Australian Government

Tertiary Education Quality and Standards Agency

TEQSA 2020 STAKEHOLDER CONSULTATION FINDINGS AND RESPONSES

Findings	Responses
1) TEQSA's COVID-19 response All stakeholder groups commented favourably on the way in which TEQSA had adjusted regulatory processes in response to the coronavirus pandemic. TEQSA was flexible and responsive, reduced reporting demands, and provided materials on the website for transitioning to online and remote learning. The collaboration with RMIT particularly was seen as a positive development. The COVID period has brought a high level of collaboration, with TEQSA offering support and with the sector appreciating TEQSA's efforts. A common question across participants was how TEQSA would behave going forward, with the hope that the flexibility and engagement would continue into 2021 and beyond.	Noted. With a wide range of strategies implemented, including 284 extensions to assessment activities, TEQSA is pleased that the sector has benefited from the guidance and reduced administrative burden associated with regulation during this challenging time. The sector should be assured that TEQSA's regulatory flexibility will continue to support the sector's transitions out of COVID-19 restrictions and beyond. TEQSA understands that these challenges may continue for some time and that providers may have multiple modes of delivery depending on what regions or locations can access face-to-face learning and which cannot. Any changes to our flexible regulatory approach will be carefully considered, including consultation with peak bodies and other government agencies as appropriate. Changes and updates will continue to be announced through formal communication channels to the sector, with guidance published on our website. Should a decision be taken to end TEQSA's regulatory flexibility adequate transition arrangements will be afforded to providers to ensure that students and providers are not adversely impacted.
2) TEQSA's case management approach Overall, experiences with case managers were positive. Case managers were central to TEQSA's regulatory effectiveness and to the favourable comparisons of TEQSA with other regulators. An experienced and knowledgeable case manager offered the advantage of being a single point of contact, a trouble-shooter and a critical friend to providers who were willing to talk to them openly about their problems. One reason for dissatisfaction with the case management system was high turnover. Providers wanted a case manager who carried their history, not a series of case managers, each of whom needed a re-telling of case history in order to understand a provider's circumstances. Even so, it is important to note that willingness to talk openly to a case manager was not universal.	Noted. A preferred model of respectful regulatory partnerships, with individual providers and with the sector overall will continue to be core to TEQSA's regulatory philosophy. This year all of TEQSA's assessment staff will undertake provider engagement training to further enhance our partnership approach. TEQSA recognises that many providers like having a single point of contact within TEQSA. While TEQSA is implementing a range of strategies to reduce staff turnover, some degree of staff turnover will remain a reality. With a small number of regulated entities TEQSA is keen to build a strong understanding of each provider across the agency. This is being driven by improvements to staff learning and

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	development, systems, processes, and improved record keeping.
	Where case managers do change, TEQSA endeavours to ensure there is an adequate transition. It is critical that providers feel able to speak openly with their case manager, or any other member of the TEQSA team.
	If a provider's relationship with their case manager is not conducive to an open dialogue, then providers are encouraged to escalate the matter to the Executive Director of Regulatory Operations so that this can be resolved.
3) TEQSA's transparency, openness, consultation and communications Overall, the sector was positive on TEQSA's transparency, openness, consultation and communication efforts. Providers called for clearer understanding and TEQSA leadership in four areas: (1) Providers saw self-accreditation as a slippery concept in terms of the criteria for achievement; (2) Self-accredited providers expressed concern about TEQSA over-reaching its remit, a topic that came up more broadly and more specifically in the context of the proposed integrity unit; (3) Misunderstandings in the use of guidance notes by TEQSA and providers continues to cause annoyance; and (4) The breadth of experience and spirit of innovative inquiry present in external experts was challenged.	(1) Noted. TEQSA will review its guidance to ensure the pathway to self-accrediting authority (SAA) is clear, including the criteria for achievement. Recent review of the Provider Category Standards (PCS) recommends changes to the eligibility criteria related to SAA. These changes are designed to provide further clarity to prospective providers and the regulator. (2) Noted. TEQSA is mindful of it regulatory principles as expressed in the TEQSA Act. TEQSA will continue to operate consistent with those principles. This extends to the operation of the newly formed Higher Education Integrity Unit, which will have a strong focus on guidance, good practice and capacity building across the sector. (3) Noted. TEQSA's guidance notes are not instructional or 'how to' documents for compliance with the HES framework. The guidance notes aim to assist providers with the interpretation and application of the Standards. TEQSA recognises that every provider's context is different. As such, the facts and evidence a provider draws on to demonstrate compliance with the Standards will be considered on its own merits. (4) Noted. TEQSA has put a considerable effort into developing the diversity of the experts held within its register and this work will continue into 2020-21.
4) TEQSA 2019 Conference The TEQSA conference was highly valued, particularly by independent providers. Networking and learning what others were doing and TEQSA's priorities were regarded as tangible benefits. More generally, the conference was seen as an opportunity to learn, share information, discuss issues with TEQSA, meet with case managers and strengthen what has been referred to here as relational, responsive regulation, or in the words of providers "a maturing, developmental relationship."	Noted. TEQSA lowered the registration cost for the 2019 conference by 30% on the previous year's fees. The TEQSA conference needs to provide for attendees who operate within a hugely diverse sector. Policy-oriented presentations are welcomed as much as operational-oriented paper submissions, all on the proviso they appropriately align with the conference theme each year.

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Cost was seen as a constraint on who could attend and criticism was made of policy-oriented presentations on the grounds that TEQSA was an operational regulatory body.	
5) National Register and data collections The National Register was used by participants. Accuracy and prompt updating was an issue of concern for some providers. More salient in the minds of participants was the number of different databases used in the sector and the need for an integrated, easy to use, real-time database for higher education.	Noted. TEQSA continues work on enhancements to the National Register to improve usability and updates on a regular basis. TEQSA consulted the sector in 2019 with respective to its approach to the collection of providers data publishing the results of these consultations in 2020. TEQSA will continue to reuse (where it is relevant and possible) data collected by other government agencies. The Department of Education, Skills and Employment is currently revising its approach to data collection and TEQSA is working closely with the Department to ensure providers benefit from single-touch reporting.
6) Risk approach and emerging risks within the sector Risk takes on different meanings in different contexts. In times of stability, risks are future projections. In times of upheaval, they are more immediate. Thematically, risk discussions revolved around: (1) hybridity in delivery, teaching and assessment modes and finding the best models; (2) TEQSA's leadership in navigating a new higher education environment; (3) creating a sector-wide responsive learning environment for providers, students and the regulator; and (4) streamlining and having more efficient data collection systems for education.	Noted. TEQSA adopts a multifaceted approach to sector and provider risks. TEQSA recently announced changes to its annual provider risk assessment and will continue to adjust its approach on an annual basis to ensure that it is well aligned with significant provider-level risks. TEQSA is enhancing its risk and compliance monitoring approaches to ensure its ability to identify emerging risks is strengthened. The recent announcement of the Higher Education Integrity Unit will assist TEQSA and providers in addressing significant sector risk issues.
7) Student engagement Student Experts Advisory Group (SEAG) is enabling the students' voice to be heard in a changing educational environment. Strengthening the link between the formal regulator and students (as end users) is promising for purposes of sharing information on quality and standards and working toward shared goals. The task of interpretation of policy changes for different student cohorts, particularly during times of upheaval and stress, is lacking in the higher education system and is needed to give students confidence for future planning.	Noted. TEQSA has worked with SEAG for a number of years and this will continue into the future, in particular, as TEQSA seeks to gain a thematic understanding of the student experience during the COVID-19 pandemic.