Reference: MS25-000608

Mr Tony Cook PSM
Secretary
Department of Education
GPO Box 9880
CANBERRA ACT 2601

Ms Natalie James
Secretary
Department of Employment and Workplace Relations
GPO Box 9828
CANBERRA ACT 2601

Dear Mr Cook and Ms James

Ministerial Statement of Expectations for the Tuition Protection Service

As the responsible Government Ministers for the Tuition Protection Service (TPS), we are writing to outline our expectations for how the TPS will achieve its regulatory objectives, carry out its regulatory functions, and exercise its powers.

As outlined in the Regulator Performance Resource Management Guide 128 (RMG128), while regulators are often operationally independent of Government, this does not mean they are independent of expectations or guidance about how they fulfil their statutory roles. Government regulators are typically accountable to the Parliament, including through Senate Estimates and Australian National Audit Office scrutiny. Clear expectations from the Government to regulators can help drive better regulator performance by providing an environment that supports the implementation of best practice.

Consistent with RMG128, the enclosed SOE outlines the principles we expect the TPS to observe in performing its regulatory functions. These expectations work alongside broader expectations established for the departments in a separate SOE.

The Government's policy priorities and objectives

Regulatory Reform Agenda
The Regulatory Reform Agenda is a key component of the Government's plan to boost Australia's productivity and lower the cost of living by ensuring a fit for purpose regulatory environment.

The Government is looking at ways to boost productivity, including getting regulatory settings right. The Government is working with the states and territories to remove unnecessary duplication across regulatory frameworks to help consumers access a better and cheaper range of goods and services and reduce compliance costs for business.

The Government is also improving regulator performance, capability and culture through regulatory stewardship. This supports the Government's commitment to Australian Public Service Reform by building trust in Government and its institutions, and by putting business and community at the centre of policy and services.

We expect the TPS to contribute to the regulatory reform process by:

- seeking opportunities to reduce duplication and streamline processes to improve efficiency and productivity
- acting in accordance with regulator best practice in its decision-making, policies, processes and communication practices, to maximise transparency and minimise compliance costs
- applying RMG128 to its regulatory functions to assess its performance and engagement with stakeholders
- incorporating regulator performance reporting into the entity's reporting processes, as required by the RMG128 under the PGPA Act and PGPA Rule, to support greater transparency and accountability of regulator performance.

Principles of Regulator Best Practice

Under the RMG128, the principles of regulator best practice are:

1. Continuous improvement and building trust
2. Risk-based and data-driven
3. Collaboration and engagement.

In exercising its functions in accordance with these principles, we expect the following from the TPS:

- use qualitative and quantitative analysis as important tools for assessing and reporting on performance, and to support continuous improvement
- promote a work culture that builds public confidence in the department's work and promotes trust in Government decision-making
- actively understand, engage with and effectively mitigate strategic risks to successfully manage its regulatory functions without unnecessarily impeding the operations of regulation entities
- use data sources that meet relevant data assurance standards for assessing and reporting on the quality of statistical information
- utilise open, transparent and consistent engagement with stakeholders including industry, Government and broader community is crucial to maintaining competent and innovative regulatory practices.

Innovation and Regulatory Change

We expect the TPS to continually monitor the environment in which it operates to ensure that regulatory approaches keep pace with changes in technology, industry practices and community expectations.

We also expect the TPS to regularly review and, where necessary, adjust policies, protocols and operating procedures, to ensure it can respond to the changing social, technological and commercial context in which it operates.

Relationship with Ministers and portfolio

The TPS plays an essential role, in partnership with the Government, in ensuring that we are well placed to respond to any policy challenges and opportunities arising from the administration of these regulatory functions. Accordingly, we expect the TPS to provide accurate and timely policy advice on significant issues relating to these regulatory functions, in accordance with the Government's priorities and objectives.

As the responsible Ministers, we will provide an enabling environment for the TPS to consistently implement best practice by ensuring you are well informed of the Government's policy direction, and relevant initiatives and strategies.

Statement of Intent

We look forward to the TPS' reply, via the relevant Secretaries, to these expectations we have established with a Statement of Intent outlining how these expectations will be implemented.

Yours sincerely

JASON CLARE

4 / 11 / 2025

ANDREW GILES

4 / 11 / 2025