



THIRD PARTY ARRANGEMENTS POLICY AND PROCEDURES

Purpose

Lincoln Education Australia (LEA**) is committed to offering an exceptional higher education experience for all of students and takes pride in high standards of teaching and learning. LEA recognises its responsibility for ensuring the high quality of its educational services is maintained across all aspects of its educational operations, including those delivered by a third party.

The *Third Party Arrangements Policy and Procedures* describes how LEA ensures that the quality of its higher education offerings are maintained when outsourced to a third party. This policy outlines the processes of third party selection and approval, and identifies the delegation and auditing functions that govern quality assurance monitoring of third party arrangements at LEA.

**The trading name for the Lincoln Institute of Higher Education (LIHE) is Lincoln Education Australia (LEA).

POLICY

Scope

This policy applies to all LEA staff involved in establishing and maintaining third-party arrangements at LEA.

Principles

LEA is responsible for ensuring all third-party arrangements meet the requirements of LEA's *Risk Management Framework* and are compliant with the *Higher Education Standards Framework (HESF) 2015*.

Third party arrangements shall be subject to regular review to ensure compliance with LEA's policies and procedures and legal and regulatory standards.

LEA may enter into third party arrangements for the partial or full provision of the following services:

- Course development, delivery, assessment
- Library and information services
- Student support services
- Online learning management systems

Other third-party arrangements shall include external research partnerships, arrangements to offer work-integrated learning with external organisations, and other academic activities. However, LEA shall not contract a third party to undertake any of the following functions:

- Awarding credit
- Conferring degrees
- Admissions processes

All third parties with which LEA enters into an arrangement shall:

- Share LEA's values and dedication to providing quality outcomes for students
- Employ qualified staff
- Provide comprehensive business plans
- Agree to the requirements of LEA's policies and procedures.

All third-party arrangements are governed by a contract approved by the Corporate Governance Board. Arrangements between a third party and LEA s not be implemented until such a contract is approved and signed.

PROCEDURES

Roles and Responsibilities

The Corporate Governance Board shall:

- Annually review third party arrangements to ensure compliance with the third-party arrangement contract, LEA's policies and procedures, and the HESF 2015.
- Inform LEA's legal representative of all third-party arrangements that LEA enters
- Appoint legal expertise to review third-party arrangement contracts on behalf of LEA.

Executive Management shall:

- Identify third parties suitable to enter into an arrangement with LEA

The Registrar shall:

- Provide a primary point of contact between LEA staff and the third party
- Oversee all the stated third-party arrangements as per the third-party contract
- Provide the third party with regular updates from LEA and notifying the third party of any relevant changes to LEA's policy or circumstance
- Liaise with the Finance Manager in case there is need for continued financial input or review
- Liaise with the third party and relevant LEA departments to ensure the monitoring and reporting requirements established in this policy are met
- Submit a biannual report to the Corporate Governance Board assessing quality assurance of third-party arrangements
- Submit a biannual report to the Corporate Governance Board reviewing the performance of contracted third parties

Third Party Arrangement Contracts

Third party arrangement contracts shall be drawn by a legal representative of LEA to include:

- LEA's expectations of the third party
- The rights and responsibilities of LEA and the third party
- Requirements for compliance with LEA's policies and procedures and the HESF 2015
- Clauses providing for the monitoring and review of third-party arrangements against LEA procedures
- How LEA's quality requirements shall be communicated to third parties
- How the third party shall deliver a service to meet LEA's requirements
- Monitoring and reporting mechanisms of third-party performance
- Procedures in the event of contractual non-compliance
- Termination and suspension processes for third party arrangements

Monitoring and Review of Third-Party Arrangements

The Registrar shall maintain a register recording all current agreements between LEA and third parties.

The Registrar is responsible for reviewing third party performance and shall submit a biannual third-party performance report to the Corporate Governance Board. The third-party performance report shall review:

- The impact of the arrangement on the intended work area
- The extent to which the third party meets the requirements of the third-party arrangement contract
- Ongoing necessity of the third-party arrangement
- Pathways implemented for feedback and complaints of third-party service providers
- Any improvements or issues since previous review
- Adjustments made to the third-party arrangement, and reasons for adjustments
- Review of budgeting against expenditure
- Maintenance of the register of agreements
- Staff and student feedback of third-party performance

The Corporate Governance Board shall make the decision whether to renew a third-party contract based on the third-party performance review.

In the event that a third-party arrangement is terminated, LEA shall immediately notify all relevant bodies.

Quality Assurance

The Registrar is responsible for reporting on the quality assurance of third-party arrangements and shall submit a biannual third-party quality assurance report to the Corporate Governance Board which assess the following:

- The strategic rationale for the arrangement
- The financial impact of the arrangement
- The risks associated with the arrangement
- Safeguards in place to ensure compliance with internal LEA's policies and external regulatory requirements
- Both parties' terminating path for the arrangement
- The reputation of the third party, including their:
 - Financial standing
 - Track record of performance
 - Integrity of operations

The Registrar shall conduct a major review of the third-party arrangement halfway through the agreed period of the third party's service provision, as stipulated in the contract arrangement. The major review shall:

- Ensure all third-party provider activities comply with the relevant national and state legislation, and the threshold standards
- Accept responsibility for maintaining internal and external alignment of assessment, course delivery, design, and admission requirements.
- Ensure that any premise exterior to LEA in which LEA's students undertake educational activities matches LEA's standards
- Ensure the third party exercises high quality supervision over its activities
- Accept responsibility for the welfare of students in the case that the third party ceases to function, or the arrangement is terminated

Research Partnerships

In the case that LEA or a staff member at LEA enters into a research partnership, the following steps shall be taken in addition to the above:

- The Registrar, in conjunction with the proposer, shall develop a formal proposal on the research partnership for submission to the CEO
- On approval by the CEO, the relevant parties shall clarify:
 - Authorship of the research
 - Ownership of intellectual property generated
 - Entitlement to any financial proceeds shall be clarified
 - The use of LEA's resources shall be approved by LEA
- All relevant parties are required to sign a written agreement on the above details.
- On conclusion of the partnership, the Registrar shall submit a report describing the research outcomes, authorship and IP finalisation, the use of resources and any commercialisation of the research outcomes.

Compliance

All relevant staff at LEA are required to comply with this policy and its procedures, and with related policies and respective procedures. Non-compliance may result in disciplinary action.



File Number	LEA-GEN-COR-70061-D
Responsible Officer	Chief Executive Officer
Contact Officer	Registrar
Legislative Compliance	<ul style="list-style-type: none"> Higher Education Standards Framework (Threshold Standards) 2015 Tertiary Education Quality and Standards Agency Act 2011
Supporting Documents	
Related Documents	<ul style="list-style-type: none"> Intellectual Property Policy and Procedures
Superseded Documents	
Effective Date	1 January 2022
Next Review	3 years from the effective date

Definitions

Registrar: Provides leadership and management of the operations of the LEA, coordinates the implementation of programs and campus collaboration, within the broad parameters of LEA’s strategic directions, in accordance with its mission and Strategic Plan.

Corporate Governance Board: Governing body responsible for oversight of all higher education operations, including the ongoing viability of LEA and the quality of its higher education delivery. The Corporate Governance Board guides the Management and delegates responsibility for academic matters to the Academic Board.

Higher Education Standards Framework (Threshold Standards) 2015: National standards for higher education all higher education providers are required to meet, as established by TEQSA.

Tertiary Education Quality and Standards Agency (TEQSA): Australia’s regulatory and quality agency for higher education. TEQSA’s primary aim is to ensure that students receive high quality education at any Australian higher education provider.

Third Party: Individual or organisation external to LEA.

Review Schedule

This policy shall be reviewed by the Corporate Governance Board every 3 years.

Version History			
Version number:	Approved by:	Approval Date:	Revision Notes:
1.0	Corporate Governance Board	17/12/2020	New policy
1.1	Corporate Governance Board	22/02/2023	TEQSA and CRICOS requirements incorporated

