

Third Party Agreements Policy & Procedure

Contents

Purpose	1
Definitions	1
Policy	2
1. Third party agreements.....	2
2. Due diligence	2
3. Advising ASQA	3
4. Commencement and review	3
Procedures	4
1. Third party applications.....	4
2. Due diligence	4
3. Establishment of agreements	5
4. Induction	6
5. Monitoring and reviews	7
6. Complaints involving a third party	7
7. Collect feedback from third parties	8
Document Control	8

Purpose

This Third-Party Agreements Policy and related procedures are designed to assist DIT in establishing mutually beneficial partnerships with, and monitoring the performance of, third party organisations which provide training, assessment, marketing, brokering or other Services on its behalf.

This policy and related procedure comply with Clause 2.3, 2.4 and 8.3 of the Standards.

Definitions

ASQA means Australian Skills Quality Authority which is the national VET regulator and DIT's registering body

Broker means an individual or organisation that markets the courses of DIT and/or recruits prospective students

Partner means an individual or organisation that delivers training and assessment on behalf of DIT.

Partnership means the agreement between a partner and an RTO for the partner to conduct services on DIT's behalf (sometimes referred to as an auspicing arrangement)

RTO means Registered Training Organisation

Services means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support

SRTOs means the Standards for RTOs 2015 – refer definition of 'Standards'

Standards means the Standards for Registered Training Organisations (RTOs) 2015 of the VET Quality Framework which can be accessed from www.asqa.gov.au

Third Party Agreements Policy & Procedure

Policy

1. Third party agreements

- As an RTO, DIT is responsible for ensuring the quality and compliance of all Services delivered under its registration regardless of where and by whom these are provided. For this reason, DIT has in place a written agreement with any third party that provides Services on its behalf including individuals and organisations that:
 - Provide training and assessment on DIT's behalf
 - Provide educational and support services to DIT's students
 - Market DIT's courses
 - Recruit prospective students.
- No third party will deliver any services on behalf of DIT where there is no written agreement in place.
- Written agreements will detail what the expectations of each party in relation to the Services being provided and ensure each party is aware of their obligations to comply with the Standards for RTOs 2015.
- Written agreements will ensure:
 - That the third party is obligated to fully cooperate with ASQA in the provision of information and the conduct of audits as required.
 - Advertising and marketing materials to be used must be approved by DIT prior to their use.
 - DIT is responsible for issuing all qualifications and certification documents.
 - DIT must verify and hold on file all information relating to trainer and assessor competence and experience.
 - All records relating to training and assessment must be kept as evidence by DIT.
 - The third party abides by the policies and procedures of DIT.
- Organisations or individuals wishing to become a partner or broker providing services on behalf of DIT will be required to complete a *Broker or Partner Application Form* so that the suitability of the arrangement can be assessed.

2. Due diligence

- When an application for a third-party arrangement has been received, it must first be assessed to ensure the arrangement will be beneficial for the students, and mutually beneficial for DIT and the third party. A beneficial arrangement may mean that the third party:
 - Is able to provide experienced trainers and assessors who are held in high regard by the relevant industry.
 - Is able to provide access to facilities and equipment that would enhance the training and assessment experience for students that would otherwise not be available without the arrangement in place.
 - Is able to provide high quality training and assessment and has demonstrated their capacity to do so in the past.

Third Party Agreements Policy & Procedure

- Where it is determined that the third-party arrangement will be beneficial, DIT will conduct due diligence and background checks on the Third Party prior to developing an agreement. Such checks will include, as relevant:
 - ASIC searches of the owners, senior management and legal entities associated with the agreement.
 - Conducting online searches about the information that is currently available about the third party.
 - Review of available resources to be made available during the agreement including trainers and assessors, facilities, equipment, training material and any other relevant resources.
 - Ensuring sufficient administration and support services are available to the third party to sufficiently service the agreement.
 - Requiring police checks of relevant people where applicable.
 - Other such checks as may be determined necessary by DIT.

3. Advising ASQA

- DIT will advise ASQA of the third-party arrangements in place:
 - Within thirty days of an agreement commencing.
 - Within thirty days of an agreement coming to an end.

4. Commencement and review

- All third parties will be required to participate in an induction session about DIT's policies and procedures and the processes to be followed during the agreement to ensure all parties are clear of expectations.
- DIT will monitor all third parties delivering any Services on its behalf to ensure compliance with the Standards and the Contract at all times.
- Reviews will be conducted at least bi-annually and will be an opportunity to review that each party is continuing to fulfil their obligations under the agreement and that the arrangement is still beneficial for all parties, including students. The review will include, as relevant:
 - Student file audits
 - Marketing/ advertising audit – to ensure all marketing and advertising used by the third party has been approved
 - Trainer/assessor file audits

Third Party Agreements Policy & Procedure

Procedures

1. Third party applications

Procedure	Responsibility
<p>A. Collect completed Broker / Partner Application Form from potential third party</p> <ul style="list-style-type: none"> To determine the suitability of the arrangement, the applicant will be required to complete the Broker or Partner Application Form which will provide an overview of: <ul style="list-style-type: none"> The reasons for the partnering/brokerage arrangement The target markets The expected duration of the arrangement The expected support to be provided by DIT during the partnership arrangement and The resources available for the program Organisations wishing to go into a third party arrangement which is not a partnership for delivery of training and assessment, or a brokerage for promoting DIT's courses, are not required to fill in an Application Form. Suitability for these other third party arrangements may be established less formally through meetings and verbal discussions. 	Third Party

2. Due diligence

Procedure	Responsibility
<p>A. Review the suitability of the arrangement</p> <ul style="list-style-type: none"> Before establishing an agreement DIT is responsible for reviewing the suitability of the arrangement between the parties, so as to not jeopardise the quality of training and assessment and/or to ensure the ethical marketing of their products and services. <ul style="list-style-type: none"> Such checks will include, as relevant: <ul style="list-style-type: none"> ASIC searches of the owners, senior management and legal entities associated with the agreement. Conducting online searches about the information that is currently available about the third party. Review of available resources to be made available during the agreement including trainers and assessors, facilities, equipment, training material and any other relevant resources. Ensuring sufficient administration and support services are available to the third party to sufficiently service the agreement. 	Business Development Manager/CEO

Third Party Agreements Policy & Procedure

Procedure	Responsibility
<ul style="list-style-type: none"> – Requiring police checks of relevant people where applicable. – Other such checks as may be determined necessary by DIT. • If at any stage during the due diligence checks, issues or concerns are raised about the third party, this may mean the application will need to be declined. Discuss with the CEO about whether to progress the application. 	
<p>B. Collect quality documentation and checklist</p> <ul style="list-style-type: none"> • To ensure that quality of training and assessment is maintained DIT will conduct the following quality checks: <ul style="list-style-type: none"> – Verification of the third party's training and assessment staff qualifications and the mapping of these to the qualifications delivered according to DIT's Skilled Trainers & Assessors Policy & Procedure. – Industry Consultation where a new Training & Assessment Strategy is being used, according to DIT's Training & Assessment Policy & Procedure. – Quality reviews of assessment and training materials where the Third Party's resources are intended to be used for delivery. 	Business Development Manager/CEO
<p>C. Progress with application or decline</p> <ul style="list-style-type: none"> • Based on the due diligence process, either accept or reject the application. • Where it is accepted, progress with part 3 of this procedure. Where it is declined, inform the application and provide reasons for rejection where possible. 	Business Development Manager/CEO

3. Establishment of agreements

Procedure	Responsibility
<p>A. Draft agreement between parties</p> <ul style="list-style-type: none"> • For Broker agreements include: <ul style="list-style-type: none"> – The responsibilities of each party, including who is responsible for the recruiting of prospective learners. – Ensuring that DIT has ultimate control and oversight of all operations undertaken by the brokering/marketing agent and is responsible for the quality of all marketing materials and advertising. – The responsibility of DIT to review procedures and ensure that marketing materials developed by the broker/marketing agent include clear information about the brokering arrangement and DIT's ultimate right to cancel or suspend the agreement at any time – An area for both parties to sign and date. • For partner agreements include: <ul style="list-style-type: none"> – The responsibilities of each party, including the responsibility for the 	Business Development Manager/CEO

Third Party Agreements Policy & Procedure

Procedure	Responsibility
<p>recruiting of prospective learners as well as for responding to a complaint or appeal against the Third Party or the DIT</p> <ul style="list-style-type: none"> – The responsibility of both parties to respond to learners' queries when contacted by them at any time – The DIT's ultimate control and oversight of all operations undertaken by the Third Party and responsibility for the quality of training and assessment provided, as well as for the issuing of all qualifications and statements of attainment – The regular review of procedures by the DIT and the conduct of internal audits on a regular basis – Any funding arrangements in place by the Third Party – DIT's ultimate right to cancel or suspend the agreement at any time. – An area for both parties to sign and date. <ul style="list-style-type: none"> • For other types of third-party agreements, ensure the agreement includes: <ul style="list-style-type: none"> – The specific responsibilities of each party – DIT's ultimate control and oversight of all operations undertaken by the Third Party – DIT's ultimate right to cancel or suspend the agreement at any time. – An area for both parties to sign and date. 	
<p>B. Check all agreement requirements</p> <ul style="list-style-type: none"> • Use DIT's <i>Third Party Agreement Checklist</i> to ensure all applicable steps have been completed and/or documentation received. 	Business Development Manager/CEO
<p>C. Log details of arrangements</p> <ul style="list-style-type: none"> • Log details of agreement on the Third-Party Agreement Register including contact details of relevant parties, purpose, qualifications/courses, responsibility, review date etc. • Notify ASQA according to the procedure for Agreements with Third Parties in <i>CG1 – VET Regulation and Legislation P&P</i>. 	Business Development Manager/CEO

4. Induction

Procedure	Responsibility
<p>A. Conduct induction with third party organisation's relevant people.</p> <ul style="list-style-type: none"> • Induct third party into DIT's legal requirements, processes and procedures including those around: <ul style="list-style-type: none"> – Governance – Workplace Health and Safety 	Business Development Manager/CEO

Third Party Agreements Policy & Procedure

Procedure	Responsibility
<ul style="list-style-type: none"> – Privacy and protection of student personal information – Equal Opportunity and Anti-Discrimination – Disability and WWC Acts – Other legislation according to DITs Legislation and Regulations Guide. – The VET Quality Framework requirements including the Standards – Marketing and advertising requirements (where applicable) – Training and assessment practices (where applicable) 	

5. Monitoring and reviews

Procedure	Responsibility
A. Conduct monitoring reviews of Third Party arrangements <ul style="list-style-type: none"> • Reviews should occur at least every twelve months and more often depending on risks. • Risks to consider include the volume of students involved in the arrangement, the amount of responsibility the third party is given, their relevance to DIT's compliance and industries to which the third party is involved. <ul style="list-style-type: none"> – The third party's proven ability to meet the requirements of the agreement – The third party's compliance with the agreement – Alignment of goals and objectives between the third party and DIT • Ensure any of the above issues identified in monitoring reviews are promptly resolved according to agreed timeframes, or, that agreement is terminated, and training and assessment activity ceased where this is not possible. 	Business Development Manager/CEO
B. Record details of review <ul style="list-style-type: none"> • Record details of review on the <i>Third-Party Agreement Register</i> including date, purpose outcomes and any relevant documents. 	Business Development Manager/CEO

6. Complaints involving a third party

Procedure	Responsibility
A. Investigate and act on complaints involving a third party <ul style="list-style-type: none"> • Where there is a complaint involving a third party, the <i>Complaints and Appeals Policy and Procedure</i> should be followed. • The Third Party should be involved in the investigation and/or response to the complaint as applicable. • The CEO may decide to suspend a third-party agreement while a complaints investigation is ongoing that involves a third party. 	Business Development Manager/CEO

Third Party Agreements Policy & Procedure



7. Collect feedback from third parties

Procedure	Responsibility
A. Collect regular feedback from third parties <ul style="list-style-type: none">Use discussions and review meetings to collect feedback from the third party to contribute to DIT's operations.Use this feedback to contribute to the continuous improvement processes of DIT as outlined in the <i>Quality Assurance Policy and Procedures</i>.	Business Development Manager/CEO

Document Control

Document Name:	Third Party Agreements Policy & Procedures V1.0
Quality Area:	Training and Assessment (TA)
Author:	Director of Studies
Status:	Approved
Approved By:	CEO
Approval Date:	28.08.2020
Review Date:	20.08.2021
Standards (SRTOs):	Clause 2.1, Clause 2.3 and 2.4