

THE RTO THIRD PARTY AGREEMENTS PROCEDURE

1 PURPOSE

- 1.1 The RTO Third Party Agreements (TPA) Procedure give effect to The RTO Third Party Agreements (TPA) Policy so the following items will be referenced in any Third Party Agreement The College RTO enters into:
 - 1.1.1 Cooperating with the national VET regulator by providing accurate and factual responses to information requests from ASQA, and in the conduct of audits and the monitoring of its operations.
 - 1.1.2 Adherence to the ASQA Standards.
 - 1.1.3 Ensuring trainers and assessors are qualified and maintain current skills and knowledge.
 - 1.1.4 Training Product setup, including Training and Assessment Strategy and use of Training Product Materials.
 - 1.1.5 Marketing and advertising obligations, including approvals.
 - 1.1.6 Obligations for delivery of training and/or assessment, including training venues.
 - 1.1.7 Record keeping obligations, including enrolments, results, and data collection.
 - 1.1.8 Quality assurance obligations, including student support services, student complaints and appeals, and monitoring and audit activities.
 - 1.1.9 Issuing of qualifications and statements of attainment.

2 SCOPE

- 2.1 TPA is to be developed and reviewed by the University's General Counsel and the Director, RTO before being executed by the CEO, The College.
- 2.2 Monitoring the implementation of quality assurance and audit activities within TPA is the responsibility of The RTO Committee.

3 SERVICES DETAIL

- 3.1 A legally executed and binding TPA will be entered into where The College RTO agrees that a third party can deliver services on its behalf. The Services The College RTO stipulates in a TPA include:
 - 3.1.1 Student Recruitment, Admissions and Enrolment: Detail of who will be involved in this process and who will perform the necessary administrative tasks to ensure ongoing RTO compliance.

- 3.1.2 Training and/or assessment services: This includes any situation where The College RTO enters into an agreement to allow any other persons or organisation to deliver training and assessment on behalf of The College TPA.
- 3.1.3 Resulting and Record Keeping: Details of who will manage the administrative tasks around resulting and record keeping to ensure ongoing RTO compliance.
- 3.2 Services The College RTO will provide and not provide will be clearly set out within terms of agreement under the TPA.

4 AGREEMENT SET UP

4.1 Proposal

- 4.1.1 Contact and negotiations are conducted with the proposed or nominated third party to establish initial proposed terms and scope of service/s. The proposal, and associated fees, is drafted in consideration with the required services in mind. The College RTO provides the proposed or nominated third party with copies of policies, procedures, handbooks and associated documents referenced within the draft TPA or applicable to the proposed service/s.

4.2 Evaluation and Recommendation

- 4.2.1 Evaluation of proposal, including risk analysis, is conducted by The College RTO Director. The risk analysis is performed to determine the risk level of entering the TPA. The College RTO Director presents a brief to the CEO and present the opportunity. Should the recommendation not be endorsed, the procedure ceases at this point.

4.3 Legal advice

- 4.3.1 The College RTO Director engages University Counsel to draft the TPA and Recommendation Report, and to provide specific advice on the proposed TPA. Additional liaison and negotiation between the proposed third party, legal advisors, The College CEO and senior members of staff at The College might occur.

4.4 Services Setup (pre-TPA execution)

4.4.1 Training Product Setup:

- Design Training and Assessment Strategy in collaboration with proposed third party that is specific to proposed training cohort/s and in accordance with The RTO Curriculum Development and Management Policy and Training and Assessment Strategy Template.
- Determine source of Training Product Materials and commence purchase/design, in accordance with The RTO Curriculum Development and Management Policy.

4.4.2 Marketing and Recruitment

- Determine co-branding principles with proposed third party, in consideration of University or The College requirements.
- Decide on student recruitment and enrolment responsibilities, in consideration of The RTO Marketing and Recruitment Policy.

4.4.3 Delivery Venue

- Complete details of intended delivery venue as per The College RTO's Training Venue Checklist and in consideration of the draft Training and Assessment Strategy and The RTO Training and Delivery Policy.

4.5 TPA execution

- 4.5.1 Once all components of the TPA have been agreed, The College RTO Director will prepare a new Recommendation Report for The College CEO summarising the in-principle agreed terms, commercial aspects and fees. The TPA can then be legally executed by The College CEO and the third party.

5 RECORDS

- 5.1 All student, enrolment, training and assessment records created in relation to the services provided are kept in the same manner as direct students of The College RTO.

6 MARKETING

- 6.1 All marketing, advertising or other promotion or provision of course information by third parties:

6.1.1 Is done so with prior review and approval by The College RTO.

6.1.2 Only includes reference to those nationally-recognised AQF courses or programs that are specified in the TPA.

6.1.3 Clearly identifies the third party and its relationship to The College RTO and that The College RTO is the body issuing any certification documentation.

6.1.4 Does not purport to offer a nationally-recognised AQF course or program under the third party's own name.

6.1.5 Fulfils all requirements of The RTO Marketing and Recruitment Policy.

7 CERTIFICATION DOCUMENTATION

- 7.1 Issuing of qualifications testamurs, statements of attainments and academic transcripts are to be issued with accordance to what was agreed upon in the TPA.

8 NON-COMPLIANCE

- 8.1 Any non-compliance is dealt addressed within 15 business days. The College RTO team member will report non-compliance to The College RTO Director.

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STATUS AND DETAILS

Status	Current		
Version	1		
Effective Date	21 October 2020		
Review Date	21 October 2023		
Approval Policy	The College Senior Management Team		
Governing Authority	Western Sydney University Enterprises Board		
Endorsed by	The RTO Committee		
Unit Responsible	The Registered Training Organisation		
Enquiries Contact	The College RTO E: rto@westernsydney.edu.au		
Available On	SharePoint	<input type="checkbox"/>	Website <input checked="" type="checkbox"/>
Procedure Code	PRO_OPS_004		
Procedure Category	Academic		
Related Documents, including Legislation/Policies/Procedures	The RTO Third Party Agreements Policy The RTO Qualifications and Statements Issuance Policy The RTO Qualifications and Statements Issuance Procedure The RTO Marketing and Recruitment Policy Third Party Agreement The Standards RTO (2015)		

Summary of Changes from Previous Version