

# Tertiary Education Commission's Response Framework for Educational Delivery and Performance

## How we respond to performance of TEC-funded providers

### What is our Response Framework?

The Response Framework describes how we manage educational delivery and performance where it needs to improve. It provides an overview of the types of responses the Tertiary Education Commission (TEC) uses to manage delivery and performance, and broad factors that affect whether we take a response and what type of response.

The Framework is designed to endure over time, so it focuses on responses and factors that will not change over multiple funding rounds. It does not include specific expectations of delivery and performance (eg, specific levels or measures of these factors, rankings of their importance, or mappings between factors and responses) because these vary over time and in different contexts. Instead, specific expectations are laid out in a range of regularly published sources including Plan Guidance, funding conditions, funding mechanisms and technical guidance. Tertiary education organisations (TEOs) should refer to these sources to understand what specific levels and/or circumstances are likely to evoke a response.

**We use three broad types of responses.** This list is not exhaustive.

### Decisions about responses to delivery and performance result from on-balance assessments, not bright-line tests.

They involve many factors and depend on us having as much information as possible. For this reason and to enable a “no surprises” approach if a further response is required, we rely on engagement as the first response when an indicator occurs. We aim to understand the reasons underlying the indicator and what is already happening to address it.

The Response Framework covers how we respond to educational delivery and/or performance that needs to improve. It does not cover:

- responses to delivery or performance that exceeds expectations
- other types of assessments we make, such as tertiary education institution (TEI) risk and private training establishment (PTE) financial viability
- other types of decisions we make, such as those about investment (although both our investment and response frameworks are relevant where responses relate to funding, such as reducing investment when performance is not improving).

Fundamental to our decision-making are our legislative functions and obligations under the Education and Training Act 2020, including giving effect to the Tertiary Education Strategy. Our ongoing focus on learner success is embedded throughout the Framework: as a potential indicator that improvement is necessary, a way to improve outcomes, a contextual factor considered in decisions, and a principle underpinning all decisions.

#### Information, monitoring and engagement

**Our business-as-usual methods** for understanding provider performance include regular data reporting and communicating expectations through Plan Guidance, other publications and engagement.

**Our first choice of response**, when there is an indicator of a need to improve outcomes, may include requesting further information, or changing the frequency, intensity, method, attendees or content of engagements.

**Dedicated and/or specialist engagement** (eg, a Relationship Manager) is likely when there is more risk (eg, total funding envelope >\$5m), or delivery or performance needs to improve.

#### Requirements and conditions

**When more structure is required than engagement alone**, TEC may:

- require a full Investment Plan
- change the Plan length
- require a significant Plan amendment
- require an improvement plan
- apply organisation-specific funding conditions
- impose a new condition on subsequent Plan funding approval.

#### Funding

**In situations where performance is not improving even with requirements or conditions**, TEC may:

- remove access to additional funding
- revoke approval for a qualification to be accessible for student loans and allowances
- amend, revoke and/or recover existing funding
- reduce further investment or part-fund only (including signalling this through indicative allocations)
- cease investment.

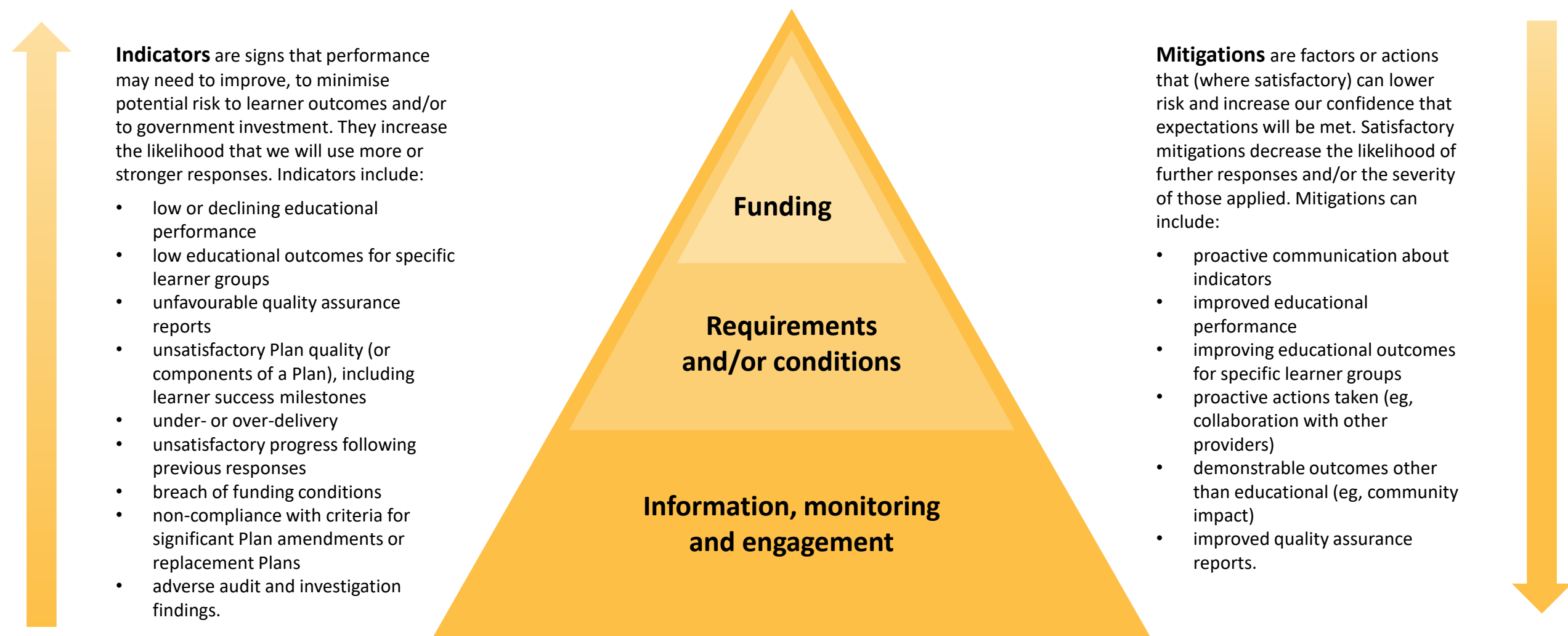
Proposed funding decisions made as part of annual Plan rounds are always subject to a Right of Response process.

## We consider many factors in making a response decision.

We generally (although not always) use responses in a graduated manner, with engagement continuing throughout.

**Context** is crucial to which responses we use, how quickly we do so, and the importance of various indicators and mitigations at different points in time. For example:

- **at a system level:** fiscal environment, overall availability of funding and government risk appetite can affect how quickly we strengthen responses or which ones we apply
- **at a sub-sector level:** the type of provider, including size, legislated autonomy, business model, and alternatives in the network of provision, affects what responses we use
- **at a provider level:** specific concerns (eg, low educational outcomes for specific learner groups) can have specific associated responses, or responses might only be applied to pockets of provision or to provision with outcomes that are not improving. We also consider a provider's existing compliance requirements.



### Key principles underpin every response decision:

#### Evidence-based

We make informed decisions based on best available data, information and intelligence. We understand and apply knowledge of the sector, learner demand, stakeholder needs and best practice.

#### Fair, transparent and consistent

We use engagement to maintain transparency with providers and understand the context that makes our decisions fair. Our methods and processes build trust and confidence in the system for learners, industry, communities and government. We balance costs and risks in proportion to outcomes.

#### Learners at the centre

We incentivise, promote and enable improved educational outcomes for everyone by making providers accountable for how they deliver education and the outcomes they achieve. We expect providers to recognise learner diversity and meet learners' needs and aspirations.

#### Continuously improving the system

We improve the system's effectiveness through reviewing and updating internal processes for deciding and applying responses, as necessary. We improve the system through the tools and guidance we provide to the sector and the network of provision we invest in.