

Third Party Arrangements Policy and Procedures

POLICY CODE: CR 3.17

Related Compliance Section 17

NATIONAL CODE OF PRACTICE FOR PROVIDERS OF EDUCATION AND TRAINING TO OVERSEAS STUDENTS 2018 (CTH). STANDARD 4

1. Purpose

This policy ensures that all third-party arrangements entered into by City College for the deliveries of services are compliant, transparent, and managed in accordance with regulatory requirements. It ensures written agreements are in place and notifiable, and that the quality of services delivered by third parties is effectively monitored.

2. Legislative Background

Compliance Requirements, Division 3 Accountability– Third Party Arrangement (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025 (Cth).

National code of practice for providers of education and training to overseas students 2018 (cth). Standard 11

3. Scope

This policy applies to all City College staff and all third parties including but not limited to education and recruitment agents.

4. Policy Statement

City College is committed to ensuring that all services delivered by third parties on its behalf are governed by a written agreement entered into prior to the delivery of services. The City College will ensure:

- All third-party agreements are compliant and notifiable to the National VET Regulator
- The agreement contains mandatory provisions, including obligations, monitoring rights, and cooperation with audits
- The third party is prohibited from issuing AQF certification, using City College branding or the Nationally Recognised Training (NRT) Logo
- City College monitors the quality of services and retains responsibility for compliance.

City College will strive to work only with reputable Education Agents who:

- have up to date knowledge and understanding of the Australian international education sector.
- have completed the Education Agents Training Course (EATC) offered by PIER (Professional International Education Resources) or a recognised equivalent.
- adhere to the ESOS Act, National Code 2018, and the Australian International Education and Training Agent Code of Ethics.
- belong to a professional association representing Education Agents where one exists.

City College maintains responsibility for the actions of its education agents and ensures:

- Each agent signs a written agreement outlining responsibilities and conditions,
- Performance is monitored regularly,

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- Prompt corrective action is taken in response to non-compliance or misconduct,
- ASQA is notified of any agent agreement commencements or terminations within thirty (30) calendar days.

Procedures

Establishing a Third-Party Agreement

- The Business Development Manager (BDM) identifies the need for third-party service delivery and assesses suitability.
- A Third-Party Service Agreement is drafted and reviewed by the Agent Relationship Officer in consultation with BDM for inclusion of:
 - Business names and scope of services
 - Commencement and end dates
 - Obligations of each party
 - Cooperation with audit requirements
 - Monitoring rights for City College
 - Prohibitions on branding, certification, and logo usage
- Where the application is incomplete, inform the education agent of the additional information required within 15 days or the application will no longer be valid.
- BDM then reviews the information in the application and contacts referees as required.
- Applications are assessed based on the responses from referees, the location that the agent will recruit from, the demonstrated understanding of Australian laws regarding international student recruitment, ethical history and experience in the recruitment of international students.
- The CEO/ BDM approves and signs the agreement before services commence.
- The **Education Agent Written Agreement** will specify the following:
 - City College responsibilities, including that City College is always responsible for compliance with the Standards for Registered Training Organisations, ESOS Act and National Code 2018.
 - City College requirements for agents who represent them, including the requirement to:
 - i. declare in writing and take reasonable steps to avoid conflicts of interests with duties as an Education Agent of City College
 - ii. Observe appropriate levels of confidentiality and transparency in dealing with international students or prospective international students.
 - iii. Act honestly and in good faith, and the best interests of the international students.
 - iv. Have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- City College processes for monitoring the activities of Education Agents in representing the provider and ensuring the Education Agent is giving students accurate and up-to-date information about City College services.
- Corrective action that may be taken by City College if an Education Agent does not comply with its obligations under the written agreement.
- City College's grounds for termination of its written agreement with the Education Agent.
- The circumstances under which information about the Education Agent may be disclosed by City College and the Commonwealth or state or territory agencies.
- Education Agent written agreement confirmation:
 - Send two copies of the written agreement to the agent for signing with one to be returned. The agreement will be valid for one year for new applications.
 - Education agent agreement can be renewed for 2 years upon CEO/BDM approval.
 - Following receipt of the signed agreement, send **Education Agent Certificate** as evidence of registration with City College to be displayed in agents' offices and/ or website to indicate to prospective students that they have a written agreement with City College.

- Add the approved agent to **Education Agent Register** and publish the details on City College website. As a minimum, the details will include the agency name, legal entity, and contact details.
- Education agents are then provided with:
 - current City College course offerings and its details such as the course flyers.
 - accurate marketing information that meets the requirements of City College's Marketing & Advertising Policy and Procedures
- The City College BDM/Agent Relationship Officer discusses the following with the new Education Agent representatives:
 - City College student enrolment process
 - City College policies and procedures.
 - Process for updating any revised marketing materials.
 - Any details required about the course offerings, the entry requirements and other obligations.
 - Process of Education Agent Agreement review and renewal.

Education Agent details are added into PRISMS. City College ensures details are always maintained in the event of changes.

Notification to the Regulator

The CEO notifies the National VET Regulator:

- Within 30 calendar days of the agreement being entered into or prior to service commencement (whichever occurs first); and
- Within 30 calendar days of the agreement ending.

Monitoring Third Party Services

- The BDM or Agent Relationship Officer conducts regular quality reviews of services delivered under the agreement (e.g., delivery, assessment, student support).
- Findings are documented in a Third-Party Services Register / Education Agent Performance Review Report
- Corrective action is taken where non-compliance or quality issues are identified.
- The City College BDM provides up to date information to education agents through:
 - Flyer or Newsletters regarding important information. These marketing collaterals are version controlled.
 - Emails, phone calls, text messages or other informal communication methods regarding specific updates and/ or student issues.
- Seminars and marketing events with education agents when City College representatives are available in the agent's region.
- **Biannual Monitoring:** Each quarter, the BDM/ Agent Relationship Officer updates the **Education Agent Register** with performance parameters such as number of applicants, number of enrolments, quality of applications, **student experience survey** responses etc.
- **Annual Review:** The BDM leads the annual performance evaluation of the education agents.
- Subject to effective performance, the education agent agreement may be renewed for a further two (2) year period and copies of renewed agreements are provided and saved as per the CR 2.9 – 2.11 AQF Certification Documentation and Records Policy and Procedures.
- Findings of the annual review and/ or incidental reviews are documented in the **Education Agent Register**. Corrective action is taken where non-compliance or quality issues are identified.
- The BDM discusses the identified issues with the education agent representative to seek their feedback. The identified issues and the agent's feedback is then discussed with the CEO to advise on the further action:
 - If there is no major breach of agreement and there is only a lack of performance, the education agent agreement may be renewed for another one (1) year.
 - If there is a major breach of agreement terms and conditions, the education agent agreement is terminated and the same is communicated to them.
- City College does not accept students from an Education Agent if City College knows or reasonably suspects the Education Agent to be:

- providing migration advice unless that Education Agent is authorised to do so under the Migration Act 1958.
- engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this conflicts with the obligations of registered training providers under National Code 2018, Standard 7 - Overseas student transfers.
- facilitating the enrolment of a student who the Education Agent believes will not comply with the conditions of his or her visa.
- using PRISMS to create Confirmation of Enrolments (COE) for other than bona fide students.
- The monitoring activities of City College identify where an agent may be involved in any of the above activities. City College also considers concerns raised by the students where the number of students is a reasonable proportion of the students recruited by an agent (e.g., 3 in 10 students).
- Where City College becomes aware or has reason to believe that the Education Agent or an employee or subcontractor of the Education Agent has not complied with the Education Agent's responsibilities, City College will take immediate corrective action and may terminate the agreement.
- Where City College becomes aware or has reason to believe that the Education Agent or an employee or subcontractor of the Education Agent is engaging in false or misleading recruitment practices, City College will immediately terminate its relationship with the Education Agent or require the Education Agent to terminate its relationship with the employee or subcontractor who engaged in those practices.
- Misconduct or breach of ethics leads to immediate termination and possible reporting to the National VET Regulator, ASQA.

Termination and Review

- Agreements are reviewed annually and may be terminated early if the third party fails to meet obligations.
- The Agent Relationship Officer maintains a Register of Third-Party Agreements for audit readiness.

Responsibilities

CEO/BDM: Approves and signs third-party agreements; oversees compliance.

Compliance Manager: Ensures agreements meet legislative requirements; notifies the Regulator; maintains the register.

BDM: Identifies needs; drafts agreements; oversees service delivery and reviews.

Academic Manager: Monitors training and assessment quality; ensures student outcomes meet standards.

Agent Relationship Officer: Draft, register, monitor, maintain and record all the documentation related to third party arrangements.

Related Policies

- QA 4.1 – 4.2 Governance and Accountability Policy and Procedures
- QA 4.3 Risk Management Policy and Procedures
- QA 4.4 Continuous Improvement Policy and Procedures
- CR 2.9 – 2.11 AQF Certification Documentation and Records Policy and Procedures