



Guidance note: Delivery with other parties

Version 3.0 (7 July 2023)

Providers should note that Guidance Notes are intended to provide guidance only. The definitive instruments for regulatory purposes remain the TEQSA Act the Higher Education Standards Framework, the National Code and the ESOS Act as amended from time to time.

1. What does delivery with others parties encompass?

The [Higher Education Standards Framework \(Threshold Standards\) 2021](#) (Threshold Standards) places obligations on registered higher education providers (providers) about arrangements for 'delivery with other parties'. The primary obligations are found in Section 5.4 of the Threshold Standards.

'Delivery with other parties' encompasses arrangements between a provider and another entity (in Australia or overseas), for the delivery of a course of study (a course) or parts of it, that leads to the award of a regulated higher education qualification (higher education qualification).

The scope of these arrangements is typically contained in legal contractual relationships between the parties, which set out the responsibilities of each party and their functions. This may include the processes and systems the other party may implement to ensure it complies with the providers policies and systems.

Common examples of delivery with other parties include:

- work-integrated learning (see [TEQSA's guidance note](#) for more details)
- in-country language programs
- onshore and offshore arrangements with other providers to deliver higher education
- short-term programs allowing students to complete units of a course with another provider, either domestically or overseas (study tours and exchanges)
- students completing part of their course at one provider, and the remainder at another (twinning arrangements)
- an umbrella entity that is overseeing two or more providers covering an aspect of delivery for the overseen providers.

In having arrangements to deliver a course with other parties, the Threshold Standards require providers to remain responsible and accountable in all aspects of course delivery and support. These aspects include corporate monitoring and ensuring student wellbeing and safety.

In the event where a provider is unable to assure itself of a third parties compliance with relevant regulatory frameworks, or is in breach of agreed contractual agreements and benchmarks, a provider will need to take action to protect the interests of students. This may involve ending the relationship with the other party.



Where a provider delivers a course with an overseas party, TEQSA may apply greater focus in ensuring compliance is effectively implemented by the higher education provider. This is because these arrangements can create heightened risk of non-compliance in areas such as student support services, staffing, student safety and wellbeing, identifying students at risk and freedom of speech. TEQSA also expects providers to ensure students to have equivalent opportunities for progression and success, regardless of delivery arrangements or background.

This guidance note does not focus on Work Integrated Learning (WIL), although elements of this will be dealt with in passing. For more detailed information on WIL please see its associated [guidance note](#).

2. What TEQSA will look for

TEQSA considers the Threshold Standards in the context of delivery with other parties, among which most notably are:

Part A: Standards for HE Providers	Key considerations
1.3.6 Orientation and progression	<ul style="list-style-type: none"> all students have equivalent access to transition into and progression through, their course of study.
1.5 Qualifications and certification	<ul style="list-style-type: none"> certification documentation acknowledges the contribution of the third party where appropriate.
3.2 Staffing	<ul style="list-style-type: none"> staff, including those at the other party, have appropriate training, level of qualifications and knowledge of contemporary developments in a field or discipline to meet expected student learning outcomes teaching staff, including those at the other party, who do not fully meet the standard for teaching or supervision (i.e. experienced practitioners) are overseen by staff who meet standard 3.2.3 staff, including those at the other party, are accessible to students seeking individual assistance with their studies.
3.3 Learning resources and educational support	<ul style="list-style-type: none"> learning materials are accessible for students if specified or recommended for a course of study students are able to access learning resources regardless of their mode of study, learning needs or whether the education is delivered with other parties
5.1.2-3 Course approval and accreditation	<ul style="list-style-type: none"> processes for academic governance are applied consistently to all courses resources required to deliver courses are available.
5.2 Wellbeing and safety	<ul style="list-style-type: none"> students are provided with the following in support of their wellbeing and safety: <ul style="list-style-type: none"> a safe environment to participate in higher education a grievance and complaints process that is supplied consistently, fairly and without reprisal support services tailored to the needs of their cohort.
5.2.4 Academic and research integrity	<ul style="list-style-type: none"> academic and research integrity and accountability are maintained in delivery arrangements with other parties.
5.3 Monitoring, review and improvement	<ul style="list-style-type: none"> monitoring and review of student trend data, specifically considers and compares outcomes across cohorts and third-party activities.



5.4 Delivery with other parties	<ul style="list-style-type: none"> • delivery with other parties is quality assured by the provider, including assuring quality of supervision and student experiences • in delivering a course with another party, the provider remains accountable for the course of study and its ongoing compliance with the Threshold Standards.
6.2a, h-i Corporate monitoring and accountability	<ul style="list-style-type: none"> • the corporate governing body can assure itself that it is operating effectively and sustainably. This includes assuring itself that the provider: <ul style="list-style-type: none"> – is operating consistently with the legislation under which the provider is established, recognised, or incorporated (which may impose limits on whether a provider can deliver courses in a foreign jurisdiction, even if through another party) – has appropriate tuition safeguards plans for business continuity in the event a course cannot be fully delivered – is awarding qualifications legitimately.
7.1 Representation	<ul style="list-style-type: none"> • information supplied by the provider or other parties about the provider’s educational offerings, experiences and charges are accurate and not misleading.
7.2 Information for prospective and current students	<ul style="list-style-type: none"> • for prospective and current students information should should be accessible and accurate about: <ul style="list-style-type: none"> - arrangements with other parties, including when and where courses will be delivered under these arrangements - educational offerings, experiences, and relevant policies including those applying to courses delivered with other parties.
7.3.3 Information management	<ul style="list-style-type: none"> • information systems and records are maintained, and kept secure and confidential

The TEQSA Act

TEQSA also considers obligations arising from the [Tertiary Education Quality and Standards Agency Act 2011](#) (TEQSA Act). The most relevant sections about delivery with other parties are:

- Section 26 which applies to providers offering or conferring a higher education award for courses completed in part or wholly with other parties. Where it applies, this section requires a provider to ensure the other party or parties, in delivering the course, are compliant with the Threshold Standards.
- Section 29 which requires a provider to notify TEQSA of any material changes which may significantly affect the provider’s ability to comply with the Threshold Standards. An agreement to deliver a course with other parties presents specific risks to compliance. Once a provider has entered an agreement with another party to deliver a course, we expect the provider to notify TEQSA of the agreement and their management/mitigation of the risks posed by it. Information about reporting material changes is in TEQSA’s [Material Change Notification Policy](#).



Obligations applying to providers educating overseas students in Australia

For providers educating students from overseas, the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (the National Code) Part B and the [Education Services for Overseas Students Act 2000](#) (the ESOS Act) apply.

The National Code applies to providers and their agents/partners in delivering education services. From the National Code, relevant clauses for delivery of education with other parties that TEQSA considers in its work include:

- **1.1-1.3** – provider and its education agents may supply information relevant to a provider’s courses (including information about other parties the provider delivers courses with). This information should not be false or misleading.
- **2.1.6** – requires the provider, prior to accepting an overseas student, to inform the student of the details of any arrangements with other parties who will provide the course or part of the course.
- **4** – providers must ensure education agents are clear on their responsibilities and act in accordance with them.
- **5** – providers must ensure it and any other party delivering education can meet the legislative and other regulatory requirements relating to child welfare and protection.
- **6** – providers must ensure it and other parties delivering the education provide appropriate assistance and information to support overseas students’ adjustment to study and life in Australia.
- **11.1.4 and 11.2.5** – in registering a course, a provider must seek approval from TEQSA for arrangements with other parties. Providers must also demonstrate other parties they engage to deliver a course has adequate staff, resources, and facilities.

3. Identified issues

TEQSA has identified a range of issues which are indicative of deficiencies in a provider’s delivery with other parties. These include, but are not limited to:

- a lack of clear standards for the contracting, retention, and support for delivery and assessment staff, including standards for equivalency and scholarly activity, which can result in breaches of the regulatory framework
- confusion between the provider and other party about who holds critical responsibilities in delivering the course, as well as inconsistent or conflicting educational and academic goals, resulting in the poor course management
- a lack of training provided to staff and students on institutional policies, resulting in compromised academic quality and inconsistencies across student cohorts, campus and faculties
- misunderstandings or disagreements, between the provider and other party about procedures and responsibilities. This can lead to significant impacts on the experience students and wellbeing of staff, especially if a provider chooses to end its relationship with the other party
- unclear expectations and/or a lack of student performance monitoring by the provider, resulting in failure to deliver as expected or agreed outcomes. This can include high attrition rates, poor progression outcomes, high numbers of reported grievances



- inconsistent reports from the other party about its performance and compliance. This makes it difficult for the provider to assure itself of the other party's ongoing compliance with relevant frameworks and to ensure the welfare of students
- the other party making changes to a provider's course without approval and appropriate oversight. This may result in the course being of poorer quality and becoming non-compliant with frameworks such as the AQF
- the other party lacks the necessary resources or skills to provide support services for students including to:
 - overcome cultural, linguistic, or technological barriers to student participation, and
 - ensure student wellbeing and safety
- inadequate information is made available to students about which party is responsible for responding to their concerns, making it difficult to resolve them
- providers are not cognisant of the facility and infrastructure requirements of their student cohorts when outsourcing to third parties such as prayer rooms.

Related resources

- [Guidance Note: Work-integrated Learning](#)
- Guidance Note: Corporate Governance [under development]
- [Guidance Note: Credit and Recognition of Prior Learning](#)
- Guidance Note: Monitoring, Review, and Improvement [under review]
- Guidance Note: Facilities and Infrastructure [under development]
- [Transnational Education Toolkit](#)
- Guidance Note: Student wellbeing and safety [under development]

Version #	Date	Key changes
1.0	April 2015	
2.0	19 August 2016	Updated for the HESF 2015 and made available as beta version for consultation.
2.1	11 October 2017	Addition to 'What will TEQSA look for?' text box.
2.2	8 October 2019	Updated to include consultation feedback.
3.0	7 July 2023	Major revision.