A MESSAGE FROM THE INTERIM CHAIR

TEQSA will begin its operations at the end of this month, initially in quality assurance before it takes on its full regulatory functions at the beginning of next year. It has been an incredible feat of both execution and endurance to establish TEQSA, one not without significant effort, goodwill and attention from an extraordinary number of dedicated people across both the sector and the bureaucracy.

While my role as the Interim Chair draws to a close, there looms a substantial task ahead for TEQSA’s Commissioners. It is clearly not an undertaking that deters our best people, however, as we were overwhelmed by interest when the Commissioner positions were advertised last month. While the appointments process is still underway as I write, I anticipate that the Minister will make an announcement about the appointments shortly.

I trust that when they arrive the Commissioners will find we have laid some helpful foundations upon which they can work with you in the sector to develop TEQSA’s regulatory framework in earnest. I am also looking forward to handing over to the new Higher Education Standards Panel the project work we have completed with the Provider Standards and the Teaching and Learning Standards. The Standards Framework will be crucial to TEQSA’s operations and I am sure all in the sector and the professional bodies will be anxious to be part of its further development.

We can be proud that the establishment of TEQSA puts us at the forefront internationally of approaches to higher education regulation and quality assurance. Many of you may have seen the recently released UK White Paper for higher education, Students at the Heart of the System. The paper makes the case for risk-based regulation of higher education and the regulatory reform it outlines for the UK clearly echoes what we have done here in Australia.

I take this opportunity to thank all those in the sector who have been part of this significant achievement for Australian higher education. I echo the views of many when I say that Professor Peter Coaldrake’s leadership of UA has been a critical factor in the successful passage of this legislation. He has worked indefatigably to challenge, encourage and find common ground between the sector and government for us to achieve a shared goal - a more stable base for maintaining a high quality Higher Education sector. My thanks also go to my colleague Ian Hawke for his leadership and wise counsel over the past year, to Lisa Schofield who has led the Establishment Unit and the legislative developments brilliantly and to Jenny Koch who has kept us all on track!

It has been a pleasure to work with you all and I thank you for the civil and careful way in which you have engaged with us in this very important task. The last year has shown that we can work together in Higher Education to achieve substantial reforms in public policy and do so in a way that employs evidence, open debate and respect for the views of others. Would that was true elsewhere at present!

Denise Bradley

KEY START UP DATES

30 July 2011: TEQSA start up
30 January 2012: Regulatory functions assumed by TEQSA
LEGISLATION UPDATE

Following the recommendations made by the Senate Standing Committee for Education, Employment and Workplace Relations, the Government introduced amendments to the TEQSA Bills including provisions recognising universities’ authority to self-accredit. The amended Bills were re-introduced to the Senate on 16 June with the Government welcoming their passage in the House on 23 June. The Tertiary Education Quality and Standards Agency Act 2011 and the Tertiary Education Quality and Standards Agency (Consequential Amendments and Transitional Provisions) Act 2011 received Royal Assent on 29 June.

TRANSITION UPDATE

With the recent passage of the TEQSA legislation, TEQSA will be established as a quality assurance agency from 30 July 2011. TEQSA’s head office is in Collins Street Melbourne, where a number of staff are set up and ready to begin operations.

Work is well underway for the staff, functions and records of the Australian Universities Quality Agency (AUQA) to transition to TEQSA. Dr Jeanette Baird has recently been appointed as Executive Director of AUQA, following the departure of Dr David Woodhouse. Dr Baird will continue as Executive Director until AUQA has completed the transition of its operations to TEQSA. This includes continuation of the Cycle 2 quality audits of universities and self-accrediting institutions as outlined in the TEQSA Consequential and Transitional Act 2011. Whilst the context in which Cycle 2 audits will change upon TEQSA’s establishment (from the National Protocols for Higher Education Approval Processes to the Provider Standards), there will be minimal change to the process. Business continuity will be ensured throughout the transition from AUQA to TEQSA. It is anticipated that some audits that are started under AUQA will finish under TEQSA. TEQSA will contact all affected institutions to advise of any implications for their audit under TEQSA.

The regulatory functions of TEQSA will come into effect on 30 January 2012.

The TEQSA Taskforce is continuing to work with each State and Territory Government Accreditation Authority (GAA) regarding their regulatory caseload and the transfer of data and records held on providers registered in their jurisdiction. TEQSA will seek provider information held by GAAs in September/October this year which will enable TEQSA to make an assessment of each provider’s likely category when responsibility for regulation transitions to TEQSA. TEQSA will write to all providers later this year to advise each provider of their likely provider category. Closer to the transition period, GAAs will provide TEQSA with more comprehensive records on its providers.

REGULATION OF INTERNATIONAL EDUCATION

The enactment of the Tertiary Education Quality and Standards Agency Act 2011 and the Tertiary Education Quality and Standards Agency (Consequential Amendments and Transitional Provisions) Act 2011 amends the Education Services for Overseas Students Act to provide for TEQSA to be the designated authority for higher education providers delivering education to international students (as of 30 January 2012).

EDUCATION SERVICES FOR OVERSEAS STUDENTS (ESOS) AND CURRENT REGULATORY ARRANGEMENTS

For ESOS purposes, higher education providers and the higher education arm of a dual-sector provider will continue to be regulated by state and territory regulatory bodies until January 30, 2012.

Regarding regulation of ELICOS and Foundation Program providers, the Minister for Tertiary Education and Skills, Senator Chris Evans, has nominated ASQA, under the ESOS Act, to regulate all providers of ELICOS and Foundation Program courses, except where they are delivered by schools.
This means that ASQA will be responsible for ensuring these programs meet the relevant standards and the provider meets registration requirements under ESOS, whether the ELICOS and/or Foundation Program courses are delivered:

- by an RTO
- as part of a higher education or multi-sector provider, or
- by a ‘stand-alone’ provider.

New ELICOS and Foundation program standards have recently been approved by states and territories through Ministerial Council processes and by the Minister as legislative instruments under the ESOS Act (pending registration on the Federal Register of Legislative Instruments). All ELICOS and Foundation program providers will be required to meet these standards to be registered on CRICOS.

ESOS REGULATORY ARRANGEMENTS 2012

All providers delivering higher education to international students will be regulated by TEQSA as of 30 January 2012.

The designated authority for providers delivering courses across sectors will be TEQSA or ASQA, as determined by the Minister. For dual sector providers, it is anticipated that the designated authority will depend largely on whether higher education or VET courses predominate.

Regulation of ELICOS and Foundation Program courses delivered by higher education providers will be handed over from ASQA to TEQSA once it is established in January 2012.

Discussions with relevant stakeholders about transition arrangements are continuing.

TEACHING AND LEARNING STANDARDS

On 17 June, a discussion paper, Developing a framework for teaching and learning standards in Australian higher education and the role of TEQSA was released as a think piece to encourage and seek the sector’s thoughts and feedback on TEQSA’s teaching and learning standards. The paper is available on TEQSA’s website at http://www.deewr.gov.au/HigherEducation/Policy/teqsa/Pages/TeachingandLearningStandardsDiscussion.aspx

Feedback will be passed to the Chair of the Higher Education Standards Panel for their consideration once they have been appointed.

On 4 July, over 80 senior higher education delegates attended an invitational Summit on the Gold Coast to discuss the development of the Teaching and Learning Standards. The Summit explored aspects of the recently released discussion paper and assisted stakeholders to test ideas and assumptions before developing formal submissions to provide to TEQSA. The assistance of Professor Kerri-Lee Krause at Griffith University, who organised presenters and participants and developed the Summit program, is gratefully acknowledged.

QUALIFICATION STANDARDS

The development of the Qualification Standards has been progressing. The Qualification Standards will be based on the strengthened AQF which was endorsed by MCTEE in April 2011. The objectives of the Qualification Standards is to set out the regulatory requirements for issuing higher education awards. The standards will also include requirements relating to the issuance and authentication of award documentation and the maintenance of credit transfer arrangements and pathways for award articulation.

The taskforce has been working with the AQFC on the draft and it is anticipated that it will be released for public consultation shortly. This consultation will seek feedback on the translation of the AQF into an enforceable regulatory tool.
ASQA UPDATE

On 1 July the Australian Skills and Quality Authority (ASQA) began operation under the leadership of acting Chief Commissioner, Chris Robinson. ASQA was established by the National Vocational Education and Training Regulator Act 2011. The Authority will adopt a new approach to national regulation of the vocational education and training (VET) sector in Australia.

Registered training organisations (RTOs) and course owners in New South Wales, the Australian Capital Territory and the Northern Territory, and some RTOs in Victoria and Western Australia, will be regulated by the national vocational education and training regulator.

Further information about ASQA please be found on ASQA’s website, www.asqa.gov.au or by calling the ASQA Info line on 1300 701 801.

FURTHER INFORMATION

TEQSA will soon launch its own dedicated website. In the meantime, please visit www.deewr.gov.au/teqsa for further information about the progress of TEQSA. Copies of the Sector Update are now available to view and download from the website.