

First Draft Higher Education Provider Registration Standards and Requirements

THESE DRAFT PROVIDER REGISTRATION STANDARDS ARE THE SUBJECT OF ONGOING CONSULTATION AND SHOULD NOT BE CONSIDERED FINAL

Introduction

These Standards adapt and translate the National Protocols for Higher Education Approval Processes into a set of draft national standards for the registration of higher education providers and approval of their programs.

The Standards and Requirements have been developed in accordance with the following principles:

- The current National Protocols provide the foundations for these Standards and Requirements; accordingly, there is consistency with the level of detail in the current National Protocols
- The Standards will function to protect and improve quality in the Australian higher education system
- The Standards and Requirements are consistent with (and make reference to) other requirements and standards for higher education providers in Australia, e.g. standards mandated by the Australian Qualifications Framework
- The Standards and Requirements focus on the achievement by higher education providers of high quality learning outcomes for students, while recognising the need for assessment of inputs, processes and outputs in the absence of clearly comparable national measures of these outcomes
- There is consistency with international norms for higher education provider registration (accreditation) standards and program accreditation standards
- The Standards and Requirements are consistent with the characteristics of higher education internationally, as set out in the 8 July 2009 Communiqué from the UNESCO 2009 World Conference on Higher Education
- Clear guidance is provided to the regulator (TEQSA) and to higher education providers.

The Standards and their associated Requirements bring the criteria and guidelines in the National Protocols together and they are intended to apply continuously to all higher education providers registered by TEQSA. These Standards do not cover the standards that will need to apply to registered providers wishing to be approved by TEQSA for use of a particular category title, such as the title 'university' or 'university college'.

It is recognised that new registered providers of higher education may not be in a position to demonstrate they meet all the Standards and Requirements at the time of initial registration.

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New providers will be given conditional registration and be required to demonstrate their compliance with all Standards and Requirements as soon as practicable or at a date to be determined by TEQSA.

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The Standards

1. Legal status and standing

The higher education provider is reputable and is legally accountable for the higher education it offers.

2. Financial viability and safeguards

The provider has sufficient financial resources and financial management capacity to sustain the operation of the provider's higher education awards at an acceptable standard of quality, including the provider's awards offered through partnerships with other institutions within Australia or overseas.

3. Primacy of academic quality and integrity

The provider maintains academic quality and integrity.

4. Governance

The provider is well-governed in respect of its higher education activities.

5. Management

The provider is well-managed in respect of its higher education activities.

6. Responsibilities to students

The provider defines and meets its responsibilities to students, including the provision of information, support and equitable treatment.

7. Human resources and professional development

The provider engages and retains sufficient appropriately qualified and skilled personnel to ensure effective student learning and ensures its personnel are able to professionally develop their skills and knowledge.

8. Physical resources and infrastructure

The provider makes available sufficient physical and electronic resources and infrastructure to ensure the achievement of its higher education activities, including achievement by students of expected learning outcomes.

9. Standards for programs

The provider maintains appropriate academic standards in its higher education programs.

Note: For overseas providers of higher education in Australia, Standards 2 to 9 apply in respect of the provider's operations in Australia, with some additional provisions in Standard 9 for overseas programs.

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6. Any prior or current involvement in the provision of education or related services by the provider or its partners or agents shows a track record of quality provision and compliance with legal and regulatory requirements.
7. The provider complies with applicable State/Territory and Commonwealth laws and regulatory requirements.
8. The provider demonstrates a sense of social responsibility and awareness of its role in contributing to the education of ethical citizens in a national and international context.

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2. Financial viability and safeguards

The provider has sufficient financial resources and financial management capacity to sustain the operation of the provider's higher education awards at an acceptable standard of quality, including the provider's awards offered through partnerships with other institutions within Australia or overseas.#

#For providers that **operate*** or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. The provider is financial viable and has the capacity to sustain quality higher education operations into the future.
2. The provider has financial and tuition safeguards in place for students, such as membership of an approved **tuition assurance scheme*** and/or financial underwriting and written **program*** assurance agreements with other institutions, should the provider cease to be able to provide a program or cease to operate as a higher education provider.
3. Financial aspects of the provider's higher education activities are well-managed in accordance with legal requirements and accounting standards and by suitably qualified and experienced personnel.
4. The provider has effective arrangements for the detection and prevention of fraud and mismanagement.
5. The financial records of the provider are accurate and independently audited by a qualified and reputable auditor.

3. Primacy of academic quality and integrity

The provider maintains academic quality and integrity.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider’s higher education activities in Australia.

Requirements

1. The provider’s objectives for its higher education activities include cultivating in students critical and independent thought and the capacity of learning throughout life (*UNESCO 8 July 2009*).
2. The provider gives sufficient resources to its higher education activities to achieve required student learning and other outcomes, and balances this need against other demands on its resources (such as planning for growth or providing a return on investment to owners or meeting the needs of its other educational operations).
3. The provider promotes and protects **free intellectual inquiry*** in its higher education student learning, teaching, learning and **research*** activities.
4. **The provider demonstrates its capacity to improve the quality of its teaching, its programs, and its support for student learning.**
5. Founding or establishment documents of the provider expressly and without reservation acknowledge the responsibility of the provider for the quality of every educational program leading to the educational awards it issues.
6. Academic integrity in higher education student learning, teaching, learning and research activities is protected, through measures that include academic governance safeguards, **whistleblower*** protection, and **measures to prevent and detect cheating and plagiarism.**
7. Any research carried out under the provider’s auspices meets appropriate codes of conduct, safety, and ethics clearance processes, consistent with legislative or other regulatory requirements and national guidelines.
8. The provider has rigorous systems to ensure the integrity of student assessment and examination processes, including systems for students who study remotely.

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9. Higher education programs apply the same academic standards to student learning, regardless of a student's place of study or mode of study.
10. The provider implements appropriate academic policies on the awarding of **multiple*** (combined, joint, dual and '**nested***') awards, including awards offered in conjunction with another institution.

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4. Governance

The provider is well-governed in respect of its higher education activities.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. The provider has a legally constituted governing body which has responsibility for oversight of all of the provider's higher education activities, including conferral of its higher education awards, and to which management is accountable.
2. The provider's governing body uses a full range of expertise required for effective governance of the provider, including financial expertise and higher education expertise, through its membership and/or through external advisors.
3. Potential risks to the provider's higher education operations are identified and prevented or minimised and strategies are in place to deal with risks which eventuate.
4. All the provider's higher education operations, including its governance, are systematically reviewed, and action is taken to improve institutional performance.
5. The governing body has approved a current strategic plan that is well-understood by internal and external stakeholders and indicates that the provider has clarity about its future directions for higher education.
6. The governing body protects the academic integrity, standards and quality of its higher education activities through its academic governance arrangements, such as a properly constituted academic board and/or program advisory committees with appropriately delegated authority.
7. Academic governance arrangements demonstrate: the effective development, implementation and review of policies for all aspects of academic activities; the effective monitoring of academic standards; and the maintenance and improvement of academic standards in accordance with external requirements and international norms.

5. Management

The provider is well-managed in respect of its higher education activities.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. The provider has the necessary positions, structures and arrangements in place to manage all key aspects of its higher education provision, and reporting arrangements are clearly described.
2. There is a register of all delegations (financial, academic and managerial) approved by the provider's governing body in respect of higher education operations and these delegations are observed.
3. Academic and administrative systems, policies, procedures and practices that ensure the effective and integrated management and quality assurance* of the provider's higher education activities.
4. Adequate records are maintained for all aspects of the provider's higher education operations and there are effective arrangements for the security and confidentiality of all records.
5. The provider retains official academic records of its students, including final assessments for each student in each subject* of a program of study undertaken, and a register of all students eligible to be awarded a higher education qualification, for a period of 30 years.
6. The provider maintains and uses detailed data on the performance of students, and the performance of student cohorts by entry pathway*, admission standards and mode* and place of study, such data to include: student attrition; student progress; program completions; and grade distributions.
7. The provider obtains and acts on regular, valid and reliable feedback from stakeholders including students, graduates, employers and professional bodies on matters including: the quality of its teaching; its student learning and/or engagement; its student satisfaction; and its graduate outcomes.

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8. The provider participates in and provides required data for external comparative assessments of student learning outcomes and research outputs, including national surveys or data collections conducted by DEEWR, DIISR, GCA, ACER, research councils and other bodies specified by DEEWR or TEQSA.
9. The provider compares and benchmarks with other higher education institutions its performance on teaching, student learning and engagement, graduate outcomes, and research.
10. There are effective arrangements to manage each educational partnership* with an institution that offers or manages the provider's higher education programs, including: detailed formal contracts; arrangements to ensure partners are of appropriate standing and reputation; arrangements to ensure the provider's academic and administrative standards and policies are adhered to by partners; and arrangements to provide partners with information on the comparative performance of their student cohorts.
11. The provider maintains an internal culture of respect and trust, including respect for all employees, for students, for Indigenous Australians, for multiculturalism and pluralism and for learning.

6. Responsibilities to students

The provider defines and meets its responsibilities to students, including the provision of information, support and equitable treatment.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. Students are informed about their contractual arrangements with the provider and have ready access to information about all charges, conditions, refunds, other costs involved in studying with the provider and program-specific costs, and tuition assurance arrangements.
2. The provider and its agents and partners provide honest, accurate and adequate information for prospective and current students on all matters relating to their studies for awards offered by the provider, including information on the awarding institution and its standing, awards, program structures, program content, and student support.
3. The provider monitors the satisfaction of students with the accuracy and completeness of the information provided to them prior to enrolment and during their studies, and takes action to improve the quality of this information.
4. Students have access to effective grievance procedures which enable them to make complaints about any aspect of the provider's higher education operations, including operations provided by partners or others on behalf of the provider, without fear of reprisal, and that provide access to an independent third party if internal processes fail to resolve a grievance.
5. The provider understands and meets the different learning needs of its differing cohorts of students, taking account of external benchmarks, including: the provision of orientation programs and transition support and ongoing academic learning and language support.
6. The provider has effective mechanisms to identify and assist students who are at risk of not progressing academically.

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7. Students are informed of and have access to ongoing cultural and social support and to personal support services such as counseling, health, welfare and career services.
8. The provider advises students of actions they can take to ensure their safety and security both on and off campus and has appropriate security arrangements for its campuses.
9. Students have access to appropriately structured advocacy services in relation to its academic and procedural rules.
10. The provider ensures that students are allowed to participate in its decision-making processes and ensures there is an agreed form of student representation.
11. The provider sets out clearly the rights and the responsibilities of its students, including their responsibilities for their own learning, and the provider's responsibilities to students.

7. Human resources and professional development

The provider engages and retains sufficient appropriately qualified and skilled personnel to ensure effective student learning and ensures its personnel are able to professionally develop their skills and knowledge.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. The provider ensures that the numbers, qualification, experience, expertise and sessional/full-time mix of academic, administrative and support personnel as appropriate to facilitate quality student learning outcomes and the provider's other higher education activities.
2. The provider verifies the bona fides of the qualifications of its personnel.
3. The provider employs sufficient academic staff with clearly defined roles to ensure the discharge of internal responsibilities for: academic leadership; academic policy development; program coordination; program review; and participation in other academic governance activities.
4. The provider has an effective system of performance management and review for all its personnel.
5. The provider offers or funds staff development activities and provides a reasonable level of support for external professional development activities for academics, including sessional and contract academic staff, to enhance their scholarship, discipline knowledge and quality of teaching.
6. The provider uses transparent, merit-based appointment and promotion criteria and processes.
7. The provider has effective policies for all aspects of human resources management, including fair employee grievance procedures, policies on outside work and appropriate policies on intellectual property generated by its academic staff and other employees.

8. Physical resources and infrastructure

The provider makes available sufficient physical and electronic resources and infrastructure to ensure the achievement of its higher education activities, including achievement by students of expected learning outcomes.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard and Requirements apply to the operation of the provider's higher education activities in Australia.

Requirements

1. The provider ensures that there are well-maintained facilities and infrastructure for effective student learning appropriate to the scale, scope, mode of delivery and nature of its higher education programs including: classrooms; library and/or learning resource centres; laboratories; administrative areas; staff office accommodation; electronic systems and learning resources; and student meeting and recreation areas.
2. The provider has a website and ensures that students and employees have ready access to online information and resources, together with the facilities to make effective use of this information.
3. The provider ensures that physical presence of the institution, as a minimum, provides a point of contact for students during normal office hours and is appropriate to the scale, scope, mode of delivery and nature of its higher education programs.
4. The provider has effective arrangements to actively maintain contact with and support students who are remote from or away from its campuses.
5. The provider maintains the adequacy of facilities and resources through effective capital and IT planning and project management.

9. Standards for programs

The provider maintains appropriate academic standards in its higher education programs.#

#For providers that operate or seek to operate in Australia whose legal origin is a country or countries other than Australia, the Standard applies to all its programs and the requirements for AQF higher education qualifications apply to any programs the provider offers as AQF higher education qualifications. For any programs offered by the overseas provider leading to overseas qualifications, a separate requirement applies.

Requirements for AQF higher education qualifications

1. The titles, durations and workloads and characteristics of learning outcomes for all the provider's higher education programs comply with AQF criteria and accurately reflect the nature and level of the programs.
2. The provider has student admission requirements that are consistent with AQF requirements and ensure that students have adequate prior knowledge and language competency to undertake the program successfully.
3. The provider ensures that credit for previous studies or skills (including credit transfer, articulation and recognition of prior learning) meets AQF criteria and that the amount of credit given preserves the integrity of the AQF qualification to which it applies.
4. The provider ensures all graduates receive a higher education graduation statement that contains a transcript of program undertaken and grades plus other information about the program and the graduate's achievements.
5. The provider has robust internal processes for program design, updating and review, which take into account external standards and requirements (e.g. discipline standards*, professional accreditation*, and comparable standards at other institutions).
6. The provider demonstrates, in its program documentation (including reading requirements and teaching methods), that the content of each program is underpinned by a substantial level of scholarship demonstrated by a coherent body of knowledge, theoretical framework, published research and literature.

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7. Program documentation clearly presents the rationale, objectives, structure, delivery methods, assessment approaches and student workload requirements for the program and these indicate coherence of the program and appropriate engagement by students in intellectual inquiry.
8. Assessment tasks for the program and subjects effectively measure intended student learning outcomes for the program and moderation* procedures ensure consistent and appropriate assessment.
9. The provider ensures that any people engaged to teach students are appropriately qualified in the relevant discipline for their level of teaching (normally qualified to at least one AQF qualification level (or equivalent) higher than the program being taught).
10. The provider ensures that all teaching is informed by current scholarship* and/or professional practice* in the discipline and that teaching engages students in intellectual inquiry appropriate to the level of the program and subject being taught.
11. The provider ensures that all teaching and tutoring is informed by an understanding of pedagogical and adult learning principles relevant to the student cohort being taught, and that tutors are appropriately inducted and supported in their roles.
12. The provider ensures that academics are reasonably available for students seeking academic assistance.
13. The provider ensures that academics teaching on the program provide individual written feedback, in a timely manner, on assignments and other major assessments during each subject, and individual or group feedback on all assessments that are conducted prior to the final examination or completion of the program.
14. The provider has effective arrangements for quality assurance of work placements, work supervision and practicums and other forms of work-integrated learning.
15. Student learning outcomes and grade distributions for the program are monitored by teaching location and mode, and periodically compared with those of similar programs in other higher education institutions.
16. The provider uses student, staffing, resourcing and financial projections for proposed programs which are accurate and realistic and which demonstrate that sufficient resources are available to ensure quality outcomes for students undertaking the programs.

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17. The numbers, qualifications, experience, expertise and sessional/full-time mix of academic staff who teach the program, and support staff, are appropriate to the nature and level and mode of delivery of the program and to ensure quality outcomes for students undertaking the program.
18. The provider ensures that all students readily have access, directly through the provider or arranged by the provider, to electronic and physical library and information resources that are required for the program and that are adequate for students to engage in intellectual inquiry appropriate to the nature and level of the subjects being taught.
19. The provider ensures necessary access to specialised teaching facilities for the program, such as laboratories, studios or specialised classrooms.
20. Should the provider decide to discontinue a program, there are effective arrangements to teach out the program or to otherwise ensure that enrolled students are not disadvantaged.
21. When the program is a higher degree by research*, the provider ensures that:
 - a. academics who are the primary supervisors of research higher degree students are actively carrying out research in the relevant discipline area
 - b. research higher degree students are able to form part of a scholarly intellectual community for their discipline and participate in the life of this community
 - c. available benchmarks and standards are used as a guide to appropriate provision of supervision, services, resources and support for research higher degree students
 - d. there is supervisory capacity available to ensure a reasonable quality of direct interaction between the supervisor(s) and each research higher degree student.
22. The program is offered by the provider to prospective students within a reasonable timeframe or as specified as a condition of provider registration or program accreditation by TEQSA.
23. Measures of student progress, retention, satisfaction, grades and learning outcomes are taken as soon as practicable and indicate the program meets generally accepted standards of academic quality and is achieving intended student learning outcomes.

Requirements for overseas higher education qualifications to be offered in Australia

[For providers with their legal origin outside Australia]

1. Any program offered by the provider is accredited either through appropriate self-accreditation authorised by an overseas accreditation authority that has been assessed by TEQSA as having appropriate standing and authority or is directly accredited by such a body.
2. The qualifications offered by the provider are comparable to AQF higher education qualifications with similar titles.

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Glossary

ACER	Australian Council for Educational Research
AQF	Australian Qualifications Framework
AUQA	Australian Universities Quality Agency
DEEWR	Department of Education, Employment and Workplace Relations
DIISR	Department of Innovation, Industry, Science and Research
GCA	Graduate Careers Australia
TEQSA	Tertiary Education Quality and Standards Agency

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Definitions

Accreditation: The assessment and approval by TEQSA or another entity (which may include a registered higher education provider) of a program of study which leads to a higher education qualification.

Agent: Means an agent of a higher education provider (whether within or outside Australia) who represents or acts on behalf of the provider, or purports to do so.

Program: A sequence of study leading to a higher education award, including a program of subjects which include research components or a program undertaken mostly by research.

Discipline standards: Means expected standards of student learning achieved through a program of study at a particular level in a particular academic discipline, and may include statements of expected outcomes, e.g. statements from projects undertaken through the Australian Learning and Teaching Council or other bodies.

Entry pathway: In this context, an entry pathway refers to the means by which a student satisfies a higher education provider's admission requirements, particularly through undertaking a program (or program of study that does not lead to a formal qualification) with the same or another education provider.

Free intellectual inquiry: The absence of outside interference, censure or obstacles in the pursuit and practice of scholarly activity by individuals that is undertaken in a manner consistent with professional academic norms.

Higher degree by research: any AQF qualification at masters or doctoral level (or overseas equivalent) that requires as its main component the conduct of research by the student and which is assessed primarily through a dissertation and/or presentation of a completed work, public performance, or equivalent.

Higher education provider: Any person or entity that operates (see below) or purports to operate as a provider of higher education, including through partnership and agency arrangements.

Key personnel: *As defined in TEQSA establishment legislation or from other legislation.*

Moderation: A quality assurance process in student assessment by which an individual or group not involved in setting or marking an assessment task confirms that at all stages that assessment has been conducted with accuracy, consistency and fairness. *(This definition is taken with slight amendment from http://www.ballarat.edu.au/auqa/supporting_materials/chaptertwo/SM02.06-Moderation-of-Assessment-Policy.pdf)*

Multiple awards: Means any arrangement that allows a student to receive more than one higher education award (from the same or different higher education providers) where the requirements of the program for one award overlap with the requirements of a program for the other awards or award.

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Commonly used terms that are included in this definition are: double degrees; joint degrees; dual degrees; conjoint degrees and ‘nested’ awards (see below).

‘Nested’ awards: Awards that may be conferred as an exit point within another more advanced award, e.g. a graduate certificate, followed by a graduate diploma, within a coursework masters degree.

Operate: ‘To operate’ and ‘purporting to operate’ as a higher education provider in Australia includes both to provide programs or parts of programs in Australia leading to higher education qualifications, and the related components of that activity (educational delivery and assessment), or to award higher education qualifications (whether or not a program is provided). Electronic or distance education delivery of a higher education program/s in or from a jurisdiction is included in the definition of operating in Australia, although electronic or distance education delivery into a jurisdiction from outside Australia is not included. Conducting a business, using premises, mail and/or telecommunication devices ‘to operate’ or ‘purport to operate’ a higher education institution in Australia without approval is unlawful under legislation.

‘Purporting to operate’ in Australia means representing that the institution operates in Australia.

The requirements related to operating in or purporting to operate in Australia apply to a provider or an agent acting on behalf of the provider.

Partner: In this context, partner means a person or body external to the higher education provider that has an agreement, whether formally or informally, with the provider for the provider to offer all or part of one or more of its higher education programs using the partner’s resources or services to recruit students, provide administrative support and/or provide academic services or academic teaching. (*The definition is adapted from one used by USQ: <http://www.usq.edu.au/international/representatives>.)*

Partnership: In this context, means an agreement whether formal or informal between the higher education provider and a partner (see above).

Professional practice: Means in this context the exercise of judgment and active use of knowledge and skills by a qualified person and acting in accordance with the requirements of a recognised profession to perform professional duties.

Quality assurance: Quality assurance refers to the policies, attitudes, actions and procedures necessary to ensure that quality is being maintained and enhanced. It requires actions internal to the institution, but may also involve actions of external bodies. It includes program design, staff development and the collection and use of feedback from students and employers. Quality assurance is also used as a general term to refer to the range of possible approaches to addressing concern for quality in higher education.

Registered higher education provider: A higher education provider that is registered by TEQSA. Registered higher education providers will need to have at least one accredited program.

Registration: As per TEQSA establishment legislation, e.g. the process that a higher education provider needs to follow to be approved as a registered higher education provider in Australia. Registration will assess whether the provider meets the requirements of the Higher Education Standards Framework for

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a higher education provider in Australia. A registered provider will be added to TEQSA's register of providers and accredited programs. Conditions may be attached to registration.

Research: creative work undertaken on a systematic basis in order to increase the stock of knowledge, including knowledge of man, culture and society, and the use of this stock of knowledge to devise new applications, and/or any activity classified as research which is characterised by originality; it should have investigation as a primary objective and should have the potential to produce results that are sufficiently general for humanity's stock of knowledge (theoretical and/or practical) to be recognisably increased. Most higher education research work would qualify as research, and/or pure basic research, strategic basic research, applied research and experimental development (*2010 specifications for HERDC*).

Scholarship: Scholarship involves all of the following:

- demonstrating current subject knowledge and an ongoing intellectual engagement in primary and allied disciplines, and their theoretical underpinnings
- keeping abreast of the literature and new research, including by interaction with peers, and using that knowledge to inform learning and teaching
- encouraging students to be critical, creative thinkers and enhancing teaching understanding through interaction with students
- being informed about the literature of learning and teaching in relevant disciplines and being committed to ongoing development of teaching practice.

Standards: As per TEQSA establishment legislation, referring to a Standards Framework or specific elements of this Framework, such as Provider Registration Standards. (*This definition is distinct from a general definition of a 'standard' or a definition of 'academic standards'*)

Subject: A distinct module or component of study within a program. Each subject is identified by its title and contributes a fixed percentage towards the requirements for an award. Subjects are often allocated credit points which measure their workload.

Tuition assurance scheme: As in ESOS Act 2000

Whistleblower: A person being a director, manager, employee or contractor of an entity who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with reportable conduct and where the whistleblower wishes to avail themselves of protection against reprisal for having made the report. A whistleblower may or may not wish to remain anonymous. (*Standards Australia AS 8004—2003*).