

Ministerial Statement of Expectations for the Victorian Registration and Qualifications Authority



Lynne Kosky
Minister for
Education and Training

The Education and Training Reform Bill was passed in the Parliament on 4 May 2006 and, following the approval of the Governor in Council, received Royal Assent as the *Education and Training Reform Act* on 16 May 2006.

Work is now commencing on the development of regulations and associated guidelines, legal documentation and structures to enable the Act to come into effect in 2007.

One of the major considerations in developing the Act is the recognition that students and parents of students want to be able to choose an education and training pathway that best suits their particular needs and aspirations. This might be through either a public or private school or training provider or through homeschooling. In order to make this choice meaningful, the government has a responsibility to ensure that all providers of education and training, at all levels, meet quality standards and that information is readily available to support informed choice.

A key outcome of this consideration is the development of a consistent and flexible regulatory framework that will apply to all Victorian education and training providers, regardless of ownership, and to processes for the accreditation of courses and approval of qualifications. This will be achieved through a new statutory authority, the Victorian Registration and Qualifications Authority, which will be responsible for:

- the initial registration and ongoing monitoring of all schools, training and higher education providers (except universities established under their own Acts);
- the accreditation of courses and registration of qualifications; and
- the authorisation of providers to conduct or award those courses and qualifications.

The Victorian Registration and Qualifications Authority is the first of its kind in Australia and its comprehensive functions across all sectors of education and training reflect the reality of the interwoven nature of education and training provision.

As work commences to establish this new Authority, I am pleased to provide this Statement of Expectation which sets out the functions the government expects the new Authority to undertake and the ways in which it expects the Authority to operate.

A New Approach to Regulation

Over recent years regulatory reform has been a key focus in public policy debates. Reform has focused on establishing principles on which best practice regulation should be based and on identifying frameworks which are responsive to the circumstances of particular industries.

Guidelines adopted by the Council of Australian Governments (COAG) in 1997 set out the following principles as a basis for individual States regulatory frameworks. Regulations should have:

- minimal impact on industry
- minimal impact on competition
- predictability of outcomes
- consistency with international standards and practice
- no restriction of international trade
- regular review processes
- flexibility in changing circumstances, and
- transparency and procedural fairness.

The major innovation which has resulted, has been a shift from occasionally intrusive and counter-productive *quality control* mechanisms, to more effective *quality assurance* arrangements. In the latter, the regulating authority satisfies itself that the processes adopted by service providers are consistent with, and likely to meet, required standards.

As emphasised in my Second Reading Speech to the Parliament on the Education & Training Reform Bill, this 'light touch' approach to contemporary regulation will underpin the operations of the Victorian Registration and Qualifications Authority. For education and training providers and their owners/operators this means that the Authority will act as a 'one stop shop', whether they are seeking registration as a school, training provider, higher education provider, a provider to overseas students – or any combination of these.

The Authority will ensure that the policies, procedures and guidelines associated with its functions do not duplicate other accountability and/or compliance requirements, including those required by other areas of the Victorian Government, local government and the Australian Government, provided this does not inhibit the Authority in the conduct of its functions or the exercise of its powers.

The Authority will be responsible for ensuring providers *meet* minimum standards, not for *how* they do so. Ongoing quality assurance and provider improvement are the responsibilities of owners/operators of education and training providers. The Authority will establish and publish criteria by which it might license a person or body to undertake the ongoing quality assurance role.

While the Authority will have the power to consider substantial issues raised about education and training providers with respect to registration standards, it is not a complaints body. I expect that the concerns of parents, students or members of the community about individual providers will continue to be dealt with at the provider and system authority levels.

It is also not intended that the Authority in any way subsumes the policy responsibilities of the Department or the prerogatives of those responsible and accountable for devolved education and training provision, whether publicly or privately owned.

Functions of the Victorian Registration and Qualifications Authority

The Victorian Registration and Qualifications Authority will be responsible for the registration and accreditation arrangements for all education and training providers, except established universities.

The Authority will ensure that the discharge of its roles and responsibilities:

- is based on contemporary approaches to 'light touch' regulation;
- is consistent with a quality assurance approach to monitoring and review; and
- takes into account the diversity of ownership, provision and values of Victorian education and training.

The Authority assumes the current responsibilities of the Victorian Qualifications Authority and the Registered Schools Board, as well as taking on new responsibilities.

The main functions of the new Authority will be to:

- register education and training providers, including government and non-government schools;
- register students for home schooling;
- accredit courses and register qualifications (including

- qualifications developed outside Australia);
- authorise providers to deliver accredited courses;
- authorise providers and organisations to award registered qualifications;
- approve providers of specified courses for overseas students;
- establish and maintain minimum standards for registration;
- ensure that meaningful and accurate information about registered education and training organisations is publicly available;
- monitor compliance of providers with registration requirements, including the conduct of audits;
- monitor the framework for accredited courses and qualifications and linkages between qualifications and advise the Minister on the effectiveness of the framework; and
- maintain a State Register of registered providers and organisations and accredited courses and qualifications.

As a statutory authority in the State of Victoria, the Authority will operate within a national context, taking into account:

- the specifications of the Australian Government's *Education Services to Overseas Students Act 2000*, which mandates a nationally consistent approach to the approval of providers of courses to overseas students;
- the National Training Framework, which is made up of the Australian Quality Training Framework and Training Packages; and
- National Protocols for higher education approval processes.

It will also take into consideration other relevant Australian Government and, where appropriate, local government regulatory frameworks in the discharge of its responsibilities. In doing so, the Authority will seek to minimise overlap or duplication of requirements placed on providers of education and training.

Quality Assurance

While the Victorian Registration and Qualifications Authority will have responsibility for the initial registration of education and training providers, the Act gives the Authority the power to delegate its ongoing quality assurance responsibilities to the owners and operators of education and training providers. School

systems, training and higher education organisations will be able to apply to the Authority to be licensed to manage ongoing quality assurance against the defined standards for their system, organisation or provider.

In this context, I expect that the Department of Education & Training's Office of School Education will seek approval from the new Authority to exercise this function for the Victorian Government school system. I anticipate that organisations such as the Catholic Education Commission Victoria and the Association of Independent Schools Victoria will seek similar licensing arrangements.

Board Membership and Office Support

The *Education and Training Reform Act 2006* requires the government to establish a Board to govern the Victorian Registration and Qualifications Authority. The Board will comprise up to 12 members who collectively have broad and extensive expertise in education and training.

At least three members must be highly regarded in the field of school education and at least three must be highly regarded in post-school education and training. The Board must also have a membership that possesses sufficient management and regulatory expertise to deliver on the very important responsibilities of the new Authority.

The composition of the Board will also reflect both metropolitan and country interests, as well as the diversity of the community. I am currently considering advice on suitably qualified people for the Board and I will announce its membership later this year.

I expect the Board to consult regularly, and in an open and transparent manner, with key stakeholders from each education and training sector, particularly regarding matters relating to their sector.

The Board will be supported by an office, with a director and staff to assist it in ensuring that providers of education and training have an effective 'one-stop shop' for all their regulatory requirements, so enabling them to get on with delivering quality education and training to their students.

Democratic Principles

Australian society is defined, among other aspects, by a belief in elected government; by a commitment to the rule of law and to equal rights for all before the law; and by a belief in freedom of religion, freedom of speech and freedom of association. Within this democratic framework our society also tolerates a range of religious, political, social and cultural beliefs and values.

The *Education and Training Reform Act 2006* requires all education and training providers to operate in a manner consistent with this set of Australian democratic principles. In the consultation process on the new Act, there was wide support for the inclusion of this requirement.

The Victorian Registration and Qualifications Authority will be responsible for ensuring that these principles are taken into consideration in the development of minimum standards for registration and in the ongoing monitoring of education and training providers, courses and qualifications.

Provision of Information

One of the key factors which underpins a person's capacity to make choices is the provision of meaningful information. The Victorian Registration and Qualifications Authority will be required to ensure the public availability of meaningful information about both registered education and training providers and about any standards for registration.

To this end, the Authority will establish and maintain a State Register of accredited courses and qualifications and registered education and training providers.

Registration Standards for Schools

The Authority will set and monitor minimum standards for the registration and ongoing quality assurance of all Victorian schools, including in the following areas:

- student learning outcomes;
- enrolment policies and minimum enrolment numbers;
- student welfare policies;
- breadth and depth of curriculum programs;
- governance and probity; and
- review and evaluation processes.

These are not 'lowest common denominator' standards, but a guarantee that all students can have access to a quality education, no matter what Victorian school they attend.

Registration Standards for Senior Secondary Education, Vocational Education and Training and Higher Education Providers

The Authority will also be responsible for the registration of individuals, providers or organisations wanting to provide accredited courses or to award, confer or issue a registered qualification, including senior secondary qualifications. The Authority will establish registration processes, including the development of defined minimum standards. In doing so, it will have regard to, and be consistent with, the national standards for registered training organisations under the Australian Quality Training Framework.

The standards will include coverage of the areas of:

- student learning outcomes and welfare services;
- student enrolment, records and certification;
- teaching, learning and assessment;
- governance, probity and legislative compliance; and
- quality assurance, review and evaluation processes.

With regard to higher education, the Authority will also develop standards and processes for approval and ongoing quality assurance of higher education providers, as well as develop a process for the establishment of new universities in Victoria. In doing so, it will have regard to existing processes developed under the repealed Tertiary Education Act and any national protocols in this area.

International Education

Victoria has an international reputation for the provision of quality education and training services. The establishment of a set of expected standards and a common, modern regulatory regime for all education and training providers will assist in maintaining Victoria's position. Within this context, the Victorian Registration and Qualifications Authority will be responsible for approving providers to offer courses to overseas students.

I expect that the work undertaken to establish these responsibilities will take account of any changes to the overall regulatory framework governing Australia's education and training export industry. This includes the redevelopment, currently underway, of the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students*, which grew out of the *Evaluation of the Education Services for Overseas Students Act 2000*.

Qualifications and Courses

The Victorian Registration and Qualifications Authority will accredit courses and accredit and register new qualifications in a role similar to that of the current Victorian Qualifications Authority. In doing so, the Authority will provide advice on policies, criteria and standards for the accreditation of courses and the registration of qualifications.

Home Schooling

Although the vast majority of parents choose to have their child educated in a government or non-government school, some parents prefer to home school their child.

The Victorian Registration and Qualifications Authority will develop a modern and transparent system for registering home schooling and will establish a review mechanism where there are apparent matters for concern. This approach is consistent with national and international best practice.

The new regulatory approach consists of the following key elements:

- parents wishing to home school must register with the new Authority;
- as a condition of registration, home schooling parents must undertake to provide regular and efficient instruction that viewed overall will substantially address the nationally agreed learning areas;
- as a condition of continuing registration, parents must confirm they are providing such instruction; and
- the Authority will be able to review the educational program, materials or records where there is a concern based on reasonable grounds that a student is not receiving an adequate education.

Following extensive consultation with the home schooling community, I have also agreed to the establishment of a Home Schooling Advisory Committee to advise me on matters, as requested, relating to home schooling.

Conclusion

The government is committed to building an integrated education and training system that creates multiple pathways and allows Victorians to pursue the qualifications and skills they require to lead the life of their choosing. The Victorian Registration and Qualifications Authority will make a major contribution to ensuring all of Victoria's education and training providers are of a high quality.

For this reason, I believe it is essential that close stakeholder consultation continues throughout the process to establish this Authority, to ensure that the most effective and efficient regulatory framework is created.



Lynne Kosky
Minister for Education and Training

Published by Strategic Initiatives Division
Office of Strategy and Review
Department of Education & Training
Melbourne
July 2006

Also published on www.education.vic.gov.au

© Copyright State of Victoria 2006

This publication is copyright. This publication may be copied for use by Victorian government schools. Except as permitted above, no part may be reproduced by any process except in accordance with the provisions of the *Copyright Act 1968*.

Authorised by Department of Education & Training,
2 Treasury Place, East Melbourne, Victoria, 3002

Printed by McLaren Press
11–19 Lithgow Street
Abbotsford, Victoria, 3067