



# COVID-19 recovery – key considerations for providers

## Supporting the sector during COVID-19 recovery

COVID-19 has led to unprecedented disruption and many providers have swiftly adapted their normal business operations in response to the challenges and changed environment.

The focus of government and the sector has now shifted to the COVID-19 recovery period.

The Australian Government has announced its framework for a COVIDSafe Australia, which outlines a [3 step plan](#) to ease restrictions, noting that states and territories may implement changes based on their COVID-19 conditions.

At each step in the 3 step plan, education providers, including universities and technical colleges, are encouraged to increase face-to-face delivery where possible and prioritise hands-on, skills based learning, if it is safe to do so and in line with individual state and territory government advice.

There are a number of resources to assist providers with this transition, including:

- [Guidance](#) published by Safe Work Australia for the Tertiary Education sector
- A [framework](#) published by Universities Australia for resumption of face-to-face teaching.

TEQSA is maintaining its [flexible arrangements](#) while we support the sector during this transition period. Any changes to our flexible regulatory approach will be carefully considered, and include consultation with peak bodies and other government agencies as appropriate.

The recovery planning process for providers should take into consideration the temporary nature of these flexible arrangements and focus on how they will continue to meet their obligations longer term. Providers may also want to consider the effect of changes they have made and where these have improved the quality of the education they deliver, whether they want to make some changes permanent (see below: Notifying TEQSA of material changes).

## Purpose of this guidance material

This guidance sets out key, high-level, principles-based considerations that providers should remain mindful of in their planning during the COVID-19 recovery period. It focuses on identified standards and risk areas pertinent in the COVID-19 and recovery period context, with an emphasis on obligations under the [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(National Code\)](#) and the [Higher Education Standards Framework \(Threshold Standards\) 2015](#).

This is intended to provide advice only and should be considered alongside TEQSA's [Guidance Notes](#), which provide greater clarity in the interpretation and application of selected standards. The definitive instruments for regulatory purposes remain the [Tertiary Education Quality and Standards Agency Act \(2011\) \(TEQSA Act\)](#), the Threshold Standards and the National Code.



## The National Code of Practice for Providers of Education and Training to Overseas Students 2018

Those providers registered to deliver courses to overseas students, including ELICOS providers, should consider their obligations under the National Code.

TEQSA provided advice on 26 March 2020 about ongoing flexibility with regard to limitations on online delivery to international students (requirements 8.19 and 8.20 of the National Code 2018); and similar flexibility in attendance requirements related to ELICOS and Foundation Program providers. While international travel restrictions and social distancing measures continue, these flexible arrangements will remain in place until they are no longer required, noting that any change to restrictions could be on a country by country or state by state basis, affecting international markets differently.

### The Threshold Standards

During recovery, TEQSA's focus is on ensuring providers continue to deliver higher education in a way that is safe for its staff and students, maintains quality, and is sustainable.

We will continue to monitor providers' compliance with the Threshold Standards during this period and engage with providers as appropriate, with a focus on the following:

- Standard 1.1.1 in relation to Admission
- Standard 2.3 in relation to Wellbeing and Safety of students
- Standards 3.1.2 to 3.1.4 in relation to Course Design
- Standard 3.2.1 in relation to Staffing
- Standard 5.3.5 in relation to student feedback on their educational experiences
- Standard 5.4.1 in relation to Delivery with Other Parties
- Standard 6.2.1 in relation to Corporate Monitoring and Accountability
- Standards 7.1.1 and 7.1.4 in relation to Representation
- Standard 7.2.1 in relation to Information for Prospective and Current Students

### Considerations

Many providers have made a number of changes to their business operations in order to comply with government advice and protect the health of their students and staff. While the response to COVID-19 was sudden, such as moving swiftly to online delivery, the recovery transition period should be measured.

It is important that obligations under the National Code and Threshold Standards are embedded in providers' recovery planning and processes as they resume activities and continue to plan for the future.

Providers may also want to consider how students have responded during COVID-19 and how any future changes may affect them. As much as possible, students should be involved in and consulted on any changes that may impact their educational experience, wellbeing and safety, and any further changes should be communicated to them clearly.



We have set out key considerations for providers that are pertinent during the recovery period, as temporary changes transition back to business-as-usual activities or form the basis for on-going changes to a provider's business model.

## Student wellbeing and safety

Providers have a range of responsibilities to students, including taking active responsibility for fostering an environment of wellbeing and safety for its students. This includes:

- Conducting effective risk assessments and implementing preventative controls for the risks identified.
- Providing advice about actions to take, staff to contact and support services that are accessible to students (whether directly or through another party).
- Identifying risks to wellbeing and safety, taking steps to understand the support needs of particular student cohorts, and implementing effective mitigation and management strategies for identified risks.

Key considerations include:

- The commitment of the governing body and the framework of policies, processes and activities that have been established to foster and maintain wellbeing and safety during COVID-19 restrictions or easing of restrictions.
- Support should be tailored to the needs of particular student cohorts, such as students who are studying in different modes of participation, i.e. on campus, online or blended modes, students who are involved with other delivery partners (whether onshore or offshore) and students whose studies are impeded by health issues, including mental health issues requiring access to counselling.
- Risk identification should be consistent with the scale and context of the provider and its environment, and how this guides the provider's preparations for resumption of face to face delivery and other transitional arrangements.

Particular consideration should be given to Standard 2.3.1.

## Corporate monitoring and accountability

The governing body is critical in providing effective governance, oversight and strategic direction during the recovery process. This includes ensuring that there are appropriate governance arrangements in place to identify, effectively manage and monitor risks, particularly those that relate to financial management and oversight, and academic quality.

Key considerations include:

- Ensuring that risks are identified, documented and reviewed on a continual basis.
- Ensuring the risk management plan adequately addresses risks and impacts of COVID-19, including that:
  - decision-making processes are in place to review and approve risk mitigation strategies
  - consideration is given to short, medium and long term measures
  - roles and responsibilities are clearly defined



- there is a monitoring framework to ensure transparency and accountability
- Monitoring the occurrence and nature of any formal complaints, allegations of misconduct, breaches of academic or research integrity or other critical incidents and taking action to address the underlying cause.
- Continually monitoring the health advice of Commonwealth and relevant state and territory governments to inform the actions you are expected to take, noting the approach may differ depending on the location and conditions of each campus.
- Revisiting the organisation's business plan – for example realigning, as necessary, academic and financial priorities of the organisation.
- Ensuring adequate oversight by the governing body of the provider's financial sustainability and viability – for example by receiving up-to-date, regular financial reporting in a format that enables the governing body to easily understand the provider's current financial position and sustainability of performance and projections.
- Ensuring adequate monitoring and management of ongoing and emerging financial impacts and risks of COVID-19 - for example, modelling and analysis to inform strategies and make informed, sometimes hard, decisions based on data.
- Ensuring that there are adequate financial and tuition safeguards in place to mitigate disadvantage to students in the event of unexpected changes to provider's operations, including if the provider is no longer able to offer a course of study or ceases to operate.
- Exercising due diligence in making financial decisions – this may involve seeking external, professional advice or expertise as required.
- Clearly documenting financial decisions and reasons for these decisions.

Particular consideration should be given to Standard 6.2.1 (paras c. d. e. i. and j).

## Maintaining academic quality and standards

As providers plan for upcoming academic periods/semesters, we expect that you will maintain the quality of teaching and learning as a priority, including overseeing arrangements for delivery by other parties.

Key considerations include:

- Planning and reviewing the timing of course reviews and surveys, and the influence of this on decisions about future operations, including delivery modes.
- Ensuring that there is appropriate academic scrutiny and oversight of delivery modes and approaches to teaching and assessment that were temporarily adopted in response to COVID-19, particularly in regards to online delivery.
- Ensuring processes for forward planning for the next academic period/semester and beyond address any identified quality-related issues and inform decisions related to:
  - course design, structure and modes of delivery
  - maintaining the integrity of methods of assessment
  - the provider's technological capabilities
  - maintaining student engagement and support



- ongoing support and development for teaching staff
- Documenting arrangements to maintain assessment and quality standards.
- Ensuring risks to academic integrity are identified, monitored and mitigated (for example, academic misconduct, cheating and plagiarism), particularly in an online context.
- Ensuring the impacts of any changes to your workforce and capability are being managed effectively and that you have adequate resourcing to maintain your operations.
- Ensuring that staff in teaching and supervisory roles are equipped for their roles.
- Ensuring your current staffing complement remains sufficient to meet the educational, academic support and administrative needs of students.
- Ensuring there is sufficient monitoring, oversight and quality assurance of third parties to be satisfied that third parties are delivering to your expected quality standard.
- Revisiting contractual arrangements with third parties to ensure they remain fit for purpose and give sufficient assurance in the current context of COVID-19 recovery.
- Ensuring there are arrangements in place to achieve work-integrated learning, placements and other community-based learning required for successful course completion, for example where there are mandatory components or strict requirements for professional accreditation.

Particular consideration should be given to:

- Standards 3.1.2 – 3.1.4
- Standard 3.2.1
- Standard 3.2.3
- Standard 5.4.1

We also expect providers to consider the needs of students, current and prospective, in the context of the current environment and have suitable mechanisms in place for monitoring and reviewing higher education activities, and engaging in consequent reflection, to bring about evidence-based improvements.

Key considerations include ensuring that:

- New pathways for prospective students intending to apply for entry in 2021 are fair and transparent and designed in the best interests of the applicant.
- There is reasonable flexibility in admissions decision-making to recognise an applicant in the context of unique circumstances and the current environment.
- Student feedback is used to inform decisions about admission practices and other academic approaches.
- Regular student feedback, particularly during this period of disruption, is used to inform continuous improvement of the student experience.
- Students have access to accurate, relevant and timely information to enable them to make informed decisions about education offerings and experiences. For example,



proactive and clear communication is provided to students about changes in delivery mode, fees and the content of courses as a result of COVID-19.

- There is sufficient oversight and monitoring of agents to mitigate risks of misrepresentation or unethical conduct in marketing practices in the current environment.

Particular consideration should be given to:

- Standard 1.1.1
- Standard 5.3.5
- Standard 7.1.1
- Standard 7.1.4
- Standard 7.2.1

### Notifying TEQSA of material changes

On 30 June 2021, TEQSA published a revised Material Change Notification Policy. This policy outlines the circumstances in which providers are required to notify TEQSA of material changes and the method for notification and supersedes the previous *Coronavirus (COVID-19) – statement on notifications*. Please refer to the latest [Material Change Notification Policy](#) for more information.

If a temporary change becomes a permanent change, you should make a new material change notification.

Where this relates to continuing online mode of delivery, information should be included on the steps taken to ensure continued quality of teaching and assessment, adequate resources for staff and support for student wellbeing and safety. For further guidance, refer to [Online delivery- key considerations for providers](#).

Version #	Date	Key changes
1.0		Made available as beta version.