

THIRD PARTY POLICY AND ASSOCIATED PROCEDURES

PURPOSE OF THE POLICY

This policy and associated procedures have been developed to ensure that KAA has processes in place for establishing and monitoring partnerships with third parties who provide services on behalf of KAA such as marketing, training and assessment and other relevant services.

This policy and associated procedures meet the requirements of Standard 4.2 of the Outcome Standards for RTOs, as well as the third-party arrangements in Compliance Requirements.

POLICY STATEMENTS

OVERVIEW

To ensure that third parties who deliver services on behalf of KAA meet all requirements, KAA establishes and maintains a written agreement with all third parties who provide services on its behalf. Services may include:

- marketing of the training products on KAA's scope
- student recruitment
- provision of training and assessment services
- provision of additional services such as student support.

The Third-Party Agreement will outline roles and responsibilities of each party in relation to the agreed services.

THIRD PARTY AGREEMENTS

All third parties representing KAA must sign and abide by KAA's Third Party Agreement.

KAA's Third Party Agreement will include:

- particulars including the business or trading names of the parties to the agreement, the dates on which the agreement will commence and end and all the parties' obligations concerning the delivery of the services.
- responsibilities of KAA, including that KAA is responsible at all times for compliance with the Outcome Standards, Compliance Requirements and Credential Policy.
- Kingsford Academy Australia requirements of the third party in representing it including but not limited to:
 - declaring in writing and taking reasonable steps to avoid conflicts of interests with its duties as a third party of KAA
 - observing appropriate levels of confidentiality and transparency in their dealings with students
 - acting honestly and in good faith, and in the best interests of all students

- having appropriate knowledge and understanding of the VET system in Australia
- prohibiting the third party from:
 - using the NRT logo
 - using KAA branding
 - issuing any AQF certification documentation.
- KAA processes for monitoring the activities of the third party
- the corrective action that may be taken by KAA if the third party does not comply with its obligations under the third-party agreement, including providing for corrective action
- grounds for termination of the third-party agreement, including providing for termination in the circumstances
- the circumstances under which information about the third party may be disclosed by the registered provider and the Commonwealth or state or territory agencies
- the requirement for the third party to cooperate with ASQA in the provision of information and the conduct of audits as required.

KAA will notify ASQA of all third-party agreements within 30 calendar days of the agreement commencing and within 30 calendar days of it coming to an end.

MONITORING AND CORRECTIVE ACTION

KAA will monitor all third parties using the monitoring processes described in the agreement.

KAA will take immediate corrective action where KAA becomes aware that, or has reason to believe, the third party has complied with their responsibilities as outlined above.

TERMINATION

KAA will immediately terminate its relationship with the third party where KAA becomes aware, or has reason to believe, that the third party is engaging in practices in contravention of the third-party agreement.

PROCEDURES

1. PROCESS THIRD PARTY APPLICATIONS

- 1.1 Provide a Third Party Application Form to the potential third party.
- 1.2 On receipt of an application, check that the application form has been completed in full and that any supporting information has been provided.
- 1.3 Send an acknowledgement that the application form has been received within 3 working days of the receipt of the application. Request additional information not provided, as relevant.
- 1.4 Review information included in application form.

- 1.5 Call referees for reports on the third party.
- 1.6 Approve the third-party application where the third party has demonstrated experience and skills, provides services that align with KAA's marketing objectives and positive reports from referees are received.
- 1.7 For successful third parties, customise the Third Party Agreement and send to the third party for signing. This must be within 10 working days of receiving the application.
- 1.8 Where the third party is not deemed to be suitable, send an email within 10 working days of receiving the application advising that their application has not been successful and including the reasons why.

2. MANAGE THIRD PARTIES

- 2.1 Following the signing of the agreement, advise ASQA via ASQAnet and within 30 days of the agreement.
- 2.2 File all signed third party agreements.
- 2.3 Contact the third party to provide an induction, including an overview of KAA requirements and policies and associated procedures relevant to the services to be provided.
- 2.4 Provide the third party with documentation as relevant to the services being provided.

3. MONITOR THIRD PARTIES

- 3.1 Regularly update third party with updated documentation.
- 3.2 Monitor third parties every six months using the Third Party Monitoring Form.
- 3.3 Where the Third-Party Monitoring Form or feedback from students indicates that the third party may not be meeting the terms of their agreement, immediately investigate the issue.
- 3.4 Where the investigation confirms that the provider has not complied with their responsibilities as per the Third-Party Agreement (except in the case of where the third party has engaged in unacceptable practices - see the following section), contact the third party in writing to advise to corrective actions that are required.
- 3.5 Implement relevant corrective actions.
- 3.6 Monitor corrective actions as required to ensure they are implemented.
- 3.7 File all documentation associated with monitoring.

4. TERMINATE THIRD PARTY AGREEMENTS

- 4.1 Where third party monitoring or any other intelligence demonstrates that the third party has engaged in practices that are not acceptable under the agreement, immediately send a notice in writing to the third party advising them that their contract is terminated and giving the reasons why.
- 4.2 Remove any references to the third party on marketing materials and other relevant documentation.
- 4.3 Advise ASQA via ASQAnet of termination of the agreement and within 30 days of the agreement ending.

RESPONSIBILITIES

The Operations Manager is responsible for:

- assessing and approving third party applications
- managing third party applications
- monitoring and terminating third party agreements.