

VICTORIA UNIVERSITY

Victoria University Act 2010

Vice-Chancellor Regulations 2021 (Consolidated)

VICE-CHANCELLOR REGULATIONS 2021

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Part 1 – Preliminaries

Commencement

1. Following University Council approval, this Regulation comes into operation on its promulgation upon publication on the University website.

Interpretation

2. A reference in this Regulation, in relation to a power of delegation, to the functions, powers or duties of a person or body is a reference to the functions, powers or duties conferred or imposed on the person or body by or under this or any other University Regulations.

Authorisation

3. This Regulation is made under the *Governance, Academic and Student Affairs Statute 2013* and sections 28, 29 and 30 of the Victoria University Act 2010.

Part 2 – Appointment

1. Under 26 of the Victoria University Act 2010, the University Council appoints the Vice-Chancellor as Vice-Chancellor and President of the University.

Part 3 – Functions

1. As set out in the *Governance, Academic and Student Affairs Statute 2013*, the Vice-Chancellor is responsible to the University Council for the management of the University, including:
 - a. the academic, administrative, financial and other business of the University;
 - b. the supervision, either directly or indirectly, of all persons in the service of the University;
 - c. the welfare and discipline of staff and students of the University, and
 - d. Maintenance of good order at the University.
2. As the most senior management position within the University the Vice-Chancellor is accountable to the University Council for providing reports on the

leadership, management and administration of the University to enable University Council to undertake its duties and functions.

3. Subject to any limitations set out in the Victoria University Act and the, *Governance, Academic and Student Affairs Statute 2013* University Council confers on the Vice-Chancellor the powers, functions and duties necessary to undertake the leadership, management and administration of the University.
4. The Vice-Chancellor may establish, restructure or close down any University academic, research or administrative portfolio division or group including:
 - a. colleges and faculties;
 - b. schools;
 - c. institutes;
 - d. centres; and
 - e. departments.
5. The Vice-Chancellor has the authority to obtain from any staff member information related to the exercise of any of the Vice-Chancellor's powers, functions and duties.
6. The Vice-Chancellor may exercise any powers of University Council which are:
 - a. necessary for or incidental to the proper administration of the University;
 - b. are of a routine or minor nature; or
 - c. which by reason of an emergency require immediate action.
7. The Vice-Chancellor oversees the implementation of the University plans, frameworks, strategies and policies.
8. The Vice-Chancellor has authority to approve management policies, and procedures that relate to the human resources, financial and administrative areas of the University not reserved by University Council.

9. The Vice-Chancellor oversees and manages all divisions and campuses of the University including management portfolios.

10. The Vice-Chancellor is responsible for overseeing safety and well-being of staff and students and implementing mechanisms to monitor risk and compliance with statutory, legislative and regulatory requirements.

11. The Vice-Chancellor may delegate such functions as is necessary to perform the Vice-Chancellor's functions and must oversee and monitor delegations to:
 - a. any appropriately qualified member of staff; or
 - b. any committee established from appropriately qualified members of staff.

12. Without limiting the Vice-Chancellor's functions as set out in Part 3 Regulation 1 of this Regulation the Vice-Chancellor may for the purpose of maintaining a safe, functional and inclusive University environment at any time direct a person to vacate or not to enter a University building or land where in the opinion of the Vice-Chancellor, the occupation of the building or land may:
 - a. significantly interfere with the teaching, research and administrative activities of the University;
 - b. unreasonably impact the health and safety of any person; or
 - c. be threatening, intimidating or harassing to others.

Before exercising a power under this Regulation 12, the Vice-Chancellor will, whenever possible, consult with the Chancellor or a Deputy Chancellor.

Part 4 – Educational Regulatory Environment

Schedule 1 to this Regulation contains an overview of the regulatory framework within which the University operates.

VERSION HISTORY

Version	University Council approval	Commencement	Notes/amendments

SCHEDULE 1

Tertiary Education Quality and Standards Agency

1. The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national quality assurance and regulatory agency for the higher education sector. It was established by the Tertiary Education Quality and Standards Agency Act 2011 (Cth) with the purpose of:
 - a. ensuring the higher education sector operate and comply with the Threshold Standards,
 - b. registering regulated entities as higher education providers (which includes self-accrediting universities) and accrediting courses of study for non self-accrediting higher education providers,
 - c. conducting compliance and quality assessments,
 - d. providing advice and making recommendations to the Commonwealth Minister responsible for Education on matters relating to the quality and regulation of higher education providers,
 - e. cooperating with similar agencies in other countries, and
 - f. collecting, analysing, interpreting and disseminating information relating to quality assurance practice and quality improvement in higher education.

Higher Education Standards Framework (Threshold Standards) 2021

2. The Threshold Standards has been structured to align with the student experience or 'student life cycle' i.e. as they progress from prospective students through to the award of a qualification. The Standards are intended to be useful to higher education providers as a framework for internal monitoring of the quality of their higher education activities. They encompass the matters that a higher education provider would ordinarily be expected to address in the course of understanding, monitoring and managing its higher education activities and any associated risks, and apply at all times
3. The Threshold Standards:

- a. set out the requirements that a higher education provider must meet – and continue to meet – in order to be registered by TEQSA to operate in Australia as a provider of higher education. The Standards provide the basis for the regulation of registered higher education providers
- b. ensure that the barrier to entry into the higher education sector is set sufficiently high to underpin and protect the quality and reputation of the sector as a whole
- c. establish a baseline for operational quality and integrity from which all providers can continue to build excellence and diversity, and
- d. serve other broader purposes including the provision of an articulation of the expectations for provision of higher education in Australia as:
 - a guide to the quality of educational experiences that students should expect
 - a reference for international comparisons
 - a reference for other interested parties, and
 - a model framework which higher education providers can apply themselves for the internal monitoring, quality assurance and quality improvement of their higher education activities.

Australian Skills Quality Authority

4. The Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training (VET) sector. It was established by the National Vocational Education and Training Regulator Act 2011 (Cth) and regulates registered training organisations (RTOs) including Technical and Further Education (TAFE) organisations that offer vocational education and training (VET) courses. ASQA's role is to make sure that the sector's quality is maintained through the effective regulation of:
 - a. vocational education and training providers,
 - b. accredited vocational education and training courses.

ASQA Standards

5. ASQA regulates against two main instruments:
 - a. Standards for Registered Training Organisations (RTOs) 2015
 - b. Standards for VET Accredited Courses 2021.

Australian Qualifications Framework

6. The Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework. It underpins the national system of qualifications in Australia encompassing higher education, vocational education and training and schools.

ESOS Framework

7. The Education Services for Overseas Students Act 2000 (Cth) or ESOS Act, establishes the legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. Under the ESOS Act, a provider must apply to an ESOS agency for approval to provide a course at a location to international students. The three ESOS agencies are:
 - a. TEQSA for higher education providers;
 - b. ASQA for vocational and training providers; and
 - c. The Secretary of the Department of Education, Skills and Employment (DESE) for schools.
8. The ESOS Framework comprises of subordinate regulation:
 - a. National Code of Practice for Providers of Education and Training to Overseas Students 2018
 - b. National Standards for Foundation Programs
 - c. ELICOS Standards 2018

Higher Education Support Act

9. The Higher Education Support Act 2003 (Cth), or HESA, is the legislation that governs education funding in Australia. HESA establishes the administrative requirements under the Commonwealth Grant Scheme (CGS) and HECS-HELP loans for Commonwealth Supported Places (CSP). HESA establishes the institutions eligible for the public funding subsidy for higher education which are primarily public universities. These arrangements include grants made for research and special purposes.

10. HESA also establishes the FEE-HELP and VET Student loans scheme, to assist students pay tuition fees for units of study undertaken in approved courses approved providers. The FEE-HELP scheme is administered by the Department of Education, Skills and Employment.