



INDEPENDENT  
HIGHER EDUCATION  
AUSTRALIA

# **IHEA SUBMISSION TEQSA**

**CONSULTATION ON REVISED**

**COMPLIANCE GUIDES**

10 November 2021

**Submission to:** TEQSA

**Response to:** *Review of Revised Compliance Guides*

## **Executive Summary:**

IHEA members are generally positive about the new format of the guidance material, however, there are also some suggestions offered for how the overall format of the Compliance Guide documents could be improved.

In terms of the individual guides, there is also some concern that the revision of the Guidance Note on Scholarship and translation into the Compliance Guide has still not sufficiently addressed sector concerns about the concepts of Scholarship and the expectations of the regulator being made clear and relevant to different types and category of provider.

IHEA members see the opportunity to be much more creative and modern in TEQSA's thinking about Work Integrated Learning and reflect this in the Compliance Guide.

There are also some concerns about information in the Admissions Compliance Guide not being sufficient for it to be fit for purpose.

The more specific and details comments relating to IHEA members' feedback about these points is provided below.

## **IHEA's response to the discussion questions:**

**Are the revised compliance guides fit-for-purpose? Do the revised compliance guides include all relevant information? Do the revised compliance guides present clear and targeted information?**

### ***In General***

IHEA members generally believe that the revised compliance guides are formatted in a way that is fit for purpose. The shorter guides provide a succinct summary of the activity being guided, what TEQSA will look for and what some of the common issues are and this is the information members are most in need of.

There could be consideration given to providing an addendum to the guide that provides some case studies that demonstrate examples of non-compliance, or particularly good compliance from provides of a range of size and type. This would help flesh out some of the issues in more detail and allow members to relate their experiences to those presented in case studies. This could be done without materially adding to the length of the guide itself by making it an addendum or using a link to it as an additional resource.

Some members identified an issue around the new naming convention in terms of version control and particularly as it relates to the disclaimer that is found on this kind of TEQSA documentation.

That disclaimer uses the Guidance Note terminology, as can be found in these revised versions. If the disclaimer is to remain relevant and if the shifting of these materials into the new format takes some time, it may be necessary to use the nomenclature of both the Guidance Note and Compliance Guide for some time while the transition takes place. This will also apply to hyperlinks that reference other guides through these documents.

Some other changes in the language of the guides have been noted by members. What was referred to in the Guidance Notes as “Risks to Quality” has been changed to “Common Issues”. Members would like to ensure that this does not indicate TEQSA changing its focus from ensuring quality education for students to instead focus too heavily on compliance only. These need to remain guidance documents and the sector and staff of the regulator need to be clear on this intent of the guides. Other changes in language are seen as positive, such as the “relevant standards” section being changed to “What TEQSA will look for”. This helps providers understand TEQSA’s approach to ensuring providers meet the standards and articulating how TEQSA interprets the Standards.

Members also noted the omission of the “Resources and References” sections of the guides. Some members support this information being retained, at least in electronic form, with access from the TEQSA website’s Guidance Note (Compliance Guide) section.

### ***Scholarship Compliance Guide***

While some of the key feedback from the sector in responses to the previous consultation on the Scholarship Guidance Note was clearly heard and responded to, there is still some concerns about the Scholarship Compliance Guide. Some providers commented that the distinction between Research and Scholarship could be made clearer in order to ensure the document is fit-for-purpose and as useful as it can be for all institutions. The section titled “What does scholarship encompass?” refers to some elements of research more than scholarship. This is unhelpful for providers for which the Standards relating to research are not applicable. Rather than including references to the research Standards and stating “if applicable” it may be more useful and less confusing for providers if the guidance on scholarship (and research) was supplied according to Provider Category.

It would be beneficial, for instance, for Institutes of Higher Education that do not engage in research training to have a clearer definition of scholarship in the context of the impact on teaching and learning, as this is more applicable to the Standards for these categories of provider. This would avoid the confusion of mixing the definitional and conceptual understanding of scholarship and research. The Standards of scholarship that relate to institutions that engage in research activity could have those elements included in their guidance material to assist their need for understanding TEQSA’s interpretation and expectations in relation to compliance with the Standards in the research and scholarship context.

The removal of the references to Boyer’s Model in this version is welcomed. It is seen as a positive move by members, as it ensures that providers have the responsibility to explain what framework they are using and why. This improves the fitness for purpose of the guide as it opens up opportunities for different provider types and missions to be accounted for in the evaluation of the provider meeting this standard.

TEQSA’s acknowledgement in the guide that the particular mission of providers will influence the type of scholarship that is practiced is a welcome inclusion. There is concern that this statement is not borne out by the rest of the guide which later refers to specific ways to demonstrate compliance with the standard of scholarship required. Some institutions may struggle to meet these specific activities, particularly where practicing professionals in a field are hired as instructors on a casual basis to ensure industry currency. These instructors will undertake scholarship to ensure that their knowledge of their fields and developments in it remain current but demonstrating how this directly translates into their teaching (particularly where they are not directly responsible for the development of the teaching material) will be challenging. Further guidance on how to approach this and how to comply with TEQSA’s interpretation of scholarship for these types of providers and their staff would be welcome.

The references to “level” throughout the document could be made clearer. For instance, if it is referring to a staff member’s level, e.g. tutor or lecturer, what is expected at the tutoring level in relation to undertaking scholarship needs to be more clearly defined. If the levels referred to are AQF level in terms of the teaching of a course, this also needs to be made clearer and, again, the expectations about undertaking scholarship relevant to the “level” needs to be made clearer in the guidance. There are several references to the level of the staff and that scholarship below their level is insufficient, so clarity and more guidance around the expectations of academics at particular levels is necessary.

It is noted that dot point eight under the “Common Issues” heading states that “attendance at conferences or membership of a professional body” are insufficient scholarship, but these activities are relevant for building a base of scholarship. This point should be clarified to ensure the intent of listing these activities as insufficient is addressed. In conjunction with other scholarly activities, attending a conference or having a membership of a professional body can provide evidence of scholarship. Where an activity is undertaken in another discipline that may seem unrelated but in fact can be evidenced to meet the standard of scholarship required, it should also be acceptable to the regulator.

Excluding these activities in a blanket way through a list of what is not considered acceptable creates confusion and is seen as too punitive. The guidance could be made clearer by articulating that the activities listed in the Common Issues section are insufficient on their own but could be considered scholarly activity when it can be demonstrated that they contribute to informing teaching and learning activities. IHEA would encourage TEQSA to be as open as possible to different scholarship activities and allowing providers to demonstrate their relevance.

In terms of the reference to the creative works, it is stated that evaluating these activities as scholarly outputs will “require a different approach”. The dot points that follow then outline that they do not need to be treated differently. TEQSA’s approach to assessing claims of scholarship needs to be grounded in the principle of ensuring the intent of the relevant Standards are being upheld. The case made by the provider for any activity being considered part of their scholarship that fulfills that intent and demonstrates compliance with the Standards should be deemed scholarship by the regulator. TEQSA’s Compliance Guides should offer providers an understanding of the regulator’s interpretation of the intent and requirements of the Standards.

Further guidance about the means of recording and reporting scholarship that the regulator will accept as evidence of meeting the Standards of scholarship would be beneficial for many providers. Where less traditional scholarship activities are undertaken, those that are not as easily measured as journal articles and publications, providers need an understanding of what TEQSA will be looking for in relation to documentation and verification that these activities have occurred and how they can be applied to compliance with the Standards. Guidance around how to demonstrate and provide evidence that scholarship has indeed contributed to informing teaching and learning activities would be welcomed by IHEA members. Although there may be anecdotal understanding of the influence of scholarship on course design or delivery of a course, guidance on how this translates into an acceptable level of evidence from TEQSA’s perspective would be welcomed by providers.

Further guidance on what is considered “continuing scholarship” would also be helpful for providers. It is clear that attending one event or undertaking a single activity would not be considered “continuing”. It is less clear what sort of gap between activities or regularity of activity would be considered “continuing”. More information about what would be considered appropriate would be beneficial for providers.

### ***Work Integrated Learning Compliance Guide***

The Compliance Guide on Work-Integrated Learning has been positively received by IHEA members. There was some concern, though, that the principle and definition of WIL in the guide is based on what is rapidly becoming an outdated way of thinking about the modern nature of work. Would TEQSA consider expanding the definition to more of an experiential learning definition which would allow a broader range of activities to be considered as achieving the same purpose as what has long been considered WIL? Other practical work, creative projects, development of

concepts around the commercialisation initiatives could also enhance the student learning experience and achieve the outcomes sought by WIL.

The use of new technologies that are able to be integrated into learning design to allow a broader student experience than simply work placements would be beneficial for the student, reflect more modern pedagogy and enhance learning while developing skills that are sought through a traditional WIL model that may not be suited to certain disciplines, workforces or student circumstances. Broadening the framework on which the Compliance Guide for WIL is based would provide greater opportunity to reflect the modern world of work in the student experience.

### ***Admissions (Coursework) Compliance guide***

IHEA members believe that the Admissions (Coursework) Compliance Guide is largely fit for purpose and contains relevant information.

There were some concerns, however, with aspects of the new guide. Particularly around the exclusion of more extensive references to the National Code and Standards within it that were found in the previous version of the Guidance Note. Some members would benefit from the inclusion of some more information about the Standards and expectations around English language proficiency mentioned in the guide and this could be done through providing links to more information.

Ensuring all the relevant Standards are referenced is crucial for providers to be clear on what the expectations and intent of the compliance is. Selectively referring to Standards could cause confusion and does not convey the full expectations of the regulator. This is in particular reference to the “What TEQSA will look for” section that refers to some of the relevant Standards but not all. This section could be revised to more fully reflect the full range of applicable Standards and what TEQSA will look for as evidence of compliance with them.

Again, IHEA members noted the value of providing some good practice examples at the back or as an appendix to the guide to provide some context for the information provided. Case studies provide some material and experiences that providers can relate to, learn from and possibly adapt to their own circumstances. Offering guidance on a range of examples of best practice from different providers through case studies would be a beneficial inclusion in this guidance material.

Some reference in this section to the previous Admissions Transparency work across the sector over many years would also be beneficial in terms of providing further guidance for providers and could be included in this section.

IHEA thanks TEQSA for the opportunity to contribute to the review of its revised compliance guides and for engaging with the sector about this review.

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