

# Third Party Arrangements - Third Party Arrangements Procedure (VET)

## Section 1 - Summary

(1) This Procedure outlines the responsibility for, and processes involved in, engaging third parties to deliver and/or assess vocational education and training (VET) qualifications on behalf of Victoria University TAFE. The Procedure addresses the TAFE's responsibilities in relation to:

- a. the National Vocational Education and Training Regulator (Australian Skills Quality Authority [ASQA]), including the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS);
- b. the Victorian Registration and Qualifications Authority (VRQA); and
- c. the Victorian Department of Education and Training (DET) VET Funding Contract.

## Section 2 - HESF/ASQA/ESOS ALIGNMENT

(2) [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cth\)](#): Standards 2, 4, 5 and 6.

## Section 3 - Scope

(3) This Procedure is applicable across the University's VET operations, including when establishing and managing third-party arrangements for the delivery and/or assessment of Vocational Education programs in Australia and offshore.

## Section 4 - Definitions

(4) Nil.

## Section 5 - Policy Statement

(5) [Third Party Arrangements Policy](#)

## Section 6 - Procedures

### Part A - Summary of Roles and Responsibilities

Roles	Responsibilities
Executive Directors/Directors TAFE	<ol style="list-style-type: none"> <li>1. Inform Legal Services of any notifications of changes to obligations and reporting requirements by regulatory bodies.</li> <li>2. Update the Responsibility Matrix in line with changes imposed by regulatory bodies and/or identified internal continuous improvement actions.</li> <li>3. Liaise with VU Global about the delivery of any services to international students. Manage the contract execution process.</li> <li>4. Where relevant, liaise with TNE Partnerships to ensure that partnership delivery complies with VU policies and procedures and with Australian and host country regulation.</li> <li>5. Allocate a Contract Manager.</li> <li>6. Overall responsibility for all services delivered by the third party, both on and offshore, in line with regulatory body requirements.</li> <li>7. Overall responsibility for ensuring any recruitment or brokering services delivered through third party arrangements conform to regulatory body requirements.</li> <li>8. Ongoing monitoring of contract and associated reporting requirements.</li> </ol>
Senior Leadership Team	<ol style="list-style-type: none"> <li>1. Assess and approve recommendations to engage with a third party for the delivery of education and training services.</li> <li>2. Review due diligence outcomes.</li> </ol>
Chief TAFE Officer	<ol style="list-style-type: none"> <li>1. Notify regulatory and funding bodies - ASQA, VRQA and DET - in writing of all new third-party arrangements, entering into the delivery and cessation of delivery (within 30 days) and seek prior approval as required.</li> </ol>
Legal Services	<ol style="list-style-type: none"> <li>1. Develop a standard contract for VET Third Party Arrangements.</li> <li>2. Develop and maintain due diligence tool to be used for assessing the suitability of prospective partners.</li> <li>3. Periodically review Third Party contracts and matrix of responsibilities.</li> </ol>
Academic Quality and Standards	<ol style="list-style-type: none"> <li>1. Review the Agreement in compliance with the Standards for RTOs 2015 and other relevant regulatory bodies and legislation.</li> <li>2. Track and report on Third Party Arrangements as required by Department of Education and Training and ASQA.</li> <li>3. Conduct an internal audit of Third Party Arrangement courses against the Standards for RTOs 2015 and the relevant VET Funding Contract.</li> </ol>

Roles	Responsibilities
Victoria University TAFE Education Manager/Contract Manager	<ol style="list-style-type: none"> <li>1. Liaise with the relevant partner Project Manager to complete the TAFE - Quality Responsibilities Matrix; Third Party Agreements for Training and/or Assessment of Nationally Recognised Programs.</li> <li>2. Finalise costing/pricing for projects.</li> <li>3. Oversee the third-party arrangements, including the identification of potential risk or issues.</li> <li>4. Liaise with Finance and manage the payment schedule.</li> <li>5. Liaise with VU services, e.g. Marketing, Enrolments etc., about third-party arrangements.</li> <li>6. Ensure training to third-party staff in relation to VU procedures, e.g. Authorised Enrolment Officer training, resulting etc.</li> <li>7. Ensure the publishing of third-party arrangements and potential/existing students are aware of such arrangements.</li> <li>8. Operational responsibility for all services delivered by the third party, both on and offshore, in line with regulatory body requirements.</li> <li>9. Operational responsibility for ensuring any recruitment or brokering services delivered through third party arrangements conform to regulatory body requirements.</li> <li>10. Ongoing monitoring of contract and associated reporting requirements.</li> </ol>
TNE Partnerships	<ol style="list-style-type: none"> <li>1. Liaise with the VUP Education Manager/Contract Manager for offshore delivery services.</li> </ol>

## Part B - Procedures

(6) The Education Manager/Contract Manager and/or Executive Directors will identify business opportunities, public benefits and associated risks of working in partnership with a third party and make recommendations in writing (Business Case and Costing tool) to the Chief TAFE Officer.

(7) A due diligence review of the proposed partnership is undertaken by the Education Manager/Contract Manager or Executive Director and reported to the Senior Leadership Team. Legal Services as well as TNE Partnerships and VU Global for offshore services delivery, are consulted as part of the partner assessment, due diligence review, and probity check. The VU Legal [Due Diligence Checklist](#) is to be used as a guide to this process and decision making, not as an exclusive indicator.

(8) For projects whose projected revenue is up to \$500,000, due diligence checks to be completed within 5 working days. For projects with projected revenue of \$500,000 or above, due diligence checks to be completed within 10 working days of the request.

(9) The Chief TAFE Officer with the Senior Leadership Team, will assess the recommendations (Business Case, Costing Tool, due diligence evidence) to engage with a third party for the delivery and/or assessment of education and training services in line with the relevant regulatory requirements.

(10) The Chief TAFE Officer to notify regulatory bodies - ASQA and VRQA - in writing of all new third-party arrangements and seek prior approval from the Victorian Department of Education and Training (DET) as required:

- a. To notify ASQA, use the Third Party Service Notification Form which is accessed and submitted via ASQAnet/Notifications/Third-Party Arrangements. Notification made within 30 days of program commencement and cessation.

- b. To obtain prior written approval to proceed from the Victorian Department of Education and Training for subcontracting of training and assessment by a third party in compliance with Clause 6 of the VET Funding Contract.

(11) The Chief TAFE Officer to notify DET of Brokering Services entered into within 30 days of entering into any arrangement.

(12) The TAFE Executive Directors/Director will ensure that any changes to obligations and reporting requirements by regulatory bodies are reflected in the Agreement or Responsibilities Matrix.

(13) The TAFE Executive Directors/Director will liaise with VU Global senior officers and TNE Partnerships about all international delivery contract execution and management matters.

(14) All delivery of courses will comply with external and internal regulatory requirements of both Australia and the host country (if delivered outside of Australia).

(15) No third-party delivery arrangement will be entered into without consultation with internal stakeholders, the completion of due diligence checks, and the development and signature of a formal contract between VU and all partners. Any third party agreement for offshore services delivery must be signed by the Vice-Chancellor, upon joint endorsement of the Chief TAFE Officer and the and Senior Deputy Vice-Chancellor and Chief Academic Officer.

(16) Before finalisation of the Agreement, the Education Manager/Contract Manager will liaise with the relevant partner Project Manager and complete the TAFE - Quality Responsibilities Matrix; Third Party Agreements for Training and/or Assessment of Nationally Recognised Programs, clearly articulating responsibilities for each aspect of the program.

(17) After completing the matrix, the TAFE Education Manager/Contract Manager will finalise costing/pricing for the project taking into consideration the responsibilities allocated to the TAFE and use of TAFE copyrighted documentation and templates for the program. Executive Directors/Directors will manage the contract execution process.

(18) TAFE Executive Directors/Director will liaise with the relevant Education Manager/Contract Manager to provide direct contact with third parties and monitor activities in line with the TAFE's quality system and regulatory bodies' requirements.

(19) The Education Manager/Contract Manager will:

- a. be responsible for the oversight of the third party arrangements, including identification of potential risks and corrective actions required to manage risk, as well as ensuring regulatory and funding bodies' requirements are met and provide regular reports to the relevant TAFE Executive Director/Director.
- b. liaise with Finance and manage the payment schedule.
- c. liaise with VU services about third-party arrangements, e.g. VU Global, Marketing, Enrolments etc., and TNE Partnerships for offshore delivery.
- d. ensure relevant training to third-party staff in relation to VU procedures, e.g. resulting etc., along with relevant notifications from regulatory bodies.
- e. ensure third-party arrangements are published, and potential/existing students are fully aware of such arrangements.

(20) The TAFE Executive Directors/Director are responsible for all services delivered by third parties - both on and off shore - including: providing data; co-operating with regulatory bodies such as ASQA, VRQA and DET; complying with the Education Services for Overseas Students Act 2000, meeting the requirements for CRICOS registration, complying with advertising and marketing standards; informing prospective students about courses and course admissions requirements; dealing with complaints and appeals; collecting fees; and recordkeeping.

(21) The TAFE Executive Directors/Director and Education Manager/Contract Manager are responsible for the ongoing monitoring of contract and associated reporting requirements. In particular:

- a. Initial site visit before finalising the agreement.
- b. Set up a monitoring schedule that will include at least one audit of activity at the partner organisation each semester and at least two site visits each year.
- c. Conduct systematic monitoring, taking corrective action as necessary.
- d. Ensure that the partner understands and complies with the requirement to make themselves and course / staff / student documentation available at short notice to the TAFE, DET and the national VET regulator.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	22nd June 2022
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<b>Expiry Date</b>	Not Applicable
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