

**Guidelines for the Accreditation of
Higher Education Courses offered by
Non-University Providers**

November 2006

Department of Employment, Education and Training



Copies of this document may be obtained from:

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PART 1- Introduction

1.1 Legislative & Policy Context

1.1.1 Legislative Context

Higher education is traditionally and predominantly offered by universities, which, by virtue of the Acts under which they are established, are the accrediting authorities for the courses they offer. Under the *Higher Education Act 2004* (the Act), providers other than universities must not confer or use higher education awards unless they are authorised to do so. Higher education awards are a degree, status, title or description of associate degree, bachelor, master or doctor, or any other award classified as higher education in the Australian Qualifications Framework (AQF).

The objectives of the Act are to uphold the standards of education delivered by higher education institutions operating in the NT and to maintain public confidence in the higher education sector in the Territory.

The Act provides that the governing body of a non-university provider may apply in writing to the Minister for Employment, Education and Training for accreditation of a higher education course. The Minister may accredit a higher education course only if satisfied that the course and the way of delivering it are appropriate to the type of award to which the course leads. There are penalties specified in the Act for offering an unaccredited higher education course, and conferring a higher education award unless the course leading to the award is accredited. There are also penalties in the Act for conferring a higher education award without an associated accredited course.

These guidelines were developed by the Northern Territory Department of Employment, Education and Training (DEET) Higher Education Services (HES). The Minister pursuant to the provisions of the Act approved them on 5 November 2006.

1.1.2 Policy Context

The Guidelines provide detailed criteria that an institution must satisfy in order to be established or recognised as a non-university provider in the NT, and outline the process for assessing the institution or proposed institution against the criteria. They serve as a guide to applicants as to the types of evidence that will need to be provided to demonstrate satisfaction of the criteria. They also guide assessment panels on the aspects of the applicant's operation or proposed operation that requires scrutiny. Importantly, the Guidelines are a public document that demonstrates the expected features of a non-university provider.

1.1.3 The National Context

While the guidelines outlined in this document have been developed specific to the NT legislation, they are part of a pattern of similar arrangements that are in place throughout Australia.

Nationally, higher education approval processes are underpinned by the *National Protocols for Higher Education Approval Processes* (National Protocols). The National Protocols were first approved by the Ministerial Council on Education, Employment, Training and Youth

Affairs (MCEETYA) on 21 March 2000 and are a key element of a national Higher Education Quality Assurance Framework for Australian higher education, which includes the Australian Qualifications Framework (AQF) and the Australian Universities Quality Agency (AUQA). They were designed to promote common principles, criteria, processes and standards in higher education approval processes throughout Australia.

The NT Act refers specifically to the criteria in the National Protocols in relation to higher education approval processes.

1.1.4 The Enrolment of International Students

Institutions wishing to offer courses of study to overseas students in the Northern Territory must first be approved under the *Higher Education Act 2004*. This Territory legislation dovetails with the Commonwealth Education Services for Overseas Student Act 2000 (ESOS 2000). The ESOS Act is part of the National Regulatory Framework governing the provision of education services to overseas students. A National Code of Practice accompanies the ESOS Act and sets out requirements for provider and course registration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The National Code complements existing national quality frameworks, including National Protocol No. 5.

Further information on becoming a registered provider of education services and courses to overseas students in the NT may be obtained from:

International Services
Level 11, Mitchell Centre
55-59 Mitchell St
DARWIN NT 0800
(GPO Box 4821, DARWIN NT 0801)
Phone: (08) 8901 4902
Facsimile: (08) 8901 4908

1.2 The Nature and Purpose of Accreditation

Accreditation provides certification that the standards of a course are appropriate to the award to which it leads and that the course and the methods adopted in delivering it are likely to achieve the purpose for which the course was or will be introduced.

The purposes of state/territory accreditation of higher education courses offered by institutions and bodies other than universities are to:

- Protect the standing and quality of higher education awards in the Northern Territory
- Assure the general public, the educational community, government and other agencies, employers and students that the courses accredited are appropriate to the award conferred
- Ensure comparability of awards in higher education, and facilitate national and international recognition of awards
- Assist institutions to implement appropriate credit transfer between courses within nationally endorsed guidelines.

The guidelines outlined in this document are designed to ensure that higher education courses accredited by the Minister are comparable in requirements and learning outcomes to courses at the same level in a similar field at Australian universities. To this end, these guidelines:

- Require the review of the course by an independent course assessment panel, with appropriate expertise relevant to the field of study in which the course is being offered
- Include criteria requiring benchmarking of courses and outcomes against the broader higher education sector, and universities in particular
- Outline the process by which the course is to be monitored annually, and re-evaluated after a specific period, before consideration is given to whether or not the course will be reaccredited.

PART 2 – Guidelines for Accreditation

2.1 The Accreditation Process

2.1.1 Role of Higher Education Services

Higher Education Services (HES) assists the Minister in carrying out the accreditation responsibilities under the *Higher Education Act 2004*. It is responsible for advising the Minister on accreditation matters including developing and recommending guidelines to enable the Minister to fulfil responsibilities as the accrediting authority. HES:

- Recommends to the Minister the composition of course assessment panels for the Minister's approval
- Provides administrative and secretarial support to individual course assessment panels, which are formed to assess courses, visit institutions and give advice to the Minister on individual accreditation applications
- May seek information from and about and give advice to applicants for accreditation on aspects of the accreditation process
- Responds to inquiries and lends assistance to providers, course assessment panels, other agencies and the public on accreditation matters
- Is responsible for the administration of an application and the assessment process.

Any communication between providers and a course assessment panel should be via HES. While HES may provide basic initial assistance to a provider in formatting a submission, transmit recommendations on behalf of course assessment panels, and operate as a 'critical friend' to providers, it should be clearly understood that staff of HES do not make accreditation recommendations or decisions.

Applicants preparing an accreditation submission should communicate with HES on any queries related to the process. For information on the accreditation of higher education courses, please contact the:

Higher Education and Non-Government Schools
Department of Employment, Education and Training
Level 14, Mitchell Centre
55 – 59 Mitchell Street, Darwin NT 0800
Postal Address: GPO Box 4821, Darwin NT 0801
Telephone: (08) 8901 4944
Email: deethes@nt.gov.au

The NT Act refers specifically to the criteria mentioned in the National Protocols in relation to higher education approval processes. Protocol 3 of the National Protocols ("Accreditation of higher education courses to be offered by non self-accrediting providers") sets out the following broad accreditation criteria:

- The course design and content should satisfy the requirements set in the AQF for the award level

- The course should be comparable in requirements and learning outcomes to a course at the same level in a similar field at Australian universities
- The delivery arrangements, including matters of institutional governance, facilities, staffing, and student services are appropriate to higher education and enable successful delivery of the course at the level proposed
- The provider should have appropriate financial and other arrangements to permit the successful delivery of the course, and is a fit and proper person to accept responsibility for the course.

These guidelines provide further detail in relation to the above criteria.

2.1.2 Timelines of the Accreditation Process

As a general rule, applicants should allow at least ten months from their submission of an application to Higher Education Services to a decision being made by the Minister. An additional 3 to 6 months lead-time should be allowed for marketing of the course subsequent to accreditation approval.

In general, an applicant should propose to offer a course for the first time approximately 18 months after submission of an application for accreditation.

Until the Minister has formally accredited a course, applicants must not offer the course, including through advertisements and on websites. The onus is on the applicant to allow sufficient time to complete the process – refer to flowchart that provides timelines against each step of the accreditation process.

2.1.3 Marketing During the Accreditation Process

Applicants in the process of accreditation should refrain from making any public statement or advertisement that falsely implies a course is accredited, or that the applicant is authorised to confer the award, until the Minister has formally granted accreditation of a course. This includes advertising or promoting a course as 'subject to approval'. The Act contains penalties for offering or advertising the offering of a course or the conferring of an award before it has been accredited. The provisions of the *Consumer Affairs and Fair Trading Act* may also apply.

2.1.4 Additional Considerations

Please note that while HES strives to complete course assessment processes as quickly as possible, there are a range of variables of which applicants should be aware, including:

- Requests from the panel for further information or clarification of aspects of the submission. This can lead to further meetings or extra time for consideration of new material
- Availability of panel members. Panel members other than chairs are usually acting on a voluntary basis and must negotiate time to attend to panel duties, which often means a limited range of dates for members to meet and consider material, especially during university examination periods in June/July and October/November

- Processing workflow peaks. A large percentage of applications are for proposed course offerings in the following year, leading to peaks towards the end of each year.

The Minister is required to appoint the panel at the beginning of the process and consider whether to grant accreditation at the conclusion.

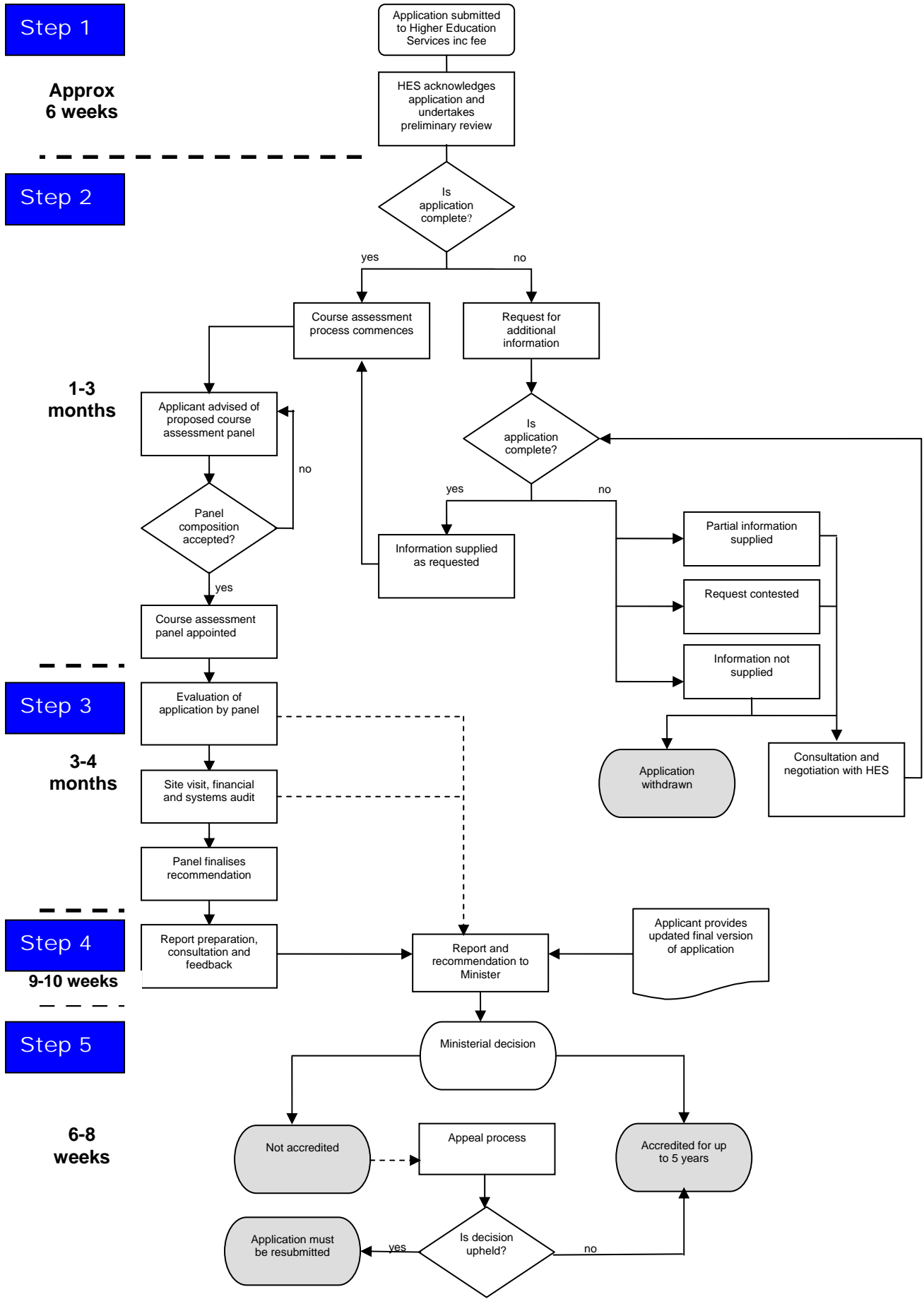
2.1.5 Application Fees

The Northern Territory *Higher Education Act 2004* mandates that an application for accreditation of a higher education course must be accompanied by the prescribed fee.

The amount of the fees are set out in the *Higher Education Regulations 2005* which is available through Higher Education Services or online at www.nt.gov.au/dcm/legislation/current.shtml

Fees are non-refundable.

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Reaccreditation

2.1.6 Stages in Initial Accreditation

Step 1

Development of an Application

Development of an application for accreditation involves the preparation by the applicant of a detailed and fully documented submission on the proposed course(s).

The submission document should make written comment on each eligibility criterion specified in Part 3 of these guidelines in sufficient detail to indicate compliance with all the criteria. Wherever possible, written claims should be supported by evidence, or be able to be otherwise substantiated by a course assessment panel.

Applicants should contact the Higher Education Services (HES) at the commencement of the development process, and to discuss forward planning.

It is at this step that the HES will determine the type of application and associated fee based on the NT Act and Regulations.

Submission of Initial Documentation

Applications should include:

- One copy of the completed application and accompanying application fee. The application should also include an attestation that the applicant is a fit and proper person to accept responsibility for a higher education course (see Appendix 1)
- An accompanying letter signed by the governing body or senior officer authorised by the governing body of the applicant formally requesting that the submission be assessed.

HES will acknowledge in writing receipt of these items.

Step 2

Preliminary Review of Initial Documentation

The preliminary review is an administrative arrangement for the assistance of the applicant. Its purpose is to save time by ensuring the required information is available in accordance with these guidelines for the formal consideration by a course assessment panel and to save unnecessary costs in relation to the course assessment process. In carrying out the preliminary review, HES does not seek to assess whether a submission meets the approved criteria.

Following the preliminary review, HES may either:

1. Arrange for the formal commencement of the course assessment process with the appointment of a course assessment panel by the Minister

OR

2. Seek further information if it appears that the application does not provide an adequate basis for a panel's consideration.

If the submission is not acceptable in its initial form, or there is too little information provided, HES will inform the applicant of the steps to be taken or additional information required.

If further information is requested, no other steps will be taken by HES until:

1. The information is forthcoming in a satisfactory form, incorporated in revised submission documentation

OR

2. The information is not supplied by the applicant, and three months elapse from the date of the request without the applicant replying to the request for additional information, in which case the application is deemed to be withdrawn, unless otherwise negotiated

OR

3. The applicant contests the need to supply additional information, or supplies only part of the information requested or supplies the information but in an unsatisfactory form, in which case two options are available to the applicant:

- (a) Make a case for and negotiate a further period in which to comply with the request to submit additional information

OR

- (b) Indicate in writing that the applicant wishes to have the course assessment process formally commenced using the information supplied to date.

HES will notify the applicant seeking reaccreditation of the number of copies of the modified submission required to be supplied for distribution to course assessment panel members, together with an outline of the likely timetable for the whole process.

Course Assessment Panel

The Minister will appoint a course assessment panel to assess an application for accreditation.

Functions

The primary role of a course assessment panel is to:

- Evaluate the report to the Minister on whether the course submitted for accreditation and the way of delivering it is appropriate to the type of award to which the course leads
- The course satisfies the relevant criteria in the National Protocols
- Recommend whether or not the course should be accredited, along with any recommended conditions arising from its consideration.

In the process of making its assessment, the course assessment panel will inspect the facilities necessary for the course, and seek any further information relevant to the assessment.

The onus is on the applicant to inform themselves about requirements for courses in the higher education sector and to demonstrate to the panel their capacity as a higher education provider.

Appointment

As accrediting authority, the Minister appoints the course assessment panel, on the recommendation of HES. The HES will send the proposed list of members of a course assessment panel to the applicant for comment prior to recommending a panel's appointment to the Minister.

An applicant may express any concerns or reservations it may have about any of the proposed members in writing, and these concerns will be transmitted when the final recommendation on a panel composition goes to the Minister.

Applicants should be clear that the Minister reserves the right to make the final choice on composition of all course assessment panels. The composition of course assessment panels are not open to veto by applicants or other bodies.

The approved composition of the panel will be made known to applicants.

Membership

There is no set requirement as to the number of members that will be appointed to a course assessment panel. The number of fields in the proposed course, the mode of delivery, and the extent to which curricular requirements within a particular field are already broadly recognised in higher education or need to be developed and evaluated, will be relevant factors in determining the number of members appointed.

HES may consult with a range of bodies, as it sees fit, in developing a recommendation for a course assessment panel.

Applicants are invited to propose the areas of expertise and the kinds of institutions/organisations and professional or industry bodies that might be appropriately represented on the course assessment panel, within the parameters of membership categories indicated below.

A course assessment panel is established:

- Independently of any single agency or institution/organisation, to provide a weight of impartial expertise, and not represent any sectional interests
- To provide a breadth of knowledge and expertise relevant to the fields of study, and depth of experience in the design and delivery of higher education courses
- To be of sufficient standing to have a high degree of credibility in the academic and general communities, and in relevant professions, industries and callings.

Members of a course assessment panel may be drawn from a range of areas including:

- Higher education institutions
- Public and private Vocational Education and Training institutions
- Professional or other relevant associations
- Practitioners in the particular area
- Potential public and private employers of graduates from the course
- Community interest groups.

For courses to be offered by distance education, online or flexible delivery an appropriate person experienced in the design and delivery of courses in that mode of teaching will be included.

Because of the benchmarking requirements in the accreditation criteria, ordinarily a course assessment panel will comprise a majority of higher education academics.

The chair of the panel will usually be a senior academic currently or recently employed in an academic institution other than the applicant. Primarily, the chair will be selected for their expertise and experience in the evaluation and accreditation of higher education courses within universities, and may have expertise in the relevant profession, industry or calling.

The panel has power to seek additional advice from persons outside its membership wherever it considers this to be necessary.

Responsibilities and Conduct

Members of a course assessment panel are expected to hold in confidence all information submitted by applicants and all information pertaining to the panel's deliberations. If members receive comments or questions from or about the applicant from which a course is being considered for accreditation, they should refer them to the staff in HES or the panel chair. Members should refrain from discussing the panel's deliberations outside the panel. Applicants should never contact members of a course assessment panel individually, but rather should direct any matters for panel members through HES.

Members invited to accept nomination to serve on a course assessment panel themselves are asked to consider potential conflicts of interest and themselves refuse invitations to join a course assessment panel if a serious conflict of interest might be possible. Such situations could arise where members have an active affiliation with the applicant being evaluated, such as having recently been or currently being students or employees of the applicant seeking accreditation, or where they have served as paid or unpaid consultants to the applicant, or where any other set of circumstances including close personal relationships, might inhibit their ability to evaluate objectively.

It is the nature of peer assessment that panel members may be drawn from institutions that offer programs in the same or similar fields of study as the applicant. While this is both common and expected, if there is a reasonable apprehension that such a panel member may not, or does not, bring to the assessment process a fair and unprejudiced mind, a conflict of interest may exist.

Members are also asked to disqualify themselves from membership of a particular course assessment panel if they have developed strong negative opinions about the type of course (or type of applicant) seeking accreditation, or would have serious difficulty judging objectively a particular applicant about which they have already formed a strong impression. The chair of the panel may seek disqualification of a member by the Minister should any of the above matters eventuate or become known.

It is a requirement that panel members sign a declaration to maintain confidentiality and also declare any conflicts of interest. Members must disclose any information that they may have or acquire during the process relating to the applicant being a fit and proper person to offer higher education.

Step 3

Panel Assessment

First Meeting

At its first meeting, the panel will conduct a detailed discussion of the application, and assess whether the written evidence presented is sufficient to satisfy the criteria for accreditation. The panel will identify any issues, points of clarification or further information it wishes to seek from the applicant.

The first meeting will include an applicant presentation, which is an opportunity to present the proposal to the panel. Ordinarily, key senior representatives of the applicant organisation, including the person/s directly involved in the development of the proposal, will make the presentation and those with overall responsibility for the delivery of the program/s. Applicants should restrict the overall number of representatives to no more than four. Following the presentation, the panel may question the representatives in relation to the issues, points of clarification or further information it has identified.

If, following consideration of the application, the applicant's presentation, and further discussion, the panel considers that the application clearly does not meet the criteria for accreditation, the panel has discretion at this step in the process to finalise its deliberations and prepare its report recommending to the Minister that accreditation be refused. In such a circumstance, a site visit will not be undertaken.

Requests for Information or Responses to Issues

The panel, through Higher Education Services may write to an applicant seeking further information or detail on any aspect of the application, whether related to information in the submission which needs clarification or amplification, or to make inquiries beyond the material submitted about aspects of the organisational culture and operation that the applicant may not have addressed explicitly. The panel may also seek responses from the applicant to specific issues raised at the first or subsequent meetings.

Subsequent Meetings

Written responses to requests for information or responses to issues will be considered at a subsequent meeting or meetings, where warranted.

Site Visit

This visit is arranged in consultation with the applicant and should, where possible, occur during term time or at other times when teaching and administrative staff are available and students are attending classes.

The format for the visit will be negotiated with the applicant, but will include:

- Time for the panel to question features of the applicant's application
- An inspection of physical facilities (including library, classrooms, any clinics and laboratories, computer laboratories, and administration)
- Viewing of documentation relevant to the application including promotional material, handbooks, assessment items
- Separate meetings with key academic staff, other staff involved in the delivery of the course and students and recent graduates (if relevant) in the field of study proposed for accreditation, without the presence of the key representatives of the applicant.

While a site visit is an interactive process, comments made during the course of the process do not constitute the panel's final assessment.

Step 4 Report Preparation

When the panel is satisfied that either:

- (a) There is sufficient evidence that the applicant satisfies the criteria for accreditation

OR

- (b) There is insufficient evidence to support accreditation and the applicant cannot demonstrate that they are likely to be able to provide this

a formal recommendation or recommendations to grant or refuse accreditation is formulated for the Minister's consideration.

The report to the Minister contains an overview of the findings, comments and recommendations of the course assessment panel, together with detailed notes of the findings, comments and recommendations of the panel made during its meetings, and lists any conditions or required actions it recommends to the Minister in relation to the application before it.

Consultation and Feedback

Prior to transmitting the course assessment panel's report to the Minister, HES will furnish a copy of the report and recommendations to the applicant.

The applicant has two weeks from the date of despatch of the report in which to notify its intention to respond formally on the panel's assessment or make any other comment on the report or recommendations. A timeframe for the response will be negotiated with HES. This response will be sent to the Minister with the course assessment panel's report for the Minister's consideration and deliberation.

Step 5 Accreditation Outcomes

On the basis of the material presented, the Minister shall either:

(i) Approve Accreditation

The Act allows for accreditation for a period of up to five years, after which the course may be assessed for reaccreditation for further periods of up to five years. Shorter periods of accreditation may be approved by the Minister if considered appropriate on the basis of a course assessment panel's findings.

The Minister may attach conditions that are relevant and reasonable to an accreditation based on a course assessment panel's recommendations. However, the Minister cannot grant conditional accreditation where criteria are not satisfied. Conditions may relate to the further development of delivery arrangements and curriculum as a program develops, or to quality improvement, and may require a follow-up visit by the course assessment panel. Typically, providers may be asked to report on conditions as part of the annual reporting process. Where conditions are set, there should be a clear timeline for their satisfaction, and any subsequent action in the event of non-compliance should also be specified.

OR

(ii) Refuse Accreditation

As specified in section 22 of the Act, if the Minister decides to refuse to grant the application, the Minister must give the applicant an information notice about the decision. Applicants should note that the Act provides that a person who is aggrieved by a decision of the Minister under the Act may appeal against the decision to the Supreme Court. Appeal provisions are specified in Part 9 of the Act.

Written notification of the Minister's decision is mailed to the applicant promptly after the decision is made, together with an information notice stating reasons for the decision.

2.2 Recognition of Interstate Accreditation

Interstate non-university providers intending to offer a course in the NT that is already accredited in their home jurisdiction can apply for accreditation through a mutual recognition process. The mutual recognition process acknowledges the accreditation of the course and some aspects of the provider by the other jurisdiction. Course assessment panels will accept the accredited status in another jurisdiction as evidence that certain accreditation criteria are satisfied, and will only need to evaluate the following types of criteria specific to delivery in the NT:

- Arrangements for organisation, administration and governance
- Financial capacity to deliver the course
- Staff and their links to the parent organisation
- Facilities and resources to deliver the course
- How the quality and review system operates
- Student support and welfare systems.

Applicants will still need to submit a complete application, including full documentation of the course and arrangements for its delivery, to the Higher Education Services (HES).

In the main, the steps in the accreditation process detailed above will still apply for applications for mutual recognition. Typically, however, the course assessment panel appointed by the Minister would not exceed three members, and may comprise only one member. In most cases, one panel meeting and a site visit, often combined, will suffice for the panel to arrive at a recommendation.

In usual circumstances the mutual recognition process is completed in a shorter timeframe to a full application process.

Once accredited in the NT, interstate providers will need to comply with the annual reporting requirement (section 26 of the Act) and reaccreditation will entail the same process as will apply to providers originating from the NT.

2.3 Marketing of Accredited Status

Applicants must ensure that marketing of their education and training services is carried out with integrity and accuracy. No false or misleading comparisons shall be drawn with any other provider, their courses or claims of association.

Applicant publications, statements and advertising should describe accurately the applicant, its operations and its accredited courses. Such information should include the expiry date of the accreditation of courses.

In cases where a course is accredited for offering by distance education, is delivered through more than one site, or in association with another entity, the responsibility for and oversight of advertising and recruitment materials for the course on each site rests with the accredited entity.

2.4 Changes During the Period of Accreditation

Amend or Cancel Accreditation

Under section 25 of the Act, the Minister may amend (or add) conditions of accreditation if there is a reasonable basis to do so. Before amending the conditions, the Minister must give written notice and have regard to any written submissions made by the applicant.

Under Part 8 of the Act, the Minister may cancel an applicant's accreditation if:

- there has been a breach of a condition of accreditation
- the course or way of providing it is no longer appropriate, having regard to the criteria in the National Protocols outlined in this Guideline (including financial ability), or
- the applicant fails to provide an annual report.

The Minister reserves the right to reconsider the accreditation status of a course at any time, and may call for a course assessment panel to be formed to give advice on re-evaluation of a decision when the Minister believes this is warranted. If such a step is contemplated, clearly specified reasons related to the criteria for accreditation will be provided to an applicant and the applicant's comment will be sought before any such decision is made.

Such action may follow from concerns identified in a provider's annual report to the Minister, or as a result of investigations of a complaint or grievance against the provider.

Major Change

Major changes to a course or a provider's operation may affect the accreditation status of the course. If a provider is in doubt about whether proposed changes fall into the category of major change, the applicant should contact Higher Education Services (HES) for advice.

The annual reporting process provides an opportunity for providers to identify key issues and advise any plans for major change.

Major changes include, but are not limited to:

- Significant change in educational requirements, in terms of a significant departure in content or mode of delivery to that proposed in the most recent accreditation application (eg adding distance education offering, or deleting or adding a course major)
- Change in location (eg moving to a new site, adding an additional site or deleting an existing site)
- Change in the legal status, sponsorship or control of the applicant or change in relations with other bodies (eg merger with another body, change in ownership, contracting with another body or person to deliver a significant portion of the degree program, withdrawal of affiliation or recognition by a key professional body)
- Substantial change in physical plant, clinics, laboratories or libraries (eg closure of computer facilities on site, natural disaster necessitating reconstruction of laboratories or clinics)

- Substantial change involving students, teaching staff, administration, governing body (eg significant reduction in number of full-time staff, substantial change in student admission policies or student grading systems; substantial revision in size and composition of governing body)
- Substantial change in financial/ethical arrangement (eg declaring bankruptcy, serious legal, financial or ethical investigations, misrepresentations to students and public).

While plans for major change are evolving, providers are advised to undertake early consultation with Higher Education Services to avoid any subsequent misunderstanding. When definitive plans have been formulated, but before the change is implemented, a formal request to have the change approved should be submitted. Depending on the nature of the change, the Minister may approve the change within the current accreditation period or require that a new application for accreditation be submitted. In circumstances where a new accreditation process is necessary and accreditation is subsequently approved, the duration of the new accreditation will be up to the duration remaining of the initial accreditation period.

This provision is in no way intended to inhibit new initiatives or changes in course curriculum. The normal evolution of a course in response to initiatives and review is recognised as inevitable and necessary to maintain relevance of the course. It is not considered a major change.

Monitoring of Changes

Although neither the Act nor these guidelines intend a formal audit process, under Part 7 of the Act, the Minister may authorise a person to visit the applicant's premises where courses are being provided, or are to be provided. During the visit, which may take place at any reasonable time, the authorised person may observe operations, require the provision of operational information and inspect or take copies of documents on the premises.

PART 3 – Criteria For Accreditation

3.1 Preamble

This section of the guidelines outlines the criteria for the accreditation of courses leading to higher education awards. These criteria include a range of expectations about the structure and content of the course itself, the organisational infrastructure and facilities appropriate to support higher education courses, and policies and practices relating to students and staff. It is the responsibility of the applicant to be familiar with these criteria and with practices and standards generally in the higher education sector and in the particular field of study and discipline area of the proposed course.

A course assessment panel must satisfy itself that the application for accreditation of a course to lead to a higher education award meets the following criteria with respect to the standard and quality of the course and the capacity of the applicant to deliver it.

3.2 General Requirements

3.2.1 Fit and Proper Person

The applicant must be a fit and proper person to establish and operate an institution offering higher education programmes. Submissions for accreditation must be accompanied by a signed proforma declaration from the relevant owner, director, president, chief executive officer or similar person attesting to the applicant's status as a fit and proper person, as well as those of its directors, officers and substantial shareholders. Applicants are required to disclose their prior history of applications for accreditation in all jurisdictions, including the outcomes of such processes, in the submission document (see Appendix 1 for Fit and Proper Person Guideline).

3.2.2 Statement of Mission or Purpose and Objectives

The submission document should include a clear, concise, accurate and realistic statement of mission or purpose and objectives that have characteristics commonly associated with higher education. A course assessment panel will expect evidence that the statement:

- Has been formally adopted by the applicant's governing body
- Is available publicly, particularly to prospective and existing students
- Is used to guide the direction of the education provided
- Is, or will be, updated and reviewed periodically to ensure that it continues to portray accurately the applicant and the courses which are accredited.

3.2.3 Governing Body

The applicant should provide details of the roles and responsibilities of the governing body as well as detailed Terms of Reference. The relationship between the academic governing body and other bodies involved in the organisation should be clearly illustrated, and the application should include the names and backgrounds of all members including whether they are internal or external to the organisation. A diagrammatic representation of the governance structure is useful to a course assessment panel. Importantly, lines of authority between owner, academic governing body, and executive staff should be explicit.

3.2.4 Legal Status

An applicant must have a formally incorporated or established legal status eg. it must be a company, incorporated association or statutory body. The application should include the following information:

- if company, registered name, ABN and office of company (attach copy of certificate of incorporation)
- if incorporated association, registered name and office of association (attach copy of certificate of incorporation)
- if statutory body, details of the Act of Parliament or Instrument establishing the body (as appropriate).

Note: For applicants operating under business/trade names, names and addresses of persons conducting the business should be supplied. A copy of the certificate of registration of the business/trade name is also required.

3.2.5 Administrative Arrangements

The applicant should describe how administrative processes support academic and teaching processes. In particular, clearly explain how responsibilities have been allocated to implement policies and procedures in relation to: students; human resources; facilities and infrastructure; and marketing and promotion.

3.2.6 Oversight of Educational Process

The applicant should describe clearly and succinctly the membership, roles and responsibility of the body responsible for oversight of the educational process. The body should include academic staff teaching and coordinating the course/s, and external members, including academics and relevant industry or professional representation.

3.2.7 Oversight of the Course

Applicants must supply evidence of the establishment and activity of an appropriately composed 'course advisory committee' or equivalent. Membership of the body may vary depending on the course area in question but must include an appropriate balance between staff of the provider and external members relevant to the discipline drawn from recognised higher education institutions, the professions and industry, as well as curriculum design/development expertise. A diagrammatic representation of the oversight of the educational process is helpful to course assessment panels. This could include lines of responsibility and reporting.

3.2.8 Monitoring of Outcomes

Applicants should have in place mechanisms and processes for monitoring and evaluating course outcomes that involve the relevant bodies responsible for oversight of the educational process and the course itself. The description of the role and functions of the bodies responsible for oversight of the educational process and the course itself, should include clear information on their roles in monitoring and evaluating outcomes and instigating action arising from the evaluations.

3.2.9 Strategic Planning

Details of the applicant's strategic plan should be included in the application, together with information on how the strategic plan is implemented and progress reviewed. The bodies responsible for oversight of the educational process should be involved in developing, implementing and reviewing the strategic plan. The strategic plan may include development plans for staff, facilities, research activities and the like.

3.2.10 Avenues for Review of Decision-Making

The application should contain information as to what avenues are provided to students and staff for review of administrative and educational decisions. There should be an indication of the bodies responsible for reviewing decisions, and the processes to be employed, including recourse to external mediation.

3.2.11 Relationship with Other Bodies

Applicants should supply formal documentation of existing relationships with other bodies and outline the nature of expected linkages where these are in development. For courses intended to provide professional registration or lead to professional practice, applicants should supply evidence that graduates will be eligible for membership of nationally registered professional organisations. In these circumstances, documented support for the course from relevant key industry/professional bodies is required.

3.2.12 Financial Viability

The financial standing and on-going viability of the applicant must be sufficient to permit the successful delivery of the course for the proposed period of accreditation. Applicants must be willing to undertake confidential disclosure of their financial and business operations.

3.2.13 Contingency Planning

The application should detail the contingency plans of the applicant, including evidence of agreements with other providers. The contingency plan might include 'teach out' arrangements with other like institutions, and be complemented by membership of academic and fee assurance schemes. The financial reviewer may inspect any contingency plans an applicant has in place.

3.2.14 Numbers of Staff

There are to be sufficient full-time and part-time staff employed by the applicant and available for teaching and management of the educational programs and students. Program offerings must be limited to those they can staff adequately.

For each major discipline area, there should be a senior full-time academic staff member with responsibility for coordinating the implementation, delivery and development over time of courses in the area, and providing academic leadership. The staff member should have postgraduate qualifications, experience in curriculum design, teaching and coordination experience and demonstrated scholarship in the discipline area. Seniority may also be denoted by experience in higher education institutions, and position in the provider's organisation. For each course, there should be a full-time academic staff member responsible for the day to day implementation and delivery of the program. There should be designated staff responsible for the delivery of the core teaching areas of the proposed course.

Provided an applicant satisfies the above criteria relating to senior academic staff members, and there are designated staff for the core teaching areas of the proposed course, a course assessment panel will accept a workforce development plan in lieu of full staffing details, in cases where an applicant has not yet appointed the full complement of staff. The workforce development plan should indicate, for each component of the course, the requisite qualifications and experience of teaching staff and their employment status. It should include evidence of how and when suitable staff will be recruited as well.

3.2.15 Level of Qualifications

As a general rule, other than senior staff, teaching staff should hold a qualification above the level of award for which accreditation is sought, in an area relevant to the area in which they will teach.

Where staff qualifications do not meet the standards outlined above, then evidence should be provided of appropriate alternative professional standing or experience. A detailed explanation of how other exceptions are handled should be provided – eg arrangements to upgrade qualifications of existing staff.

For each staff member, the submission documentation should provide information as follows:

Name	
Employment Status (eg. full-time, contract, etc.), length of service	
Coordination and teaching roles, including units taught	
Formal qualifications (level, awarding institution, areas of expertise)	
Relevant professional standing or experience	
Evidence of research, scholarly or professional activity (publications, membership of professional bodies)	

3.2.16 Verification of Qualifications

Applicants should have in place a system for verification of the bona fides of all qualifications of their staff. The submission should describe the process used to authenticate qualifications of staff responsible for teaching. Course assessment panels may request that an applicant attest to the accuracy of the details contained in the submission.

3.2.17 Staff Professional Learning

The application should describe briefly research, staff professional learning and exchange programs relevant to the professional development of staff and include details of budget allocated for this purpose. A staff development policy, including criteria for eligibility and procedures for accessing professional development support, should be included in the submission. The staff development policy should be an element of the applicant's strategic plan for development as a higher education provider.

3.3 Educational Requirements

The following sections of the Guidelines provide further information on how applicants can provide evidence that criteria relating to educational requirements are satisfied.

3.3.1 Level of Award

Applicants should indicate the proposed level of the award and duration of the course. A description of how the course outcomes match the characteristics for the level of the course defined in the Australian Qualifications Framework should also be included.

Guidelines for qualifications in the AQF can be found in the Australian Qualifications Framework Implementation Handbook, obtainable from the AQF secretariat, or online at www.aqf.edu.au/pdf/handbook.pdf. The outcomes from the proposed course should be mapped against the relevant AQF guideline. Tabular form can be an effective means of demonstrating equivalence.

3.3.2 Proposed Title of Award

The applicant should demonstrate how the title of the proposed award equates to other like awards in the higher education sector, and how the title reflects the course's content and major fields of study.

3.3.3 Nominated Authority Making Award

It is usual practice in universities for higher education awards to be offered by the governing body of the university. The submission should denote what body in the organisation will be conferring the award, and if it is not the governing body, how the role is delegated.

3.3.4 Rationale for the Course Overall

For each course, applicants need to provide an overall statement which explains the philosophical basis of the course, the relationship of the content to that philosophy, and identifies the underlying body of knowledge on which the course is based. The rationale will vary depending on the nature of the course and field of study. If it is a relatively new field, in

academic terms, the rationale might require an extensive statement, extending from philosophical underpinnings to current practice. If the course is highly specialised, the rationale should explain its relationship to the broader field of study of which it is a part. The rationale for the course should also provide a link between the mission or purpose of the provider and the course itself, and be consistent with the provider's strategic plan.

3.3.5 Statement of Objectives

The applicant will need to provide a statement of objectives for the course in terms of the educational and occupational outcomes for graduates. Applications should specify attributes that graduates will possess on completion of the course, in relation to:

- Acquisition of a body of knowledge
- Professional/technical or other job-related skills
- Generic skills, attitudes and values.

The objectives should:

- Be consistent with the applicant's mission and purpose
- Maintain consistency with the characteristic outcomes of the award level in the AQF
- Link to the course rationale, and individual unit descriptions and assessment strategies.

3.3.6 Entry Requirements

Applicants must set entry requirements for a course that ensure that students entering the course have an adequate basis of prior knowledge or skills on which to undertake successfully the studies which are proposed in the course. The course submission should:

- Provide details on the standard educational qualification required for admission, and on special admission categories or alternative entry arrangements – a copy of the applicant's admissions policy and published statements concerning admission requirements should be provided
- Include details of any arrangements for articulation into the course, particularly from non-higher education programs
- If the entry requirements are lower than the sectoral norm, explain how the graduate outcomes are going to be attained
- Describe procedures for verifying the credentials presented by applicants for a course of study.

3.3.7 Workload for the Course

The workload and duration of the course should fall within the normal range for the field of study concerned at the level of award, and be sufficient to enable the goals of the course realistically to be met. The submission should provide:

- Details on workload and duration of the course including an explanation of the system used by the applicant, and the relative weighting of course components (it is normal to use a credit point system to describe the workload for the course and its constituent subjects/units)
- Evidence of compatibility with national professional standards (where applicable) and with similar courses in the higher education sector.

3.3.8 Course Structure and Content

The submission must explain how all the major areas of study relevant to the stated rationale are covered in the course, and show that there is an appropriate mix of components for the level and field of study. It should also demonstrate that the course has an appropriate balance between the areas of study identified in the application. The submission will need to include a flowchart or table of the sequence of the course, semester by semester, showing:

- Sequence of units
- Core and elective subjects offered
- Pre- and co-requisites
- Any exit points which provide a qualification(s).

In this context, details of contact teaching hours for lectures and tutorials, and requirements for practical work/field/internship should be included. An indication of the stages in development of specialised and generic skills and knowledge in relation to the sequence of the course is useful to a panel. This section should also include an overview of the assessment strategy, showing how the nature, variety and timing of assessment items provide evidence of the development of skills, knowledge and attributes in students.

Subject Outlines

Subject outlines for each subject/unit should show the scope of each subject and its relationship to the overall course objectives. The outlines need to show the links between the subject objectives and the assessment criteria and methods, and how these flow from the overall course objectives.

While the format of subject outlines is not fixed, subject outlines need to show:

COURSE SUBJECT DETAILS	
Subject Name	State the name of the subject. The title should be appropriate to the content of the subject.
Nominal duration & weight	Provide the nominal duration and the percentage of the course (eg in terms of credit points). Where relevant, provide the teaching contact hours involved in the subject.
Development Responsibility / Subject Coordinator	Provide the name(s) of staff who will be responsible for the subject.
Teaching Staff	Provide names of teaching staff.
Pre-requisites	Specify, if applicable, the pre/co-requisite course subjects required to undertake the subject.
Course Subject Purpose	Specify whether the subject is core or elective. Outline the contribution of the subject to the overall course outcomes and provide a satisfactory rationale for including the subject in the course, for locating it at a particular stage in the course and for its status (core or elective) and workload.
Text Requirements	Provide details of set and recommended texts required.
Outcomes	List the learning outcomes and objectives for each course subject. Objectives for the subject should be clearly described and clearly specify desired learning outcomes in terms of knowledge, generic and technical/ specialist skills, personal and intellectual development.
Content	Provide a week-by-week description of the content/underpinning knowledge covered in the subject relevant to the achievement of the learning outcomes and the knowledge and skills developed throughout the subject. Subject content should be appropriate to the purpose, level and weighting of the subject, and consistent with the achievement of the learning outcomes.
Assessment	Describe in detail, including conditions under which assessment will take place and how the learning outcomes for the unit will be assessed. Assessment/evaluation methods should be appropriate to the learning outcomes of the subject and demonstrate clearly how the learning outcomes for the subject will be judged.
Delivery of Subject	
Delivery strategy	Identify the delivery strategy for the subject including face-to-face, mixed, on-line, interactive learning modes, on-job, practicums etc. Teaching approaches should be relevant to the content and

	consistent with learning outcomes.
Academic & General Resource Requirements	List the general resource requirements and if applicable, specialised facilities and equipment essential to delivery. Identify: the required learning resources; recommended learning support material; recommended readings which have currency and relevance to the subject; IT learning resources and associated requirements; and specific personnel requirements such as access to appropriately qualified practitioners or technicians (eg laboratory staff).
Academic & General Resource Requirements	List the general resource requirements and if applicable, specialised facilities and equipment essential to delivery. Identify: the required learning resources; recommended learning support material; recommended readings which have currency and relevance to the subject; IT learning resources and associated requirements; and specific personnel requirements such as access to appropriately qualified practitioners or technicians (eg laboratory staff).

The panel needs to be satisfied that each subject has been considered in its own regard. It is expected that differentiation in rationale, objectives, outcomes and assessment will occur. Applicants should avoid a 'cut and paste' approach to unit outlines. If there is a degree of uniformity in units, the submission should explain the pedagogic reason for this.

Specialised/Professional Skills

These skills should be clearly specified in the course submission, as should their progressive development throughout the course.

Where a course leads to professional practice of any kind, the match between the professional/technical skills to be taught in the course, and those required for practice, will need to be demonstrated.

Specific objectives for any practical training, along with details of the arrangements for such training, its supervision and assessment, will be required.

3.3.9 Modes of Study

The submission must indicate the study modes in which the course is to be available. Applicants must supply:

- Details about the modes of study proposed to be used in delivering the course and its components, such as full-time, part-time, internal, external, etc.
- Evidence that students enrolled in courses offered in concentrated or abbreviated time frames are able to achieve the learning outcomes for the course.

3.3.10 Methods of Delivery of Course Content

The submission must indicate the proposed delivery methods for the course, including any methods specific to particular components, and demonstrate the appropriateness of the methods. Submissions must:

- Identify the delivery modes used to deliver the course, such as on campus, distance, online, etc
- Provide evidence of how the use of library and information resources are integrated into the learning process.

3.3.11 Assessment of Student Progress

Submissions should show evidence of a range of assessment modes for the curriculum which are valid, fair, reliable and flexible. Applicants should have in place processes for ongoing external monitoring of assessment. The overall assessment philosophy should be explained in the body of the submission, indicating how the approach/s will provide evidence of the achievement of the learning outcomes of the proposed course. This should be continued through to individual unit outlines, where each assessment item, or event, is mapped against learning outcomes. External monitoring of assessment can take place through a number of mechanisms, such as external marking and setting of some exams or papers. Mechanisms should include benchmarking against the university sector.

3.3.12 Course Implementation and Resourcing

Applicants must be able to demonstrate that resource implications of the course have been adequately addressed. The submission should identify the -

- Proposed source(s) of funding for the course
- Anticipated student enrolments
- Level of fees to be charged to students
- Year in which the course is planned to begin
- Year in which the first students should complete the course; and enrolment projections for the length of the accreditation period (normally 5 years)
- Any expected load shift, for example, student articulation from existing programs.

3.3.13 Mechanisms for Evaluating, Monitoring and Changing the Curriculum

There should be mechanisms in place for the ongoing evaluation, monitoring and revising of the curriculum. The submission should provide details on the mechanisms:

- To monitor and evaluate course effectiveness and curriculum continuously, including regular evaluation of student feedback
- For students, employers and professional bodies to comment on curriculum design, delivery and outcomes
- To monitor student pass rates in individual course components and attrition rates and investigating where these are inappropriate
- For benchmarking against and ongoing monitoring of similar courses nationally and overseas.

3.3.14 Contract and Right of Appeal

Applicants need to ensure that their contract with students is explicit, that there are avenues whereby students may have grievances on administrative and academic decisions reviewed by a formal process which has a measure of independence from organisational management and that these avenues are made known to students. The submission should provide:

- Detail of existing policies on the selection of students; assessment, grading, and requirements for the awards; and the review of academic progress
- Evidence of publication of these policies and their availability to students
- Information on policies and procedures with respect to students rights and responsibilities and processes by which students can have administrative and academic grievances heard and reviewed.

A right of review of management decisions to the governing body might be an appropriate arrangement, provided there is a measure of independence between the governing body and management.

3.3.15 Recognition of Prior Learning and Credit Transfer

Applicants should have policies on Recognition of Prior Learning (RPL) and credit transfer that are consistent with practice in the higher education sector, and any national guidelines, such as those developed by the Australian Qualifications Framework Advisory Board and the Australian Vice-Chancellors Committee. The submission should:

- Clearly describe the policies for RPL and the transfer and acceptance of credit
- Include published advice to students on the policies.

Where patterns of transfer from other providers are established, efforts to formulate articulation agreements should be demonstrated. Where appropriate, articulation arrangements with other courses offered by the applicant should also be explained.

3.3.16 Charges and Refunds

There should be complete and clear disclosure of all charges to students, including refund policies and procedures, which state clearly and unambiguously the circumstances resulting in a charge and the requirements for a refund. Applicants should provide evidence of disclosure of all charges to students, including refund policies and procedures.

3.3.17 Student Support Services

The applicant should make available adequate services to students to permit successful completion of the course, including access to general services such as financial planning, in addition to academic support and appropriate learning resources and support services. The submission should provide information on key support services available to students (orientation activities, counselling, other support services including assistance with learning skills and study difficulties, financial and health services). If the applicant does not offer key student support services, the submission should outline how its students can access them elsewhere on a regular dependable basis.

3.3.18 Libraries and Information Resources

A course submission should include details of information resources, for example:

- A basic suite of electronic full text material
- A collection of print resources covering text books and recommended readings
- Electronic course readings (journal articles, papers, book chapters etc.)
- A broad range of resources providing knowledge that is broader and deeper than the prescribed course readings.

Note: In assessing the adequacy of library holdings, a course assessment panel will regard relevant electronic resources as equivalent to print materials, but only as long as they represent at least an equivalent information gathering experience.

3.3.19 Physical Facilities and Equipment

Submissions should include a description of physical resources and facilities to support the courses offered, including:

- Teaching rooms
- Audio-visual and instrumental equipment
- Computer facilities
- Public and recreational spaces for student use.

Physical resources and facilities will be evaluated during the site visit to the applicant.

3.4 Any Other Matters

The course assessment panel may comment on any other matter relevant to the successful offering of the course.

PART 4 – Reaccreditation

Reaccreditation is linked to the annual reporting process. Annual reporting is an on-going monitoring exercise that allows for a lesser focus on inputs and a greater focus on outcomes and future developments in reaccreditation processes.

4.1 Documentation

The Act requires that the Minister must be satisfied that the course and the way of delivering are appropriate to the award, having regard to the criteria in the National Protocols before reaccreditation will be granted. Therefore, a complete application is required, addressing all the criteria for accreditation. This also provides the 'benchmark' for the subsequent reaccreditation process, and for evaluating any major changes during the period of accreditation.

In addition, and most importantly, applicants for reaccreditation must supply a Reaccreditation Report. This Report will be the document the assessment panel concentrates on and should provide information compiled from Annual Reports, and evidence that:

- The applicant's mechanisms and processes for evaluating and reviewing the course, and monitoring course outcomes, are effective
- Mechanisms for monitoring and evaluating the delivery of the course are effective
- The applicant is progressing in achieving their strategic aims.

4.2 Indicative Timeline

The timelines for reaccreditation will be comparable to those for initial accreditation. Higher Education Services (HES) will advise providers 18 months in advance of the expiry of a current accreditation of the date by which reaccreditation applications should be submitted to ensure continuance of accreditation.

4.3 Stages in Reaccreditation

Step 1 Development of an Application

Development of an application for reaccreditation involves the preparation by the applicant of a detailed and fully documented application on the accredited course(s), and a Reaccreditation Report.

The application should be based upon the initial accreditation document, incorporating any changes to provider, course and delivery arrangements since initial accreditation. These changes should have been noted in annual reports.

Submission of Initial Documentation

The applicant should present the following items to HES:

- One copy of the application and Reaccreditation Report
- An accompanying letter signed by the governing body or senior officer authorised by the governing body of the applicant formally requesting that the application be assessed
- The completed application form and accompanying application fee. The application form includes an attestation that the applicant is a fit and proper person to accept responsibility for a higher education course.

HES will acknowledge in writing receipt of these items.

Preliminary Review of Initial Documentation

The preliminary review is an administrative arrangement for the assistance of the applicant. Its purpose is to save time by ensuring the required information is available in accordance with these guidelines for the formal consideration by a course assessment panel and to save unnecessary costs in relation to the course assessment process. In carrying out the preliminary review, HES does not seek to assess whether a submission meets the approved criteria.

Following the preliminary review, HES may:

- formally commence the course assessment process with the appointment of a course assessment panel by the Minister
- seek further information if it appears that the documentation does not provide an adequate basis for a panel's consideration
- If the submission is not acceptable in its initial form, or there is too little information provided, HES will inform the applicant of the steps to be taken or additional information required

If further information is requested, no other steps will be taken by HES until:

- the information is forthcoming in a satisfactory form, incorporated in revised documentation

OR

- the information is not supplied by the applicant, and three months elapse from the date of the request without the applicant replying to the request for additional information, in which case the application is deemed to be withdrawn, unless otherwise negotiated

OR

- the applicant contests the need to supply additional information, or supplies only part of the information requested or supplies the information but in an unsatisfactory form, in which case two options are available to the applicant:
 - make a case for and negotiate a further period in which to comply with the request to submit additional information

OR

- indicate in writing that the applicant wishes to have the course assessment process formally commenced using the information supplied to date.

HES will notify the applicant seeking accreditation of the number of copies of the modified documentation required to be sent to the panel members (with the panel members' permission) or to HES for distribution to course assessment panel members, together with an outline of the likely timetable for the whole process.

Step 2 Course Assessment Panel

The Minister will appoint a course assessment panel to assess an application for reaccreditation. The process of appointment, membership considerations and conduct of the panel remain the same as for initial accreditation.

The primary role of a course assessment panel is to:

- evaluate and report to the Minister on whether the course submitted for reaccreditation and the way of delivering it continue to be appropriate to the type of award to which the course leads, and the course continues to satisfy the relevant criteria in the National Protocols
- recommend whether or not the course should be reaccredited, along with any recommended conditions arising from its consideration.

In the process of making its assessment the course assessment panel will inspect the facilities necessary for the course, and seek any further information relevant to the assessment.

The onus remains on the applicant to inform itself about requirements for the monitoring, review, and quality assurance and enhancement of courses in the higher education sector and to demonstrate its capacity to continue to deliver the course or courses.

Step 3 **Evaluation of Documentation**

The course assessment panel will meet to conduct a detailed study of the Reaccreditation Report. The panel will also consider curriculum documentation, and a report from the HES on any action arising from the applicant's annual reports, and any conditions that may have been imposed on the previous accreditation. The panel will accept that core aspects relating to the provider were satisfactory at the time of accreditation, noting any changes to these advised in annual reports. The panel will assess whether sufficient written evidence is presented that:

- the course continues to satisfy the criteria for accreditation
- the applicant's mechanisms and processes for evaluating and reviewing the course, and monitoring course outcomes, are effective
- arrangements for delivery of the course continue to satisfy the criteria for accreditation
- the applicant is progressing in achieving their strategic aims.

The panel through HES may write to an applicant seeking further information or detail on any aspect of the submission, whether related to information in the submission which needs clarification or amplification, or to make inquiries beyond the material submitted about aspects of the organisation and operation that the applicant may not have addressed explicitly.

If it considers that the documentation before it demonstrates that the applicant clearly does not continue to meet the criteria for accreditation, the panel has discretion at this step in the process to finalise its deliberations and prepare its report recommending to the Minister that reaccreditation be refused.

Step 3 **Site Visit**

This visit is arranged in consultation with the applicant and should, where possible, occur during term time or at other times when teaching and administrative staff are available and students are attending classes.

The format for the visit will be negotiated with the applicant, but will include typically:

- a brief presentation by the applicant on the reaccreditation report, including changes to the course and delivery arrangements since accreditation, and their strategic development
- time for the panel to question features of the applicant's documentation
- an inspection of physical facilities (including library, classrooms, any clinics and laboratories, computer laboratories, and administration)

- viewing of documentation relevant to the submission including promotional material, evidence of course and learning outcomes monitoring
- separate meetings with key academic staff, other staff involved in the delivery of the course and students and recent graduates in the field of study proposed for accreditation, without the presence of the key proponents.

Site visits are interactive processes, however, comments made during the course of the process do not constitute the panel's final assessment.

Step 4 **Report Preparation**

When the panel is satisfied that either:

- there is sufficient evidence that the applicant satisfies the criteria for accreditation

OR

- there is insufficient evidence to support reaccreditation and the applicant cannot demonstrate that they are likely to be able to provide this

then a formal recommendation or recommendations to grant or refuse reaccreditation is formulated for the Minister's consideration.

The report to the Minister contains an overview of the findings, comments and recommendations of the course assessment panel, together with detailed notes of the findings, comments and recommendations of the panel made during its meetings, and lists any conditions or required actions it recommends to the Minister in relation to the application before it.

Consultation and Feedback

Prior to transmitting the course assessment panel's report to the Minister, HES will furnish a copy of the report and recommendations to the applicant.

The applicant has two weeks from the date of dispatch of the report in which to notify its intention to respond formally on the panel's assessment or make any other comment on the report or recommendations. A timeframe for the response will be negotiated with HES. This response will be sent to the Minister with the course assessment panel's report for the Minister's consideration and deliberation.

Step 5 **Options for Decisions on Reaccreditation**

In response to a course assessment panel report, options open to the Minister are:

(i) Approve Reaccreditation

Courses are generally accredited for a period of up to five years, after which they may be assessed for reaccreditation for further periods of up to five years. Shorter periods of accreditation may be approved by the Minister if considered appropriate on the basis of a course assessment panel's findings.

The Minister may attach conditions that are relevant and reasonable to an accreditation based on a course assessment panel's recommendations. However, the Minister cannot grant conditional accreditation where criteria are not satisfied. Conditions may relate to the further development of delivery arrangements and curriculum as a program develops, or to quality improvement, and may require a follow-up visit by the course assessment panel. Typically, providers may be asked to report on conditions as part of the Annual Reporting process. Where conditions are set, there should be a clear timeline for their satisfaction, and any subsequent action in the event of non-compliance should also be specified.

OR

(ii) Refuse Reaccreditation

As specified in section 22 of the Act, if the Minister decides to refuse to grant the application, the Minister must give the applicant an information notice for the decision. Applicants should note that the Act provides that a person who is aggrieved by a decision of the Minister under the Act may appeal against the decision to the Supreme Court. Appeal provisions are specified in Part 9 of the Act.

If an applicant is refused reaccreditation, any subsequent applications will be treated as an application for accreditation and will be considered in accordance with the guidelines for accreditation.

4.4 Assessment of Reaccreditation Applications

The following information is to guide applicants in preparing Reaccreditation Reports to accompany applications for reaccreditation. The emphasis is on providing evidence to a course assessment panel on aspects of the applicant's operation in relation to quality assurance mechanisms and strategic planning. The aim is to establish that the accredited course and its delivery remain, and are likely to continue to be, compliant with the accreditation criteria, through the effective operation of the provider's own quality systems.

In a broader sense, the reaccreditation process includes demonstrating the applicant is maintaining or enhancing a higher education culture. The key to maintaining or enhancing a higher education culture is through meaningful interaction with the broader higher education sector, and is reflected in the commitment of management and staff to these relationships. A higher education culture is also characterised by a commitment to free inquiry and participation in the generation of knowledge in relevant fields.

4.4.1 Quality Assurance Process

Providers of accredited higher education courses should have in place processes for monitoring the outcomes of the courses. These would include collecting and evaluating data on:

- academic outcomes, such as pass/fail rates, array of grades, progression and retention rates
- benchmarking against other higher education institutions, particularly universities
- external review processes
- graduate outcomes, including subsequent progress in further study in other institutions
- employer and professional satisfaction
- graduate satisfaction
- student evaluation of course surveys.

The Reaccreditation Report should present the results of monitoring, and evidence of how the results were considered and informed curriculum review and appraisals of delivery.

4.4.2 Curriculum Review

The applicant should have in place mechanisms for employers and professional bodies to comment on curriculum design, and for benchmarking against and ongoing monitoring of similar courses nationally and overseas. There should be avenues for academic staff of the institution and the broader sector to have input to curriculum design and review.

The Reaccreditation Report should document how these mechanisms have been effective, what sort of input and feedback has been received, and how this has been reflected in curriculum review. Any future directions in curriculum development arising from this process should also be described.

4.4.3 Staff Professional Learning

The applicant's staff development policy should be encouraging and supporting staff in enhancing their scholarship in relevant fields of study. The policy should be contributing to the applicant's strategic plan for development as a higher education provider.

The Reaccreditation Report needs to include details of staff development activities since the last accreditation process, including which staff undertook what activity, how the activity enhances their scholarly development, and what the provider's contribution to the activity was. The Report should also include details of publications; conferences or research projects staff have been involved in.

Applicants should have procedures for monitoring the teaching performance of staff, such as through student evaluation of teaching surveys. This should be an integral part of a provider's quality assurance framework. The Reaccreditation Report should demonstrate how teaching performance has been monitored, how data collected was evaluated and the findings acted upon. The Report should show what developmental strategies have been employed to enhance staff teaching performance, including what staff have undertaken development activities, and how the provider supported them.

4.4.4 Strategic Planning

A strategic plan for the applicant's development as a higher education provider will have been submitted with the initial accreditation application.

The strategic plan should demonstrate how the provider will achieve the educational objectives articulated in its statement of mission or purpose, including timelines for the achievement of particular milestones.

The strategic plan should include quality assurance strategies and achievement indicators. Indicators might relate to student demand for courses, progression, retention and completion rates, as well as graduate satisfaction and employment rates.

The reaccreditation report will show how the applicant has progressed towards achieving strategic goals in the preceding period of accreditation, and indicate the goals for the forthcoming accreditation period and strategies for achieving these goals.

4.4.5 Physical Infrastructure and information Resources Development Plan

A physical infrastructure and information resources development plan will have been submitted with the initial accreditation application and will form part of the subsequent reaccreditation.

Plans will include timelines for the achievement of certain milestones, sufficient budget allocations to support the development of infrastructure, and link to course review and development.

APPENDIX 1: Fit and Proper Person Guideline

Background

The *Higher Education Act 2004* (the Act) establishes the framework for accreditation of providers in Part 5, and in section 22 (Decision on application) specifies that the Minister is to grant an application for accreditation 'having regard to the relevant criteria mentioned in the *National Protocols*'.

According to the *National Protocols for Higher Education Approval Processes*, a criterion for accreditation is that the applicant is a fit and proper person to accept responsibility for the course. This requirement is framed in the following terms:

Protocol 3 – The accreditation of higher education courses to be offered by non self-accrediting providers

3.16 – Jurisdictions should use appropriate investigatory mechanisms to ensure financial probity and ensure that an applicant is a fit and proper person to establish and operate an institution offering higher education programmes.

3.18 – Applicants should be required to disclose their prior history of applications for accreditation in all jurisdictions, including the outcomes of such processes, as a condition of making an application.

Definition of fit and proper person

For the purpose of offering accredited higher education courses in NT, an applicant or provider will be considered to be a fit and proper person:

- If their criminal record does not contain offences the circumstances of which are directly relevant to providing higher education courses. Such offences that may be considered relevant include those listed in sections 2, 3 and 5 of the Attachment to this Appendix;
- If they are not an undischarged bankrupt or someone who has certain arrangements outstanding under the *Bankruptcy Act 1966* – refer sections 4 and 5 of the Attachment to this Appendix;
- If they or any provider with which they have been associated, have never been suspended or removed from any register of higher education or vocational education and training courses or providers for breaches of accreditation or registration legislation or conditions under the Acts specified in section 1 of the Attachment to this Appendix.

This status must be maintained at all times during the period of accreditation.

The terms “**applicant**” and “**provider**” include: an officer, a director, or substantial shareholder who is in a position to influence the management of the applicant or provider.

“**Substantial shareholder**” is defined as a shareholder who owns 15% or more of the applicant entity or is entitled to receive 15% or more of any dividend paid by the entity.

In accordance with the *Anti-Discrimination Act*, ‘**irrelevant criminal record**’ will not be taken into account in determining whether an applicant or provider is a fit and proper person. Irrelevant criminal record includes spent convictions, acquittals, withdrawn or dismissed charges, pardons, discharges, not guilty findings and guilty findings where the circumstances relating to the offence are not directly relevant to providing higher education courses.

Procedure for determining whether an applicant is a 'fit and proper person'

Each application for accreditation must be accompanied by a signed cover sheet including a declaration from the relevant owner, director, president, chief executive officer or similar person attesting to the applicant's status as a Fit and Proper person, as well as that of its directors, officers and substantial shareholders.

By signing the declaration, the signatory is giving consent to HES to investigate the status of the applicant/provider in relation to matters listed in the Appendix to this guideline, if necessary. This might entail Police and ASIC (Australian Securities and Investments Commission) searches, as well as exchanges of information with higher education or VET (vocational education and training) sector accreditation/registration agencies in other jurisdictions. In all cases, however, the primary onus will be on the signatory to disclose any relevant matters of which s/he is aware.

To undertake criminal history searches, the person to be searched must fill out a form (available at <http://www.nt.gov.au/pfes/police/services/chwu/index.html>), and attend a Police Station in order to have their identification verified and authorisation witnessed.

Through the Annual Reporting process, providers will be asked to attest to their continued status as fit and proper persons to deliver the higher education courses for which they hold accreditation.

In the event that the Office, or a Course Assessment Panel formally appointed to advise the Minister, has concerns about any aspect of an application or existing accreditation in terms of the 'fit and proper person' provisions, the OHE will verify the conviction or charge status, or the circumstances of removal or suspension from a register, of the relevant individual and formally advise the applicant/provider in writing of the nature of the concern, and invite a written response. The applicant/provider will have a minimum of 30 days to respond to the letter.

At the end of this process, HES will brief the Minister on the outcome of any investigations and the applicant/provider's response. If the concern arises during the application stage, the Minister will be asked to make a decision on whether consideration of the application should continue given the charge or conviction, or other circumstances. Once an accreditation has been granted, the Minister will be asked to make a decision on whether additional conditions should be added to the accreditation (for example, the removal of the individual concerned from the organisation), or whether the accreditation should be withdrawn. The authority to so cancel an accreditation or set further conditions is provided by section 36 (Grounds for cancellation of approvals and accreditations) of the Act, and is subject to the 'Show cause' and appeal requirements.

Responsibility for Staff

While the Fit and Proper person provision does not extend to staff of the provider, other than those defined above, the responsibility for ensuring the appropriateness of staff rests with the provider. Providers should have in place mechanisms for screening staff prior to employment, and procedures to ensure staff remain fit for their duties.

ATTACHMENT – ASSESSING FIT AND PROPER PERSON STATUS

1. TERTIARY ACCREDITATION LEGISLATION

NT: Higher Education Act 2004
 QLD: Higher Education (General Provisions) Act 2003
 Training and Employment Act 2000
 ACT: Tertiary Accreditation and Registration Act 2003
 NSW: Higher Education Act 2001
 VIC: Tertiary Education Act 1993
 TAS: Universities Registration Act 1995
 SA: Training and Skills Development Act 2003
 WA: Higher Education Act 2003

COMMONWEALTH: Higher Education Support Act 2003 (for application to external territories).

NEW ZEALAND: Education Act 1989

A Ministerially-appointed course assessment panel may also consider applicant or provider breaches of repealed legislation which preceded any of the above Acts.

2. CRIMINAL CODE

Division/Section	Offence/s
118	False statements in statements required to be under oath or solemn declaration
119	False declarations and statements
Part V, Division 2	Offences Against Morality
Part V, Division 4	Contamination of Goods
Part VI, Division 3	Homicide: Suicide: Concealment of Birth: Abortion
Part VI, Division 4	Offences Endangering Life or Health
Part VI, Division 5	Assaults
Part VI, Division 6	Offences Against liberty: Kidnapping: Abduction
210	General punishment of stealing
211	Robbery
212	Assault with intent to steal
213	Unlawful entry of buildings
215	Persons found armed with intent to unlawfully enter buildings

216	Unlawfully taking control of an aircraft
226B	Home invasion and invasion of premises
Part VII, Division 2	Criminal Deception: Blackmail and Extortion
Part VII, Division 4	Frauds by trustees, Officers of Corporations: False Accounting
257	Threatening to burn or destroy
Part VII, Division 7	Forgery and Like Offences
Part VII, Division 8	Preparation for Forgery
272	Personation in general
Part VII, Division 10	Computer Offences
Part VIII, Division 1	Attempts and Preparation to Commit offences
Part VIII, Division 3	Conspiracy: Accessories After the Fact

3. DRUGS MISUSE ACT 1986

Section	Offence
6	Aggravated supply of dangerous drugs
8	Producing dangerous drugs (1 st schedule drug in excess of 3 rd schedule quantity)
5	Trafficking in a dangerous drug

4. BANKRUPTCY ACT 1966

You must also advise HES if, at the time of making the application, or at any time during the process or any subsequent period of accreditation, you are, or become, an undischarged bankrupt, or have executed a deed of arrangement under Part X (Personal Insolvency Agreements) of the Bankruptcy Act 1966 where the terms have not been fully complied with, or have creditors who have accepted a composition under Part X where final payment has not been made under the composition.

5. OTHER JURISDICTIONS

'Prescribed offences' and relevant bankruptcies (and related arrangements) will include comparable offences and bankruptcies (and related arrangements) in other jurisdictions.

APPENDIX 2: Modified Accreditation Procedures for Established Non-University Providers

Background

In most cases, HES administers the course accreditation process. However, the Minister for Employment, Education and Training has approved a modified accreditation process that devolves some operational responsibilities for course assessment to certain established institutions. The modified accreditation procedures involves:

- Ministerial appointment of panel members to assess a course submission taking into consideration the membership recommendations of the institution
- Consideration of the course documentation by the panel, leading to the preparation of a report and recommendation on the course which is given to the institution's governing body
- Formal transmission of the panel's report and the recommendation of the institution's governing body to the Minister for consideration.

The same accreditation criteria apply, and the Minister remains the decision maker in respect of both the appointment of the course assessment panel and the final accreditation decision.

Eligibility to Operate the Modified Process

A course assessment panel can recommend to the Minister as part of its findings with regard to accreditation of a course or courses that a provider is eligible to operate the modified accreditation process. To be deemed eligible, the provider must:

- have an established record as a provider of a number of accredited courses leading to higher education awards, over a minimum period of ten years
- have significant experience of higher education accreditation procedures, which includes a record of successful reaccreditation without major qualification for the majority, if not all, of the institution's courses
- have demonstrated to the satisfaction of a number of course assessment panels that there are no matters of concern related to the general requirements for the provider's operation (statement of mission; organisation, administration and governance; relationships with other bodies, financial standing and staffing arrangements), as outlined in the relevant guidelines. These requirements must be maintained by the institution at the standard outlined in the guidelines over the ten year period, and be subject to a quality assurance process operated by the institution
- provide evidence of satisfactory general educational practices and standards (mechanisms for evaluating, monitoring and changing the curriculum; relationships with students; and physical resources and facilities), as outlined in the guidelines. The evidence must show how the institution has successfully achieved its stated mission and outcomes. The institution's general educational practices and standards must, in addition, be comparable to those operating in Australian universities.

In considering whether to allow an institution to operate a modified accreditation process for its courses, the Minister requires evidence that the institution has in place a range of on-going quality assurance measures in the following areas:

- the design and delivery of courses
- student assessment methods
- communication with and relationships with students
- the number, quality, range of expertise and on-going development of relevant staff, and monitoring of their performance
- measures for gathering, and acting on, feedback from students, employers and other stakeholders such as professional and industry bodies
- external benchmarking of courses and outcomes
- the adequacy of resources to support the courses
- financial viability.

The nature and effectiveness of the institution's measures in these areas will be subject to review through processes established by the institution for ongoing quality assurance and for periodic external formal review of its courses, academic units, or of the institution as whole.

An institution deemed eligible to operate the modified process will be advised in writing by the Minister, and must provide written advice that they accept the offer. Once an institution has commenced operating the modified process, they can revert to the standard process by written request. The Minister may withdraw the institution's eligibility to operate the modified process if the reasonable opinion is formed that the institution no longer satisfies the criteria for eligibility.

Modified Process

The modified accreditation process for a course involves the following stages:

1. The preparation by the institution of a detailed and fully documented application on the proposed course

In developing a course application, the institution will need to give particular consideration to the criteria for the accreditation of higher education courses specified in the relevant guidelines, and to demonstrate how the course proposed, and the arrangements for offering it, satisfy those criteria. Although suggested headings for the preparation of applications are provided in the guidelines, the institution is free to determine the most appropriate format for its submission, as long as all required accreditation criteria are addressed.

2. The establishment by the institution's governing body of a course assessment panel

A crucial factor in the accreditation process is the establishment of an independent course assessment panel to assess a submission for accreditation.

(a) *Role and Function*

The functions and role of the course assessment panel remain the same for the modified accreditation process as for the standard process.

(b) *Membership*

In addition to the membership provisions for course assessment panels in the guideline, a course assessment panel for a modified process may include a senior academic member of staff from the institution with expertise in the field of study in question (for example Dean, Head of School or Head of Division) and a member of the academic staff having a major involvement in the course. There must, however, be more external members on the panel than internal members. Course assessment panels are designed to provide, regardless of the interests of individual members, a weight of disinterested expertise.

It is common practice in the selection of course assessment panels to include at least one senior academic from interstate with experience relevant to the course, with a view to providing some degree of national quality assurance and giving balance to local expertise.

3. The approval by the Minister of the composition of the course assessment panel

The institution will need to submit to HES its proposal for the membership of the course assessment panel, which will be forwarded to the Minister for consideration and approval. The Minister is free to add a nominee or nominees to any course assessment panel, or to alter the composition of a panel, if considered necessary.

4. The submission on the course to be provided direct to the course assessment panel by the institution

The institution will make its course submission direct to the course assessment panel. However, one copy of the initial application should be supplied to HES along with the recommended panel membership. Three copies of the final version of the application, incorporating any changes arising from the assessment process, should be supplied to HES at the conclusion of the assessment process.

5. Administration of the assessment process by the institution

Under these procedures, the operational responsibilities for the assessment process are devolved to the institutions themselves. This involves responsibility for all arrangements for meetings of the course assessment panel and provision of necessary administrative and secretarial support for the panel's operation and the preparation of its report. All costs of the process, including any payments to panel members, are borne by the institution.

6. Preparation and submission of a report by the assessment panel to the institution's governing body, as to whether the course meets the required accreditation criteria specified in the relevant guideline and any qualifications to that recommendation.

Course assessment panels will be expected to recommend in one of the following forms:

- accreditation for up to five years without qualification

OR

- accreditation with qualification, together with advice on how and when changes required to address such qualification are to be effected

OR

- that the course not be accredited.

7. Transmission by the institution's governing body of the assessment panel's report to the Minister through the Office of Higher Education, together with any comments the governing body has on the report.

The National Protocols require that a course assessment panel report to the Minister, as the legally authorised decision maker. In the case of institutions operating the modified process, the governing body will transmit the panel's report to the Minister, together with any comments it wishes to make in relation to the recommendations of the panel.

8. A decision by the Minister on the accreditation of the course

The Minister may take advice on the panel's report and consider the comments of an institution, as the Minister deems necessary. The decision by the Minister will be made in terms of the same three options outlined above, and communicated to the institution in writing.