



MEMORANDUM OF CO-OPERATION

between the

the Quality Assurance Agency for Higher Education, United Kingdom

and the

Tertiary Education Quality and Standards Agency, Australia

This Memorandum of Co-operation is made between the Quality Assurance Agency for Higher Education, Southgate House, Southgate Street, Gloucester, GL1 1UB hereafter referred to as QAA,

and the

Tertiary Education Quality and Standards Agency,¹ Level 14, 530 Collins Street, Melbourne, Victoria 3001, hereafter referred to as TEQSA.

Recitals

Whereas:

QAA was established in 1997 and is an independent body responsible for safeguarding the public interest in sound standards of higher education qualifications, providing information and encouraging continuous improvement in the management of the quality of higher education. To this end, QAA carries out reviews of UK higher education providers and develops and maintains the UK Quality Code for Higher Education, the definitive national point of reference for academic standards and the quality of learning opportunities.

TEQSA was established under the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act) as the independent, national regulatory and quality assurance agency for the higher education sector in Australia. TEQSA is responsible for the registration of higher education providers; accreditation of higher education courses for providers without self-accrediting authority; quality assurance; and dissemination of higher education standards and performance requirements. The Higher Education Standards Framework (Threshold Standards) is established under the TEQSA Act and as of 1 January 2017 the *Higher Education Standards Framework (Threshold Standards) 2015* is in effect.

¹ Representing the Commonwealth of Australia

QAA and TEQSA

Having comparable missions and institutional objectives in the assurance of quality in tertiary education, both parties now wish to establish a closer relationship.

Both TEQSA and QAA are also committed to the general principles of Cross-Border Higher Education (CBHE) and aim for collaboration in the following areas:

- Information Sharing (within the limitations set down through the relevant data protection legislation in each country)
- Co-operation in Quality Assurance
- Networking of Agencies

Article I: Aims of Memorandum of Co-operation

QAA and TEQSA agree, through this Memorandum of Co-operation, to co-operate for the benefit of both parties and to work towards enhancing regulation and quality assurance in both jurisdictions and improving the quality of higher education in the United Kingdom and Australia. This Memorandum of Co-operation is not intended to create legally binding relations between the parties, and neither party has the authority to act on behalf of or otherwise bind the other party. However, the parties agree to work together to implement this Memorandum of Co-operation in good faith.

Article II: Areas of co-operation and collaboration

To these ends, the parties will work together to pursue the following objectives for their mutual benefit as well as to reduce regulatory duplication for providers operating in CBHE.

1. Exchange information and expertise

The parties may exchange information including:

- a. Providing information about particular applications to TEQSA/QAA in relation to TEQSA and QAA regulatory activities to assist with decision making on applications
- b. Providing information about contraventions, or possible contraventions, of legislation or legislative instruments within TEQSA or QAA responsibilities
- c. Providing information about providers registered/accredited with TEQSA/QAA in response to requests from TEQSA/QAA
- d. Providing other information where doing so would assist TEQSA/QAA to perform its functions.
- e. Providing non-confidential policy documents and operational information where appropriate and, in particular, where they relate to the provision of higher education by institutions from the United Kingdom and Australia in partnership with each other
- f. Sharing information about providers operating in both Australia and the United Kingdom, including proactive notification of any events requiring sanctions
- g. Sharing information on each agency's annual scheduling of regulatory and quality assurance activities
- h. Sharing information on the development of the Higher Education sector.

Where appropriate and possible, taking account of operational constraints and relevant data protection legislation, the exchange of information may include drawing on each other's knowledge of a provider's regulatory history and quality assurance mechanisms. This exchange will contribute to strengthening the agencies' understanding of a provider's CBHE operations.

2. Quality assurance activities

The parties may collaborate in joint quality assurance activities of higher education providers registered with TEQSA or QAA and delivering CBHE. This will be through a mutually agreed process between the two agencies.

3. Mutual understanding

The parties may enhance awareness in the United Kingdom and Australia of each other's approach to assuring quality in higher education and the respective systems in place for ensuring quality in higher education.

4. Collaboration

The parties may co-operate in the identification of fraudulent awarding bodies or accrediting agencies adversely affecting the reputation of higher education in the United Kingdom and Australia.

5. Staff development

The parties may provide developmental opportunities as appropriate for staff of both parties through staff exchange programs, participation as observers in quality assurance reviews and the conduct of joint research or policy development projects.

Article III: Duration of Memorandum

The Memorandum of Co-operation will take effect from the date of its signature and shall continue for three years unless it is terminated by the provision of three months' notice by either party. It may be extended on mutual agreement of both parties.

Article IV: Alteration of Memorandum

This Memorandum is signed by the parties in a spirit of amicable co-operation. The terms of the Memorandum may be altered with the consent of both parties.

Article V: Management and liaison arrangements for the Memorandum

The Chief Executive Officer of QAA (at the time of signing Mr Douglas Blackstock) and the Chief Executive Officer of TEQSA (at the time of signing Mr Anthony McClaran) will have responsibility for managing the implementation of the terms of the Memorandum and evaluating the effectiveness of the terms of the Memorandum on a yearly basis.

Day-to-day liaison on the issues referred to in this Memorandum will occur between the Head of Accreditation and International Services of QAA (at the time of signing Dr Alison Felce) and the Director, Engagement, of TEQSA (at the time of signing, Dr Karen Treloar).

These responsibilities may be delegated to relevant members of the agencies' staff in relation to particular areas of co-operation. Where substantive changes are made to the functions or enabling legislation of either party, the parties will meet to discuss the impact of such changes.

Article VI: Resources

Unless alternative arrangements are specifically agreed to meet particular project requirements, the two agencies will normally cover their own costs of implementing the terms of the Memorandum. For particular areas of co-operation, donor funding may be sought from other sources.

Article VII: Schedule of projects and activities

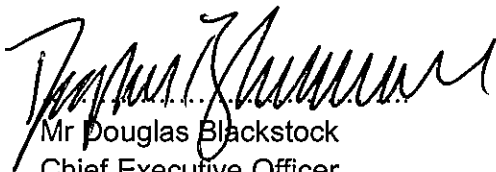
Specific details about any projects or other activities that are entered into under the terms of this Memorandum shall be negotiated and agreed by both parties and will be described in administrative schedules to be annexed to the Memorandum.

Article VIII: Confidentiality

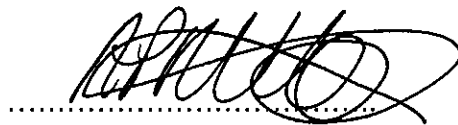
The parties agree to ensure that any confidential information that is shared between parties is safeguarded and remains confidential. Confidential information includes information, knowledge or material that:

- a. is by its nature confidential;
- b. is designated by the person making it available as confidential (whether marked as "confidential", "sensitive", "For Official Use Only", "OFFICIAL: Sensitive" or otherwise); or
- c. the receiving party knows or ought to know is confidential.

The parties agree not to disclose confidential information received from the other party to this Memorandum without the written consent of the disclosing party. The parties acknowledge that, in appropriate cases, they may reach a separate written agreement about the handling of particular confidential information or classes of confidential information.



Mr Douglas Blackstock
Chief Executive Officer
Quality Assurance Agency for
Higher Education, United Kingdom



Mr Anthony McClaran
Chief Executive Officer
Tertiary Education Quality and Standards
Agency, Australia

4 / 11 / 2019

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