meeting of Treaty of Waitangi obligations
- a category covering support services for Māori students should be added. This would include peer-mentoring, and programme and student pastoral support. Such services directly contribute to the TES objectives
- it was unclear whether Māori student support services would come under core tertiary funding, if not funded through CSSFs.

PASIFIKA SUPPORT SERVICES

17. Two submitters supported the inclusion of a “Pasifika support services” category.
Comments:

- a category covering support services for Pasifika students should be added. This would focus on the provision of pastoral care and academic support for Pasifika students
- a category covering support services for Pasifika students should be added. This would include peer-mentoring, and programme and student pastoral support. Such services directly contribute to the TES objectives
- it was unclear whether Pacific Island student support services would come under core tertiary funding, if not funded through CSSFs.

ACCOMMODATION SERVICES

18. Five submitters supported the inclusion of an “accommodation services” category. Comments:

- students moving away from home to study did better in their first year by living in a TEI provided hostel. Accommodation services ranged from the provision of buildings to services which assisted the student to integrate with the community (e.g. student mentors and familiarisation visits to supermarkets).

The services were provided to increase the chances of students completing their programmes of study successfully

- access to quality catered accommodation at an appropriate cost was a key factor in students from out of town becoming established as successful members of the learning community. The benefits associated with university accommodation (easier access to social and academic engagement opportunities and strong social networks) led to higher levels of engagement and better academic outcomes, especially for regional and disadvantaged students. Universities did not charge the full costs of student accommodation in order not to limit the availability of an important advantage to wealthy students only
- student accommodation services included: the management of the equitable and efficient allocation of students' applications for halls of residence; the provision of advice and information on other accommodation options; and the provision of advice on resolving accommodation issues that might impact on academic achievement. Some universities also made a contribution towards the shortfall between affordable levels of user charges for halls of residence places and the actual cost of provision
- accommodation services included: the management of a letting and home-stay service; advocacy for students; and oversight of the placement process for halls of residence. Although the services represented a marginal cost to Victoria University, their funding through CSSFs was appropriate
- the service provided to students to assist them with obtaining suitable housing should be included in the list of categories.

TRANSPORT

19. Three submitters suggested new transport related categories. These were:

- bus transport. If students were to pay for transport between campuses, this would add to their student loan debt
- shuttle services between campuses and airports to assist students with travel to courses
- transport assistance. UCOL served a community within a wide and dispersed region. Providing access to transportation for students was necessary to ensure that transportation costs were not a barrier to student engagement and attendance.

INFORMATION TECHNOLOGY

20. Five submitters supported the inclusion of a "non course-related information technology" category. Comments:

- non-course related IT services went beyond the basic requirements of particular courses, and covered laptop loan schemes, wireless access, and broadband internet. Such services enabled students to remain on campus between classes and study with peers. It was inappropriate to fund generic access services from programme-specific tuition subsidies or fees. A user-pays system would penalise students from disadvantaged and under-represented groups. Also, if user-pays charges were introduced, this would result in universities being included within the ambit of recent changes to the Copyright Act 1994. The cost and compliance issues would become an additional burden

- non course-related information technology services should be included in the list of categories. Such services made electronic resources accessible to all students both on and off campus through a student portal
- students should be provided with after hours access to technology services, over and above those required for core learning. In order to support and facilitate non-contact learning and research, all students needed access to technologies such as the internet
- while a significant proportion of student IT use was for non-academic purposes, it was often impractical to distinguish between academic and non-academic use (often occurring almost simultaneously and involving the same service). In the case of Otago University, an additional factor to consider was the role played by email and social media in enabling students to stay in touch with family
- the current CSSFs reflected students' substantial non-academic use of IT services, and the expectation of present-day students that a modern university would provide such services. Students had supported the logic of including IT services within CSSFs, because they used the services heavily and would be adversely affected by, and take a negative view of, their restriction or removal

EVENTS

21. Twenty-five submitters suggested new events related categories. Comments:

- a category covering activities which emphasises campus culture and development to the benefit of student life and experience should be included in the list of categories
- a category covering academic and social events should be included in the list. While social events were almost always user-pays or part user-pays, the administrative costs were subsidised to make events viable and secure.
- a category covering academic (e.g. "Exam Oasis") and social events (e.g. Orientation) should be included in the list. These events contribute to overall completion and retention rates, particularly through the alleviation of stress. These services could operate under a user pays model; however, support services and platforms for social interaction should be offered universally.
- the categories on the list were unnecessarily restrictive, with non-academic services provided by students associations being excluded (e.g. social events)
- CSSFs should be used for the subsidisation of safely run social events that met a set of safety criteria set by the TEI
- there should be a category covering the provision of social events such as cultural festivals, BBQs, and Orientation, which enhance student culture and support good induction practices
- those services which TEIs are not currently funding will still need to be provided. The provision of safe social activities and events by clubs and societies, and organised events, was crucial to a student's time at university. If these services failed, it would have a devastating effect on positive student culture
- there should be a category covering the provision of social and celebratory events aimed at socialising the academic experience. Good friendships and social networks were important to student retention. Celebratory events encouraged the development of strong support networks which were crucial in preventing social isolation. Event programmes were designed to lead into ongoing activity by students in clubs and societies
- funding should be provided through CSSFs for celebrations of student success, e.g. annual graduate dinners

- funding should be provided through CSSFs for sports tournaments and fixtures as these encourage students into regular healthy activity, and for community events within the tertiary sector (e.g. symposia, conferences, and induction and graduation events) as these had benefits other than those of a direct economic nature
 - given the expected effect of the Education (Freedom of Association) Amendment Bill, CSSFs should be used for the funding of activities for groups of students that were an important part of the student experience (e.g. cultural activities or Orientation programmes).
22. One submitter opposed the inclusion of Orientation in the list of categories. The submitter suggested that Orientation should be fully subsidised by participants, because it was akin to external promoter events.

SPORTS AND RECREATION

23. Seven submitters suggested new sports and recreation related categories. Comments:

- a category should be included in the list, covering the provision of sporting and cultural activities, especially through student-led clubs and societies. Such activities provided the ongoing engagement activities that prevented social isolation and led to higher retention levels and academic success. It was important that they were student-led (to ensure that they met genuine and immediate student needs) and financially supported. Clubs and societies represented the best value for money because of their voluntary nature but required basic administration support to function
- a category covering organised sports clubs and activities should be included in the list. Such clubs and activities:
 - contributed to the community, vitality and reputation of TEIs;
 - created social and networking opportunities that complemented academic work and contributed to fostering well-rounded graduates;
 - fostered and promoted excellence
 - contributed to the international reputations of TEIs
- a category covering sports clubs and activities should be included in the list. Organised sports clubs contributed to the success of the TEI, as well as students
- sports and recreation activities should be funded through CSSFs because:
 - they provided opportunities which supported student studies and enabled the exploration of common interests and new cultures;
 - social sport contributed to the Government's strategy of encouraging New Zealanders to have a healthier lifestyle
 - clubs run by and for students enabled them to develop skills appropriate to the workplace, which contributed to the TES
- a category covering recreation services should be included in the list. The services associated with recreation facilities supported wider welfare objectives and better academic outcomes. Such services included fitness, health, and personal development activities (e.g. exercise classes, club support, stress management seminars, and cultural workshops)

- given the expected effect of the Education (Freedom of Association) Amendment Bill, CSSFs should be used for the funding of activities for groups of students that were an important part of the student experience (e.g. cultural activities).

CLUBS AND SOCIETIES

24. Twenty-two submitters suggested new clubs and societies related categories. Comments:

- research had identified a range of beneficial activities and conditions which facilitated effective learning. Student engagement in its broadest sense encompassed non-academic and social aspects
- a category should be included in the list covering the provision of activities, events, and funding support for student sporting, academic, cultural and religious groups
- a “clubs, societies and activities” category should be included in the list. These services contributed to the community, vitality and reputation of Victoria University. Student involvement in clubs was a key networking opportunity that complemented their academic experience and helped to create well-rounded graduates. Clubs existed and functioned because they were supported by a universal system of club infrastructure
- a category should be included in the list covering student groups (clubs and societies) because:
 - participation in social, civic, cultural, and religious opportunities was part of the student experience and significantly enhanced the goals of tertiary study
 - clubs supporting minorities were vital to the participation, retention and completion rates of many students, and would struggle in a fully user-pays environment
 - many clubs and societies operated on a partial user-pays basis
 - there was considerable justification for there being some TEI funding of student groups, in particular for the support infrastructure (advice and support for set up, publicity, club meeting rooms, postage and mail facilities, grants)
- clubs and societies placed a pivotal role in shaping the university experience. These needed to be included in the list, as otherwise there was a risk of losing all the benefits from producing graduates with more than pure technical skill and academic knowledge
- an important aspect of the student experience, clubs and societies provided a platform for students of like interests to meet, support, and interact with each other. The user pays model would not work for clubs and societies because of the amount of infrastructure that accompanied their operations
- the draft direction should include funding for clubs. Clubs were an important aspect of pastoral support, giving students the opportunity to connect with tertiary culture and fellow students; and provided opportunities for participation in international events which highlighted New Zealand student achievements.
- a “clubs” category should be included in the list, covering the provision of support for student clubs, peer support, and student development
- CSSFs should be used to fund clubs that offer student support that could not be easily obtained elsewhere (e.g. cultural clubs).

OTHER

25. Suggested new categories included:

- health centres - the ending of a free service would be another cost to be met by students, with a correspondingly negative impact on their studies
- all postal and e-mailouts that support the production and dissemination of information by students and student representatives, whether media or otherwise (such as academic writing guides)
- free phone services for contacting lecturers
- the provision of services to international students
- volunteering - the provision of experiential learning through campus-based intern and volunteer programmes.

Amended Categories

26. Fourteen submitters commented on or suggested amendments to the categories of services listed in the draft direction.

ADVOCACY AND LEGAL ADVICE

27. Eleven submitters commented on the “advocacy and legal advice” category. Comments:

- retention of this category was supported
- the use of CSSFs to provide these services was supported
- clarification was required as to whether under this category, fees could be used to fund independent student representation on committees and decision-making bodies
- those services which TEIs were not currently funding would still need to be provided. A key area was advocacy, with independent student associations being best placed to offer this service to students
- the category should include:
 - advocacy and legal advice provided to groups of students
 - accommodation services.

CAREERS INFORMATION, ADVICE AND GUIDANCE

28. Eight submitters commented on the “careers information, advice and guidance” category. Comments:

- retention of this category was supported
- the category should include:
 - information, advice, and guidance that supported course and programme decisions and work decisions whilst in study, rather than being focused exclusively on post-study outcomes

- the provision of CV creation and advice
- any activity that was directly associated with finding and transitioning to post-study employment opportunities. Providers should be positively involved in all aspects of post-study career assistance.

COUNSELLING SERVICES

29. Eleven submitters commented on the “counselling services” category. Comments:

- retention of this category was supported
- the category should be renamed “*support services*” and redefined to mean “*providing support, counselling and pastoral care*”. Providers needed to take a holistic approach to non classroom support. An amended definition would maintain the ability of providers to provide access and opportunity to all students in order to achieve equitable outcomes
- the category should be amended to read: “*providing non-academic counselling and pastoral care, such as chaplains, disability support services, student mentoring programmes, and pastoral support for Māori and Pacific Island students*”. These services were important in their own right and complementary to those already listed.
- the category should explicitly include those services provided by professional, trained counsellors to support students in their academic and person achievements, and on a range of issues including psychological and emotional distress, financial and work issues, and relationship and family problems
- pastoral care was a broad and vital service provided to support the personal and social wellbeing of learners. It could take many forms, such as Māori and Pasifika mentors and co-ordinators. These services should not be excluded through a narrow interpretation of the term “pastoral care”
- the category should include peer support, social workers, and counsellors as part of pastoral care
- the category should include the provision of information, advice, support and community referrals to enhance pastoral care
- CSSFs should be used to fund contributions to the student experience, including a wide variety of activities that supported learning and were described as “pastoral care”

EMPLOYMENT INFORMATION

30. Eight submitters commented on the “employment information” category. Comments:

- retention of this category was supported
- the category should be broadened to support any activity a TEI engaged in that directly assisted and supported a student in finding post-study employment.
- support for students to access employment and the provision of work experience for international students and placement students, should be included within the category
- clarification was required as to whether the infrastructure for linking employers with students would be included within the category
- Student Job Search should continue to be accessible to students.

FINANCIAL SUPPORT AND ADVICE

31. Six submitters commented on the “financial support and advice” category. Comments:

- retention of this category was supported
- food banks should be included within the category. Without the provision of food banks, a number of students would have had their studies negatively affected.

HEALTH SERVICES

32. Five submitters commented on the “health services” category. Comments:

- retention of this category was supported
- the use of CSSFs to provide health services was supported
- clarification was required as whether AuSM’s “free freed” scheme, its foodbank, and the student information and discount service would be included within “related welfare services”.

MEDIA

33. Six submitters commented on the “media” category. Comments:

- retention of this category was supported
- confirmation that the media to be financed through CSSFs should be student-run and delivered independently of the provider, was required. The broad nature of the category enabled providers to use the fees to fund their own communication activities. Independent, student-run media acted as a critical conscience and as a feedback mechanism
- other media used by students’ associations, such as magazines, student diaries, handbooks, and wall planners, should be included within the category.

CHILDCARE SERVICES

34. Five submitters supported the retention of the “childcare services” category.

SPORTS AND RECREATION FACILITIES

35. Thirteen submitters commented on the “sports and recreation facilities” category. Comments:

- retention of this category was supported
- the category was not required, as it duplicated paragraph 9 of the draft direction
- the category should be titled:
 - “*sports, recreation and cultural activities*”. It needed to be made clear that services and activities, not just facilities, could be supported, and that activities with a cultural dimension, such as kapa haka or dance, were included
 - “*sports, recreation and cultural activities*”. It needed to be made clear that cultural activities (which did not require specific facilities) were included. In addition, the broader category would also capture those programmes and

associated activities (such as delivery) which had a positive impact on sport, recreation and cultural activities

- “*sports, recreation and cultural services*”. The category was anomalous because it only covered facilities; rather than the provision of a service or services, of which the facility was a component part. Additionally, the category did not take account of the strong cultural dimension to many aspects of recreation undertaken by students (for example, kapa haka). For the avoidance of doubt, the category title should be amended
 - “*sporting, recreational opportunities, and facilities for students*”. It was unclear whether the current definition covered all sports services provided by providers and students’ associations; and events and opportunities offered to international students, designed to engage students with the provider. While aspects of these services might operate partially on a user-pays basis, CSSFs should cover administrative support
- the category should include:
 - activities related to the facilities, as these were vital to ensure support for students
 - the operating costs of providing recreation facilities and opportunities (for example, staff salaries), and a facility for funding of campus based clubs and societies (including the costs associated with overseeing club administration)
 - events, cultural events, and orientation
 - recreation services.

PARAGRAPH 9: CAPITAL AND MAINTENANCE COSTS OF FACILITIES

In Favour

1. Three submitters supported paragraph nine of the draft direction.

Suggested Changes

2. Two submitters suggested changes to paragraph nine. These were:
 - providers should be prohibited from seeking a building levy from students to cover the capital and maintenance costs associated with the provision of facilities for student services
 - it is unclear what capital and maintenance costs will cover. The draft direction does not mention the costs of promoting and communicating the existence and detail of services to students (i.e. through promotional material, engagement and commencement events, and electronic and visual communication). A new subparagraph should be added: “*student services fees may also be used to meet the costs of promoting these services to students*”.