Higher Education Provider Categories – Issues from TEQSA

July 2018

TEQSA

Contents

1. Context

1.1 Overview

TEQSA wishes to draw the attention of the Higher Education Standards Panel (HESP) to a number of features of the current Criteria for Classification of Higher Education Provider Categories (category criteria) in the *Higher Education Standards Framework (Threshold Standards) 2015* (HES Framework) that are unclear and that pose problems for the regulator in assessing applications, particularly applications for change of category from Higher Education Provider to one of the University categories.

The main problems experienced by TEQSA relate to the current University and self-accrediting authority criteria specifically:

- confusing interaction between the Australian University criteria and the self-accrediting authority criteria
- essential requirements of an Australian University under the current categories are not covered, namely the quantity and quality of research required to be undertaken and published.

TEQSA has also found that the current set of categories:

- are too restrictive
- are not sufficiently distinguished from related provider registration standards
- do not reflect the broad range of provider types that are emerging in higher education, and
- put many barriers in the path of development between categories.

This makes it difficult for TEQSA to encourage and protect and enhance not only excellence, but also diversity and innovation in higher education in Australia, which is one of the Objects of the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act)*,* in section 3(c)(iii)).

In Part 3 of this paper, TEQSA goes on to provide some observations on how other changes to the categories could be made to increase diversity within the higher education sector, in ways that would support effective regulation.

1.2 The Evolving Higher Education Sector

The current Category Criteria have changed little over a period in which the range of higher education provider types has been undergoing significant change.

The criteria in the current HES Framework were carried over with only minor changes from the Category Standards in the 2011 HES Framework. These in turn were based on the criteria in the *National Protocols for Higher Education Approval Processes* (National Protocols), which were first adopted by Australian governments in March 2000 with some additions, but were based on an original version adopted in 1995.

Since 2000, a number of new providers have successfully applied to enter the Higher Education Sector, which was already diverse, including:

- Faith-based colleges, some of which are stand-alone some of which are affiliated in a consortium
- For profit stand-alone proprietary limited companies, sometimes with related Vocational Education and Training (VET) provider companies, or that provide VET programs from the same (dual sector) company
- For-profit proprietary companies that are subsidiaries of a wider corporate group (either Australian or overseas-owned)
- Online-only providers
- Providers that specialise in one or more fields of education and providers that have multiple fields of education
- Providers that aspire to Self-Accrediting Authority or a University category, and others that do not
- Pathways Colleges that provide Diploma courses and Foundation courses that articulate into degrees at a single university, or to multiple universities.

The current provider categories present new applicants with an essential binary choice: Higher Education Provider (with or without SAA) or University (with variations).

TEQSA has found that the deciding factor in assessing applications for transfer to one of the current University categories is research. Higher Education Providers are not required to undertake research, and do not have access to public research funding. Given that research is the deciding factor, no access to public funding makes it very difficult for them to make the transition.

Consequently, while three providers have applied to TEQSA for change of category, at this stage all have been rejected. No providers have been registered in the University College category since the Sunshine Coast University College in 1996, which then became the University of the Sunshine Coast. While the University College category purports to offer a temporary transitional stage for providers intending to apply within five years for full University status, and contains reduced requirements for scope of research and Higher Degree by Research (HDR) course delivery, as discussed later in this submission this reduced scope is largely illusory in view of the requirements to self-

accredit HDR courses across a range of broad fields in order to position themselves to meet the Australian University category five years later.

Additional categories need to be created only where the current categories restrict the development of provider types.

Many of the types of provider listed above are not restricted by the current categories and so will not need their own category, and it would be difficult to define required characteristics for many of them. There is a case however that pathways colleges (if tightly coupled to a University) are sufficiently different from other providers:

- as their courses do not extend beyond AQF Level 5,
- the courses are often based on the first year of accredited university courses, and
- they can draw on the academic leadership of the linked university.

If a pathways college category were created, there is potential to require levels of academic leadership, intellectual inquiry and scholarship appropriate to a pathways college as compared to a provider offering higher levels of qualifications.

Alternatively, the requirements for academic leadership, intellectual inquiry and scholarship in the base level Higher Education Provider category could allow for these to be generally in proportion to the level of the awards being taught by providers.

In any case, the categories for higher education providers need to ensure that higher education courses are taught within a higher education learning environment. Except in the case of pathway colleges (where they benefit from academic input from a tightly-coupled university), this is unlikely to be achieved where a provider is offering courses only at Levels 5 or 6, as these providers would be required to employ academic staff with qualifications no more than Level 7 Bachelor degree.

2. Specific Issues with current criteria

2.1 University categories within the context of the provider life-cycle

To understand the challenges facing TEQSA when it assesses providers against the current university category criteria, we need to see them in context, as there are related requirements within the following sets of criteria and standards:

- Part B 1.1: Base-level criteria for Higher Education Provider category (B1.1)
- Part A: Standards for Higher Education
- Part B2: Criteria for seeking authority for self-accreditation of courses of study
- Part B 1.2-5: University category criteria

Prospective Providers

It is possible for a 'green-fields' organisation (i.e. one which has never been a provider before) to apply directly for university status, which would require a considerable investment of resources and experienced personnel to satisfy TEQSA that it could meet the relevant Standards and university criteria.

The first problem for the regulator that would arise with the existing university category criteria is that they are expressed, like all the components of the HES Framework, as features of a provider that is already operating. They describe a provider that is already undertaking research, advancement and dissemination of knowledge, not just planning to do so, and is already providing an extensive range of student services.

In assessing an application for entry to the sector, TEQSA will ordinarily adapt and interpret these types of requirements to mean that a framework of plans and policies are in place to meet the HES Framework and that sufficient resources have been committed.

However, the path of development required to not only plan but also implement the plan to develop an operating university is a long one. It is realistic to expect an applicant to invest enough to develop the framework required, engage some key personnel, and commit financial resources to implement the plan. However, it would not be realistic to expect the organisation to implement the plan soon after TEQSA had approved its application.

The problem then arises of how a nascent university can meet the various requirements in the period between approval and commencement of operations, firstly the requirement under s25 of the TEQSA Act that each registered provider must offer at least one course, and then the various scope of operations requirements under the category criteria to self-accredit and deliver courses across a range of defined fields of education.

TEQSA's only experience of handling a new university, which came onto the National Register under the transitional provisions after being proclaimed a university by a State Minister, is that it was necessary to negotiate with the university a voluntary undertaking to meet several requirements over a period of some years, as the university was approved by the relevant State Minister in October 2011, and planned to commence operations in January 2014. TEQSA reached agreement for the university to undertake a staged development from the commencement of operations through to full compliance with the scope requirements in 2015.

However, TEQSA would not normally accept a voluntary undertaking to meet standards at some point in the future, only to mitigate the risk of not meeting standards. It is difficult within the legal framework for a provider that simply does not meet standards to remain registered.

Interestingly, the original 2000 National Protocols provided that:

> For proposed new universities where the assessment is based on a plan, rather than an existing institution, approval may be given to operate on a provisional basis for a period of up to five years from commencement of operation, where the review panel and the responsible accrediting authority believe that there is a high probability of the criteria being fully satisfied. (1.19)

There was no requirement for periodic renewal of registration in the 2000 National Protocols, which arguably serves the same purpose now as provisional approval. The gap which opened up, however, was that there is no longer any provision for green-fields providers to operate on a reduced basis in the first establishment phase.

It would be desirable to include design features in the revised category criteria that would allow newly-approved providers, especially universities, to operate in compliance with a sub-set of requirements as they scale up to full implementation of the planning and policy framework and the scope requirements discussed below.

Registered Providers

A path of development is open to existing registered providers in which they start by meeting the base-level category criteria (for Higher Education Provider) and the Standards for Higher Education, and then as their systems mature and their scope of delivery increases, they can apply for self-accrediting authority (SAA) and at a further stage, apply for one of the university categories.

In the first stage of its operation, TEQSA advises a higher education provider planning to seek SAA to accumulate a track record of successful course accreditations, course monitoring and course reviews. The length of this track record is discussed in the SAA Application Guide, available from the TEQSA website, which is based on criteria B2.2 a-

d. In summary, TEQSA would expect to see the provider successfully develop, monitor and review a range of courses over at least one accreditation cycle before applying for SAA, which might be either 'limited' (confined to specific fields or levels) or 'unlimited' (applying to all current and future courses in any field or level).

A provider, once it has been granted self-accrediting authority, might reasonably aspire to achieve registration in a university category in no less than five years. While the HES Framework allows TEQSA to grant both SAA and registration in the Australian University College Category concurrently, TEQSA would normally expect an existing provider to demonstrate its ability to implement SAA before applying for a university category. This would contribute to meeting the requirement for systematic, mature internal processes for quality assurance, and the maintenance of academic standards and academic integrity, as this relates to course approval.

However, there are a number of features of the university criteria which pose problems for TEQSA and for the provider aspiring to achieve university status, which are discussed in the following sections.

2.2 Scope of Delivery and SAA

Scope within fields

Different university category criteria require a different scope of delivery of broad fields for:

- undergraduate courses
- postgraduate courses, and
- higher degrees by research.

The differences in scope between the various category requirements are shown in the Appendix.

The first problem that arises is that the criteria do not give any guidance on the number of courses that need to be offered *within* any broad field, and close interpretation is required to understand what each criterion means.

For example, the first 'Australian University' criterion requires the provider to self-accredit and deliver undergraduate and postgraduate courses 'across a range of broad fields of study (Including Master Degrees and Doctoral Degrees in at least three of the broad fields of study it offers' (B1.2.1).

After internal debate, TEQSA came to the conclusion that this formulation did not require breadth of course offerings within each field. On the narrowest interpretation, an Australian University might meet the criterion by offering one undergraduate and one postgraduate course in each of three fields, amounting to six courses in total. It is doubtful whether these narrow requirements would meet the expectations of the academic and general communities for the scope of delivery of universities, but the criteria do not explicitly require anything more.

TEQSA considers that the more contemporary term 'field of education' should be adopted in place of the term 'field of study' used in the current category criteria. More importantly, consideration needs to be given to the minimum requirements for breadth within a field of education that would meet the expectations of stakeholders.

Interaction with SAA Criteria

The requirements for scope of delivery are complicated by the way they interact with the 'Criteria for seeking authority for self-accreditation of courses of study' (SAA criteria), which are in Section B2 of the HES Framework.

In the first instance, the Australian University College Category requires providers to self-accredit and deliver undergraduate courses across 'a range' of broad fields of study,

including postgraduate (coursework) courses in three broad fields of study and higher degrees by research (HDRs) in at least one broad field (not three).

However, a consequence of the requirement to have realistic and achievable plans to meet the Australian University criteria within five years is that an Australian University College would, on this basis, need to be positioned from the outset to meet criterion B1.2.2 for the Australian University Category, if they wish to apply for this category five years later. This criterion requires applicants to have been authorised for at least five years to self-accredit at least 85% of its total courses of study including HDRs in at least three broad fields.

Does the 85% requirement apply to the total pool of courses and then separately to the higher degrees by research, or only to the total pool of all courses? TEQSA interprets the current requirement to apply to the total pool of courses, including HDRs, but the formulation could be clearer.

In summary, the concession in B1.3.2 that University Colleges are required to deliver HDRs in only one field is misleading, as it would be very difficult on this basis to meet the full University criteria five years later because of the retrospective requirement to self-accredit courses (including HDRs) across three fields.

However, this renders the University College Category almost redundant, as the only clear advantage of applying for University College is the ability to apply for SAA concurrently. Having said that, it is also relevant that while the University College criteria require applicants to plan for the transition to full University status, they do not require this transition to be achieved.

As a consequence of these complications, TEQSA advises applicants for the University College Category that they should be able to demonstrate the capability to offer and self-accredit higher degrees by research in at least three broad fields of study, and to self-accredit at least 85% of its total courses of study, from the outset. This is not obvious from reading the criteria themselves, but has to be derived from them.

Finally, TEQSA advises all pre-existing providers applying for a university category to establish their ability to meet the SAA criteria generally for a period of five years before applying for change of category. This is an essential stage through which they should pass and demonstrate their ability to exercise SAA responsibly within a University category.

A related problem would arise if a provider registered in the Australian University of Specialisation category wished to widen its scope towards becoming an Australian University. As a University of Specialisation, its scope of SAA would be limited (by the introductory paragraph of Section B2) to its one or two fields of specialisation, so it would not qualify for admission into the Australian University category (under criterion B1.2.2). It could only progress through the Australian University College category, before making an application for the Australian University category.

2.3 Scholarship and Research

Scholarship

Criterion B1.1.4 for the Higher Education Provider Category requires the academic staff of all providers to be 'active in scholarship that informs their teaching, and active in research when engaged in research student supervision'. This is a base requirement for all categories. It is somewhat difficult to apply to green-fields applicants that do not have many staff appointed. In these cases, TEQSA assesses the scholarly track-record of the staff that are appointed, together with the requirements for scholarly activity of staff yet to be appointed as established through the policy framework and staff position descriptions for those to be appointed in the future.

'Scholarship' is not defined in the Standards. TEQSA has outlined its understanding of scholarship in a guidance note available on the TEQSA website. TEQSA understands scholarship to include a wider set of activities, and research is a sub-set of those activities, a subset which is required from all academic staff engaged in research student supervision but not from other staff.

To assess the requirements, in practice TEQSA will require a pre-existing provider to submit a detailed table of both its scholarly and research publications over that period.

The university category criteria go further than the Higher Education Provider criteria in requiring the provider's academic staff to undertake 'sustained' scholarship.

The difficulty with this distinction from TEQSA's point of view is that it rests on the addition of only one word. We can derive from this that a pre-existing applicant should demonstrate a track-record of staff scholarship over, say 5 years. But would such a longer period of scholarly activities be adequate if there were no tests of either quality or quantity? Would it not be reasonable to expect university staff to be more productive of scholarship, and at a higher level?

How any additional requirements for scholarship would apply to a green-fields applicant for a university category is not clear.

Research

Research is the most distinctive requirement for the current university categories. Whereas other requirements differ only by degree from requirements in the Higher Education Provider Category, there is no requirement for research in that category. If a Higher Education Provider chooses to undertake research, however, it must meet the standards in Domain 4: Research and Research Training.

The principal issue for TEQSA with the current research requirements is that they do not contain any specifications of the quantity or quality of the research to be undertaken. The requirement for a University is simply: 'The higher education provider undertakes research that leads to the creation of new knowledge and original creative endeavour at

least in those broad fields of study in which Masters Degrees (Research) and Doctoral Degrees (Research) are offered.'

There is an implied distinction in this requirement between the process of undertaking research (for example through a research project) and an outcome (the creation of new knowledge), both of which are required.

On the narrowest interpretation, evidence that the requirements are met might be established by undertaking one research project in each of the three required fields in a given year that led to the publication of three papers in any form, and at any level of quality.

It is clear however that if TEQSA assessed applications for one of the current university categories without reference to the quantity and quality of research being undertaken, this could lead to perverse outcomes, and so once again, TEQSA has had to derive guidelines from the formulations used, having regard to relevant external references for research quality.

The fundamental principle that the provider must undertake 'research that leads to the creation of new knowledge' is the starting point for these guidelines, which have been issued to potential applicants in an application guide.

To assess whether a provider is doing what is required, TEQSA asks for evidence in the form of the publications list referred to above. It is critical that publications classed as research in this list only report 'research that leads to the creation of new knowledge'. Whether the knowledge is genuinely new or not can only be established through academic peer review.

Papers and books that meet the eligibility criteria of the latest Excellence in Research for Australia (ERA) submission guidelines evidently meet these requirements. Applicants are asked to make out a case for inclusion of other publications, in effect to demonstrate that they have undergone an equivalent process of academic peer review.

TEQSA will assess the research outputs of an applicant in two phases, engaging external experts to provide expert opinions. In the first phase TEQSA will simply assess the scope of research being undertaken, and whether it extends over the required number of fields.

In the second phase, TEQSA goes on to consider in making its decision whether approving the application will protect the reputation of Australian universities, in the light of whether the quality and quantity of research being undertaken meets the expectations of the national and international academic community for an Australian university. TEQSA also considers whether the outcomes are consistent with the criteria that require 'systematic, well developed processes for quality assurance and the maintenance of academic standards'.

In assessing the quality of research, TEQSA will have regard to the assessment model used by the Australian Research Council for ERA, including for the quality of research outputs. TEQSA and its experts will benchmark the quantity and quality of research undertaken by the applicant against other comparable providers registered in one of the university categories, with reference to the five-point rating scale used by ERA, which ranges from 'not assessed due to low volume' and 'well below world standard' to 'well above world standard'. However, this benchmarking cannot determine the findings.

TEQSA has discretion to undertake this additional dimension of assessment, and notifies applicants that it will do so through its application guide, but it would be preferable if there were explicit references to the quantity and quality of research in the criteria themselves, to underpin TEQSA's approach and use of benchmarking more securely.

One way to set a clear differentiation between a research intensive university and other categories would be to specify that a minimum percentage of academic staff must be research active over the past five years preceding assessment.

This is discussed in greater detail below.

It would be helpful to find a way to include definitions of key terms such as 'scholarship' 'research' and 'research active' into the HES Framework Legislative Instrument, or clearly linked to it.

These additional elements could contribute towards specifying the quantity and quality of research required in the existing university categories.

3. Paths of Development

3.1 Filling gaps

As suggested above, the revised category standards should support applicants to follow their path of development through a logical progression of stages, and to remain at each stage for as long as they need to, and not move to the next stage unless they are ready.

For most providers, there is a very large leap between the stage where they are registered in the Higher Education Provider category and have limited SAA, to the stage where they have to meet all the research, community service and student services requirements of an Australian University. The intersection with public funding frameworks makes this leap even more difficult for most. At the stage when they need to build their research towards the Australian University requirements, they are precluded from public research funding under the HESA Act. Although other sources of funding are available, such as from industry, there is no precedent so far in which a Higher Education Provider has been able to mount a credible bid for a university category, except in fields of education that do not require mobilising significant amounts of capital for research infrastructure.

What are the options for intermediate steps, options that would support effective regulation by TEQSA?

'Unlimited' SAA – Redundant or reconstruct?

The 2015 HES Framework introduced a distinction between two sets of criteria for SAA:

 a) one set for providers applying for 'limited' SAA (i.e. SAA limited to specific AQF levels or fields or limited to current courses only)
 b) another set for providers applying for 'unlimited' SAA (i.e. for all current or future courses in any field or at any level).

The limited SAA criteria are relatively attainable, since they amount to demonstrating a reliable history of course approvals, combined with meeting a select group of standards that are nearly identical to the core group used by TEQSA to assess an application for renewal of registration from a low-risk provider.

The criteria for unlimited SAA include more demanding requirements to demonstrate:

- capability to plan, establish and accredit courses in new broad fields

- capacity for competent academic governance oversight and scrutiny of the accreditation of courses in new broad fields
- breadth and depth of academic leadership, scholarship and expertise to guide entry into and sustainable delivery in new broad fields.

These criteria are logical but would be difficult for TEQSA to assess against, as they focus on the capability to undertake hypothetical additions to current operations.

Fortunately, no provider has yet applied for unlimited SAA on its own, without transition to one of the university categories.

This suggests that there may be little if any need for the unlimited SAA criteria as they currently stand.

However, it could be more attractive for providers if it could be refashioned into a distinct category, requiring no research, but for HEPs that had reached the highest levels of confidence in their self-assurance and self-assessment capability. This category would be quite attractive to providers if it could be given a desirable label ('Institute of Advanced Education' or similar).

These providers would not be required to undertake any research by virtue of the category criteria. Nonetheless they would need to abide by other requirements in the Standards if they offered Higher Degrees by Research (HDRs). For example, PCS B1.1.4 requires that staff must be active in research when engaged in research supervision. Standard 4.2.2 also requires that 'students are admitted to research training only where the training can be provided in a supervisory and study environment of research activity or other creative endeavour, inquiry and scholarship'

'Teaching Only University' or University College?

While the HEP category criteria permit HEPs to undertake research, they do not require it. However, we established above that any providers that offer HDRs must provide a research environment.

It is difficult to conceive of providers in a future university category of any kind that would not offer HDRs, or would not eventually aspire to do so. As soon as they did offer HDRs they would be required to provide a research environment anyway. Research would need to be part of the learning environment of any university category, or the category would lack meaning and it would be difficult to distinguish it from a mature HEP with SAA.

There is a stronger case for making the University College Category more attainable and attractive. This could be done first by omitting the requirements that constrain applicants for University College to broaden their scope of research, in particular that they need to have been authorised for at least five years to self-accredit at least 85% of their total courses of study including HDRs in at least three broad fields.

Furthermore, the requirement to demonstrate the capability to meet the Australian University criteria within five years could be removed. This would make the initial application for University College a genuinely intermediate step.

Research quality

As outlined above, one of the principle difficulties that TEQSA encounters in assessing applications to change a provider's registration to one of the University categories is the lack of any requirement to demonstrate the quality or quantity of research being undertaken.

How could tests of quality and quantity be inserted?

Tests of quantity and breadth of research undertaken would need to take account of the differences in scale between providers. It would be unreasonable to require the same number of outputs from an applicant with 50 academic staff members as from an applicant with 500.

Quantity tests could be based on specifying that a certain proportion of academic staff should be research-active. This could be greater for the current Australian University category than for a reformed Australian University College category.

Quality tests could be based on the levels of research quality used by the Excellence for Research in Australian (ERA) programme.

It would be hard to defend the proposition that the level of research being undertaken in a university of any kind would be *below* world standard.

The level of research being undertaken in a University College should generally be at least *at* world standard for a small number of fields.

The level of research being undertaken in an Australian University should generally be *at* world standard with a number of broad fields *above* world standard.

The level of research being undertaken in an Australian University of Specialisation should at least be *at* world standard and preferably be *above* world standard in its field of specialisation.

Distinguishing between learning environments

An important dimension that is implicit in the category standards but needs to be more developed are the characteristics of the different learning environments at each stage of development.

The base requirement for all higher education providers is to deliver teaching and learning that 'engage with advanced knowledge and inquiry'. This implies an approach to curriculum design and course delivery that goes beyond instruction and achievement of competencies, to an integrated inquiry-based approach to learning. As TEQSA has argued in its initial submission to the Review of the Australian Qualifications Framework (AQF), this fundamental characteristic of higher education is not included consistently in the specifications for higher education awards in the AQF.

Another base requirement is for staff to be 'active in scholarship that informs their teaching'. The fact that 'scholarship' is not defined causes problems, as providers frequently include items in their list of scholarly activities that TEQSA regards as

professional development, not scholarship. TEQSA has developed a guidance note to elaborate its view on what scholarship consists of, which stresses the need for scholarship to include the pursuit of inquiry, and transmitting the results of that inquiry to academic and professional colleagues.

The need for inquiry should be more prominent in both the AQF HE specifications and the category standards, as it is a critical defining characteristic of HE. This theme needs to be developed and heightened progressively as both the AQF and the categories build to higher levels. Accordingly, the review of the category standards and the review of the AQF need to be correlated and the outcomes integrated.

So a way would need to be found to indicate that the learning environment in any university category should be informed by the fact that some academic staff members were undertaking research in at least some fields, so that students could have exposure to research-active staff at least as part of their experience, especially for HDR students.

The learning environment specified for one of the university categories would then require the higher levels of research as suggested above, so that more students would have exposure to research-active staff.

Provider scale

An overarching consideration relating to many of the issues discussed in this paper is the extent to which providers registered in any category need to achieve and maintain a minimum scale of operations. There is a great diversity and range of scales in registered providers, from some with an Equivalent Full Time Student Load (EFTSL) of 100 or fewer, to others with more than 50,000 EFTSL.

Providers at the higher end of the spectrum can benefit from economies of scale and provide a rich learning environment with many different study options and diverse perspectives from teachers, however the large scale does not suit some students who may then transfer to smaller providers.

Very small providers may struggle to provide a sufficiently rich learning environment due to lack of resources, with few academic leaders and a small number of teachers. This may prevent students from encountering diverse perspectives, and may also result in subjects being taught by teachers who do not have expertise in some of the specialties (for example a Bachelor of Business being taught without any of the teachers having expertise in Finance). At Bachelor Degree level, the AQF specifies that graduates will have 'broad and coherent theoretical and technical knowledge, with depth in one or more disciplines or areas of practice', which may be difficult to achieve with a very small complement of academic staff.

In February 2017, TEQSA considered an analysis of risk and regulatory outcomes of cases considered in relation to size of provider. The analysis found that smaller providers (with 100 or fewer students) were generally over-represented in relation to TEQSA's indicators for risks to students (such as attrition, progression and graduate satisfaction), but did not have more adverse regulatory outcomes.

At the same time, some small providers have also received very favourable assessments, including one provider with only 9 EFTSL. TEQSA found that this provider had demonstrated:

a. sound corporate governance, with mechanisms for external advice
b. well-articulated risk framework
c. strong academic staff capabilities
d. well-targeted support, appropriate to the varying needs of its students.

This provider was able to draw on a wide network of scholarly resources beyond its small core staff.

While it would not be appropriate in the light of this case to set a minimum size for a higher education provider, it would be helpful to establish the principle that all providers must have access to a sufficiently diverse range of academic resources so that students are not confined to a narrow academic environment with insufficient expertise for supporting students to achieve the learning outcomes required for the relevant AQF level.

A related topic is whether providers are able to provide a rich learning environment if they confine themselves to delivery at a restricted number of levels. For example, can a provider delivering only at AQF Level 5 meet all the requirements for the Higher Education Provider category unless it is a pathways college linked to a University? How will it achieve any level of advanced inquiry or scholarship, particularly as it would only be required to employ staff with qualifications at Level 6 (Associate Degree)? At the other end of the spectrum, it is difficult to envisage how a provider offering only Higher Degrees by Research at Levels 8 and 9 to a small number of research students could provide a research environment with a rich and diverse range of research activity, extending beyond very specific areas of research to cognate and supporting fields.

So should there be a requirement for the scope of delivery for Higher Education Providers to extend over a minimum number of levels?

4. Conclusion and Recommendations

The current review provides an opportunity not only to consider some important policy considerations, but also to review and clarify the relationship between the different parts of the HES Framework, and to clarify and fill some gaps in the formulations of the University category criteria.

TEQSA recommends that:

1. The category criteria should focus on the further stages of development required to progress from base-level compliance with the Part A Higher Education Standards through attainment of Self-Accrediting Authority, to change of category

2. The specifications for these stages should focus on the increasing maturity needed at each stage, and the progressive development of learning environments through levels of inquiry.

3. The specifications for the different categories should be clearly differentiated.

4. The reviews of the category standards and the AQF should be correlated and the outcomes should be integrated.

5. Requirements for research included in any future university category should include indications of the quantity and quality of research required, and provide support for TEQSA to undertake benchmarking against comparable providers registered in university categories.

6. New categories could be considered for inclusion to promote diversity within the sector and provide additional steps on the path of development, provided that they were clearly defined and clearly distinguished from existing categories.

Appendix - Comparison between different university criteria

Australian University

The higher education provider offers an Australian higher education qualification

B1.2.1   The higher education provider self-accredits and delivers undergraduate and postgraduate courses of study that meet the Higher Education Standards Framework across a range of broad fields of study (including Masters Degrees [Research] and Doctoral Degrees [Research] in at least three of the broad fields of study it offers).

B1.2.2   The higher education provider has been authorised for at least the last five years to self-accredit at least 85% of its total courses of study, including Masters Degrees (Research) and Doctoral Degrees (Research) in at least three of the broad fields of study.

B1.2.3   The higher education provider undertakes research that leads to the creation of new knowledge and original creative endeavour at least in those broad fields of study in which Masters Degrees (Research) and Doctoral Degrees (Research) are offered.

B1.2.4   The higher education provider demonstrates the commitment of teachers, researchers, course designers and assessors to the systematic advancement and dissemination of knowledge.

B1.2.5   The higher education provider demonstrates sustained scholarship that informs teaching and learning in all fields in which courses of study are offered.

B1.2.6   The higher education provider identifies and implements good practices in student teaching and learning, including those that have the potential for wider dissemination nationally.

B1.2.7   The higher education provider offers an extensive range of student services, including student academic and learning support, and extensive resources for student learning in all disciplines offered.

B1.2.8   The higher education provider demonstrates engagement with its local and regional communities and demonstrates a commitment to social responsibility in its activities.

B1.2.9   The higher education provider has systematic, mature internal processes for quality assurance and the maintenance of academic standards and academic integrity.

B1.2.10   The higher education provider's application for registration has the support of the relevant Commonwealth, State or Territory government.

Australian University College

Major differences from the Australian University category:

- Criteria B1.3.4-10 in the Australian University College Category are virtually identical to criteria B1.2.4-10 in the Australian University Category.

- There is an additional criterion (1.3.1) which reads: 'The higher education provider has realistic and achievable plans to meet all the criteria for an "Australian University" Category within five years of its approval to use the title "Australian University College".

- In contrast to the Australian University category, there is no requirement for every applicant for the Australian University College Category to have been authorised for at least five years *prior* to the application to self-accredit at least 85% of its courses of study. However, entry into a "university" category such as the Australian University College category is a significant step in a provider's development and TEQSA expects that it would generally follow a period in which the provider shows a strong record in governance and quality assurance, including self-accrediting authority (as discussed above).

- At the time of registration in the Australian University College Category, the provider must already have or concurrently be granted the authority to self-accredit undergraduate and postgraduate courses of study (by coursework) that meet the HES Framework across three broad fields of study.

  o   However, the requirement to self-accredit and deliver Higher Degrees by Research (research masters and doctoral degrees) is for only one broad field of study (as compared to three broad fields for the Australian University Category).

  o   Please also note however the discussion below about scope of delivery.

Australian University of Specialisation

The criteria for the Australian University of Specialisation Category are the same as those for an Australian University except that the range of fields of study required is narrower, as follows:

- The requirement for prior authorisation to self-accredit courses of study extends to only one or two broad fields of study (B1.4.2).
- The requirement to undertake research that leads to the creation of new knowledge and original creative endeavour extends to only one or two broad fields of study (B1.4.3).

Overseas University

The criteria for the Overseas University Category are that:

- o 'The higher education provider is recognised as a university by its home country registration or accreditation authority or equivalent governmental authority, the standing and standards of which are acceptable to TEQSA', and
- o the applicant must meet criteria 'equivalent to' those for an Australian University.
- TEQSA will assess the applicant against the criteria for the Australian University Category, taking into account any variations in the University's internal framework of policies and procedures, as well as available evidence brought about by different regulatory requirements in its home jurisdiction.

Overseas University of Specialisation

The requirements for the Overseas University of Specialisation Category are:

- o there is an additional criterion (B1.6.1): 'The higher education provider is recognised as a university by its home country registration or accreditation authority or equivalent governmental authority, the standing and standards of which are acceptable to TEQSA', and
- o the applicant must meet criteria 'equivalent to' those for Australian University of Specialisation.
- TEQSA will assess the applicant against the criteria for the Australian University of Specialisation Category, taking into account any variations in the University's internal framework of policies and procedures, as well as available evidence brought about by different regulatory requirements in its home jurisdiction.