

# RTO Third Party Agreements Policy

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## Purpose

The purpose of this Policy is to provide for the establishment and management of legally binding Third-Party Agreements whereby AGA authorises a third party to provide services on its behalf in accordance with The Standards for RTOs (2015) Clauses 2.3,2.4 and 8.3 and NSW Smart and Skilled Contract Terms and Conditions and Operating Guidelines.

The purpose of this Policy is to ensure all legislative and regulatory obligations, and quality standards, related to the provision of services by third parties on behalf of AGA are met.

## Scope

This Policy applies to all staff with responsibility to negotiate, monitor or manage Third Party Agreements with AGA.

## Definitions

**RTO** Registered Training Organisation

**Third party** means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

## Policy Statement

AGA acknowledges that it must manage partnering arrangements with third party providers who conduct training and assessment services, providing educational and support services and recruiting prospective students of its behalf, and that those services comply with the SRTOs at all times.

AGA is committed to ensuring that appropriate partnering arrangements are entered into and that these are monitored to ensure their effectiveness and compliance.

AGA will:

- Develop and maintain written agreements with all third-party providers delivering training and assessments services, providing educational and support services on its behalf.
- Monitor the implementation of training and assessment services, providing educational and support services by third parties through audit processes.
- Specify roles and responsibilities for each party to the agreement in compliance with the Standards for Registered Training Organisations.
- Ensure all parties sign and are provided with a copy of the written agreement; and
- Maintain a register of all agreements held with third party providers.
- The Quality and Compliance department will notify ASQA within 30 days of start or end of a third-party agreement.

## Policy Principles

The following principles underpin this policy.

- AGA manages services provided by third parties on its behalf by documenting and recording agreements covering the responsibility of both parties, the implementation and monitoring of the agreements and making improvements where required.
- As AGA, is accountable for the quality of services provided by third party providers, it is essential that written agreements clearly articulate fully the roles and responsibilities of all parties.
- Arrangements will be identified, evaluated, and agreed through consultation with prospective third-party partners ensuring a mutually beneficial partnering arrangement.
- Contract trainers and assessors who provide training for AGA enrolled students are NOT required to sign a third-party agreement; they will be subject to all AGA policies and procedures as an employee/contractor.
- The written agreement will specify arrangement for:
  - Ensuring that training and assessment products and services are appropriate and continuously improved.
  - Developing, monitoring and reviewing training and assessment strategies.
  - Ensuring that staff, facilities and equipment are in place, as described in training and assessment strategies.
  - Providing information to students on training, assessment and client support services provided, as well as their rights and responsibilities as learners.
  - Where relevant, ensuring that employers and others are engaged in the development, delivery and monitoring of training and assessment.
  - Providing educational and support services to students.
  - Managing records and providing data.
  - Issuing qualifications and statements of attainment.
  - Managing complaints and appeals.
  - Marketing and advertising of products and services, in compliance with SRTOs, including the approval process.
  - Provision of student information.
- AGA will monitor and review third party training and assessments services and arrangements to ensure they comply with all Standards for RTOs at all times.

Monitoring activities may include (but are not limited to):

- Regular reporting including client feedback
- Site visits to the third party provider sites
- Assessment validation
- Auditing

- Third party providers must abide by AGA Fee, Charges, Cancellations and Refunds Protection Policy and practices as defined in Schedule 6 of the Standards for RTOs.
- All third-party providers must comply with all requirements of SRTOs 2015 and all AGA policies and practices at all times, with particular regard to the following:
  - Appeals
  - Complaints
  - Client information
  - Marketing
  - Validation
  - Evaluation and feedback
  - Auditing
  - Cooperation with the VET Regulator
  - Fees
  - Data provisions
  - Records keeping
- AGA will notify the students regarding there are any changes to agreed services, as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements.

## **NSW – Smart and Skilled**

AGA will comply with the requirements of NSW Smart and Skilled Operating Guidelines Clause 21 and will ensure the following:

- AGA will apply to NSW Training Services for approval of a Brokering Arrangement (Third Party) at least 28 days prior to the intended commencement of any such arrangement, for each Approved Qualification (or the relevant Unit of Competency) in each Region for each Smart and Skilled Program.
- AGA will not deliver any training or enter into any Third-Party Arrangement for services funded by the NSW Government under Smart and Skilled unless we have received permission from NSW Training Services.
- AGA will ensure that all activities conducted under a Third-Party Arrangement comply with all requirements of the Contract.

## Responsibilities

The Education and Training Manager is responsible for ensuring compliance with this policy.

## Records Management

All documentation related to third party arrangements are recorded and maintained in accordance with Records Management Policy. (See RTO Records Management Policy)

## Monitoring and Improvement

All partnering practices are monitored by the Education and Training Manager and areas for improvement identified and acted upon. (See RTO Continuous Improvement Policy)

## Responsible Persons

Education and Training Manager  
Quality and Compliance Manager  
Quality and Compliance Team

## Related Documents

RTO Application and Enrolment Policy  
RTO Continuous Improvement Policy  
RTO Complaints and Appeals Policy  
RTO Fees, Charges, cancellations and Refunds Policy  
RTO Governance Policy  
RTO Marketing Policy  
RTO Privacy and Personal Information Policy  
RTO Records Management Policy  
RTO Training and Assessment Policy  
Register of Third-Party Agreements  
AGA Student Handbook  
**NSW – Smart and Skilled:**  
Smart and Skilled Contract  
Smart and Skilled Operating Guidelines  
Smart and Skilled Fee Administration Policy  
Smart and Skilled Student Eligibility Policy  
Smart and Skilled Consumer Protection Strategy  
Smart and Skilled Third Party (Brokering Arrangement) Approval Policy

**Document Control**

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| Document Name:            | RTO Third Party Agreements Policy     |
| Document Owner:           | Quality and Compliance Manager        |
| Approved by- Name & Role: | Nicolas West, Chief Executive Officer |
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| 2/04/2024  | 1.0     | Implementation of new RTO Third Party Agreements Policy                      |
| 17/05/2024 | 1.1     | Updated the policy to reflect NSW Smart and Skilled contractual requirements |
|            |         |  |