

14/11/16

Deloitte Access Economics
E-mail: tegsaactreview@deloitte.com

Dear Mr Smirl and Professor Walker,

Re: Review of the Impact of the Tertiary Education Quality and Standards Agency Act 2011 (Cth) (the TEQSA Act) on the Higher Education Sector

The Australian Technology Network of Universities (ATN) welcomes the opportunity provided by Deloitte Access Economics to contribute to the *Review of the Impact of the Tertiary Education Quality and Standards Agency Act 2011*.

TOR1 What has changed for the sector in moving to a single national regulatory framework from multiple state – and territory- specific arrangements?

One of the main benefits of moving to a single national regulatory framework has been the introduction of common terminology and standards used across the higher education sector. Subsequent amendments have helped to correct the balance between regulatory necessity, protecting the integrity and quality of the higher education sector for students, and encouraging continuous improvement within institutions. In addition, the use of Threshold Standards and a case management approach have been useful mechanisms to provide a clear and consistent basis of performance from which institutions can benchmark and strive for continuous improvement in terms of excellence and diversity in the delivery of higher education.

TOR2 The extent to which the TEQSA Act has contributed to improved quality in the delivery of higher education?

In many instances, it may be difficult to draw a direct link between aspects of the TEQSA Act and improved quality outcomes, however the ATN recognises the gains made in terms of moving 'beyond the standards', and encouraging continuous improvement.

The ATN does not support the proposal for the TEQSA Act to authorise the conducting of quality (thematic) assessments to assess the level of quality of higher education provided by particular providers and/or to identify systemic issues, as suggested in the consultation paper. In terms of clear delineation of responsibilities, the ATN is of the view that TEQSA should concentrate on its responsibility for the regulation of higher education, the Higher Education Standards Panel (HESP) should focus on providing advice to the Minister on the standards for higher education, and the Department of Education responsible for responding to system-wide issues, thematic reviews and enacting policies and funding arrangements.

TOR3 The extent to which the TEQSA Act has contributed to improved regulation?

As previously mentioned, the introduction of the TEQSA Act has enabled a streamlined approach to regulation, while also acknowledging that each institution has autonomy and flexibility in enacting and maintaining standards.

The new Higher Education Standards Framework (due to be released in 2017) is expected to improve the processes for registration and re-registration, particularly in terms of streamlining data collection requirements. There has been continuous improvement in the various amendments to the TEQSA Act and is consequent application by TEQSA, and the ATN encourages a consistent and strategic approach to future amendments.

TO4 Whether there is unnecessary overlap with other legislation, for example the Education Services for Overseas Students Act 2000, the National Vocational Education and Training Regulator Act 2011 and the Higher Education Support Act 2003?

The ATN supports the suggestion made in the Curtin submission that the Education Services for Overseas Students Act 2000 (ESOS Act) should continue with its 'in-principle' approach, rather than adopting a wider compliance focus. Further work could be done aligning ESOS with HESF and the TEQSA Act.

We also acknowledge that in developing the new standards for higher education that efforts were made to reduce duplication between the standards and the *National Code of Practice for Providers of Education and Training to Overseas Students*.

TOR5 Whether there are amendments to the TEQSA Act or other changes that would enhance the Act's impact or its administration?

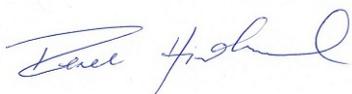
We have no comment with regard to the TEQSA ACT in and of itself. However, the examples provided in the briefing document, such as advances in technology, and the internationalisation of the sector are more directly a function of the standards for higher education and highlight the need for periodic review of the standards to ensure they are appropriate to an evolving higher education sector.

TOR6 Whether the required functions of the Higher Education Standards panel are adequately reflected in the Act?

The ATN supports the current functions of the Higher Education Standards panel (HESP) as established in the TEQSA Act, to advise and make recommendations to the Minister in relation to the Higher Education Standards Framework and standards related issues. As previously commented, the ATN supports the clear separation made in the TEQSA Act between to role of HESP as advisors to the Minister, and TEQSA as an independent, national regulator. We are of the view that sector-wide, systematic issues and policy are the responsibility of Government and should be managed through the department. We do not support an expanded role for HESP that might lead to a separate body providing policy advice to Government or acting as a buffer between the sector and Government.

Please do not hesitate to contact the ATN Directorate on (08) 8302 9135 or via e-mail at renee.hindmarsh@atn.edu.au to discuss any elements of the submission further.

Yours sincerely



Renee Hindmarsh
ATN Executive Director