

 SPJ GLOBAL <small>DUBAI • MUMBAI • SINGAPORE • SYDNEY</small>	Third-Party Arrangement Policy
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1. Purpose

- a. This Policy sets out S P Jain School of Global Management's (S P Jain / the School) approach to entering into and managing third party arrangements and partnership/partner agreements. As a registered Australian institute of higher education under the TEQSA Act (2011), S P Jain is committed to ensuring that it is accountable for undertaking due diligence for any partnership or third-party agreement entered into, and that the School implements robust quality assurance mechanisms including a formal monitoring system to ensure that our partners meet the standards of the School and other regulatory requirements. This policy underpins the School's commitment to ensuring that S P Jain students have a positive student experience and achieve the intended graduate outcomes for success, including through interactions with the School's partners regardless of location.

2. Scope

- a. In context of this policy a Third-Party Arrangement (TPA) means a formal arrangement or agreement approved by S P Jain with another legal entity (in Australia or overseas) to deliver some or all of a higher education course or provide services to S P Jain or its students in its capacity as an institute of higher education. Such arrangements may include course development, course delivery, placements, student internships and accommodation services.
- b. Third-party arrangements for purposes other than as detailed in Section 2.a are not included within the preview of this Policy.

3. Regulatory Context

- a. Section 26 of the Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 requires registered providers to ensure that any third party delivering a course on its behalf (either wholly or partly) provides the course consistently with all the Threshold Standards (2021). The Threshold Standards include a number of specific Standards that relate to third party arrangements (Standards 5.4.1 and 5.4.2). Additionally, a number of other Threshold Standards are relevant to third party provision and relate to quality assurance and monitoring of TPA's to ensure that the information, experience and outcomes for students and staff are equivalent to those provided by the registered higher education provider.
- b. Therefore, as a registered institute of higher education, registered under the TEQSA Act (2011), S P Jain is responsible for how its third parties comply with all relevant legislation including the Higher Education Standards Framework (2021) and the National Code of Practice for Providers of Education and Training for Overseas Students 2018.

4. Principles

- a. S P Jain has developed this Policy to govern how it enters into third-party agreements and partnership/partner agreements and to ensure that there are processes and procedures for the quality assurance of the partnerships. Additionally, that S P Jain accounts for the quality of education and any services delivered by another party. The Principles underpinning the School's approach include that S P Jain:
 - i. assures itself that the arrangements meet and continues to meet the requirements of the Higher Education Standard Framework (2021) and any other regulatory or legislative requirements and responsibilities;
 - ii. undertakes appropriate due diligence before any third-party arrangement is established;
 - iii. monitors and quality assures any third party arrangement it establishes;
 - iv. ensures that S P Jain's higher education policies and procedures are applied consistently for its students regardless of delivery arrangements;
 - v. that all students enrolled in a S P Jain higher education qualification have the same rights and responsibilities regardless of delivery arrangements;
 - vi. is responsible for the representation of itself, including where delegated to third parties, ensuring that all information is accurate, not misleading and transparent, and
 - vii. takes corrective action to ensure and demonstrate that all partnerships and third-party arrangements meet regulatory requirements, other relevant legislative requirements and the School's quality standards.

5. Due diligence

- a. Prior to entering into a contractual agreement S P Jain will carry out due diligence on prospective third-party organisations and partners. In doing so, S P Jain will consider the following before entering into contractual arrangements with third parties or partners:
 - i. Corporate bona fides and standing;
 - ii. History, track record and standing of the entity and any related entities broadly defined, including any compliance issues ever experienced;
 - iii. Fit and proper person 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;
 - iv. Description of governance arrangements in the third party;
 - v. Financial standing– audited financial statements for last three years;
 - vi. History of educational provision, including non-higher education sectors;
 - vii. Staffing information demonstrating appropriate profile and capacity to deliver higher education at the level required within each discipline. CV's including research and scholarship will be assessed;
 - viii. Description of administration capability including staffing structure and systems;
 - ix. Description (including floor plans, sizes, quality, age and permit details) of physical facilities, including teaching, library, study areas, staff offices, student advising, and disabled access, and
 - x. potential risks of the proposed arrangement, including reputational, financial, social and environmental risks.

6. Contracting

S P Jain will ensure that the following elements are considered when contracting third parties:

- a. Scope: The arrangements should clearly articulate what administrative and academic functions are to be delivered by the third-party. Each function should be identified noting that the implementation of each function must be consistent with S P Jain's policies and procedures¹ including but not limited to policies by S P Jain for:
 - intellectual property rights
 - induction and training for staff
 - marketing
 - maintenance of student records and privacy
 - termination provisions
 - dispute resolution provisions

The third-party arrangements will be subject to monitoring and quality assurance.

¹ <https://www.spjain.edu.au/governance-policies>

- b. **Resourcing:** Ensuring that 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 out under the agreement.
- c. **Student information and protections:** It is important that provisions dealing with student information, refunds, fees, and course closure are clear and structured to protect the student as far as possible. Arrangements for course teach out, discontinuation, transition and tuition assurance should be explicit and in line with S P Jain 's policy and the Higher Education Standards Framework (2021) and the ESOS Framework where relevant.
- d. **Equivalency:** Contractual arrangements for course delivery should include provisions and details that demonstrate how all students involved with the third-party should achieve the same learning outcomes as the relevant S P Jain course, be able to demonstrate the same graduate attributes, and experience equivalent support and services regardless of the delivery arrangements. These considerations must ensure there is no adverse impact to professional accreditation that an arrangement may have on a particular course or student.
- e. **Quality assurance:** Assuring the quality of the arrangement is an important element to ensure that students receive a positive educational experience and have positive graduate outcomes, and to maintain S P Jain 's global reputation as a registered higher education provider in Australia. Identification of mechanisms, processes and accountabilities for assuring the quality of the TPA and for mitigating risks to both students and to S P Jain needs to be explicit. The TPA needs to note the quality and compliance context under which it is established.
- f. **Review:** S P Jain will monitor and review the quality and effectiveness of the TPA and the contractual provisions governing the arrangement. Improvements, corrective actions and amendments will be undertaken where necessary to ensure the integrity of the TPA. S P Jain will also periodically review the contractual provisions governing the TPA agreements and initiate any needed revisions. Comprehensive cyclical review of the TPA will be undertaken according to a specified timeline set out in the agreement. The agreement will also provide the right to S P Jain to undertake interim reviews that may target areas deemed by S P Jain to require interim review/s.

7. Accountabilities for third-party arrangements

- a. As the governing board of S P Jain, the Board of Directors is ultimately responsible for the quality, outcomes and integrity of any arrangement entered into to deliver some or part of S P Jain 's higher education qualifications.

- b. S P Jain's Academic Board has responsibility for monitoring the provision of academic programs or experiences delivered by S P Jain or through a third-party arrangement. The Board is responsible for ensuring that academic policies are applied consistency for third party arrangements and that students' progress and graduate with the intended graduate attributes and outcomes.
- c. The Vice President – Administration is responsible for the implementation of this policy, negotiating in scope third-party arrangements and overseeing compliance with third party agreements. The Vice President Administration in consultation with Director- Accreditation and Regulatory Compliance will provide an annual report to the Board of Directors on the performance of the in scope third-party arrangements. The Director – Accreditation and Regulatory Compliance will maintain a register recording all current in scope third party agreements between S P Jain and third parties.
- d. If needed, S P Jain may nominate a contract manager to oversee the operational liaison with and management of third parties. The TPA contract manager will be responsible for conducting due diligence reviews of any potential partner, and report findings and recommendations on a regular reporting schedule.

8. Related Documents

- a. All S P Jain School of Global Management policies
<https://www.spjain.edu.au/governance-policies>
- b. Partner Agreement