

Third Party Policy and Procedure

Approving body	Governing Board
Date approved	27 Feb 2025
Date of effect	Commencement of operation
Next scheduled review	Two years from when policy commences
Policy owner	Chief Executive Officer
Policy contact	Chief Executive Officer
Related Documents	Student Support Framework Learning and Teaching Plan <u>Work-Integrated Learning Policy and Procedure</u> Work-Integrated Partner Handbook Work-Integrated Learning Student Handbook <u>Course Discontinuation and Teach Out Policy and Procedure</u>
Higher Education Standards Framework (HESF) 2021 (Cth)	Standard 5.4 Standard 6.1.3c Standard 7.1.1 Standard 7.1.4 <i>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</i> <i>Education Services for Overseas Students Regulations 2001 (Cth)</i>

Purpose

1. This policy and procedure provides guiding principles for **Zenith Innovation Institute (Zenith / the Institute)** to:
 - (a) manage relationships with third parties for the delivery of units and courses including Work-Integrated Learning (WIL), and
 - (b) ensure compliance with regulatory and legislative requirements and alignment with the Institute's strategic objectives.
2. The *Work-Integrated Learning Policy and Procedure*, *Work-Integrated Learning Student Handbook* and *Work-Integrated Learning Partner Handbook* should be referred to for additional guidance on WIL.

Scope

3. This policy and procedure applies to:

- (a) all students enrolled in a unit or course at the Institute;
- (b) all persons teaching Zenith's students enrolled in an Institute-accredited unit or course, regardless of whether employed by the Institute or a third-party provider; and
- (c) all third-party providers of Zenith, whether delivering a service, unit, group of units or whole course.

4. This policy and procedure does not apply to:

- (a) commercial activities that do not involve a unit, course or academic award; and
- (b) research partnerships involving individual research projects, research funding or researcher collaborations.

Policy

Principles

- 5. The Institute will only enter an arrangement with another institution or organisation whose vision, mission and values are compatible with Zenith's, including meeting due diligence checks.
- 6. The Institute remains accountable for courses or units of study undertaken through a third-party partnership.
- 7. The Institute will verify continuing compliance of the unit and/or course of study with the relevant standards in the *Higher Education Standards Framework (Threshold Standards) 2021 (HESF)*.
- 8. All staff employed by a third-party provider to manage, or teach higher education units, or courses will abide by the Institute's rules, policies and procedures as deemed applicable.
- 9. Responsibilities of the Institute and the third party will be set out in legal documentation.
- 10. Teaching periods should align with the Institute's unless otherwise agreed.

Procedure

Due Diligence

- 11. Prior to entering into a contractual agreement, due diligence will be undertaken by Zenith on prospective third-party organisations and partners by the CEO / Academic Dean or delegated person. The following will be considered where appropriate:
 - (a) Alignment:
 - (i) history, track record and standing of the entity and any related entities broadly defined, including any compliance issues ever experienced;
 - (ii) alignment with the Institute's Strategic Plan; and
 - (iii) alignment with the Institute's Teaching and Learning Plan.
 - (b) Reputation and governance:
 - (i) description of governance arrangements in the third party;
 - (ii) financial standing, including audited financial statements for last three years; and
 - (iii) history of educational provision, including non-higher education sectors (e.g. vocational education and training).

- (c) Financial and operational matters:
 - (i) staffing information demonstrating appropriate profile and capacity to deliver higher education at the level required within each discipline. CV's, including scholarship, research and professional practice will be assessed;
 - (ii) description of administration capability including staffing structure and systems; and
 - (iii) description (including floor plans, sizes, quality, age and permit details) of physical facilities, including teaching, library, study areas, staff offices, student advising, and disability access.
- 12. Third party arrangements not related to WIL will also require fit and proper person (FPP) declarations and checks for all governance members and persons in a position to have an impact on the higher education to be delivered or are involved in substantial decision-making.

Contracting

- 13. The Institute will ensure that the following elements are considered when contracting third parties:
 - (a) **Scope:** Arrangements clearly articulate administrative and academic functions to be delivered by the third-party. Each function is identified, noting implementation of each function must be in accordance with Institute policies and procedures, subject to monitoring and quality assurance by the Institute.
 - (b) **Resourcing:** Agreements articulate how adequate resourcing is to be achieved to sustain quality and can include financial, human and infrastructure resources. The terms and conditions for revenue or resource sharing should broadly reflect the share of operational responsibilities carried under the agreement.
 - (c) **Student information and protections:** Provisions dealing with student information, refunds, fees, and course closure are clear and structured to protect the student as much as possible. Arrangements for course teach-out, discontinuation, transition and tuition assurance should be explicit and in line with the Institute's policy and the HESF and the ESOS Framework where relevant. The Academic Dean will have oversight of this process.
 - (d) **Equivalency:** Contractual arrangements include provisions and details that demonstrate how all students involved with the third-party achieve same learning outcomes, demonstrate the same graduate attributes, and experience equivalent support and services regardless of the delivery arrangements. These considerations include any impact to professional accreditation that an arrangement may have on a particular course or student.
 - (e) **Quality assurance:** Identification of mechanisms, processes and accountabilities for assuring the quality of the third-party agreement and for mitigating risks to both students and to the Institute needs to be explicit. The third-party agreement needs to note the quality and compliance context under which it is established.
 - (f) **Monitoring and Review:** The CEO / Academic Dean or delegated person will monitor and review the quality and effectiveness of the third-party agreement and the contractual provisions governing the arrangement. Improvements, corrective actions and amendments will be undertaken where necessary to ensure the integrity of third-party agreement. Comprehensive cyclical reviews of the third-party agreement will be undertaken by Zenith according to a specified timeline set out in agreement. The CEO / Academic Dean or delegated person will also undertake interim reviews that may target necessary areas of focus or priorities. The CEO / Academic Dean or delegated person will provide feedback to the GB.

Governance and Approval of Third-Party Provider Agreements

14. The Governing Board (GB) has ultimate responsibility for approving new agreements, based on recommendations from the Academic Board (AB) and the CEO
15. The CEO, in consultation with the Academic Dean, will oversee the due diligence process before finalising any agreement. The WIL Placement Site Risk Assessment Template will be used as part of the due diligence, monitoring, and review process for Work-Integrated Learning (WIL) TPPs parties

Responsibilities

Responsibility	Description
Governing Board	The Governing Board is responsible for the quality, outcomes and integrity of any arrangement entered to deliver some or part of the Institute's higher education units and courses leading to qualifications.
Academic Board	The Academic Board has responsibility for monitoring the provision of academic programs or experiences delivered by the Institute or through a third-party arrangement. The Academic Board is responsible for ensuring that academic policies are applied consistently for third party arrangements and that students' progress and graduate with the intended graduate attributes and learning outcomes.
Contract Manager (if needed)	If needed, the Institute may nominate a contract manager to oversee the operational liaison with and management of third parties. The third-party agreement contract manager will be responsible for conducting due diligence reviews of any potential partner, and report findings and recommendations on a regular reporting schedule.

Discontinuing courses, agreement termination or expiry

16. The termination of a third-party agreement must be approved in accordance with the Institute's *Delegations Policy and Schedule* and the terms established in the agreement with the third party.
17. The closure of new admissions to a course for a teaching period or the removal of a course from offer at the Institute, must be conducted in accordance with its relevant agreement and in alignment with the *Course Discontinuation and Teach-Out Policy and Procedure*.
18. The Chief Executive Officer will inform TEQSA of any changes to arrangements with other education providers.

Definitions

17. For the purposes of this policy, the following terms are defined as follows:

Term	Definition
Due diligence	The process of investigation through which the Institute assesses the suitability of a third party prior to entering a program delivery agreement.
Third party	An external company with which the Institute has a legal relationship for the purposes of delivering accredited units and courses to students.
Third party agreement	A formal relationship whereby the Institute enters a legally binding agreement with a third party where there is an arrangement for the third party to deliver units, courses and support services in whole or in part to students enrolled in the course.

Version Control

Version	Changes	Approval Body	Approval Date
1.0	New Policy and Procedure	Governing Board	21 Nov 2024
1.1	<p>Under Higher education standards framework added ESOS and National Code</p> <p>Point 11 added “the CEO / Academic Dean or delegated person”</p> <p>Point 13 c) added “Academic Dean will have oversight of this process.”</p> <p>Point 13 f) replaced “The Institute” with “Zenith”</p> <p>Added Governance and Approval of Third-Party Providers</p>	GB	27 Feb 2025