

CHANGES TO REGISTERED PROVIDER OWNERSHIP OR MANAGEMENT POLICY (INCLUDES MATERIAL CHANGE NOTIFICATION REQUIREMENTS)

Approving authority	Governing Board
Purpose	This policy sets out how the Institute notifies TEQSA of material changes to Institute operations or ownership and that may impact on the Institute's capacity to meet requirements of relevant Acts and standards.
Responsible Officer	President and CEO
Next Schedule Review	June 2031
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	Compliance Policy and Procedure Registering Courses on CRICOS Policy and Procedure

1. PRINCIPLES

This policy outlines the processes required by the Ozford Institute of Higher Education (hereafter referred to as 'the Institute') to notify TEQSA about changes to Institute operations or ownership that impact on the Institute's capacity to meet requirements of relevant Acts and standards.

The Tertiary Education Quality and Standards Agency Act 2011 specifies that the Tertiary Education Quality and Standards Agency (TEQSA) registers providers and accredits courses of study. The Institute is required to notify TEQSA of material changes to the Institute operations or its ownership.

The Education Services for Overseas Students Act (ESOS) sets out the legal framework governing the delivery of education to overseas students studying in Australia on a student visa. The Australian Government administers the ESOS Act and its associated instruments and has delegated oversight of higher education providers registered to deliver courses to overseas students to TEQSA.

2. SCOPE

This policy to all staff and contractors involved in the Institute's operations.

3. DEFINITIONS

Related person

A related person of the Institute

- an associate of the provider who has been, is or will be, involved in the business of the provision of courses by the provider;

- a high managerial agent of the provider.

High Managerial Agent

A high managerial agent of the Institute is an employee, agent or officer of the provider with duties of such responsibility that his or her conduct may fairly be assumed to represent the Institute in relation to the business of providing courses.

Material Change

Section 29 of the Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act) requires that registered higher education providers must notify TEQSA of events that happen or are likely to happen that will significantly impact the provider's ability to meet the Higher Education Standards Framework (Threshold Standards) 2021 (Threshold Standards) and/or that require the National Register to be updated in respect of the provider.

A 'material change notification' is how providers ensure timely disclosure of such events to TEQSA.

Material change notification

A material change notification is the disclosure of events that happen or are likely to happen that will significantly affect a provider's ability to comply with the HES Framework or that will require changes to the National Register or as required under the ESOS Act.

- Section 29(1)(a) of the TEQSA Act requires that a registered higher education provider must notify TEQSA if an event happens or is likely to happen that will significantly affect the provider's ability to meet the HES Framework.
- Section 29(1)(b) of the TEQSA Act requires that a registered higher education provider must notify TEQSA an event that will require the Register to be updated in respect of the provider.
- Section 29(2) of the TEQSA Act requires that the notification must be given no later than 14 days after the day the provider would reasonably be expected to have become aware of the event.
- Section 17A of the ESOS Act requires a provider to notify TEQSA of the following:
 - any occurrence of an event that would significantly affect the provider's ability to comply with the Act (subsection 17A(1) within 10 business days after the event occurs (subsection 17A(2)
 - any prospective changes to the ownership of the registered provider as soon as practicable before the changes takes effect (subsection 17A(3)(a)any prospective or actual change in relation to a related person of the provider (subsection 17A(3)(b)
 - if the change cannot be determined until it takes effect, within 10 business days of the change taking effect ((subsection 17A(3)(b)(i) or
as soon as practicable before the change takes effect ((subsection 17A(3)(b)(ii)

4. POLICY

4.1 The Governing Board has responsibility for approving the submission of any material change notification to TEQSA as required by the Institute's Delegations Schedule.

- 4.2 The President and CEO has responsibility for ensuring information about the Institute is recorded in the National Register of Higher Education Providers is correct, and action any material change notifications pertaining to that information.
- 4.3 The Institute will advise TEQSA of any material change that would:
- significantly affect the Institute’s ability to meet the TEQSA Compliance Frameworks;
 - require the TEQSA Register to be updated including:
 - any change to the name of the legal entity
 - any change to the Australian Business Number (ABN)
 - any change to a business or trading name
 - any change to the details of the head office and/or website address
 - any change to the Chief Executive Officer of the provider, or equivalent
 - any change to the Principal Contact Officer of the provider
 - any change to the name of a course accredited by TEQSA.
- 4.4 The Institute’s Executive Management team has responsibility for identifying whether a Material Change notification is required. When deciding whether a change or event requires reporting to TEQSA, the Institute’s Compliance team will consider:
- The impact of the event:- Who and what has been, or may be in the future, impacted by the event? For example, does the change pose a risk to students, or the provider’s financial viability?
 - The risks and potential consequences: Does the event pose a risk to the provider’s ability to meet the Threshold Standards or continue its current operations?
 - The nature of the change: Is the event a result of, or could it lead to, more systemic or ongoing risks?

Critical Incidents or Significant risks to Registration

- 4.5 Any event, critical incident or emergent risk which may significantly impact the Institute’s capacity to reasonably uphold their quality of education, governance arrangements, financial viability or wellbeing and safety of students and staff will be reported to TEQSA.
- 4.6 The Institute will notify TEQSA where it is unsure about the impact the event or change will have on its ability to comply with the TEQSA Compliance Frameworks or the appropriate response to the impact or change.

Non-compliance or substantial near misses

- 4.7 Where the Institute becomes aware of non-compliance with the TEQSA Compliance Frameworks, these instances will also be reported to TEQSA along with the actions being taken to rectify the non-compliance and prevent repeated breaches.
- 4.8 Substantial operational changes or significant near misses that may not ‘significantly impact’ the Institute’s ability to meet the requirements of the TEQSA Compliance Frameworks but may indicate that compliance with the TEQSA Compliance Frameworks was or is currently at risk, will also be considered for notification.

TEQSA strongly encourages providers to report these matters as material change notifications, as they present an opportunity for the Institute to demonstrate the proactive identification and governance of risk, and the maturation of risk management and self-assurance practices.

Significant planned course changes

- 4.9 The Institute will notify TEQSA of significant planned changes to any courses accredited by TEQSA. The notification will include the rationale used to assure the provider that the changes do not constitute a new course of study. Early notification of planned changes enables TEQSA to consider the changes and determine whether the course is changed so fundamentally that it amounts to a 'new' course of study requiring an accreditation application.

Teach out of courses

- 4.10 Where a course of study accredited by TEQSA is being taught out, and no students will be enrolled in the course beyond the current accreditation expiry date, the Institute will notify TEQSA of the decision to let the course expire.

Change of Ownership

- 4.11 Where there is any change in ownership, the Institute will assist TEQSA to obtain any information on the new owner or related person for the purpose of making an assessment under the 'fit and proper person' test.

Notification Requirements

- 4.12 The notification of the material event will be given no later than 14 days after the day the Institute would reasonably be expected to have become aware of the event. In the event of multiple changes or events taking place at the same time, only one consolidated notification is required

Notifications do not constitute an application for approval to implement changes, as approval is not required. TEQSA may follow up if it considers there is a risk of non-compliance with standards in the TEQSA Compliance Frameworks.

- 4.13 The material change notification will include a clear summary of the event/s and/or change/s that includes:
- timeframes outlining when the change or event happened or will happen, and whether it is temporary or ongoing
 - the Threshold Standards to which the change or event relates
 - the anticipated or actual scale of the impact on students, staff, or provider reputation
 - for unanticipated events, how the event was detected and whether there was failure of existing controls to detect and mitigate risk
 - for anticipated changes, an overview of the internal approval process
 - the steps that have or will be taken by the provider to mitigate or manage the risks or consequences associated with the change or event
 - the steps taken by the provider to assure itself of the appropriateness of its response measures to mitigate and manage the identified risks and ensure continued compliance with the Threshold Standards
 - improvements to risk management and self-assurance processes that have or will be implemented to better identify, mitigate, and manage future risks.

- evidence demonstrating that the relevant body (e.g. Governing Board, the Audit and Risk committee, or the Academic Board) has been advised of the event and has overseen the response.

ESOS Act Notification

4.14 The Institute will also advise TEQSA of any occurrence that would significantly affect its ability to comply with the ESOS Act or changes to its registration including:

- any occurrence of an event that would significantly affect the Institute's ability to comply with the Act
- any prospective changes to the ownership of the Institute, including information on the new owner, as soon as practicable before the change takes effect; or
- any prospective or actual material change in relation to a related person of the Institute, where:
 - if the change cannot be determined until it takes effect—within 10 business days of the change taking effect; or
 - otherwise as soon as practicable before the change takes effect.
- substantial changes to its operation including any changes to its structure which might result in a new legal entity as the new entity.

4.15 The Institute will use the relevant CRICOS change form to notify TEQSA of any changes that require notification under the ESOS Act.

5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meets the requirements of the TEQSA Compliance Frameworks the policy will be:

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the TEQSA Compliance Frameworks approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every five years from the date of approval (if not earlier).
- 5.4 referenced to the applicable TEQSA Compliance Frameworks requirement(s) and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- Federation University, Material Change Procedure, 2026 ([Material Change Procedure](#))

- University of the Sunshine Coast, Material Change Notifications – Procedures, 2024 ([Material Change Notifications - Procedures | UniSC | University of the Sunshine Coast, Queensland, Australia](#))
- UTS, ESOS Compliance Policy, 2025 ([ESOS Compliance Policy | University of Technology Sydney \(uts.edu.au\)](#))
- Australian Government Department of Education, Standard 11: Additional requirements Fact Sheet ([Standard 11: Additional requirements - Department of Education, Australian Government](#))
- TEQSA, Notifications and approvals required of CRICOS registered providers webpage ([Notifications and approvals required of CRICOS registered providers | Tertiary Education Quality and Standards Agency \(teqsa.gov.au\)](#))
- TEQSA Material changes and other Notifications ([Material changes and other notifications | Tertiary Education Quality and Standards Agency](#))
- TEQSA How to apply to relocate or add a new location on CRICOS ([How to apply to relocate or add a new location on CRICOS | Tertiary Education Quality and Standards Agency](#))

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	June 2014	Initial issue	GB
2.0	March 2016	Internal Review	GB
3.0	September 2018	Internal Review	GB
3.1	September 2023	Internal Review	GB
4.0	June 2026	Internal Review	GB
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018		

Note:

GB = Governing Board

Appendix A

The table below provides an indicative (not an exhaustive) list of the types of events that should and should not be reported to TEQSA. This table can be found, together with further guidance at:

<https://www.teqsa.gov.au/material-changes>.

Event or change	Notification is required	Notification is not required
Financial standing	A major shareholder enters into administration. Why? There is a risk to continued operation and quality of the student experience (Standards 6.2.1c-d)	A provider institutes a change to an accounting period for financial reporting.
Reputation/Good standing	A provider is advised of an unscheduled compliance audit by another regulator. Why? There is a risk that the provider is not complying with all legislative requirements (Standard 6.2.1a)	A provider becomes aware that a public interest disclosure has occurred.
Governance	There are changes to the membership of a governing body in a provider not established or recognised by Acts of Parliament. Why? There is a risk to a provider's corporate governance (Domain 6)	The terms of reference for the Academic Board are updated.
Academic Integrity	A contract cheating incident involving multiple students is discovered. Why? There is a risk to academic integrity (Section 5.2, Standards 6.2.1j, 6.3.2d)	A single case of contract cheating is identified.
Safety and wellbeing	An investigation into a sexual assault on campus identifies failures in policies and processes designed to protect students. Why? There is a risk to wellbeing and safety (Standard 2.3)	A student is injured on campus. The incident is managed by staff following the provider's relevant policies and procedures.
Third party arrangements	A provider becomes aware of serious mismanagement by a third-party provider. Why? There is a risk to the quality of the student experience (Section 5.4, Standards 6.2.1i, 6.2.1k)	Delivery arrangements with a third party previously approved by TEQSA are extended.
Courses	A provider fails to obtain professional accreditation for a course of study. Why? There is a risk that students may not complete the course in the expected timeframe	Major changes to a course have been made, including changes to the requirements for completing a course. Why? This requires a course accreditation application

Event or change	Notification is required	Notification is not required
	or be eligible to practise (Section 3.1, Standards 6.2.1i, 7.2.4)	
Information security	A phishing attack disrupts a provider's IT systems and key services. Why? There is a risk to information security which could compromise operations (Standard 7.3.3)	Personal information relating to one student is disclosed without authorisation and corrective action is implemented immediately.
