

## **Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

### **Higher Education Standards Framework (Threshold Standards)**

This instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Legislative Instrument**

The legislative instrument prescribes a subset of the Higher Education Standards Framework known as the Threshold Standards. The following Threshold Standards are prescribed, respectively, under paragraphs 58(1)(a) to (d) of the *Tertiary Education Quality and Standards Agency Act 2011*, inclusive:

- the Provider Registration Standards;
- the Provider Category Standards;
- the Provider Course Accreditation Standards; and
- the Qualification Standards.

The Threshold Standards do not change the fundamental scope or general intent of the current requirements for higher education providers under the National Protocols for Higher Education Approval Process and the Australian Qualifications Framework, but rather ensure that they can be clearly understood and consistently interpreted, applied consistently to all providers and enforceable.

#### **Human Rights Implications**

The Legislative Instrument engages the following human right:

##### *Right to education*

The right to education is contained in Article 13 of the International Covenant on Economic, Social and Cultural Rights which aims to ensure that higher education shall be equally accessible to all, on the basis of capacity.

The purpose of the legislative instrument is to make the Threshold Standards. The Threshold Standards which comprise a core component of the Higher Education Standards Framework are integral to the regulatory framework in which Tertiary Education Quality and Standards Agency (TEQSA) will operate. TEQSA will register and evaluate the performance of higher education providers against the Higher Education Standards Framework. All providers must meet the Threshold Standards in order to enter and remain within Australia's higher education system.

The Threshold Standards are crucial to ensuring the standard of higher education providers and the courses they offer to students is sufficiently robust in order to ensure students have access to quality higher education.

## **Conclusion**

This instrument is compatible with human rights as it does not raise any human rights issues.

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