

Collaboratively Engaging Different Frameworks for the Benefit of Transnational Education

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The role of TEQSA

The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's national regulatory and quality agency for higher education. TEQSA's primary aim is to ensure that students receive a high quality education at any Australian higher education provider, both domestically and offshore.

TEQSA is probably one of the youngest regulatory and quality assurance bodies in the world, having come into being in January 2012. Any higher education provider offering a degree or higher qualification in Australia must be registered by TEQSA, and if the provider does not have self-accrediting authority allowing them to accredit their own courses, they must also have their courses accredited by TEQSA.

TEQSA replaced a regulatory and quality assurance framework that included the State and Territory Government Accreditation Agencies, and the (non-regulatory) Australian Universities Quality Agency.

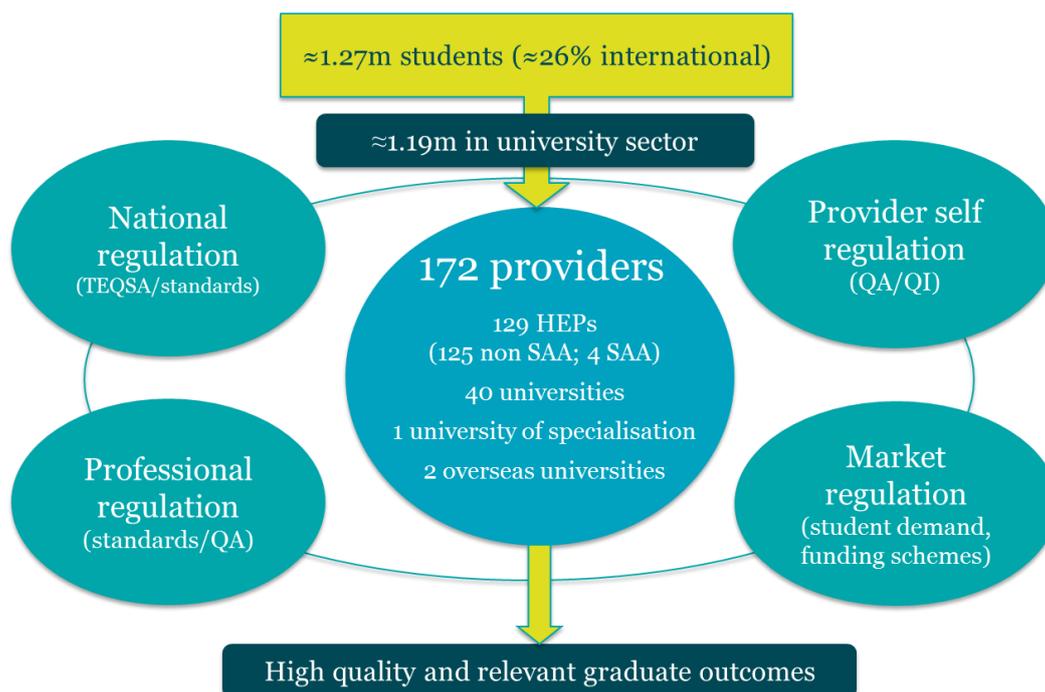
TEQSA operates under the *Tertiary Education Quality and Standards Agency Act 2011* (The TEQSA Act) using the *Higher Education Standards Framework (Threshold Standards) 2011* to assess providers. These Standards, covering Provider Registration, Provider Category, Course Accreditation and Qualification Standards, are the minimal Standards by which existing and potential providers and their courses are assessed. Providers are required to give evidence to TEQSA to demonstrate compliance with these Standards.

The TEQSA Act is all encompassing in that it covers all of the activities of registered providers, including:

- their operations in Australia (delivering to both domestic and international students)
- their operations offshore (transnational delivery) – delivering either in their own right or through a third party, and
- non-award courses.

TEQSA publishes the National Register, which is a publicly available list of registered higher education providers in Australia, and their courses if these are accredited by TEQSA <http://teqsa.gov.au/national-register> . As of 17 February 2014, there were 172 providers on the Register.

The following diagram gives a snapshot of the higher education sector in Australia at this point in time.



Registration of a provider by TEQSA is for a period of up to seven years, and providers must deliver some, but not all their courses from premises in Australia.

In addition to using a standards-based quality framework, three basic regulatory principles are enshrined in the TEQSA Act, which ensures that regulatory activity is guided by consideration of these principles. The principles are:

1. **Regulatory necessity**
TEQSA's exercise of its power cannot burden the entity any more than is reasonably necessary
2. **Reflecting risk**
TEQSA complies with this principle if its exercise of power has regard to:
 - a. the entity's history, and
 - b. the probability of the entity not complying with the Threshold Standards in the future.
3. **Proportionate regulation**
TEQSA complies with this principle if its exercise of power is in proportion to:
 - a. any non-compliance, or
 - b. risk of future non-compliance.

These principles guide TEQSA's regulatory responses, and also guide the assessment processes.

There is a strong emphasis on providers to demonstrate equivalence across all of their delivery sites (both between domestic sites and with offshore sites), and provide TEQSA with appropriate evidence to demonstrate this. Using a risk-based framework means that site visits are not always deemed to be necessary, even for those providers operating offshore, and the approach adopted for each regulatory process varies depending on the provider, their history and their risk profile.

Australian models of TNE delivery and the regulatory/quality assurance implications

When it comes to transnational education (TNE) in Australia there are nearly as many models of delivery as there are providers.

Below are some examples of TNE models of delivery by Australian providers, and the regulatory/quality assurance implications of these models:

1. Provider A delivers education to 60,000 students in Melbourne, Australia, and owns and operates two campuses offshore that are equivalent in size to many universities in Europe.

*This provider is required by TEQSA to meet the Threshold Standards for both the onshore and offshore entities, and to demonstrate **equivalence** between all three campuses. Currently the Australian provider is required to meet similar if not higher levels of quality assurance measures in the overseas host country.*

2. Provider B has its origins in the UK with its Australian operations representing a fraction of the offerings back home.

This example has provided an opportunity for TEQSA to work with its counterpart agency in the UK, the Quality Assurance Agency (QAA), regarding regulation of this provider.

3. Provider C is registered in Australia, has its administrative headquarters in India, and delivers a global MBA over three trimesters in three countries.

As it is a registered Australian provider, the provider is responsible for ensuring that all three international components of the MBA meet the Threshold Standards, as determined by TEQSA. But how much work is required for this provider to meet the regulatory/quality assurance requirements set by the three countries it operates in?

Against the background of increasingly diverse TNE delivery models by **providers** are the major changes taking place in **student mobility**, which is experiencing a shift from being heavily inbound focused (large numbers of international students coming to Australia to study) to being increasingly about Australian students wanting to spend part of their studies in a country other than Australia. The evidence is that the number of outbound students will continue to increase, as Australian students see the value of an education experience in another cultural context. It is safe to say that mobility is now as much about students as it is about providers.

This shift in thinking coincides with the Australian Government's New Colombo Plan, which aims to lift knowledge of the Indo-Pacific region in Australia, and strengthen Australia's people-to-people and institutional relationships through Australian undergraduates undertaking study, amongst other activities, overseas.

Welcome to the highly evolved, connected and complex world of TNE, a world that requires close collaboration between regulatory agencies in the TNE countries of choice of their higher education providers, as well as nimbleness, and importantly, flexibility and a preparedness to recognise quality practices in other jurisdictions.

TEQSA's international strategy

TEQSA's international strategy has been developed against this background of diverse delivery and student mobility models and encompasses all types of international activity and engagement, including transnational delivery, engagement with other countries, higher education provision to international students, and the internationalisation of Australian education.

TEQSA's primary engagement through its international strategy is with overseas quality assurance agencies and government (or other) bodies, with a focus on the countries where Australian institutions are active.

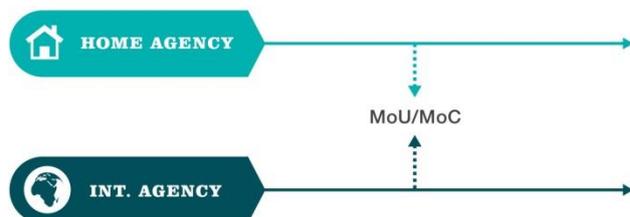
How exactly do regulators and quality assurance agencies work together to both protect students and support (as opposed to hinder) increasingly varied models of delivery and innovation? What are the learnings that TEQSA has observed so far?

Models of engagement

TEQSA's observation is that there are at least four models of engagement between international regulatory/quality assurance agencies. The models are usually in a continuum, i.e. everyone starts at the first model, and depending on the commitment, trust and degree of commonality, can (and arguably in many cases should) move along the continuum to what could be described as a mature regulatory/quality assurance agency-to-agency relationship.

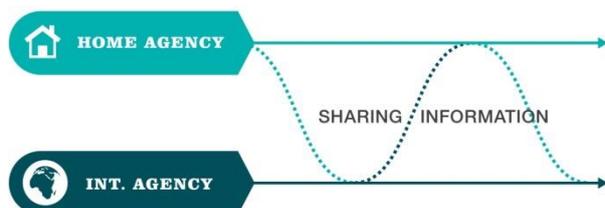
Model 1

The home agency and the international agency have an understanding of one another's function, jurisdiction, standards, projects and intentions, and have entered into a Memorandum of Understanding (MoU) or a Memorandum of Cooperation (MoC) but there is little interaction between the two agencies beyond this.



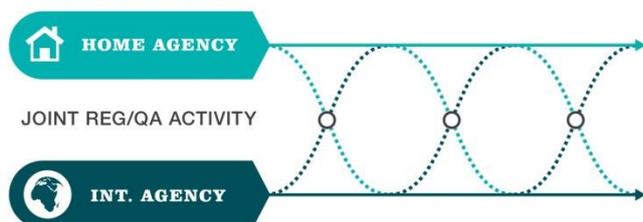
Model 2

In addition to the relationship described in Model 1, the two agencies occasionally work together to share information about providers operating in both jurisdictions. Model 2 is one of sharing regulatory/quality assurance history of new or existing providers, and sharing information about issues to do with quality assurance, or possible future problems with quality assurance, regarding existing providers.



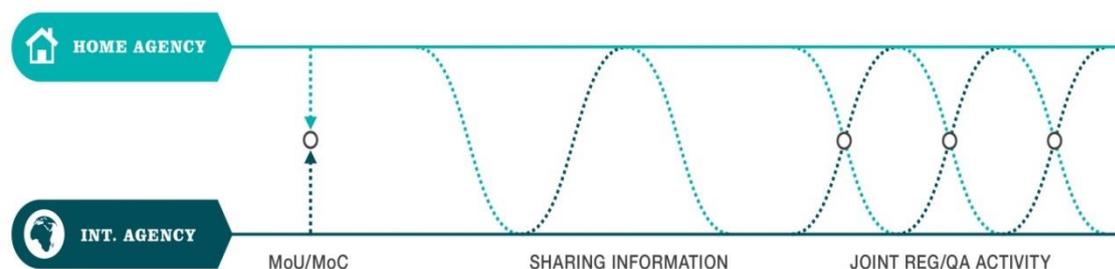
Model 3

Building on the relationship above, both agencies share information (or evidence) about providers operating in both jurisdictions, to avoid double handling by regulatory/quality assurance bodies. Information sharing focuses on both the strengths and weaknesses of providers. Intelligence sharing is probably a better word to describe this.



Model 4

The two agencies employ all three models of engagement at the appropriate time, collaboratively engaging with each other's framework to regulate and/or quality assure, and importantly, reduce burden on providers.



Getting to Model 4 takes time, work and importantly, commitment, but TEQSA believes Model 4 will have the greatest benefits for both providers and students.

TEQSA agreements

TEQSA has entered into a number of agreements with international regulatory and quality assurance agencies which will in theory enable TEQSA to engage with the international agency at different points along the continuum outlined above. These agreements are with the Council for Private Education, Singapore, the Hong Kong Council for Accreditation of Academic and Vocational Qualifications, the Malaysian Qualifications Agency and the Quality Assurance Agency, UK.

Soon TEQSA will also have signed agreements with Dubai, Japan and China, all of which are education partners of great importance to Australia. During this visit to Vietnam TEQSA will have discussions with the Vietnamese Ministry of Education and Training to explore what links are relevant between the two countries' regulatory and quality assurance agencies.

TEQSA is mindful that a meaningful agency-to-agency relationship will give the best returns, both for providers and students. With this in mind, TEQSA invests time in strategically identifying its partnerships, in large part based on where Australian providers are operating, getting to know the personnel and the work of the agency, and then looking for practical opportunities to work together.

This has been the approach TEQSA has adopted to working with QAA. TEQSA's relationship with QAA is best described as Model 2, moving/aspiring to Model 3.

It may be assumed that two such agencies working together is a relatively simple proposition, as there are many similarities in the types of providers TEQSA and QAA regulate. It is probably fairer to describe the process as straightforward, as it is one that still requires work and effort on the part of both agencies.

The relationship with QAA has evolved over two years of late night/early morning teleconferences, reflecting the geographic distance. Behind that was a determination to get to know the individuals, and understand the regulatory/quality assurance practices of each agency, and see each other as a source of good practice and a sounding board for policy development.

TEQSA and QAA are currently exploring how best to share regulatory and quality assurance information on two providers which operate in both countries. This work involves mapping TEQSA and QAA's evidence requirements, identifying any overlap, and being prepared to accept each other's evidence of quality assurance.

Lessons learned from TEQSA's TNE work to date

Regulatory/quality assurance agencies generally have much invested in their regulatory framework, as they most likely reflect long standing views in that country towards education. It is important to understand and be respectful of this.

From TEQSA's experience, there are several issues that have proven useful to explore when considering how best to shape a meaningful agency-to-agency relationship:

- the historical, socio-political and cultural attitude to education in the country of the international agency, and how this might impact on a meaningful relationship
- how sharing information between agencies might be hindered or helped by a country's concept of governance and privacy
- how best to work together especially across QA based frameworks vis-à-vis standards based frameworks
- whether the provider is knowingly part of the information sharing process or not – i.e. the difference in information sharing protocols and transparency with respect to providers
- whether third party providers are involved, and if so, their status in the overseas country's education system.

TEQSA is still adding its knowledge about how to better forge productive and valuable TNE agency-to-agency relationships and is very happy to keep monitoring and reporting on the lessons learnt.

The Role of QAA

The Quality Assurance Agency for Higher Education (QAA) is the national quality assurance agency for higher education operating across the four nations in the United Kingdom. QAA's mission is to safeguard standards and improve the quality of UK higher education. The agency's strategic aims include safeguarding standards in an increasingly diverse UK and international context and protecting the interests of students working towards a UK higher education qualification, however and wherever they study within the UK and abroad.

QAA was established in 1997 and now reviews an increasingly diverse range of higher education providers and provision, including all degree granting institutions (recognised bodies), any provider in receipt of public funding for higher education either directly or via student loans and non-publicly funded HE providers wishing to recruit and sponsor international students.

QAA is an independent organisation, a not for profit company, with a Board of Directors whose membership represents stakeholders with an interest in higher education – students, funders, providers, employers and the professions.

QAA publishes all its review reports at <http://www.qaa.ac.uk>

QAA and the Quality Code for Higher Education

The UK Quality Code for Higher Education (Quality Code) covers all four nations of the UK and all providers of UK higher education operating overseas. It is used to assure the standards and quality of UK higher education and has been developed and is maintained by QAA through consultation with the higher education sector. It comprises a general introduction and a series of separate Chapters grouped in three parts:

- setting and maintaining academic standards
- assuring and enhancing quality
- information about higher education provision.

The Quality Code includes Expectations expressing key matters of principle that the higher education sector has identified as essential for assuring standards and quality. Higher education providers should be able to demonstrate they are meeting these requirements, however and wherever their awards are delivered.

Individual higher education providers use the Quality Code to help them maintain the academic standards of their programmes and awards, assure and enhance the quality of learning opportunities, and to provide information about their higher education provision.

QAA reviewers use the Quality Code as a benchmark for judging whether a higher education provider meets UK Expectations for academic standards, the quality of learning opportunities, enhancement and information. QAA's domestic review reports include summative judgements as to how well UK Expectations are being met.

The quality assurance of UK TNE

QAA has been reviewing UK Transnational Education (TNE) since 1997. To date QAA's TNE reviews have been on a country by country basis although TNE links may occasionally be sampled within individual institutional reviews in the UK. Chapter B.10 of the Quality Code – Managing higher education provision with others - is the main reference point for TNE review. The key

principle underpinning this chapter is that the delivery of learning with others, wherever and however organised, should widen learning opportunities without prejudice to the academic standard of the award of the quality of what is offered to the student.

QAA's approach to reviewing TNE has been evolving through the introduction of case studies (from India 2009) and with the publication of country overview reports (India, Malaysia, Singapore and PR China). There has also been increasing engagement with and participation from in-country partner agencies through sharing data and intelligence, briefings on local regulations and legislation, and observation and other participation in the review process. The recently completed review visits in Dubai were all observed by KHDA colleagues who had briefed the review teams in London and who then had the opportunity to contribute to the exploration of issues during the review visits.

UK TNE continues to grow year on year in volume, delivery locations and modes and complexity. Even within a single mode of delivery – branch campus – there are many different models, including joint ventures and partnerships, either mandatory or voluntary, depending on the national regulatory framework in the delivery location.

Complexity brings an additional risk to the management of quality and standards along with well-known challenges resulting from geographical distance and insufficient familiarity with the cultural and legal context in the host country. There are also risks arising from the perception of overseas users about the profile or visibility of UK QA where local systems are based on programme by programme accreditation and there is a lack of familiarity with the degree of UK institutional autonomy and the interaction between internal and external QA systems in the UK.

As in Australia, there is a strong push to encourage UK student outward mobility evidenced through the funding of a small team based in the UK Higher Education International Unit (IU) with the task of increasing mobility, including beyond the well-known Erasmus programme. An often cited barrier to outward mobility is concern about the recognition of credits, grades or other achievements from study abroad so partnership between quality assurance and qualifications agencies and authorities may be a solution by boosting understanding of and confidence in comparability of standards and quality.

These challenges are some of the drivers behind the current joint QAA-IU public consultation on 'Strengthening the quality assurance of UK transnational education' and the intention of taking a risk based approach to review.

QAA's international strategy

QAA's current international strategy has a strong emphasis on networking and partnership activity both within Europe and more widely especially in relation to countries where UK providers are active or where the agency is included as a partner in bilateral inter-governmental programmes and agreements. Our memoranda of agreement, cooperation and understanding are mainly with partners in the Asia region where large numbers of students are studying for UK degrees and from where many students come to the UK for their studies, or with comparator countries in terms of higher education structures and systems.

Models of engagement

In addition to the models of engagement outlined by TEQSA, QAA has a fifth model of engagement and that is through membership of the European Association for Quality Assurance (ENQA) and involvement in the European Higher Education Area (EHEA), not only in respect of quality assurance but also of the recognition of qualifications.

QAA works closely with other agencies in Europe through ENQA projects and working groups obviating the need for partnerships with individual agencies. In addition, demonstrating full compliance with the European Standards and Guidelines for Quality Assurance and verifying the compatibility of our frameworks for higher education qualifications with the overarching framework of the EHEA has provided transparency in relation to meeting European reference points for quality assurance and qualifications frameworks.

This responsibility for managing higher education qualifications frameworks adds a further potential dimension to engagement, the mapping of qualifications frameworks. To date, apart from mapping with the EHEA framework, QAA has been involved in the 'five countries group' comparing the frameworks in Scotland, England, Northern Ireland and Wales and Ireland to demonstrate how qualifications can cross boundaries. This is an activity to support student mobility and progression and improve the recognition of qualifications. QAA is exploring with some partner agencies the desirability and feasibility of mapping qualifications frameworks in major locations for UK TNE which could potentially improve quality and recognition by enhancing the transparency of activities involving progression, articulation and top-up degrees.

QAA agreements

QAA has a number of agreements with overseas regulatory and quality assurance agencies which already have and hopefully will support engagement at different points along the continuum outlined by TEQSA. These agreements are with the Council for Private Education, Singapore, China Academic Degree and Graduate Education Center, PR China, Hong Kong Council for Accreditation of Academic and Vocational Qualifications, Knowledge and Human Development Agency, Dubai, Malaysian Qualifications Agency, National Institute for Academic Degrees-University Evaluation, Japan, Quality and Qualifications Ireland, and Tertiary Education Quality and Standards Agency, Australia.

QAA is also a partner in some UK government international programmes which promote cooperation in quality assurance and the recognition of qualifications including UK-China Partners in Education and the UK-India Education and Research Initiative.

Like TEQSA, QAA is also at different stages of its relationships with the agencies with which it has agreements. It may however be more accurate to say that the intensity of links and contacts has varied depending on the scheduling of in-country reviews resulting in contact at the planning stage and increasingly moving to participation in the delivery of reviews.

TEQSA has identified one of the physical challenges of sustaining contact between partners which is quite simply time differences due to distance, but that is not insurmountable given the interest of colleagues in international collaboration. However maintaining this type of contact across a suite of partnerships is something that needs to be factored into the resourcing of an agency and can be challenging to organise if staff are involved in review visits or otherwise frequently out of the office. What can be more challenging is simply securing capacity to converse in each other's language. QAA is very grateful to colleagues for whom English is not the national language to communicate with us in English but this is not possible in all cases.

Lessons learned from QAA's TNE work to date

Lessons for institutions are summarised in individual review reports but increasingly generic issues for attention and improvement and 'top tips' for effective institutional partnerships are described in

the country overview reports. Experience from our TNE reviews also fed into the revision of Chapter B.10 of the Quality Code, the main reference point for TNE review.

The consultation on strengthening the quality assurance of UK TNE also draws on lessons learned from our partnership activity. QAA will be adopting a risk based approach to TNE review, aiming for a model that is neither too complex nor a fixed process. For this reason the consultation is not based on a specific model but rather a process likely to comprise a number of building blocks that can be fitted together in different ways according to the provision under review.

The consultation is structured around the building blocks with a series of related questions on:

- An improved information base.
- A risk-based element to vary the intensity or frequency of scrutiny of individual TNE provision.
- A flexible approach starting with desk-based analysis and leading, as necessary, to follow-up visits in the UK and/or overseas.
- Closer working with domestic institutional review processes and the Concerns procedure.
- Some adaptation of institutional review processes so that they focus more constructively on TNE.
- Greater transparency, through publication of a prospective review programme.
- A recognition of the importance of highlighting good practice.
- An emphasis on the collective reputation of UK TNE.

To a greater or lesser extent we know from our interactions with agencies that they either have an interest in these building blocks or could effectively inform or engage with them which is why we have drawn the attention of our partner agencies to the consultation and look forward to their responses.

From QAA's experience other issues and principles that have proven useful when building meaningful agency-to-agency relationships have included:

- Respecting the principle of mutuality, with the identification of common interests variously in protecting students and reputations, or furthering the development of quality assurance and enhancement including through project work.
- A capacity to understand differences in concepts and regulation and to navigate them in the best way for the benefit of students and providers alike.
- It is important to recognise that host countries, as they develop their own higher education and quality assurance systems, want to see imported TNE provision put through its paces. The concept of autonomous awarding institutions and the associated responsibilities for self-regulation are not always that well understood in host countries, and may need to be explained.
- Openness to learning from others.

QAA is also still learning what works and how to make things work better in terms of the quality assurance and enhancement of transnational education. Networking and partnership working are essential elements in the process especially when more than 75% of UK higher education institutions are operating outside the UK in more than 100 countries round the world.