

Third-Party Policy

Policy Statement

To ensure that training and assessment practices undertaken by a third party on behalf of Certified Training Resources are responsive to industry and learner needs, and meet the requirements of training packages and VET accredited courses; and to meet all other requirements of the 'Standards for Registered Training Organisations 2015', as laid out by the Australian Skills Quality Authority (ASQA). This purpose also highlights that arrangements with a third-party must be underpinned by a due diligence assessment and formalised by a legally binding third-party agreement to ensure that Certified Training Resources meets its obligations to its students and continue to meet all relevant VET legislation.

Scope

The Third-Party Policy is designed to ensure all practices undertaken by a third party on behalf of the RTO under written agreement are consistent with legislation, guidelines and policies issued through state and national training authorities and contained within the relevant National Training packages or accredited courses.

Definitions

Training is the process used by an RTO or a third-party delivering services on its behalf, to facilitate learning and the acquisition of competencies in relation to the training product in the RTO's scope of registration.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard expected in the workplace, as expressed by the relevant endorsed industry/enterprise competency standards of a Training Package or by the learning outcomes of a VET accredited course.

Due Diligence is the process of investigation whereby the RTO assesses the suitability of a Third Party prior to entering into a delivery arrangement.

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.

Pre-Enrolment Information is the set of information released to a potential student to enable them to make an informed choice about their enrolment (e.g. training and assessment program information, fees and refunds, support services, third party delivery arrangements, complaints and appeals, program duration, eligibility, etc.)

Marketing Material refers to all advertising collateral used to promote the training and assessment program being delivered by the third party on behalf of the RTO (such as website, brochures, social media platforms, posters, prospectuses, letters, emails, newsletters, etc.)

Training and Assessment Conducted by Third Parties

Certified Training Resources ensures that any training and assessment conducted is undertaken in accordance with the *Standards for Registered Training Organisations 2015*.

In accordance with *Clause 2.3*, Certified Training Resources ensures that a written agreement is retained where services are provided on its behalf by a third party. Individual agreements will specify:

1. timeframes and process for monitoring and review of the agreement; and
2. the parties and individuals responsible for participating in reviews and monitoring of the agreement.

All parties in the Third-Party Agreement must be represented and present during review meetings to ensure two-way communications during the review process.

Minutes will be retained of all Third-Party Agreement review meetings.

In accordance with *Clause 2.4*, Certified Training Resources systematically monitors training and assessment services delivered on its behalf and uses these to ensure that the services delivered comply with these Standards.

1. Certified Training Resources monitors the training and assessment conducted by third parties to ensure that the “Trainer and Assessor Requirements” and “Trainer Assessor Code of Conduct” of this policy are maintained at all times.
2. All training and assessment conducted by third parties must be undertaken in accordance with Certified Training Resources’ s training and assessment strategies to ensure that training and assessment resources and facilities meet course requirements.

Prior to enrolment or commencement, Certified Training Resources ensures that learners are advised of any third parties who are involved in the training, assessment and/or related services. Certified Training Resources also provides learners with the contact details of any third party involved in training and assessment activities on Certified Training Resources’s behalf.

Objectives of the Third-Party Policy

The objectives of Certified Training Resources’s Third Party Policy is to ensure learners, employers and industry can have confidence in the integrity, currency and value of certification documents issued, through high quality training and assessment practices of third parties delivering training and assessment that:

1. meet the requirements of training packages and VET accredited courses;
2. are responsive to industry and learner needs; and
3. are delivered by appropriately qualified trainers and assessors with the right support services, facilities and equipment.

This policy is designed to:

1. meet the needs of students/staff of the third party
2. provide guidelines for the third-party trainers and assessors,
3. meet obligations to;
 - a. relevant state and national government departments;
 - b. Australian Skills Quality Authority (ASQA);

4. meet the Organisational commitments and obligations to Access & Equity;
5. ensure standardised training and assessment practices across all programs delivered under the RTO's scope of operations, including those by third-party providers.

Training and Assessments Obligations

The third-party provider is expected to adhere to all policies and procedures of the RTO; including those pertaining specifically to training and assessment compliance and quality delivery. This includes:

- 1) assessing according to the Principles of Assessment and the Rules of Evidence,
- 2) Supporting the application of Reasonable Adjustment where it is appropriate and does not compromise the integrity of the accredited course or national training package requirements,
- 3) following the RTO's Assessment Model, and
- 4) following the RTO's Assessment Validation policies and procedures (including post-assessment validation activity)

Trainer and Assessor Requirements

In accordance with Standard 1.13, the Third Party ensures training and assessment is delivered only by persons who have:

- 1) vocational competencies at least to the level being delivered and assessed;
- 2) current industry skills directly relevant to the training and assessment being provided;
- 3) If prior to 1 July 2019, the TAE40110 (or TAE40116) Certificate IV in Training and Assessment
- 4) If after 1 July 2019, either the TAE40116 Certificate IV in Training and Assessment, or the TAE40110 Certificate IV in Training and Assessment *plus* the following units of competence:
 - a. TAELLN411 (or TAELLN401A) Address adult language, literacy and numeracy skills, and
 - b. TAEASS502 (or TAEASS502A or TAEASS502B) Design and develop assessment tools
- 5) current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

For the delivery of TAE Training Products or for trainers and assessors working under supervision (i.e. unqualified in their TAE certification), the third-party must liaise with the RTO.

The RTO holds the right to veto any trainer and assessor employed by the third-party from being active under the arrangements in the agreement.

Recording Assessment Outcomes

The Third Party has a responsibility for recording assessment outcomes and for maintaining and securing assessment records in a permanent and accessible system.

Assessment records are processed in accordance with Records Management, Privacy and Issuing of Qualifications Policy.

The Third Party has a responsibility to handle Complaints and Appeals in accordance with the RTO's Complaints and Appeals Policy

Access and Equity

The Third Party has a responsibility to follow the RTO's Access and Equity Policy

Skills Recognition

The Third Party has a responsibility to assess in accordance with the RTO's Recognition of Prior Learning (RPL) Policy.

Trainer and Assessor Conduct

The Third Party has a responsibility for ensuring the conduct of their trainers and assessors is professional at all times and that their staff have been inducted with the requirements of the Standards and RTO's own policies and procedures; as well as the third-party arrangement in place with the RTO.

Regular Notification

The RTO will notify ASQA (through ASQANet) within 30 calendar days of the Third-Party Agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first. The RTO will also notify ASQA within 30 calendar days of the agreement coming to an end.

Marketing and Pre-enrolment Information

The third party must adhere to Clause 4.1 of the Standards for RTOs in relation to all marketing and pre-enrolment information disseminated in relation to courses being delivered on behalf of the RTO. The RTO must include activities relating to the monitoring of this information in its supporting procedure.

The third-party must make it clear to prospective learners what their role is in delivering services on behalf of the RTO; whether this be recruitment of students, delivering training and assessment services, or both.

Fees and Charges

Unless specifically agreed to with the RTO prior, the third party must not collect prepaid fees, at any stage during a course of more than \$1500 per student (inclusive of course fees, as well as any application or enrolment charges)

Student Support

The Third Party is required to provide, or arrange to provide (either through the RTO itself or through external referrals) the following educational and support services for its students undertaking the courses listed in the Agreement on behalf of the RTO, such as:

- pre-enrolment materials,
- study support and study skills programs
- language, literacy and numeracy (LLN) programs or referrals to these programs
- equipment, resources and/or programs to increase access for learners with disabilities and other learners in accordance with access and equity
- learning resources
- mediation services or referrals to these services
- flexible scheduling and delivery of training and assessment
- counselling services or referrals to these services
- information and communications technology (ICT) support
- learning materials in alternative formats, for example, in large
- print learning and assessment programs contextualised to the workplace
- any other services that the third party considers necessary to support learners to achieve competency

Cooperation with the VET Regulator

The RTO ensures that any third-party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator: a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services b) in the conduct of audits and the monitoring of its operations

Due Diligence

The RTO will undertake a comprehensive appraisal of the third-party prior to entering any agreement to establish its financial viability, reputation, management history, etc. in line with the level of risk the third-party activities bring to the RTO.

Third Party Agreement

The written agreement between the RTO and the Third Party must include all obligations of the Third Party under the Standards of RTOs 2015, including following the policies and procedures of the RTO pertaining to:

- 1) marketing and pre-enrolment information
- 2) enrolment and induction activities
- 3) student support assessment and provision
- 4) fees and refunds
- 5) complaints and appeals
- 6) continuous improvement
- 7) training and assessment planning, validation, delivery and review
- 8) stakeholder feedback
- 9) contract monitoring activities,
- 10) obligations to cooperate with ASQA
- 11) use of subcontractors
- 12) data provision,
- 13) student records management
- 14) industry engagement,
- 15) Credit Transfer and RPL, and
- 16) insurance.

The written agreement must also include the following as a minimum:

- 1) consideration of the ownership/copyright/intellectual property of the training and assessment resources being used,
- 2) a schedule of exactly which units of competency, skill sets, qualifications and/or accredited courses are covered by the Agreement, and fiduciary consideration/schedule of fees payable by the Third-Party to the RTO (or vice versa).

Procedure

Review and Reporting of Third-Party Arrangements

No.	Person/s Responsible	Steps to take

1	Stakeholders / CEO and Compliance Manager	<ol style="list-style-type: none"> (1) Review written Third Party Agreement and ensure that all VQF requirements, Standards for RTOs 2015 and relative state/territory legislations and regulations are addressed. (2) Ensure that both parties are aware and that they understand their responsibilities. (3) Once both parties arrive to an agreement and all documents have been finalised, report Third Party Arrangements to the VET Regulator via ASQAnet within thirty (30) calendar days of the contract start date. (4) Upon termination of the contract, notify VET Regulator within thirty (30) calendar days of the agreement coming to an end via ASQAnet.
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Monitoring and Annual Review of Third-Party Arrangements

No.	Person/s Responsible	Steps to take
1	CEO / Compliance Manager / Admin Staff / Third Party	<ol style="list-style-type: none"> (1) The Third-Party Agreement is reviewed at least annually or at any time where necessary upon the agreement of both parties. (2) Review of the Agreement is documented in the form of Meeting minutes. Copies of the minutes will be distributed to both parties within seven (7) days of the meeting event. (3) Notify the third party of any changes to the company. (4) Third party to consolidate all client feedback collected and recorded in the third party's Continuous Improvement Register. (5) Third party to generate report as requested by the Error! Reference source not found.. (6) Third party to send report to Error! Reference source not found. for review.
2	Quality/ Compliance Team	<p>Review all marketing platforms (including websites and social media) and pre-enrolment materials (including brochures, media advertisements, posters, course guides and handbooks) to ensure they;</p> <ol style="list-style-type: none"> (1) Offer accurate representation of products and services to be provided; (2) Provide clear information that Third Party is delivering the course under Certified Training Resources's scope of registration as a third-party provider; (3) Include Certified Training Resources's National Registration Code: xxxxxx; (4) Include the full code and title of the course on all marketing and resources, as presented on training.gov.au; (5) Refer to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained; (6) Use the NRT Logo only in accordance with the conditions of use specified in the Standards for RTOs 2015, Schedule 4; (7) Distinguish between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the Third Party; (8) Only advertise or market a non-current training product while it remains on the RTO's scope of registration; (9) Only advertise or market that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised; (10) Do not guarantee that a student will successfully complete the course being advertised;

		<p>(11) Do not guarantee that a student will obtain a particular employment outcome where this is outside the control of the Third Party;</p> <p>(12) Are compliant with all current consumer protection legislation applying to the jurisdiction in which the marketing activities are being delivered</p> <p>(13) Do not advertise accepting more than \$1500 in total fees in advance of any training or assessment activities from its individual students at any time throughout the programs (unless there is prior written approval from Certified Training Resources).</p>
3	Quality/Compliance Team, Training Manager	<p>Review Training and Assessment Strategies for each program offered by the Third Party against the training package requirements and against what is actually being delivered by the Third Party, with particular attention to:</p> <p>(1) Ensuring training products listed in the Strategies are not superseded and, if so, there is an appropriate plan in place to transition/teach our students,</p> <p>(2) Identification and description of learner cohorts</p> <p>(3) How support needs of individual learners are determined, provided and monitored throughout their program,</p> <p>(4) Training and assessment resources (including trainers and assessors),</p> <p>(5) Amount of training, and</p> <p>(6) Meeting the needs of industry</p>
4	Quality/Compliance Team	<p>Review evidence of validation activity performed by the Third Party in relation to assessment tool validation and post-assessment validation of judgement in relation to:</p> <p>(1) Adherence to the RTO's Validation Plan/Strategy, and</p> <p>(2) Adherence to the 5-year Validation Schedule/Calendar</p>
5	Quality/Compliance Team	<p>Review trainer and assessor files to ensure:</p> <p>(1) Their industry qualifications/vocational matrices still match what they are delivering,</p> <p>(2) Their training and assessment qualifications are still current against the requirements of the Standards for RTOs 2015,</p> <p>(3) They are undertaking activities to remain current in their industry skills and knowledge</p> <p>(4) They are undertaking activities to remain current in their vocational training and assessment skills and knowledge, and</p> <p>(5) Any licences, first aid competencies and/or security clearances are current.</p>
6	Quality/Compliance Team	<p>Review student files (random sample of current, completed and withdrawn files) to ensure all required documentation is on file.</p>

Management Review of Opportunities for Improvement

No.	Person/s Responsible	Steps to take
1	Error! Reference source not found.	(1) Conduct a preliminary review of identified opportunities for improvement in the third party's Continuous Improvement Register prior to the Continuous Improvement Meeting with the third party. (2) Determine critical issues identified. (3) Identify action items for critical issues and ask third party to assign relevant staff, as required. (4) Include critical and urgent issues in the Management Meeting and/or Compliance and Continuous Improvement Meeting agenda with the third party.
2	Error! Reference source not found. / Compliance Manager / Third Party	(5) During the Management Meeting and/or Compliance and Continuous Improvement Meeting with the third party, discuss opportunities for improvement and issues identified from the Continuous Improvement review. <ol style="list-style-type: none"> Review action items, amendments to policies, procedures, systems, tools etc. Implications/effects on work processes, systems and practices. Modify/approve proposed action items generated from discussion. (6) Ask third party to assign relevant stakeholders for the implementation of the identified action items specifying timeframes. (7) Record all continuous improvement discussion in the minutes of the meeting.

Implementation

No.	Person/s Responsible	Steps to take
1	Third Party Relevant Stakeholders	(1) Make relevant changes, actions and updates, per the Management Meeting and Compliance Meeting action items. (2) Update the Continuous Improvement Register to close out all action items implemented. (3) Communicate details of the continuous improvement implementation through the third-party organisation and the Certified Training Resources through: <ol style="list-style-type: none"> staff meetings; staff memos; training/coaching sessions; intranet; email; notice boards. (4) Schedule a review of the continuous improvement implementation.

Evaluation and Review

No.	Person/s Responsible	Steps to take
1	Error! Reference source not found. / Compliance Manager / Third Party	(1) Conduct review of the continuous improvement implementation on the assigned date or during the next Management Meeting or Compliance and Continuous Improvement Meeting with the third party. (2) Update the Continuous Improvement Register. Make sure to note the outcome of the evaluation. (3) If further improvements are identified, return to Step 1.