

Senate Standing Committee on Education and Employment - Education

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Agency - Tertiary Education Quality & Standards Agency (TEQSA)

Department of Education Question No. ED0354_15

Senator Carr asked on 5 June 2014 , Hansard page 38

Question

Kwong Lee Dow-Braithwaite report recommendations

Senator KIM CARR: We are meeting here tomorrow. I wonder if you can provide us with your advice, on notice for tomorrow. I will ask you this question formally tomorrow: what is the extent to which you are currently implementing the Kwong Lee Dow-Braithwaite report recommendations? I will need a report on that and what provisions of the current act need to be amended to ensure that the report's recommendations in terms of changing structures are implemented.

Answer

The Tertiary Education Quality and Standards Agency has provided the following response.

There are a number of the recommendations in the review report directed to TEQSA. There are other recommendations that are directed towards the government.

Recommendation 3 is a recommendation to TEQSA to detail how the principles of risk, necessity and proportionality apply to different types of providers. TEQSA's streamlined regulatory approach differentiates between providers on the basis of risk, regulatory history and track record and assesses a provider's application on that basis. This approach is a topic for ongoing dialogue and discussion with the higher education peak bodies.

Recommendation 4 identified some measures that are already in place, such as mission based compacts, funding agreements and institutional performance portfolios, and suggested that TEQSA makes more use of these tools in its regulatory work. TEQSA is working with the department to identify ways to reduce and eliminate duplication in reporting requirements. As part of the annual provider information requests TEQSA uses existing collections to a large degree - for example, all table A providers are exempt from data collection. TEQSA's revised regulatory approaches rely more specifically on existing documents that providers already have in place, rather than requiring providers to produce documentation for TEQSA at the time of re-registration.

Recommendation 5 relates to timeliness in delivering key activities. The reform agenda and the revised processes are the core means through which TEQSA

will reduce timelines for providers, in particular for those that have a low-risk profile. TEQSA has also established a provider portal, so that providers can upload their documents electronically. As part of that portal, there is a repository of documents in which key documents, such as teaching and learning plans, strategic plans, internal quality assurance measures for approval of courses can be uploaded once and only reloaded if there are any changes to the current versions.

Recommendation 6 is a recommendation to the government to reduce duplication across and within the regulatory architecture, including the ESOS National Code and the financial viability assessment for providers that are approved under HESA. TEQSA is working with the department to consider ways of reducing duplication and has provided input to the current review of the ESOS Act.

The Department has provided the following response.

In relation to TEQSA's structure, Recommendation 1 of the *Review of Higher Education Regulation* recommended that the number of Commissioners be reduced, and their roles and responsibilities be revised.

This requires amendments to section 133 (Constitution); section 138 (Appointment); section 153 (Chief Executive Officer); section 199 (Delegation—general) and section 200 (Delegation—powers delegable only to Commissioners) of the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act).