Material Change Procedure

Policy Code: CG1727

Table of Contents

Introduction .................................................................................................................................................... 1
Material Change Register .......................................................................................................................... 2
Material Changes ......................................................................................................................................... 2
Material Change Reporting Process ............................................................................................................ 2
Supporting Documents ................................................................................................................................ 3
Federation University Australia Contacts ..................................................................................................... 3
TEQSA Forms, Website and Email ................................................................................................................ 3
VRQA Forms, Website and Email ................................................................................................................. 3
ASQA Forms, Website and Email .................................................................................................................. 4

Introduction

It is the University's responsibility to determine which events (or combination of events) constitute a material change that will affect the University's ability to meet and comply with the various regulatory bodies requirements, including the Tertiary Education Quality and Standards Agency (TEQSA) Higher Education Standards Framework, the Australian Skills Quality Authority (ASQA) VET Quality Framework, the Victorian Registration and Qualifications Authority (VRQA) Guidelines and the Higher Education Skills Group (HESG) Funding Contract.

A Material Change, according to:

- Section 29(1) of the Tertiary Education Quality and Standards Agency Act 2011,
- Section 19(25) of the Vocational Education and Training Regulator Act 2011,
- VRQA Guidelines for VET Providers (VRQA),
- HESG Funding Contract;

is considered to be:

1. Changes to legal status/entity, form of control, ownership or shareholding (ABN, trading name).
2. Changes to key personnel (Chancellor, Vice-Chancellor, Chief Executive Officer, Senior Officers, Council members).
3. Changes to premises at which education services are provided (changes to campus locations, location of Vice-Chancellor, key contacts, website url).
4. Adverse findings (adverse recommendations by a professional body, association or government agency).
5. Financial sustainability (administration status, changes to funding sources, severe financial difficulties).
6. Third party, agent and/or partner arrangements (in the delivery of education services, is there an addition or termination of an agreement with a partner provider/third party/agents or failure of a third party/partner provider/agent to deliver services on the University's behalf).
7. System failures (IT systems, student administration systems if impacts education operations).
8. Damage to Facilities, premises or equipment (long term damage or impact on the University's ability to deliver learning, teaching or research services), and
9. Any changes that may affect the University's registration as a higher education provider or as a registered training organisation.
10. The suspension, withdrawal or cancellation of the University's registration by a regulatory bodies.

**Material Change Register**

The Material Change Register will record details of reportable and non-reportable Material Changes at the University. The Register includes information on the areas affected by the change and whether consultation has been undertaken by the appropriate senior manager and due consideration has been given to the impact of changes on operational areas within the University.

The Register will allow Quality Services to keep track of what stage a Material Change notification is up to in the process.

**Material Changes**

Reportable

It is a condition of continued registration that the University notifies the relevant regulatory bodies of any Material Changes that it deems of such a nature to significantly affect operations and/or the administrative structure of the University.

Non-Reportable

Not all Material Change events will require reporting to a regulatory body. However due to the nature of the event, internal reporting and registering should take place. This is to ensure that the appropriate impact studies have taken place and reported to the regulatory bodies if required.

**Material Change Reporting Process**

1. It is the responsibility of the University's Governance and Management Committees to monitor and assess the risk factors of any potential material changes. All potential Material Changes to be forwarded to Quality Services for placement on the University Governance and Management Committee's agendas. Where the University Governance and Management Committees are unable to meet within the reporting timeframe required by the regulatory bodies, the Chair of the Committee/s will undertake the necessary follow-up with the members of the Committee/s.

2. The University Governance and Management Committees will determine whether the Material Change event is reportable or non-reportable. The operational areas affected by the changes will be requested to provide details of the risks and impacts of the changes (if relevant) and measures undertaken to ensure minimum disruption or impact on students and staff.

3. Once the University Governance and Management Committees have made the determination that a Material Change event is reportable, Quality Services will complete the appropriate Notification of Material Change to Regulators Form and forward to the relevant DVC for approval.

4. **Non-reportable** - Material Change events to be recorded by Quality Services in the Material Change Register - no further action required. **Reportable** - Quality Services will complete the documentation required by each regulatory body in the appropriate method and time frame.

5. HESG - notifications of Material Changes will be forwarded to Data to be lodged through the STVS system.

HESG must be notified immediately (at least 20 days prior to change taking effect) upon the University becoming aware of any proposed change in control. Refer to the HESG Contract for a definition of control in relation to material change.
The HESG notification must include details of:

- The date the change is due to take effect from; and
- Any other information previously submitted by the University to HESG which may be effected by the proposed change.

Once HESG receives the notification of the proposed change, the Department may notify whether or not it approves the proposed change.

6. Notification must be provided to TEQSA no later than 14 days after the day that the provider would reasonably be expected to have become aware of the event.

7. ASQA - ASQA must be notified of Material Changes through the appropriate means. Third-party agreements must be lodged through the ASQAnet system within 30 days of commencement and/or termination of an agreement by Quality Services.

8. A regulatory body may investigate the Material Change notification based on perceived risk. If any further action and/or information is required, the University will be advised within 30 days of receiving the notification of the Material Change. The University will be advised of the approval of the Material Change by the regulatory body.

9. Confirmation of approval of reportable Material Change events to be forwarded to Quality Services for recording in the Material Change Register.

Supporting Documents

Tertiary Education Quality and Standards Agency Act 2011 (TEQSA)

Vocational Education and Training Regulator Act 2011 (ASQA)

VRQA Guidelines for VET Providers (VRQA)

Federation University Australia Contacts

<table>
<thead>
<tr>
<th>TESQA</th>
<th>Deputy Vice- Chancellor (Learning and Quality)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASQA</td>
<td>Deputy Vice- Chancellor (Academic)</td>
</tr>
<tr>
<td></td>
<td>Registration / General Enquires</td>
</tr>
<tr>
<td></td>
<td>Quality Officer, Quality Services</td>
</tr>
<tr>
<td>VRQA</td>
<td>Quality Officer, Quality Services</td>
</tr>
<tr>
<td>HESG</td>
<td>Quality Officer, Quality Services</td>
</tr>
</tbody>
</table>

TEQSA Forms, Website and Email

- Material Change Notifications
- Email enquiries to enquiries@teqsa.gov.au
- TEQSA does not require the completion of a form for the notification of material changes. Notifications can occur via an email, letter or telephone call.
- Multiple changes can be included in a single notification.

VRQA Forms, Website and Email
• Email - gar@edumail.vic.gov.au

ASQA Forms, Website and Email

• Notification of Material Change or Event Form
• Notification of Change of Provider Details Form
• Email - notifications@asqa.gov.au