

Third Party Arrangements/Agreements

Policy and Procedure No: RTO1.9

Responsibility for Policy:	Executive General Manager, Policy and Programs
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Relevant RTO Policies	2.3, 2.4, 8.2, 8.3
Associated Forms	N/A

AIM

To ensure compliance with the Standards for Registered Training Organisations (RTOs) 2015 ('the Standards'), the Institute will ensure that all third party arrangements and agreements that involve the delivery of a service to the Institute under its registration are committed to writing.

1. WHAT REQUIRES A WRITTEN AGREEMENT?

The types of services provided by third parties to the Institute that must be articulated in a written agreement are:

- training and/or assessment of training products within the Institute's scope of registration;
- educational and support services; or
- recruitment of prospective learners (note that if a party is directly engaging in two-way communication with individual prospective learners about undertaking training and/or assessment at the Institute, they are undertaking activities related to the recruitment of prospective learners).

The types of services that do not fall within these requirements of the Standards include hiring trainers and/or assessors as contractors (contract of employment situation) or arrangements for advertising the services provided by the Institute. This also does not apply where a person contributes evidence of competency, e.g. in the case of workplace supervisors in traineeship or apprenticeship arrangements (although the Institute may nevertheless decide to commit such arrangements to writing).

2. RESPONSIBILITIES OF THE INSTITUTE

Pursuant to the Standards for Registered Training Organisations (RTOs) 2015, the Institute is responsible for all services delivered under its registration, regardless of where these are conducted. This responsibility applies to all of the Institute's obligations as an RTO, including:

- providing data
- cooperating with ASQA
- complying with advertising and marketing standards
- informing prospective learners
- ensuring that the requirements within the Standards concerning professional development of trainers and assessors are met

- dealing with complaints and appeals
- collecting fees
- recordkeeping

The Institute will ensure that it has sufficient strategies in place and resources available to monitor services provided by third parties so that compliance with the Standards is achieved at all times. These strategies will include site visits to validate training and assessment practices; regular provision of documentary evidence from relevant third parties; regularly scheduled progress meetings.

3. **ESSENTIAL CLAUSES**

Each written agreement involving the provision of services to the Institute by a third party must include clauses to the following effect:

- The third party must cooperate with the VET Regulator by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services, and
- The third party must cooperate with the VET Regulator in the conduct of audits and the monitoring of its operations.

These clauses are very important to include in agreements, as the Institute is responsible for ensuring any third party meets these requirements.

4. **NOTIFYING ASQA**

The Institute will notify ASQA:

- of any written agreement entered into for the delivery of services on its behalf (as required by this policy) within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first, and
- within 30 calendar days of the agreement coming to an end
- The Institute manager will ensure that all written third party arrangements and agreements are included in the Register of Agreements that is maintained by the CEO of Relationships Australia South Australia Ltd.