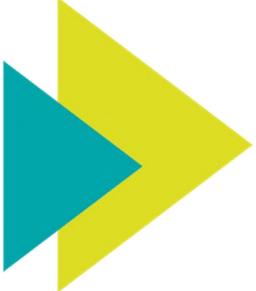




Australian Government

Tertiary Education Quality and Standards Agency

A large, stylized arrow graphic pointing right, composed of two overlapping shapes: a teal one in front and a yellow one behind it.

# **Information Paper: TEQSA's approach to regulating the offshore provision of regulated HE awards**

September 2013

# Introduction

Australia plays a significant role in the global provision of transnational education (TNE), and a number of providers have been involved in offshore education for many years, with extensive experience in assuring the quality of higher education offered.

The quality of offshore education involving Australian higher education providers is critical to the reputation of not only the provider, but also for the Australian higher education sector in general. Offshore operations are open to international scrutiny and have a direct influence on the perceived quality of higher education delivered by Australian providers. To supplement and validate provider quality assurance mechanisms already in place, TEQSA is committed to a rigorous approach to the regulation of offshore provision of Australian higher education that recognises the strengths of the system while ensuring that students, in whatever location they are studying, have a quality education experience.

This information sheet provides an overview of TEQSA's approach to its regulatory assessment and quality assurance processes for offshore provision of Australian higher education. Offshore education delivery may be fully online (or distance); fully face to face; or, in the majority of cases, mixed or blended (involving online and face to face instruction).

## Definition

**Offshore provision** (also referred to as *Transnational Education (TNE)*) involves an arrangement whereby a course of study that leads to a regulated higher education award is provided either partly or fully outside Australia by either (a) a registered higher education provider (irrespective of the provider category in which they are registered), or (b) through collaboration between a registered higher education provider and one or more third parties. Other terms commonly used include 'cross-border education' or 'borderless education'. This differs from cooperative/guaranteed pathways involving partnership with institutions offshore for credit into an award delivered by a registered higher education provider in Australia.

## TEQSA's responsibilities

TEQSA's regulatory and QA responsibilities relevant for offshore provision of higher education include protecting and enhancing:

- ▶ Australia's reputation for quality higher education and training services
- ▶ Australia's international competitiveness in the higher education sector
- ▶ excellence, diversity and innovation in higher education in Australia
- ▶ students undertaking, or proposing to undertake, higher education ... by requiring the provision of quality higher education.

TEQSA's role is to effectively regulate to assure that a provider's responsibilities under the TEQSA Act and the Higher Education Framework are upheld and maintained where the provider is involved in offshore higher education provision.

# Provider responsibilities

Whatever offshore arrangement is contemplated by a regulated higher education provider, and irrespective of the delivery location, responsibility for each regulated award granted and its academic standard is the responsibility of the higher education provider.

Most TNE engagement is undertaken through partnership or other third party arrangements, and third parties may not necessarily be higher education institutions.

Section 26 of the TEQSA Act requires a registered higher education provider that offers or confers a regulated higher education award for the completion of a course of study provided wholly or partly by another entity to ensure that the other entity provides the course of study consistently with the Threshold Standards.

The Threshold Standards apply to all a provider's activities, regardless of delivery site and place and cover arrangements with third parties. For example:

- ▶ Provider Registration Standard 4.5 requires that 'where the higher education provider has an arrangement in place with another entity to manage or deliver some or all of a course of study on its behalf, the higher education provider has effective mechanisms to manage and quality assure all aspects of the arrangement, including admission and support of students and delivery of the course of study to ensure student learning outcomes equivalent to those for the same or cognate course of study when delivered by the higher education provider'
- ▶ Course Accreditation Standard 1.10 requires that 'if a course of study is to be offered through arrangements with another entity, whether in Australia or overseas, the course documentation specifies the detailed quality assurance arrangements that have been made with the other entity to ensure student learning outcomes are equivalent to those when the course of study is offered directly by the higher education provider'.

## TEQSA's approach

### Guiding Principles

The implementation of the approach to regulation of offshore provision of regulated higher education awards will be guided by seven key principles:

1. TEQSA will seek to protect the interests of both current and prospective students who are undertaking, or are seeking to undertake, higher education in any location outside Australia.
2. A provider's offshore delivery will be regulated having regard to:
  - a. its compliance with the Threshold Standards, including its ability to meet the standards in relation to delivery of higher education within Australia
  - b. the scale and scope of offshore higher education operations conducted (for example the number of offshore locations, the range of third parties involved, and number of discipline areas in which courses of study are delivered offshore).
3. Where possible TEQSA will use information from other quality assurance or regulatory bodies in a host country to inform its regulatory decision-making.
4. TEQSA will seek evidence that student learning outcomes for courses of study delivered offshore are equivalent to those for the same or cognate course of study when delivered by the HEP at any other location.

5. If a provider with self-accrediting authority is delivering courses of study leading to a regulated higher education award offshore, as part of a renewal of registration process TEQSA may seek evidence demonstrating implementation and effectiveness of self-accrediting processes by assessing one or more courses, including those offered offshore, as case studies (for more information refer to the process guide for renewal of registration).
6. Subject to the provisions of its Public Disclosure Policy, TEQSA will avoid the publication of information that may unnecessarily prejudice a provider's ability to operate in an offshore jurisdiction.
7. TEQSA's primary relationship is with a regulated higher education provider. TEQSA will take into account any known sensitivities involved in partnerships or other third party arrangements for offshore operations, and will normally use a provider as the intermediary for communication with a partner or third party about TEQSA's regulatory processes and when making arrangements to visit the partner/third party, where such visits are deemed necessary.

## Assessing offshore operations

The Threshold Standards within the Higher Education Standards Framework include a range of provisions relevant to a provider's offshore operations. These have been identified and grouped according to seven high level themes, as outlined at **Figure 1**. These high level themes have then been split into 18 areas that may be relevant to explore when assessing offshore operations against the Threshold Standards.

These areas will be applied using TEQSA's three regulatory principles – regulatory necessity, reflecting risk, and proportionality. The nature of issues to explore and evidence requirements will vary depending on the context and circumstances of each case.

## Further information

Further information about TEQSA's approach to the regulation of offshore provision can be obtained by contacting the relevant case manager or by directing an email enquiry to: [enquiries@teqsa.gov.au](mailto:enquiries@teqsa.gov.au).

**Figure 1: Assessment Themes**

