



TEQSA high risk provider policy

Purpose

The purpose of this policy is to establish a set of principles to inform TEQSA's treatment of providers identified as high risk in relation to students or financial position—at the point of identification, and also in the course of accreditation, re-accreditation and re-registration assessments. It elaborates upon and further specifies the principle, published in TEQSA's Risk Assessment Framework, that TEQSA may take various forms of action in relation to providers being identified as high risk. The principles that comprise this policy are intended to ensure that identified provider risk-levels drive differential treatment of providers, in line with established good practice in risk-based regulation, and consistent with the basic principles for regulation included in TEQSA's establishing legislation.

Scope

This policy relates to providers identified as high risk through TEQSA's annual risk assessment process. It does not relate to providers identified as low or moderate risk. Although the policy may to some extent describe TEQSA's treatment of providers not identified as high risk, this is intended only to enhance clarity through contrast.

Principles

In-cycle monitoring

1. Where a provider is identified as high risk, the following activities are immediately triggered:
 - a. a request for information to enable greater differentiation of risk type and extent, with the information requested to be determined on the basis of identified risk factors and other information available to TEQSA
 - b. analysis of existing data, supplemented by additional information requested of high risk providers, to more precisely identify any potential areas of concern with the provider
 - c. formulation of an action plan that will include consideration of the full range of available and appropriate regulatory options, including in relation to CRICOS applications, consistent with the principles for regulation described in the TEQSA Act
 - d. TEQSA will provide advice to the relevant Australian Government department and portfolio Minister to support decision making under the *Higher Education Support Act 2003*.

Cyclical renewal of accreditation and renewal of registration assessments, and new accreditation assessments

2. In general, TEQSA differentiates the scope (of Threshold Standards tested), and the depth (of evidence required) of accreditation- and registration-related assessments on the basis of assessed risk.
3. For a provider that is not identified as high risk, an assessment will focus on a subset of standards and associated evidentiary requirements considered applicable to each case, and will expand this subset to cover areas of concern as appropriate to each case on the basis of available evidence.
4. Where a provider is identified as presenting a high risk to financial position, in registration- and accreditation-related assessments subsequent to the risk assessment, the starting point for the scope of assessment will include all financial- and resourcing-related standards, any standards related to planning and mitigation in case a provider ceases to operate, and any other standards that may be identified as relevant to the particular case given the financial risks identified, with this scope potentially reduced as appropriate in the context of the particular assessment.
5. Where a provider is identified as presenting a high risk to students, in registration- and accreditation-related assessments subsequent to the risk assessment, the baseline scope and evidence assumption will be reversed so that the starting point includes all standards appropriate to the application type, with standards subsequently excluded where not relevant to the provider or case in question, or where an assessment has recently determined the provider's compliance, or otherwise where appropriate in the context of the particular assessment.

Contact

Any enquiries about TEQSA's approach to high risk providers can be directed to: enquiries@teqsa.gov.au