TEQSA: A New Regulatory Agency for Australian Higher Education

Ian Hawke
Commissioner

2 July 2012
A New World

On Sunday 29 January 2012, TEQSA assumed its full regulatory powers.

What has changed?

• Nine government regulators’ powers now assumed by a single, independent, national regulator.

• All higher education providers to be regulated by TEQSA, including universities.

• AUQA operations ceased at the end of 2011.
A Snapshot of TEQSA

- One national scheme
  - broad coverage (n=170+)
  - common rules (Threshold Standards)
- Commission model
- Regulation AND quality improvement
- Up to 7 year cycle
- Continuous disclosure of material changes
- Annual cycle of risk assessments and data collections
- Unscheduled reviews
- High stakes consequences – cancel, suspend, restrict
- Scaled process and response – proportionate, risk-based and necessary regulation
- Reviewable decisions
TEQSA’s Objects

• To provide national consistency in the regulation of higher education.

• To regulate using a standards-based quality framework and applying three regulatory principles.

• To protect and enhance Australia’s reputation for and international competitiveness in the provision of quality higher education and training services, as well as excellence, diversity, and innovation in higher education.

• To encourage and promote a higher education system that is appropriate to meet Australia’s social and economic needs.

• To protect students undertaking higher education.

• To ensure that students have access to information relating to higher education.
Basic Principles of Regulation

- Standards-based approach
- Regulation is based on the principles of:
  - Regulatory Necessity
  - Reflecting Risk
  - Proportionate Regulation
Standards Framework

Threshold Standards

• Provider Standards
  • Provider Registration
  • Provider Category
  • Course Accreditation

• Qualifications Standards

Other Standards

• Teaching and Learning Standards

• Research Standards

• Information Standards
Provider Standards

1. The Provider Registration Standards cover: provider standing; financial viability and safeguards; corporate and academic governance; primacy of academic quality and integrity; management and human resources; responsibilities to students; physical and electronic resources and infrastructure.

2. The Provider Category Standards include six provider categories: Higher Education Provider; Australian University; Australian University College; Australian University of Specialisation; Overseas University; Overseas University of Specialisation.

3. The Provider Course Accreditation Standards require all courses to comply with 6 standards, including those that are developed by a higher education provider with the authority to self-accredit. These cover course design, course resourcing, admission criteria, assessment, teaching and learning quality, course monitoring, review and termination.
Qualification Standards

• The Qualifications Standards specify the requirements to ensure that awards issued are quality assured, protected against fraudulent use and provide pathways for further learning.

• The Qualification Standards apply to all qualifications, including those developed by higher education providers with self-accrediting authority.

• TEQSA will require all new courses and awards developed from 29 January 2012 to meet the revised Australian Qualifications Framework (AQF), Australia’s national policy for regulated qualifications.

• A plan for achieving full compliance with the revised AQF by 1 January 2015 will be required for all existing courses.
TEQSA’s REGULATORY FRAMEWORK

INPUTS

Information and Data Collection
- Scheduled and non-scheduled reviews
- DIISRTE data collections
- Other national and international sources
- Material change notifications
- Providers
- Other

ANALYSIS

Regulatory Risk Management
Provider Case Management
External Expert Advice

MODES OF FORMAL INQUIRY

Scheduled Reviews
Non-scheduled Reviews
Quality Assessments (Sector and Provider)

COMMISSION ACTIONS

Regulatory Decisions
- Register
- Accredit
- Impose conditions

Regulatory Actions
- Monitor
- Inquire
- Investigate
- Enforce

Non-regulatory Activities
- Disseminate Information
- Advise Ministers
- International Cooperation

Public Disclosure
- National Register
- CRICOS

TEQSA Act
Threshold Standards
Regulatory principles - reflecting risk, proportionate regulation and regulatory necessity

Information flow

Sector and Provider Profiles
Information and Data Collection
- Scheduled and non-scheduled Reviews
- DIISRTE data collections
- Other national and international sources
- Material change notifications
- Providers
- Other

INPUTS

Sector and Provider Profiles
Scheduled Reviews

Non-scheduled Reviews

Quality Assessments
(Sector and Provider)


**Regulatory Decisions**
- Register
- Accredit
- Impose conditions

**Regulatory Actions**
- Monitor
- Inquire
- Investigate
- Enforce

**Non-regulatory Activities**
- Disseminate Information
- Advise Ministers
- International Cooperation

**Public Disclosure**
- National Register
- CRICOS
Material Change – Continuous Disclosure

- Under Section 29 of the TEQSA Act, providers have an obligation to notify TEQSA on what they consider to be a material change or set of changes;

- TEQSA has developed guidelines for providers to assist with material change notification;

- This is not a requirement to seek approval, but a requirement to notify;

- Depending on the type of material change, TEQSA will decide what further action, if any, it may take.
Regulatory Risk Framework

- TEQSA’s Regulatory Risk Framework will underpin TEQSA’s regulatory and quality assurance activities.

- It is a regulatory tool to assess risk to quality higher education and guide regulatory action in response.

- TEQSA is taking a holistic approach to risk assessment, balancing quantitative and qualitative information to develop ‘Risk Profiles’, and is committed to two-way dialogue with providers.
Risk Assessment Methodology

- The overall risk assessment focuses on 3 priority risk areas:
  - risk to students
  - risk of provider collapse
  - risk to national reputation.

- Risk categories, with risk indicators under each, are based on the Threshold Standards.
Provider Information Request 2012

- To carry out its regulatory functions, TEQSA requires access to complete and up-to-date provider information.

- TEQSA proposes to:
  - rely on data already collected by DIISRTE where this is available
  - ask for information (on students and staff) directly from those registered providers
    - that currently do not report to DIISRTE; and
    - where the DIISRTE data does not fully meet TEQSA’s requirements.
Working with the sector

• TEQSA continues to work closely with DIISRTE to establish a comprehensive data sharing capability in order to minimise the reporting burden on providers; and

• TEQSA will establish in the near term an Expert Advisory Group on data which will comprise of nominees from the four peak bodies and a limited number of other stakeholders.
Challenges for TEQSA

- Sector understanding of our role (legislative)
- Transition issues
- Higher Education Standards Framework
- Data collection
- ESOS/ CRICOS
- No-one to copy
Further information and updates

www.teqsa.gov.au
QUESTIONS