



Regulator Statement of Intent

This Statement of Intent (SOI) sets out my intentions as the Accountable Authority of the Department of Education (the department) regarding how I will meet the expectations outlined by the Minister for Education, the Hon Jason Clare MP, in the Ministerial Statement of Expectations (SOE) he issued on 23 March 2026. These expectations concern how the department will exercise its regulatory powers and deliver its regulatory functions under the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*, as guided by *Resource Management Guide 128: Regulator Performance (RMG 128)* and the Regulatory Policy, Practice & Performance Framework (RPPPF).

Introduction

Education has the power to transform lives. It empowers and equips all Australians to be lifelong learners with the skills and knowledge they need to meaningfully participate and prosper in society. In the first years of life, early childhood education and care supports positive learning and development outcomes for children, while enabling parents and carers to work and study.

Accessible, safe and high-quality education is an investment in our nation's prosperity. In the longer term, education provides invaluable opportunities for Australians to realise their full potential regardless of background or circumstance, supporting a resilient Australian economy and a strong social fabric. Our education system plays an important role in strengthening Australia's productivity by supporting workforce and skills growth, particularly in priority sectors.

From early childhood through to schooling and higher education, the department is committed to leading and stewarding a national education system that supports Australians of all ages to thrive through access to high-quality education. As Secretary, I am committed to ensuring the department continues to deliver the government's reform agenda to support accessible, safe and high-quality education, including our crucial regulatory role as outlined below.

Our regulatory role

The department aims to create a better future for all Australians through education. It provides strategic direction and national leadership of Australia's education system, stewarding the government's vision for reform. The department's regulatory functions play a key role in ensuring the Australian education system is characterised by safety, quality and financial integrity.

As the Accountable Authority, I acknowledge I am responsible for ensuring the department carries out its regulatory functions, which are outlined in Appendix A of the Minister's SOE. Broadly, these functions are:

Early childhood education care	<ul style="list-style-type: none"> • Child Care Subsidy approved providers and services in relation to obligations under Family Assistance Law, including provider approval, ongoing compliance monitoring and enforcement action where obligations are not met • Service delivery in certain services subject to Minister’s Rules • The Inclusion Support Program¹
School education	<ul style="list-style-type: none"> • Approval and funding of authorities and bodies representing one or more schools, including non-government schools, as well as enforcing their compliance with requirements under the <i>Australian Education Act 2013</i>
Higher education	<ul style="list-style-type: none"> • Approval of higher education providers • Compliance by higher education providers and Open Universities Australia with requirements under the <i>Higher Education Support Act 2003</i> • The Commonwealth Grants Scheme • Compliance by higher education providers with requirements under the <i>National Higher Education Code to Prevent and Respond to Gender-based Violence 2025</i> • Use of the word “university” (or a derivative) in domain names, company names and business names
International education	<ul style="list-style-type: none"> • Delivery of education to international students in Australia on a student visa

These regulatory functions work alongside other Australian Government and state and territory regulators in the early childhood, schools, higher education, and international education sectors, and we will continue to work closely with them as appropriate. For example, the Tuition Protection Service (TPS) also performs an important regulatory function for the Australian Government within the education portfolio. As a standalone regulator, it issues its own SOI.

Government policy priorities and objectives

Supporting regulatory reform

The government is modernising regulation and improving regulator performance through data, innovation, and stewardship to ensure regulation is fit-for-purpose in a digital era; protect against regulatory failures; and improve productivity.

I will continue to foster a regulatory environment that supports the government’s productivity agenda. This includes balancing efficiency, growth and dynamism with risk mitigation, while recognising the importance of regulation in preventing injury and harm particularly to vulnerable cohorts, including children and young people.

I will continue to look for opportunities to reduce unnecessary regulatory burden, including by removing duplication, streamlining processes, improving clarity, and using modern tools. The department will also work closely with state and territory governments and regulators across the education system with a view to reducing regulatory and administrative burden. Examples of

¹ The Inclusion Support Program operates outside of a regulatory enforcement framework. The department monitors and manages instances of non-compliance through non-regulatory mechanisms.



proactive actions the department is taking to reduce regulatory burden and thereby support productivity growth include:

- Establishment of the Australian Tertiary Education Commission
- Delivery of the Education Funding System project
- Establishment of the Better Regulation Working Group with Universities Australia.

Regulatory reform in education

In line with the government's agenda, the department is progressing significant regulatory reforms to strengthen safety and quality across the education system. These reforms complement the department's focus on delivery, following a period of comprehensive reviews across the education system. I shared some of the department's reform priorities with the Treasurer and Finance Minister in July 2025. I am pleased to provide you with an update on these below. The department continues to consider and review performance reporting on our regulatory functions, including development of new and updated performance measures as our work changes.

Strengthening quality, safety and integrity in early childhood education and care

As I outlined in my July 2025 letter, the Australian Government, alongside state and territory governments, is delivering significant reforms to strengthen child safety in early childhood education and care (ECEC) services and take action against providers that risk the integrity of the ECEC system. Education Ministers are briefed on the progress of these reforms through Education Ministers Meetings.

The department is continuing to implement Child Care Subsidy integrity measures agreed in the October 2022, May 2023 and May 2024 Budgets to support sector capacity, bolster compliance activities and reduce fraud against the Child Care Subsidy. The department is also actively working with Commonwealth regulatory partners through the Fraud Fusion Taskforce to detect, investigate, and disrupt fraud against the National Disability Insurance Scheme and other government programs.

The department will continue to focus on implementation of further measures to leverage the Child Care Subsidy to improve quality and safety outcomes in ECEC. This includes:

- Compliance actions to lift integrity and safety in ECEC, including to implement new powers that cut off funding to providers that do not meet quality and safety standards.
- An additional 1,600 unannounced visits per year will be carried out by Commonwealth officers.
- Implementation of joint compliance action with state and territory regulatory authorities and improving data exchange.

These actions will utilise new legislative powers that make quality and safety a paramount consideration for gaining and maintaining Child Care Subsidy service approval; new powers of entry for Commonwealth officers; and wider powers to publish compliance actions against providers and services to ensure transparency to families.

Delivering a modern digital funding platform to reduce administrative burden

As I outlined in my July 2025 letter, the Education Funding System project provides a new technology platform to improve the way the department administers funding to schools and higher education providers. It will support the government to continue to make timely and accurate payments, strengthen security, ensure a more streamlined user experience, and reduce administrative burden



for schools and higher education providers. It will be delivered incrementally over 5 releases between November 2025 and December 2026.

Bolstering regulatory assurance and compliance in the non-government school sector

The department is strengthening non-government schools funding integrity, by continuing to implement the schools integrity measure announced in the May 2023 Budget. This includes expanding the department's regulatory assurance and compliance activities to prevent, detect and respond to non-compliance and fraud in the non-government school sector, using bolstered data analytics to better target our approaches as well as undertaking more compliance actions.

In delivering this measure, the department undertook around 400 compliance audits and reviews of non-government schools in 2025, with similar numbers occurring in 2026. Intelligence gathered through this work has identified opportunities to strengthen policy positions and assurance actions, which the department is seeking to progress to further enhance our regulatory framework and safeguard the Australian Government's significant investment in school education.

Minimising regulatory burden through a more joined-up tertiary system

As I outlined in my July 2025 letter, the portfolio is seeking to reduce regulatory burden in the higher education sector through the implementation of the Australian Tertiary Education Commission (ATEC), which will be fully operational in 2026. The ATEC will strengthen alignment between higher education and vocational education and training, including by monitoring and minimising regulatory burden across the tertiary education system.

The department is working with TEQSA to progress activities to support dual-sector regulatory streamlining and other opportunities for regulatory reduction arising from implementation of ATEC.

The department has also established a Better Regulation Working Group with Universities Australia. In line with the Government's agenda to reduce regulatory burden and support productivity growth, the Working Group aims to identify practical opportunities to streamline regulatory processes, reduce duplication, better sequence reporting requirements, and minimise regulatory burden, while continuing to assure quality and confidence in the sector. While the Working Group is not being asked to identify actions that would require legislative changes, should such changes be identified, they may be considered at a future Education Ministers Meeting.

Higher Education National Code to Prevent and Respond to Gender-based Violence

The department has begun regulation of the *National Higher Education Code to Prevent and Respond to Gender-based Violence* (National Code), a landmark government reform to strengthen safety, accountability and student support across the higher education sector. It sets 7 clear, legally enforceable standards that higher education providers must meet to effectively prevent and respond to gender-based violence, including in student accommodation.

The National Code commenced on 1 January 2026 for Table A providers and Table B providers under the *Higher Education Support Act 2003* and will commence on 1 January 2027 for other providers registered under the *Tertiary Education Quality and Standards Agency Act 2011*.

In regulating the National Code, the department's Higher Education Gender-based Violence Regulator (the GBV Regulator) applies the following 6 regulatory principles: proportionate and risk-based; evidence and outcomes driven; transparent and accountable; continuous improvement; collaborative; coherence and alignment. The GBV Regulator works closely with the National Student



Ombudsman to ensure student complaints inform systemic oversight, and with the Tertiary Education Quality Standards Agency (TEQSA) to align compliance, monitoring and enforcement activity and avoid duplication.

Principles of regulator best practice

The department will continue to undertake its regulatory functions and reforms in line the Minister's expectations, reflecting the principles of regulatory best practice outlined in RMG 128 and the RPPPF (see Appendix A). We have also embedded these principles in our performance reporting processes (outlined in Appendix B² of the Minister's SOE), in line with the *PGPA Act* and the *PGPA Rule*.³

Innovation and regulatory change

The department's operating environment is influenced by a range of factors. Some of these are global in nature and difficult to predict. It is therefore important to assess our changing social and economic landscape to improve our preparedness and to ensure we can adapt and respond accordingly.

The department will continue to monitor the national and international regulatory environment, including through ongoing participation in the Department of Finance's Interdepartmental Committee on regulatory reform and the OECD's regulatory reform work program, to ensure that our regulatory approaches keep pace with changes in technology, industry practices and community expectations. We will continue to consider the impacts of our regulation on regulated entities and the communities who engage with and rely on education services. The department will also regularly review and, where necessary, adjust policies, protocols and operating procedures, to ensure we can respond to the changing social, technological and commercial contexts in which we operate.

We continue to strengthen our workforce regulatory capability as a key commitment under our Capability Review Action Plan. Key actions under the Plan include strengthening awareness of our regulatory functions and increasing our workforce regulatory skills and knowledge through targeted training and collaboration. We will continue to embed the principles of regulator best practice as part of any future changes to our regulatory role.

Department reporting and engagement with Education Ministers

The department recognises its significant role in supporting Ministers and the government to ensure effective regulation for the education system. We will continue to foster productive relationships through consistent, timely and transparent engagement, ensuring they are informed of relevant regulatory and policy developments.

We measure achievement of our regulatory performance through performance measures underpinned by principles of regulator best practice. These performance measures are outlined in our 2025–26 Corporate Plan and Appendix B of the Minister's SOE. Consistent with RMG 128, we are committed to transparency and accountability and will continue to report on our achievements against these measures in our Annual Report and Portfolio Budget Statements.

² The department will publish any changes in its 2026-27 Corporate Plan.

³ *Public Governance, Performance and Accountability Rule 2014*

This SOI and its corresponding SOE will be made publicly available on the Department of Education website and linked to on the Department of Finance's Regulator Stocktake website.

Tony Cook PSM
Secretary
Department of Education
April 2026



Appendix A: Examples of department actions supporting principles of regulator best practice

RPPPF principles	RMG 128 principles	Actions
<p>Continuously improved and outcomes-focused: the department adopts a system-wide practice of stewardship to evaluate and improve regulation, ensuring regulatory systems are transparent and responsive to evolving regulatory environments and evolving expectations from government and community.</p>	<p>Continuous improvement and building trust: the department adopts a whole-of-system perspective, continuously improving its performance and capability, and embedding a culture of innovation to build trust in regulatory settings. This includes:</p> <ul style="list-style-type: none"> • using quantitative and qualitative analysis to assess and report on performance • ensuring information is requested and handled in an appropriate and secure manner • ensuring governance processes support best practice assurance, management, compliance and regulatory practices • supporting capacity building to ensure staff have relevant industry knowledge and are empowered to identify and implement improved practices • promoting a work culture that builds public confidence in the department’s work and fosters trust in government decision-making. 	<ul style="list-style-type: none"> • The department’s commitment to ongoing improvement is demonstrated by the Child Care Subsidy Financial Integrity Strategy 2023–27 (the Strategy), which supports a strong and credible integrity framework for the Child Care Subsidy (CCS) system. In line with the Strategy, the department continuously monitors provider behaviour, system risks and compliance outcomes to inform targeted regulatory intervention. The department recognises that visible and proportionate enforcement action is critical to maintaining public trust, ensuring fairness for compliant providers, and deterring serious non-compliance. We promote transparency through evidence-based decision-making and by publishing regulatory outcomes where appropriate, so families and the sector can have confidence in the integrity of the system. The department and Services Australia are actively implementing the recommendations from the 2025 Australian National Audit Office report into the Management and Oversight of Compliance Activities within the CCS Program.
<p>Reflective of the digital era: the department’s regulation takes full advantage of digital and technological capabilities and practices whilst considering the risks and ensuring equitable access, including for those with low digital connectivity and literacy. The department continues to adhere to whole-of-government guidelines, including the Digital Transformation Agency’s Policy for the responsible use of AI in government.</p>		<ul style="list-style-type: none"> • The department’s Regulatory Framework for Community Child Care Fund Restricted (CCCFR) services provides tools and resources to promote the consistent, transparent, and effective regulation of quality and safety for services operating under Minister’s Rules, supporting regulatory integrity and fairness. The department is currently conducting quality and safety assurance activities on known high risk areas in In-Home Care (IHC) settings. Both the Frameworks and assurance activities align with the National Quality Framework and utilise the National Quality Standard as the benchmark for delivering educative support and conducting regulatory activities. • The department’s commitment to continuous improvement and achieving our intended outcomes is underpinned by our 2025-27 Evaluation Strategy. The Strategy recognises that evaluative thinking complements our use of strong qualitative and quantitative data, enabling us to learn from experience, understand delivery environments, and implement best practice. We are embedding formal evaluation practices throughout the department, supporting the delivery and improvement of our programs, policy and regulatory activities. The Strategy commits us to sharing findings with stakeholders and on our website, to inform future delivery approaches.



RPPPF principles	RMG 128 principles	Actions
<p>Targeted and risk-based: the department takes a risk-based approach to developing and implementing proportionate regulatory solutions, relative to risk profile, thereby driving compliance and minimising enforcement actions.</p>	<p>Risk-based and data driven: the department manages risks proportionately and maintains essential safeguards while minimising regulatory burden, leveraging data and digital technology to support its regulated populations to comply and grow. This includes:</p> <ul style="list-style-type: none"> • seeking opportunities to remove duplication and streamline processes, to improve efficiency and productivity • actively understanding, engaging with and effectively mitigating risks to successfully manage our regulatory functions, without unnecessarily impeding the operations of regulated entities • using data sources that meet relevant data assurance standards • maintaining and reviewing compliance and enforcement policies that outline regulatory approaches to identify and manage risks. 	<ul style="list-style-type: none"> • The department takes an active regulatory approach to ensure funding for non-government schools is used appropriately for school education. Core to this is the enhanced use of data to support its work to prevent, detect and respond to non-compliance. This includes compliance action taken as a result of the increased use of analytics to identify approved authorities for schools that may require further investigation by the department. • The department applies targeted data analysis and intelligence to monitor and enforce compliance by higher education providers with obligations under the <i>Higher Education Support Act 2003</i>, and various programs including the Commonwealth Grant Scheme and the Higher Education Loan Program. These data-driven methods support a range of activities, such as monitoring provider estimates against data on student enrolment, identifying and investigating providers whose financial viability is at risk, and ensuring providers are allocated the appropriate amount of funding. • As the Education Services for Overseas Students (ESOS) Agency for schools, the department undertakes risk assessments of providers utilising systems data, including legislative performance indicators. The department identifies systemic environmental risks by monitoring trends in international school student data and sharing this information with Designated State Authorities⁴ (DSAs) to investigate risks and support compliance. This work is enhanced by qualitative data, drawn from the recommendations of DSAs, which informs the department’s response to provider risks. • The department’s 2026-2028 Data Strategy aims to promote and embed data stewardship, build capability, facilitate data sharing and foster a culture where data is recognised and valued as a strategic asset. The Strategy supports an uplift in our use of evidence in our regulatory practices through key activities to improve access to data within the department, including a central dashboard portal and continuing to progress reciprocal data sharing with stakeholders to address data gaps. The department has also developed a Data Governance Framework to establish clear roles and responsibilities to help maximise the value of the department’s data while managing the associated risks. • In ECEC, the department applies data driven risk assessment to identify providers and services that present elevated risks to child safety, program integrity or financial sustainability. This includes risks associated with deliberate misuse of CCS payments, false or misleading attendance reporting, poor governance in large provider groups, and quality and safety risks in In Home Care and services operating under Minister’s Rules. Regulatory action is targeted to these risks and escalated where necessary, ensuring the department’s response is proportionate while maintaining strong safeguards for children and public funds. • The Higher Education Gender-based Violence Regulator (GBV Regulator), within the department, applies a risk-based approach to regulating higher education providers’ compliance with the <i>National Higher Education Code to Prevent and Respond to Gender-based Violence</i>. Regulatory action is informed by risk analysis and application of the principles of regulatory necessity and proportionate regulation. The GBV Regulator uses data and intelligence, including through information sharing with co-regulators and data to be provided through annual reporting requirements, to support monitoring provider compliance and proportionate regulatory action.
<p>Evidence-based and data driven: the department plans for, collects and uses evidence to deliver fit-for-purpose policy, practice and performance outcomes and evaluate its regulatory performance.</p>		

⁴ DSAs are the education agency responsible for approving schools to operate in their state or territory: <https://www.education.gov.au/esos-framework/esos-agencies>



RPPPF principles	RMG 128 principles	Actions
<p>Integrated in existing systems: the department considers the dynamic and interconnected nature of regulatory systems and facilitates flexible, adaptive and resilient regulatory design.</p>	<p>Collaboration and engagement: the department is a transparent and responsive communicator, implementing regulations in a modern and collaborative way. This includes:</p> <ul style="list-style-type: none"> • open, transparent and consistent engagement with stakeholders in industry, government and the broader community • seeking opportunities to engage and genuinely consult with stakeholders • being receptive to feedback and diverse stakeholder views • being transparent in decision-making processes 	<ul style="list-style-type: none"> • The department has strengthened the ECEC Joint Compliance and Monitoring Program by expanding it to include all states and territories. The program targets providers at risk of misusing government funding and that may pose a risk to child safety. Recent changes have improved collaboration and engagement between Commonwealth and state and territory regulators and strengthened information-sharing about provider compliance, thereby minimising risks associated with serious non-compliance. These changes support the Commonwealth to make evidence-based decisions about a provider’s approval based on quality and safety information from states and territories and, where joint action is taken, to publish non-compliance information. These arrangements support consistent regulatory outcomes, reduce duplication, and enable decisive action where serious risks are identified.
<p>User-centred: the department’s regulation is designed to meet the needs of the people and businesses it affects and is easy to engage with, resulting in greater compliance.</p>	<ul style="list-style-type: none"> • providing up-to-date, clear and accessible guidance and information to assist regulated entities with compliance. 	<ul style="list-style-type: none"> • The department has worked with the Australian Council of Deans of Education, the Australian Institute for Teaching and School Leadership (AITSL), state and territory regulators, and higher education providers to develop the Recognition of Prior Learning in Initial Teacher Education (ITE) Framework. The Framework aims to streamline qualification recognition for ITE candidates and ensure they receive appropriate acknowledgement of their unique skills, expertise and previous learning through the allocation of credit toward their qualifications. The department will continue to collaborate with stakeholders, including state and territory regulators and higher education providers, in the development of future frameworks. • To support effective compliance monitoring under the National Higher Education Code to Prevent and Respond to Gender-based Violence, the department works closely with key partners, including TEQSA and the National Student Ombudsman, to share relevant information and coordinate regulatory activities. This includes sharing intelligence and data on provider and sector performance relating to student and staff safety, informing targeted compliance work, and delivering coordinated education and engagement activities to build provider capability and promote voluntary compliance across regulatory frameworks.

