Australian Government
Tertiary Education Quality and Standards Agency

TEQSA

Guidance Note: *Facilities and infrastructure*

Version 1.0 (30 November 2023)

> *Providers should note that Guidance Notes are intended to provide guidance only. The definitive instruments for regulatory purposes remain the TEQSA Act and the Higher Education Standards Framework as amended from time to time.*

1. What do Facilities and Infrastructure encompass?

In the context of the *Higher Education Standards Framework (Threshold Standards) 2021 (Threshold Standards)* facilities and infrastructure refer to the resources used for educational and research purposes.

This Guidance Note will use the terms 'facilities' and 'infrastructure' interchangeably. However, if we were to define each separately:

- 'facilities' refers to the learning environments, including both physical and digital learning environments, intended to promote and facilitate the learning outcomes and educational activities of students and staff.

- 'infrastructure' refers to both physical and digital resources such as classrooms, lecture theatres, internet, e-learning/digital platforms and laboratories used by students and staff.

The primary obligations around facilities and infrastructure are found in Standard 2.1 of the Threshold Standards. The purpose of the relevant standards is to ensure a provider's facilities and infrastructure are suitable for their educational and research activities.

The specific learning resources used for a particular course of study are dealt with in Standard 3.3 of the Threshold Standards and are only considered briefly as part of this guidance note. Additional information about these resources is in the Learning Resources and Educational Support Guidance Note.

Information about facilities and infrastructure related to placements and collaborative training arrangements, such as work integrated learning, are dealt with in greater detail in the Guidance Notes on Delivery with other parties and Work-integrated learning (WIL).

2. What TEQSA will look for

TEQSA considers relevant standards from the Threshold Standards in the context of facilities and infrastructure, among which most notably are:

Part A: Standards for HE Providers	Key considerations
2.1.1 – 2.1.3: Facilities and Infrastructure	- facilities and infrastructure are fit for their educational and research purposes - secure access to digital information and communication services is continuously available for all users

	• facilities are adaptable and can support both students and staff with additional needs • the learning environment supports academic interactions among students outside of formal teaching.
2.3: Wellbeing and Safety	• providers have a critical-incident policy and procedures covering potential risks associated with facilities such as fires, bomb threats, and hazardous building materials (e.g., asbestos) • facilities and infrastructure are accessible to those with accessibility needs • students and staff are provided information on the actions they can take to enhance safety on campus and online.
3.3.2 and 3.3.4: Learning Resources and Educational Support	• all users have timely access and training in the use of e-learning management systems, where such systems are adopted • students have access to learning support services consistent with the requirements of their course of study, their learning environment, and the needs of different student cohorts.
5.4.2: Delivery with Other Parties	• providers remain accountable for ensuring the delivery of parts of their course(s) through third party arrangements in Australia or overseas comply with the Threshold Standards, including the safety, security and adequacy of accommodation and opportunities for work-integrated learning • where facilities are shared by several providers (e.g., Study Hubs), an agreement exists to make explicit the roles and responsibilities of the parties to ensure compliance with the Threshold Standards.
6.2.1(a)(i): Corporate Monitoring and Accountability	• providers remain compliant with other legislative requirements, including ensuring facilities comply with legislation protecting students and staff against workplace health and safety risks • business continuity plans have been developed to mitigate potential disadvantage to students through changes to a provider's operations.
7.3.3: Information Management	• providers' information systems maintain secure and confidential records • students and staff are made aware of providers cyber awareness strategies, including information about privacy, confidentiality, and the handling of data (including personal information) • procedures and policies are in place to address cyber security risks.

Facilities and infrastructure are fit for purpose

In the context of course design and learning outcomes, there is an expectation facilities and infrastructure are fit for the purposes of:

• facilitating the educational and research activities of students and staff

• promoting learning outcomes

• safely accommodating the number of students and staff who need to use the resources.

To demonstrate compliance with 2.1 of the Threshold Standards, providers should show their facilities and infrastructure facilitate and promote learning and research in a safe environment.

This requirement extends to facilities where external placements are undertaken, such as community-based learning, fieldwork, and collaborative research environments where students may complete onsite training as part of a provider's delivery arrangement with another party.

In circumstances where arrangements have been made with third parties to deliver domestic or international fieldwork or clinical placements, providers are accountable for all aspects of course delivery and support, including monitoring, compliance and student wellbeing and safety. Providers should therefore implement practices and processes for assuring the facilities and infrastructure of third parties remain at expected standards.

Access to digital information and communication services

Standard 2.1.2 of the Threshold Standards requires providers to ensure its students and staff have continuous and secure access to adequate digital information and communication services.

An exception to this requirement involves reasonable outages to a service where a provider has no direct control over the facilities and infrastructure. The provider's response to the possibility of such events should be addressed in a risk management strategy or business continuity plan.

TEQSA expects a provider to have adequate IT infrastructure and software resources to support student learning. This may include providing e-learning facilities, data storage of digital records/data collections, videoconferencing capabilities and email. Resources should be made available to all users, subject to normal after-hours limitations.

A provider's IT infrastructure should also support multiple demands, such as:

- multiple instances of simultaneous videocalls
- interactive digital learning platforms
- the online submission of assessments
- other high-traffic digital activities such as streaming.

To protect its IT infrastructure, providers are encouraged to consider contemporary security controls and implement regular reviews to ensure their effectiveness, including:

- offering anti-virus software to students and staff using personal devices
- complex passwords, firewalls, and multifactor authentication.

Where providers offer online and hybrid learning, they must ensure their digital facilities and infrastructure (and those offered through third-parties) are accessible to students off campus, including to students studying internationally.

Further information about facilities and infrastructure relating to record management system is included in the Information Management guidance note (under development).

Supportive, safe, and inclusive learning environment

The Threshold Standards require a provider to have a learning environment that allows students to interact academically outside of formal teaching.

In offering such interactive spaces, providers should consider whether they offer adequate safety and a supportive learning environment for diverse student cohorts. Providers should also review their arrangements over time to ensure they meet the changing needs of student cohorts.

TEQSA also recognises that recreational and social facilities are important for supporting interactions amongst students outside of formal learning (e.g., university clubs). However, the Threshold Standards do not introduce requirements specific to such facilities.

Relevant Australian legislation

Where it applies to a provider, any newly constructed education and training facilities must now have a certificate of approval under the Building Code of Australia (BCA). The BCA is contained in chapters 1 and 2 of the National Construction Code (NCC), and has been recognised in legislation in all states and territories.

The BCA requirements should be read in conjunction with any other relevant national and state-based planning and building codes.

Other relevant planning and building codes place obligations on providers to ensure their buildings are adequate for occupation and for their intended use. TEQSA may request documentation such as proof of occupancy when reviewing the capacity of facilities against student projections to determine if facilities are adequate.

National and state-based equal opportunity and anti-discrimination legislation apply to student cohorts. Providers should ensure they are compliant with their legal obligations and where appropriate provide facilities such as prayer rooms.

Obligations applying to providers of education to overseas students

Where it applies to a provider, TEQSA considers the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) and the *Education Services for Overseas Students Act 2000* (ESOS Act).

Key sections of National Code relevant to Facilities and Infrastructure are:

- **6.7 –** providers must ensure its staff are aware of the providers' obligations under the ESOS framework. This includes being aware of obligations related to the adequacy of facilities.

- **11.2.5 –** the provider and any partner they engage to deliver a course or courses to overseas students has adequate staff and education resources. This includes facilities, equipment, learning and library resources and premises (as are needed) to deliver the course to the overseas students enrolled with the provider.

- **11.2.6 –** the number of overseas students proposed by the provider for the location, reflects the appropriateness of staff, resources, and facilities for the delivery of the course.

3. Identified issues

Within the context of the Threshold Standards, TEQSA has identified a range of issues which are indicative of risks to compliance for facilities and infrastructure.

- Fitness for purpose

  – facilities and infrastructure are not capable of supporting the number of students enrolled (e.g., students being unable to access laboratory equipment to complete course work outside of normal hours, and insufficient facilities for teaching staff to carry out their duties)

  – third parties delivering parts of a provider's course, or offering affiliated accommodation services, lack suitable facilities and infrastructure for the student to achieve the learning outcomes of their course of study

  – providers are not cognisant of the facility and infrastructure requirements of their students when outsourcing to third parties.

- Access to and security of digital information and communication services

  – there are inadequate digital information or communication services (e.g., infrastructure is not capable of supporting students studying remotely)

  – the provider does not seek to minimise system and service outages and downtimes

  – there is inadequate security on the provider's digital information and communication services, leaving students and staff data vulnerable to cyber-attacks

  – student data is not collected, stored, used, disclosed, and disposed of within the requirements of relevant local, Commonwealth and applicable international legislation, or in accordance with relevant policies of the provider.

- Learning environment

  – the provider does not have learning environments where students can study and collaborate

  – the provider does not promote a safe environment or advise students and staff on steps they can take to stay safe and secure on campus, online and in third party accommodation services.

Related resources

- Guidance Note: Learning Resources and Educational Support (in development)
- Guidance Note: Delivery with other parties
- Guidance Note: Wellbeing and Safety (in development)
- Guidance Note: Work-integrated learning
- Guidance Note: Diversity and Equity (in development)
- Guidance Note: Information Management (in development)
- Transnational education (TNE) toolkit
- National Construction Code (NCC)
- Safe Work Australia: Work, health and safety legislation by state and territory
- Australian Human Rights Commission: Federal legislation protecting people against discrimination and interference with human rights

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