



Independent Experts engaged by providers

Purpose

This document provides guidance to providers on selecting a suitable independent expert to conduct a review or seek expert advice as part of their internal quality assurance processes.

Scope

This document provides guidance on:

- considerations for selecting a suitable independent expert
- factors for consideration relating to expertise
- factors for consideration relating to independence.

Considerations for selecting a suitable independent expert

1. The provider should consider the scope/terms of reference of the proposed review and tailor their requirements for a suitable independent expert accordingly.
2. The provider should have regard to the factors for consideration (**expertise** and **independence**) set out in this document when selecting a suitable independent expert. However, TEQSA recognises that providers may have additional requirements they wish to consider.
3. Selecting a suitable expert should be informed by:
 - a. The **type** of the review – for example, an institutional review of the effectiveness of the governing body and academic governance processes (governance review); a comprehensive review of a course of study (course review); ELICOS/ESOS review; specialised/issue-specific expert advice; the mode of course delivery
 - b. The **complexity** of the review – for example, the scope/terms of reference for the review, the provider's individual context (size, complexity of structure and operations).
4. The provider should exercise due diligence prior to engaging the expert to ensure that the expert:



- a. is a fit and proper person to provide expert advisory services to the provider, having regard to the individual's character, competence and conduct
 - b. does not have actual or perceived conflict/s of interest, or where conflict/s of interest do exist, that these are capable of being effectively managed
 - c. has appropriate qualifications and experience to undertake the review consistent having regard to the type and complexity of the review.
5. The engagement of the expert should be transparent and documented.
 6. The provider should keep a record of the documents to support the selection of the expert – this may include a current resume, letter of endorsement from their current employer, statement of capability, declaration of independence/conflict of interest declaration and a certified copy of the expert's relevant qualifications.

Factors relating to expertise

7. Factors that should be taken into consideration (but not be limited to) include the following:
 - a. Whether the expert is suitably or appropriately qualified and/or experienced to conduct the review. This could be in the form of their academic qualifications and/or relevant (and comparable) professional experience.
 - b. Professional expertise or experience that is relevant and proportionate to the type and complexity of the review, for example, that they have acquired the level of knowledge or expertise to fulfil the requirements of the type and complexity of the review.
 - c. The necessary knowledge of contemporary developments in the discipline or field, which is informed by continuing scholarship or research or advances in practice, and the currency of qualifications and experience.
8. The expertise an expert is required to possess may include the ability to:
 - i. address institutional management and institutional quality assurance (for a governance review)
 - ii. address the development or application of learning outcomes; and the application of the Australian Qualifications Framework (AQF) (for a course review)
 - iii. apply specialist knowledge (eg for ESOS/ELICOS or other specialised reviews).

Factors relating to independence

9. An independent expert in this context is a person who is independent from the provider and does not have (or intend to have) any material or significant dealings with the provider (or an associated entity) that could interfere with the exercise of independent judgement.



10. There may be particular doubts about a person's independence to provide independent expert advice if that person:
- a. has had an employment relationship with the provider within the last three years (other than in the course of engagement as an independent expert and related matters)
 - b. has had a business relationship or other material contractual relationship with the provider within the last three years (other than in the course of engagement as an independent expert)
 - c. has a direct or indirect material financial interest with the provider
 - d. is involved in the day-to-day management functions of the provider and or is allied with the interests of management
 - e. is not sufficiently impartial and disconnected from provider's operations, such that they are in position to hold management to account and act in the organisation's best interests
 - f. has a material personal interest (i.e. stands to gain, benefit or suffer a loss) in the outcome of a review
 - g. has an interest, position, association or relationship that might influence, or reasonably be perceived to influence, their capacity to exercise independent judgement.