

Department of Education, Employment and Workplace Relations

**Submission to the Inquiry into the Tertiary Education Quality and Standards Agency Bill 2011
and the Tertiary Education Quality and Standards Agency
(Consequential Amendments and Transitional Provisions) Bill 2011**

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1. INTRODUCTION

The Review of Australian Higher Education 2008 (the 'Bradley Review') identified a need to develop a new approach to underpin both domestic and international confidence in the Australian higher education sector. It recommended an independent national regulatory body be responsible for regulating all types of tertiary education.

The Australian Government responded to this recommendation by announcing the establishment of the Tertiary Education Quality and Standards Agency (TEQSA). The establishment of TEQSA and the introduction of a national approach to regulation are vital to ensuring the quality of Australian higher education providers and the overall quality of the Australian higher education system.

The *Tertiary Education Quality and Standards Agency Bill 2011* (the Bill) establishes TEQSA and a new national regulatory and quality assurance environment for Australian higher education.

The Department of Education, Employment and Workplace Relations (the Department) has engaged in extensive consultation with the sector in developing the Bills, and continues to do so in developing the standards that will form the Higher Education Standards Framework.

In November and December 2010, the Department conducted two targeted stakeholder consultation sessions to discuss the draft legislation. The consultation sessions were attended by representatives from state and territory governments and key bodies including:

- Australian Council for Private Education and Training
- Council of Australian Postgraduate Associations
- Council of Private Higher Education
- National Tertiary Education Union
- National Union of Students
- TAFE Directors Australia, and
- Universities Australia.

The November consultation was attended by 45 delegates and the December consultation attended by 35 delegates.

In February 2011, the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (the Minister) released the draft Bills for public consultation. The Department received 26 submissions on the draft Bills from a wide range of stakeholders including higher education providers, student organisations, state and territory governments and peak bodies.

The Department has valued the constructive feedback of stakeholders through the consultation process.

This submission provides an overview of the key aspects of the legislation and details on the development of the Threshold Standards.

2. KEY ELEMENTS OF THE LEGISLATION

TEQSA will combine the regulatory activity currently undertaken in the states and territories with the quality assurance activities currently undertaken by the Australian Universities Quality Agency (AUQA). In so doing, it will reduce the number of federal, state and territory regulatory and quality assurance bodies from nine to one.

The Bill provides for a system of registration and accreditation against a new Higher Education Standards Framework. The *Tertiary Education Quality and Standards Agency (Consequential Amendments and Transitional Provisions) Bill 2011* (the C & T Bill) includes amendments to existing Commonwealth legislation and arrangements to ensure a smooth transition to the new regulatory framework.

THE BASIC PRINCIPLES OF REGULATION

Part 2 outlines the three basic principles of regulation which will ensure that TEQSA's approach to regulation will be proportionate and risk-based. These are:

- the principle of **regulatory necessity** – which provides that TEQSA should not burden a provider any more than is necessary.
- the principle of **reflecting risk** – which provides that TEQSA should have regard to a provider's history, including its history of compliance with state and federal laws relating to higher education.
- the principle of **proportionate regulation** – which provides that TEQSA must exercise its powers in such a way that is proportionate to a provider's non-compliance with the Bill and any risk of future non-compliance.

These three principles were developed in cooperation with representatives of the higher education sector through the consultation process. Together, these principles underpin TEQSA's risk-based regulatory approach, which will take into account the scale, mission and history of each provider.

The Bills ensure that higher education providers will continue to have significant autonomy in the way in which they operate, including governance arrangements, choice of courses and degrees and method of developing and delivering curriculum. TEQSA will be required to tailor its regulatory actions in order to comply with these principles. TEQSA will focus its activities on encouraging and supporting both new entrants to the system and higher risk providers, while ensuring that existing, higher quality, lower risk providers will not be unnecessarily burdened.

TEQSA COMMISSIONERS

Part 8 describes the governance of TEQSA which will be based on a commission model.

TEQSA will be constituted by five Commissioners:

- a Chief Commissioner
- two full-time Commissioners, and
- two part-time Commissioners.

All Commissioners will be appointed by the Minister in consultation with the Minister for Innovation, Industry, Science and Research (Research Minister). Appointments will be made on the basis of appropriate qualifications, knowledge and expertise.

The Commission is unable to delegate decisions in relation to registration, re-registration or de-registration, granting or changing a registration category, granting or changing self-accrediting authority or the

determination of fees. Decisions regarding imposing or varying conditions of registration, requiring information, or instigating cancellation or other administrative sanctions are also unable to be delegated.

Decisions which TEQSA can delegate to a single Commissioner include those regarding accrediting courses of study, re-accrediting and removing the accreditation of a course, or imposing, varying or revoking a condition on an accreditation of a course of study.

This system of delegations was developed in consultation with the higher education sector and ensures that major regulatory decisions can only be taken by the Commission as a whole. This provides higher education providers further certainty that regulatory action taken by TEQSA will be soundly based and subject to appropriate checks and balances.

ESTABLISHMENT OF TEQSA

Part 8 of the Bill establishes TEQSA and sets out the functions of the new agency. TEQSA will be an independent body operating at arms length from government.

The Minister is expressly prohibited from giving a direction about, or in relation to, a particular higher education provider. This will ensure that TEQSA will make its regulatory decisions free from political interference.

The Minister may only give a direction to TEQSA if they consider it necessary to protect the integrity of the higher education sector.

TEQSA's functions and powers will include:

- registering and re-registering higher education providers
- accrediting and re-accrediting courses of study
- conducting thematic and quality assessments
- monitoring and enforcement activities, including undertaking compliance assessments and investigative actions
- making recommendations to the Minister on matters regarding the quality or regulation of higher education providers, and
- collecting, analysing, interpreting and disseminating information relating to: higher education providers and awards; quality assurance practice, and quality improvement.

THE HIGHER EDUCATION STANDARDS PANEL

Part 9 of the Bill establishes of the Higher Education Standards Panel (the Panel).

The Panel will be responsible for developing the Higher Education Standards Framework. The Panel must consult with interested parties when developing the standards.


The Panel will be independent of the TEQSA Commission and will provide advice and recommendations directly to the Minister and the Research Minister. This will ensure the separation of standard setting from the monitoring and enforcement functions carried out by TEQSA.

Panel members will be appointed by the Minister, in consultation with the Research Minister, and will take into account an appropriate balance of professional knowledge and demonstrated expertise and have regard to the interests of states, territories and students. The Panel will be made up of a Panel Chair and at least four and up to ten other members. The Bill precludes a TEQSA Commissioner from being appointed as a Panel Member.

3. HIGHER EDUCATION STANDARDS FRAMEWORK

TEQSA will register and evaluate the performance of higher education providers against the new Higher Education Standards Framework set out in Part 5 of the Bill.

The Higher Education Standards Framework will consist of the following domains:

- Provider Standards comprising:
 - the Provider Registration Standards
 - the Provider Category Standards
 - the Provider Course Accreditation Standards
 - Qualification Standards
 - Teaching and Learning Standards
 - Research Standards
 - Information Standards, and
 - Other standards against which higher education providers and the quality of higher education can be assessed.
- 
- Threshold Standards*

All providers must meet the Provider Standards (based on the National Protocols which are currently applied by State and Territory Government Accreditation Authorities) and the Qualification Standards (based on the Australian Qualifications Framework) to be registered and operate as an Australian higher education provider.

The Information Standards, Teaching and Learning Standards and Research Standards will be new standards developed with the higher education sector. These will be drawn on by TEQSA when conducting its quality assurance activities.

How TEQSA's regulatory framework will work, including the application of the Threshold Standards, has been the subject of continued consultations with the sector over the past 12 months. Stakeholders have been invited to provide comment of the development of the Threshold Standards at various stages. Part 2 of this submission provides further detail on the consultation on the development of the Higher Education Standards Framework.

MAKING THE STANDARDS

The Minister may make the standards, except the Research Standards, following consultation with the Research Minister. The Research Standards may be made by the Research Minister, following consultation with the Minister. All standards will be disallowable legislative instruments.

The Minister must follow the appropriate channels of consultation before they can make a standard. In practice, the Panel will develop a draft of the standards in consultation with interested parties. On receiving the draft standard, the Minister will be required to consult with the Research Minister, TEQSA, and the Ministerial Council that consists of the Commonwealth, state and territory ministers responsible for higher education. It is only after this process that the Minister may make the standard.

This process will similarly apply to the Research Minister who will be required to consult with the Minister before making the Research Standards.

PROCESS FOR MAKING THE FIRST SET OF THRESHOLD STANDARDS

Provisions have been made in the C&T Bill to enable the Minister to make the first set of Threshold Standards without having received a draft of these standards from the Higher Education Standards Panel. Allowing the Minister to make the first set of Threshold Standards shortly after the TEQSA legislation comes into force will

provide regulatory certainty for providers and delivers on the Government's commitment to a smooth transition to TEQSA.

As described in Part 2 the Threshold Standards are based on existing documents that have previously supported regulation in the higher education sector. Once the Panel is appointed, under the C&T Bill it is required to commence a review of the Threshold Standards within its first year of operation.

The C&T Bill provides that before making the first standards, the Minister must consult stakeholders, the Ministerial Council consisting of Commonwealth, state and territory ministers responsible for higher education, the Research Minister and TEQSA. Further, the Minister must have regard to any representations received from those parties.

The process that the Department has undertaken in developing the first Provider Standards is discussed in Part 2 of this submission. The process undertaken by the Australian Qualifications Framework Council in developing the strengthened Australian Qualifications Framework on which the first Qualifications Standards will be based is also outlined in Part 2 of this submission.

4. REGISTRATION AND COURSE ACCREDITATION

REGISTRATION

The legislation replaces the state and territory based systems of registration. Higher education providers who wish to operate in Australia must be registered by TEQSA. Details of the registration process are set out in Part 3 of the Bill.

Higher education providers may apply to TEQSA for registration within a provider category. TEQSA will undertake a preliminary assessment of the application for registration within 30 days of receiving it. The provider, if advised by TEQSA to proceed, will undergo a substantive assessment process and be asked to provide any additional documentation required by TEQSA.

The Bill provides that TEQSA must make a decision on an application within 12 months of receiving it and in special circumstances may extend this period to 24 months. Once a decision to grant or reject an application is made TEQSA will notify a provider within 30 days of making a decision

In assessing a provider for registration, TEQSA will assess it against the Threshold Standards.

TEQSA will determine the period for which the applicant is registered, however, the period of registration must not be more than 7 years.

A registered higher education provider must comply with the conditions set out in the legislation as well as any conditions that have been imposed by TEQSA on its registration.

COURSE ACCREDITATION

Part 4 of the Bill covers the accreditation of courses of study. It applies to any courses that a provider is not authorised to self-accredit.

Registered higher education providers can apply to TEQSA for a course of study to be accredited. TEQSA will accredit a course of study if it is satisfied that it meets the Threshold Standards.

TEQSA must make a decision on an application for accreditation within 12 months of receiving it. Similarly to registration, processes for preliminary and substantive assessments apply. TEQSA will determine the period for which a course of study is accredited, however, the maximum period of course accreditation is 7 years.

TEQSA may impose conditions on the accreditation of a course of study. A registered higher education provider must comply with the conditions set out in the legislation as well as any conditions that have been imposed on its course accreditation.

NATIONAL REGISTER OF HIGHER EDUCATION PROVIDERS

Higher education providers operating in Australia will be required to be listed on the National Register of Higher Education Providers, which will be publicly available on the TEQSA website. Part 11 of the Bill sets out the relevant provisions.

FEES

Part 8 of the Bill provides further details on TEQSA's ability to charge fees and its reporting responsibilities. TEQSA's fees will be charged on a cost recovery basis. TEQSA will charge fees for the services it performs in relation to registration and accreditation, as is currently the case with state and territory Government Accreditation Agencies (GAAs). Fees, structure of payments and circumstances of payments will be determined by TEQSA by legislative instruments.

SERVICE STANDARDS

TEQSA will be required to develop service standards that it will be required to meet when performing its functions. These will include a range of measures including timeframes to make decisions, particularly those on provider registration and course accreditation.

5. INVESTIGATIVE POWERS AND SANCTIONS

The Bill provides that TEQSA will have investigative powers and sanctions that are similar to those found in the *Education Services for Overseas Students Act 2000* and the legislation to establish the National VET Regulator.

The Bill contains a number of safeguards on TEQSA's exercise of its investigative powers.

In exercising its powers, TEQSA must act in accordance with the three basic principles of regulation set out in Part 2 of the Bill:

- the principle of regulatory necessity
- the principle of reflecting risk, and
- the principle of proportionate regulation.

The Bill creates offences and civil penalties, including for the following:

- pretending to be a university
- offering or conferring an award without requiring a course to be completed
- falsely representing that a course is accredited
- providing unaccredited courses, and
- breaching conditions of registration or accreditation.

Investigative powers are available to assist TEQSA to determine whether the provisions of the legislation are being met. TEQSA's powers include the ability to:

- request information from a person connected with a higher education provider

- exercise enforcement powers – e.g. searching premises to look for and seize evidential material, and
- ask questions and seek the production of documents.

The actions that TEQSA may take in response to breaches of the legislation must reflect the basic principles of regulation - necessity, risk and proportionality - and may include:

- making recommendations to the provider to resolve the breach
- imposing conditions on a provider's registration and/or course accreditation
- accepting enforceable undertakings from the provider
- applying to the Federal Court for injunctions, and
- seeking the application of civil or criminal penalties.

TEQSA is not able to exercise entry, search and seizure powers unless it has obtained the consent of the occupier of the premises or obtained a warrant. The Explanatory Memorandum to the Bill sets out that consent has no effect unless it is voluntary and the occupier may give consent for a limited time and may also withdraw consent. The authorised officer seeking to exercise these powers must leave if requested to do so.

A warrant may only be issued by a magistrate if the magistrate is satisfied that it is reasonably necessary for an authorised officer to have access to premises for the purpose of determining that the legislation has been complied with. The magistrate must be presented with evidence concerning the grounds on which the warrant can be issued.

When requiring people to give information, TEQSA must reasonably believe that a person is connected with a provider and that the person is capable of producing information relevant to TEQSA's function about monitoring compliance with the legislation.

The Bill contains protections against self-incrimination and provides that, while not excused from answering questions or producing documents, in the case of an individual, the answer given or document produced or any information obtained as a direct result of answering the question or producing the document, is not admissible in evidence against the individual.

6. REVIEW OF TEQSA DECISIONS

All of TEQSA's decisions are reviewable by the Federal Court. Further, all of TEQSA's significant decisions are reviewable by the Administrative Appeals Tribunal (AAT). This includes decisions:

- that an application for registration in a particular provider category is inappropriate
- that a particular provider category, different from the category sought by the registration applicant, is appropriate
- to extend a timeframe for decision on application for registration/accreditation
- to register a provider in a particular provider category
- to reject an application for registration/accreditation
- to impose a condition on registration/accreditation
- to vary a condition on registration/accreditation
- to refuse renewal of registration/accreditation
- to refuse to change the category of registration
- to refuse to authorise self-accreditation for one or more courses of study
- to reject an application to withdraw authorisation
- to shorten the period of registration/accreditation
- to cancel registration/accreditation, and
- to enter details on the National Register of Higher Education Providers.

Where a decision such as those relating to the accreditation of courses has been delegated by the Commission, the Bill provides for a process of internal review before an appeal can be made to the AAT.

7. INFORMATION SHARING

Part 10 of the Bill makes provision for the disclosure and use of information by TEQSA.

TEQSA may release a range of information to the public providing benefits to the sector through increased transparency. For example, in addition to maintaining the National Register of Higher Education Providers, as part of its functions, TEQSA may also collect, analyse, interpret and disseminate information relating to higher education providers, regulated higher education awards, quality assurance practice and quality improvement in higher education.

TEQSA may not make an unauthorised disclosure of higher education information. The legislation enables TEQSA to disclose information about breaches of regulatory requirements in certain circumstances, and for TEQSA to disclose information to Tertiary Admission Centres, to the and Secretary of the Department, to professional bodies, to other Commonwealth, state or territory government bodies and to a regulatory authority of another country, in specified circumstances.

8. RELATIONSHIP WITH STATE AND TERRITORY LAWS

Division 4 of Part 1 of the Bill specifies the interaction between the TEQSA legislation and state and territory laws relating to higher education, including those laws that will continue to operate simultaneously with the legislation.

Registered higher education providers and those seeking registration will not be required to comply with state or territory laws that purport to regulate the provision of higher education. The Bill specifies that the exclusion of state and territory laws regulating higher education does not include a law to the extent that the law:

- establishes the higher education provider or regulated entity
- regulates who may carry on an occupation, or
- is of a kind specified in the regulations.

State and territory laws that regulate a matter only part of which relates to the provision of higher education also continue to apply, unless that law is of a kind specified by regulation. Examples of such state or territory laws that may only partly cover the provision of higher education could include privacy laws, fair trading laws, auditor-general laws and ombudsman laws and laws relating to the professional accreditation and registration of teachers.

9. FINANCIAL AND REPORTING REQUIREMENTS

TEQSA is required to prepare and provide the Minister with strategic plans, annual operational plans and annual reports. The annual report is to be presented to the Parliament and will include financial statements and audit reports on those statements as required by the *Financial Management and Accountability Act 1997*.

10. CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

The C&T Bill deals with the consequential and transitional matters arising from the enactment of the Bill. It provides for consequential amendments to existing Commonwealth law, namely the *Higher Education Support*

Act 2003 and the *Education Services for Overseas Students Act 2000*. These amendments update those acts to recognise the role of TEQSA in regulating the higher education sector.

As earlier outlined, the C&T Bill provides for the Minister to make the first Threshold Standards.

TRANSFER OF REGISTRATION

The C&T Bill provides for the transition of existing providers' registration from the states and territories to TEQSA. It provides that universities' self-accrediting authority will be automatically transitioned into the new regulatory environment as part of their registration with TEQSA.

Providers transferring to TEQSA will have an initial registration for the period starting at the transition time and ending at:

- for those providers listed in the C&T Bill, the end of the time period specified for each provider, or
- for those providers not listed in C&T Bill, the latest date on which the provider would cease to be registered under a relevant state or territory law.

The C&T Bill provides that where a higher education provider's registration under state or territory law includes the authority to self-accredit one or more courses, then that self-accrediting authority will be automatically transferred to their registration under TEQSA. Universities and other higher education providers who have been granted self-accrediting authority will not be required to have their courses accredited by TEQSA.

SELF-ACCREDITING AUTHORITY

The draft Provider Standards outlines the criteria for awarding self-accrediting authority. Providers must meet the following criteria:

- For a registered provider that is approved by TEQSA for registration in the 'Australian University' Category, TEQSA will grant self-accrediting authority to the provider for all courses.
- For a registered provider that is approved by TEQSA for registration in the 'Australian University College' Category, TEQSA will grant self-accrediting authority to the provider for all courses in those fields of study in which it already offers Masters (Coursework or Research) degrees.
- For a registered provider that is approved by TEQSA for registration in the 'Australian University of Specialisation' Category, TEQSA will grant self-accrediting authority to the provider for all courses in its one or two broad fields of study.
- For a registered provider that is approved by TEQSA for registration in the "Higher Education Provider", "Overseas University" and "Overseas University of Specialisation" Category, TEQSA may grant self-accrediting authority for a course or a group of courses, at one or more qualification levels, and in one or more broad fields of study or discipline areas, if the following criteria are met:
 - The provider has no issues or conditions outstanding from its most recent registration and course accreditations by a recognised registration or accreditation authority, no substantiated serious complaints, and no significant history of compliance problems in any other audits or reviews of its higher education operations conducted by external professional bodies or government agencies.
 - The provider has demonstrated highly effective academic governance processes and strong internal capacity to monitor and improve its higher education courses.
 - The provider demonstrates sustained scholarship in respect of the course(s), which informs teaching and learning for the course(s).
 - The provider has a track record of successful operation of the course(s) including systematic, mature internal processes for course quality assurance and the maintenance of academic standards and academic integrity.

- At least three cohorts of students in Australia have graduated from the course(s), and there is substantial evidence of successful graduate outcomes from the course(s).
- If applicable, the provider has achieved and maintained appropriate professional accreditation of the course(s).

11. DEVELOPMENT OF THE HIGHER EDUCATION STANDARDS FRAMEWORK

The need for clear and strong standards for the higher education sector was one of the issues raised consistently during the Bradley Review and in subsequent consultations with the sector. In the move to a demand-driven approach, clear and strong standards are vital to ensure that the expansion of the higher education system does not come at the expense of quality.

TEQSA will register, evaluate and quality assure the performance of higher education providers against the new Higher Education Standards Framework. The introduction of a higher education standards-based quality regulatory framework under TEQSA will ensure that all higher education providers meet or exceed the Threshold Standards. This is central to ensuring that the entry gateway to the higher education sector is sufficiently high and provides a solid basis of performance from which all providers can build excellence and diversity.

The Higher Education Standards Framework will consist of the following domains:

- Provider Standards comprising:
 - the Provider Registration Standards
 - the Provider Category Standards
 - the Provider Course Accreditation Standards
 - Qualification Standards
 - Teaching and Learning Standards
 - Research Standards
 - Information Standards, and
 - Other standards against which higher education providers and the quality of higher education can be assessed.
- } *Threshold Standards*

PROVIDER STANDARDS

Key to the success of the new regulatory and quality assurance arrangements will be the active involvement of stakeholders. The Department has been engaged in an extensive consultation process with the higher education sector on the development of the Provider Standards.

In March and April 2010, peak education bodies and state and territory governments were invited to comment on the first draft of the Provider Standards. Feedback received included 28 written submissions, 11 individual and group teleconferences and six face-to-face meetings.

Feedback primarily indicated the need for more contextual information on how the Provider Standards will fit into TEQSA's approach along with the need for more information and clarity around the level and type of evidence that may be required, and the need to remove areas of duplication. These comments assisted in shaping a second draft of the Provider Standards, which was a more streamlined and succinct document and included substantial contextual information. Clarification was also provided around the separate development of guidelines on the standards which will assist higher education providers in the transition to the new standards.

The second draft of the Provider Standards was released to stakeholders for comment in November 2010 and was also discussed at the exposure draft process for the draft TEQSA legislation on 10 November 2010. As part of the consultation process, a stakeholder workshop was also held in Melbourne on 7 February 2011. More than 80 participants including a number of Vice-Chancellors, Deputy Vice-Chancellors,

Pro Vice-Chancellors, peak bodies and state and territory governments attended the workshop. This stage of the stakeholder consultation process closed on 17 February 2011. The Department received 37 written submissions and participated in two teleconferences and two face-to-face meetings.

Most feedback received during the second consultation process noted that the draft standards are by and large close to hitting the mark but identified 'self-accrediting authority' and 'categories of providers' as areas that required further work. As a result additional provisions were made regarding self-accrediting status for in the relevant provider categories. Changes were also made to clarify and tighten language.

The feedback received throughout this process was incorporated into a third draft of the Provider Standards. The Department is currently conducting consultation on the draft standards which are available on its website www.deewr.gov.au/teqsa. Stakeholders have been invited to submit comments of the draft standards until Thursday 2 June 2011. The feedback received will be considered by the Minister in developing the first set of Threshold Standards.

QUALIFICATION STANDARDS

The Qualifications Standards will be based on the Australian Qualifications Framework (AQF). The AQF was recently revised by the Australian Qualifications Framework Council (AQFC) and endorsed by the Ministerial Council for Tertiary Education and Employment (MCTEE) in March 2011. The AQF is available on the website www.aqf.edu.au.

In 2009, the AQFC commenced a project to strengthen the AQF based on the need to improve linkages and connections between qualifications and sectors as identified by the Ministerial Council on Education Employment Training and Youth Affairs (MCEETYA).

The objectives of the project were to provide more robust mechanisms for the design and accreditation of qualifications, for comparing qualifications, facilitating pathways and providing the basis for any future credit system.

The strengthened AQF reflects a revised architecture that incorporates 10 levels of increasing complexity in which 16 well-defined qualification types are located. Each of the levels is defined by learning outcomes-based criteria using a taxonomy of knowledge, skills, the application of knowledge and skills and a notional duration of student learning.

The structure of explicit levels provides a contemporary and flexible structure, allowing for:

- more than one qualification type of similar complexity but different focus/and or purpose to be accommodated at a level
- the ability to add or delete qualification types without destabilising the structure, and
- comparison of the AQF with international qualifications frameworks which similarly use levels-based structures.

Revised and new policies relating to generic skills, qualification issuance and the addition and removal of qualification types were also developed. These policies ensure that AQF qualifications are correctly identified and protected against fraudulent issuance, there is a clear distinction between AQF and non-AQF qualifications and that the AQF has the flexibility to respond to the changing education and training needs with the ability to add qualifications. The revised pathways policy also provides a guide for credit transfer and recognition of prior learning.

Stakeholders were actively engaged throughout the project. Three consultations processes were undertaken in May and October 2009 and July 2010. These processes were supported by the release of a consultation paper in which stakeholders were invited to comment. The May and October consultations focussed on the AQFC's proposal for strategic strengthening of the AQF and the proposed levels-based structure for qualification types.

In July 2010, the consultation paper *Strengthening the AQF: A Framework for Australia's Qualifications* was released. The paper sought comment on the complete package of policies that comprised the strengthened AQF. More than 100 submissions were received from stakeholders.

In November 2010, MCTEE accepted the AQFC's preliminary advice on the strengthened AQF. MCTEE requested further discussions with the higher education sector on amendments to the Masters and Doctoral Degree. Following consultation with the sector, the new AQF was presented to, and endorsed by, MCTEE in March 2011.