

## Purpose

Although there is no arrangement for IQY Technical College to engage Third party service providers in the near future, IQY has prepared the Management of Third Party service providers for future possible arrangement.

From time to time IQY TECHNICAL COLLEGE AUSTRALIA may develop relationships with third parties. Such arrangements are designed to improve access to, and the affordability of, quality training and assessment. The foundation of each third party arrangement is a contract between IQY TECHNICAL COLLEGE AUSTRALIA and the third party.

Third Party or sub-contracting arrangements for the delivery of nationally accredited training may be an option where internal resources are not available.

This policy:

- sets out the principles for establishing and managing third party/subcontract arrangements between IQY Technical College (IQY TECHNICAL COLLEGE AUSTRALIA) and:
    - another party (Registered Training Organisation, business or senior secondary school) for the delivery and assessment of nationally accredited training
    - education agents recruiting international students to study at IQY TECHNICAL COLLEGE AUSTRALIA
  - provides detailed guidance to ensure that third party arrangements for the training and assessment of nationally accredited training are quality assured.
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## 2. Scope

This policy applies to:

- all proposed arrangements where IQY TECHNICAL COLLEGE AUSTRALIA engages a third party
  - all personnel of IQY TECHNICAL COLLEGE AUSTRALIA and the third party provider engaged in the delivery, assessment and administration of subcontracting arrangements
  - all registered education agents engaged for the purposes of recruiting of international students.
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## 3. Principles

Terminology may vary with the third party arrangement being referred to as an Auspice Agreement, Sub-Contract, Subcontractor Agreement or similar. What these contracts have in

common is that another party delivers training and assessment on behalf of IQY TECHNICAL COLLEGE AUSTRALIA. This policy covers these arrangements as third party arrangements.

IQY TECHNICAL COLLEGE AUSTRALIA may make a third party arrangement with a non-RTO to deliver training and assessment of all or part of a nationally accredited training product where IQY TECHNICAL COLLEGE AUSTRALIA has the nationally accredited training product on its scope of registration. The non-RTO may be either a natural or a corporate person (for example, a sole director/share holder company).

Any training and/or assessment under a third party arrangement is provided in the name of IQY TECHNICAL COLLEGE AUSTRALIA, not the subcontractor.

Third party arrangements will only be entered into where a process of due diligence identifies:

- they provide training and assessment services consistent with IQY TECHNICAL COLLEGE AUSTRALIA's quality, compliance and procurement requirements
- they deliver an appropriate level of financial return to IQY TECHNICAL COLLEGE AUSTRALIA
- they are approved by the Executive as meeting a community services obligation.

Third party arrangements **must** meet the requirements of:

- the *Standards for Registered Training Organisations (RTOs) 2015*
- regulatory requirements of the Australian Skill Quality Authority (ASQA)
- the current Memorandum of Understanding – Subsidised Training between Australian Capital Territory Government and IQY TECHNICAL COLLEGE AUSTRALIA
- NSW Smart and Skilled Contract
- other IQY TECHNICAL COLLEGE AUSTRALIA policies and procedures
- other legislative, regulatory, funding or procurement conditions.

Each third party arrangement for the delivery of training and assessment must comply with all procurement, legislation and regulatory requirements and be approved in writing by the IQY Technical College (IQY TECHNICAL COLLEGE AUSTRALIA) Chief Executive Officer (CEO).

### 3.1 Advertising, Marketing and Communications

IQY TECHNICAL COLLEGE AUSTRALIA will refer on its website and corporate materials to the identity of the third party and its respective roles in the provision of training and assessment.

The subcontractor cannot advertise any nationally accredited training products subject to a third party arrangement with IQY TECHNICAL COLLEGE AUSTRALIA, in its own name.

Communications with prospective and current students will confirm:

- where a third party is recruiting prospective students on behalf of IQY TECHNICAL COLLEGE AUSTRALIA
- where training and assessment is being delivered on IQY TECHNICAL COLLEGE AUSTRALIA's behalf by a third party
- students are enrolled as students of IQY TECHNICAL COLLEGE AUSTRALIA, not the third party
- complaints or appeals will be directed to IQY TECHNICAL COLLEGE AUSTRALIA if they cannot be resolved with the third party. (Refer: Academic Appeals Policy and Student and Community Members Complaint Policy).

IQY TECHNICAL COLLEGE AUSTRALIA will monitor the marketing and other student information of the third party to ensure the third party does not guarantee that:

- a student will successfully complete a training product on its scope of registration
- a training product can be completed in a manner which does not meet the requirements of the *Standards for RTOs 2015*
- a student will obtain a particular employment outcome where this is outside the control of the RTO.

### 3.2 Issuing qualifications

Third parties deliver on behalf of IQY TECHNICAL COLLEGE AUSTRALIA, they are not in any alliance or partnership with IQY TECHNICAL COLLEGE AUSTRALIA.

Qualifications and/or statements of attainment are issued in the name of IQY TECHNICAL COLLEGE AUSTRALIA, not the subcontractor.

All qualifications under third party arrangements will have an approved IQY TECHNICAL COLLEGE AUSTRALIA Training and Assessment Strategy (TAS).

### 3.3 Academic quality

All training and assessment will meet the requirements of the relevant nationally accredited training product.

All trainers and assessors will meet the requirements of the *Standards for RTOs 2015*.

IQY TECHNICAL COLLEGE AUSTRALIA accepts responsibility for the activity of all third parties and is solely accountable for the compliance of its third party providers.

All third party arrangements must be:

- the subject of due diligence regarding the suitability of the third party and the likelihood of a sustainable arrangement

- assessed for financial viability and achievement of IQY TECHNICAL COLLEGE AUSTRALIA business goals
- documented in a formal written agreement.

IQY TECHNICAL COLLEGE AUSTRALIA will not enter third party arrangements that require access to VET Student Loan funding.

Where foundation skills units of competency are being delivered by a third party under a third party arrangement, the third party RTO must hold a Training Initiative Funding Agreement and be identified on each student record during the enrolment process. The third party RTO is responsible for the submission of the AVETMISS files; however payment for foundation skills units of competency will be paid to IQY TECHNICAL COLLEGE AUSTRALIA. Trainers delivering foundation skills units of competency must meet the qualifications requirements of the FSK training package.

Any third party arrangements with another RTO that holds ACT Training Initiative Funding Agreement will include a clause that allows IQY TECHNICAL COLLEGE AUSTRALIA to immediately terminate the arrangement if the subcontractor's ACT Training Initiative Funding Agreement is suspended or terminated.

Third parties will not be permitted to further subcontract the delivery of the third party training and assessment.

IQY TECHNICAL COLLEGE AUSTRALIA will cooperate with the ACT Government, Training Services NSW and ASQA in the provision of copies of any executed third party agreement, information, documentation and participation in audits regarding third party arrangements.

IQY TECHNICAL COLLEGE AUSTRALIA will monitor and audit all subcontract arrangements for compliance with contract/agreement and act where non-compliances occur including to terminate agreements.

Where enrolment involves an accredited training product the following IQY TECHNICAL COLLEGE AUSTRALIA policies and procedures specifically apply:

- *Admission and Enrolment Policy*
- *Academic Advice and Issuance of Certification Policy*
- *Attendance Policy*
- *Training and Assessment Strategy (TAS) Development Policy*
- *TAS Review and Approval Procedure (PDF, 326.52 KB)*
- *Assessment Policy*
- *Resulting Policy*

- *Educator Currency and Competency Policy*
- *Assessment Validation Policy*

### 3.4 Responsibilities

#### 3.4.1 Chief Executive Officer

The Chief Executive Officer is responsible for:

- consulting with the IQY TECHNICAL COLLEGE AUSTRALIA Board regarding approval of third party agreements
- executing all third party agreements.

#### 3.4.2 Executive Director, Education Futures and Students

The Executive Director, Education Future and Students is responsible for:

- undertaking a risk assessment and conducting due diligence regarding the third party (in conjunction with the Industry and Innovation Lead)
- liaising with Skills Canberra and Training Services NSW regarding proposed third party arrangements (in conjunction with the Industry and Innovation Lead)
- preparing a business case and meeting the third party (in conjunction with the Industry and Innovation Lead)
- preparing third party agreements (in conjunction with the College Director)
- ensuring compliance with notifications to ASQA, Training Services NSW and Skills Canberra
- contract management
- performance and evaluation of the agreement/record keeping.

#### 3.4.3 Industry and Innovation Lead

Industry and Innovation Lead is responsible for:

- undertaking a risk assessment and conduct due diligence regarding the subcontractor (in conjunction with the Executive Education Future and Students)
- preparing a business case and meeting the third party (in conjunction with the Executive Director, Education Future and Students)
- liaising with Skills Canberra regarding proposed third party arrangements (in conjunction with the Executive Education Future and Students).

#### 3.4.4 Senior Education Leader

The Senior Education Leader is responsible for ensuring a quality audit is undertaken of all third party arrangements in conjunction with the Executive Branch Manager Audit Risk and Corporate Governance.

### **3.4.5 College Director**

The College Director is responsible for:

- initiating new third party arrangements with internal stakeholders
- confirming resourcing requirements
- confirming status on Scope of Registration
- initiating third party agreements in conjunction with the Industry and Innovation Lead and in collaboration with other College Directors where a third party arrangement applies to training and assessment across more than one College
- ensuring third party educators' currency and competency relevant to the requirements of the nationally accredited training to be delivered and/or assessed by the third party
- preparing and executing a plan for development of marketing and course materials.

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## **4. Documentation**

### **Related Legislation/Regulation**

- *Standards for RTOs 2015*
- *National Assessment Instruments – determined by Work Health and Safety regulations*
- *National Vocational Education and Training Regulator Act 2011 (Cth)*
- *Education Services for Overseas Students (ESOS) Act 2000*