

Third Party Arrangements Policy

Policy name	Third Party Arrangements Policy
Policy number	FSP001
Date approved	25 March 2015
Approving body	The Cairnmillar Institute Council
Responsible officer	The Head of School
Implementation officer	The Head of Administration
Next review date	June 2017
Linked policies	Course Development Policy Excellence in Teaching and Learning Policy
Linked forms	

Purpose of this policy

From time to time, The Cairnmillar Institute (the Institute) may, enter into an arrangement with a third party service provider (“third party”), to manage or deliver some or all of the services for a course of study (“third party arrangement”) including:

- Provision of student support services
- Course design development and approval
- Course delivery (teaching, learning and assessment) and management

This policy identifies the Institute’s approach to ensuring any service or course provided under a third party arrangement meets the Institute’s standards and requirements to ensure the student experience and student learning outcomes are at least equivalent to those for the same or a similar service or course of study when delivered by the Institute.

Scope

This policy applies to third party arrangements for:

- The provision of student support services
- Course design, development and approval
- Course delivery (teaching, learning and assessment) and management

Student support services

Third party arrangements for the provision of student support services at the Institute include:

- The provision of teaching spaces for students at third party organisations;
- Information technology services;
- Student welfare and well-being services.

Course design, development and approval

At the Institute, the academic staff usually develop award courses or course modules, however, the Institute may enter into third party arrangements for the provision of course design, development and approval services. These services might include the development of:

- Dual or joint award programs through collaboration;
- Online subjects or courses.

Course delivery (teaching, learning and assessment) and management

The Institute may enter into third party arrangements for the delivery and management of a course including:

- Work placements for students as part of their course;
- Library services to support learning and research;
- Specialist teaching by guest lecturers.

Considerations for entering into third party arrangement

The Institute must only enter into third party arrangements with a reputable higher education provider and/or other reputable organisation or person.

The intention to consider a third party arrangement must be brought to the attention of the Academic Board as early as possible.

Before the Institute enters into a third party arrangement, the Institute must consider the skills, experience and appropriateness of the third party to deliver the service. This assessment includes considering the third party's:

- Professional qualifications, experience and status and their key personnel including, where relevant, whether they are consultants on the Australian Council for Private Education and Training (ACPET) register
- Reputation including the testimonials, references or recommendations given by other clients of the third party
- Financial viability
- Independence from the Institute's senior management

Form and coverage of third party arrangements

The request to the Institute for Third party arrangements must be documented in a memorandum of understanding or similar formal agreement (MOU) between the Institute and a third party provider. The MOU must include:

- The purpose of the third party arrangement
- The parties' roles and responsibilities
- A probationary period for the Institute to assess and decide whether the MOU should continue
- The costs, if any, associated with delivery of the service by the third party
- Measures for assessing the effectiveness and quality of the services and service delivery under the third party arrangement ("criteria for success")
- The process for reviewing the criteria for success
- The date(s) on which the criteria for success will be reviewed
- That any coursework must:
 - Comply with:
 - TEQSA Threshold Standards - (Provider, Course and Qualifications)
 - Australian Qualifications Framework policies
 - ESOS Act
 - National Code
 - Result in programs that are of at least an equivalent standard and quality to the Institute's other academic programs
- The procedure for dealing with disputes about the MOU
- How the MOU may be terminated

Authority to enter into third party arrangements

MOUs:

- May be negotiated by a senior member of staff who has permission from the Head of School
- Must be reviewed by:
 - a second senior member of staff and the Head of School
 - the Assistant Director or Head of Administration
- Must be signed by the Executive Director, Head of Administration or Assistant Director to be effective
- Must be tabled at the Academic Board.

Monitoring third party arrangements

The Institute will:

- Register all third party arrangements
- Keep copies of all MOUs for the third party arrangements while they are on foot and for a period of seven (7) years from termination of the MOU
- Maintain a schedule of the reviews to be conducted under the MOUs for all third party arrangements ("review schedule")
- Conduct reviews in accordance with the review schedule to test whether the criteria for success are being met

- Consult with key stakeholders and the Head of School about whether the criteria for success are being met under the MOUs
- Refer the outcome of all reviews to the Academic Board with recommendations for action.

References

Legislative and compliance framework relevant to the development of this policy:

Relevant authority for this policy	TEQSA Threshold Standards - (Provider, Course and Qualifications) Australian Qualifications Framework policies National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007) Education Service for Overseas Students (ESOS) Act 2000
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Definitions

Definitions for concepts used in this policy:

Third party arrangement	Where the Institute has any aspect of its higher education activities or functions carried out on its behalf through a third party, agent or partner arrangement. A third party, agent or partner arrangement may include partnerships with other institutions, higher education providers, or entities; the formation of joint ventures or special purpose companies; sub-contracting of services; or franchising arrangements.
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