Third Party Arrangements - Education Policy

Section 1 - Context and Purpose

(1) Third party arrangements, as defined by this Policy, are regulated by TEQSA under the Higher Education Standards Framework. This policy establishes the provisions for proposing, entering and managing third party arrangements.

(2) This policy must be read in conjunction with the Third Party Arrangements - Education Procedure, the Course Design and Management Manual, the Program Design and Management Manual, the Global Partnerships Framework, the Trans National Education (TNE) Guidelines, the Risk Management Framework, Commercial Activities Policy and Commercial Activities Procedure.

(3) When establishing a third party arrangement, particular attention must be paid to the University's Staff Code of Conduct, Ethical Framework, Disclosure of Interest Policy, Foreign Interference Policy, International Sanctions Compliance Policy, and the Code for the Protection of Freedom of Speech and Academic Freedom.

Section 2 - Executive Summary

(4) This policy provides a mechanism for the University of Newcastle to collaborate with third party providers whilst assuring compliance with the University's policies and procedures, and obligations as an Australian registered higher education provider.

Section 3 - Scope

(5) This policy applies to all new, revised, or extended third party arrangements with domestic and international partners for the delivery of education leading to the award of a University of Newcastle qualification including partnerships with other organisations, higher education institutions, controlled entities of the University, and partnerships between the University's controlled entities and third parties.

(6) This policy does not apply to:

a. agent arrangements;
b. work integrated learning;
c. articulation and credit arrangements;
d. study abroad, student exchange and mobility activities including non-award short courses delivered by partner institutions; or
e. the delivery of University of Newcastle content to students registered with an external organisation for which the University provides validation or recognition of learning.

Section 4 - Audience

(7) This policy should be read and understood by:

a. all staff establishing, teaching, coordinating, or managing a program or course delivered under a third-party arrangement, whether employed by the University of Newcastle or a partner organisation;
b. all third-parties subject to, or seeking to be subject to an agreement with the University for a third party arrangement as defined by this Policy;
c. all contracted third party providers;
d. all University students admitted to programs and courses delivered via a third party.

Section 5 - Definitions

(8) In the context of this document and its associated procedure:

a. a 'Third Party Arrangement – Education (Domestic) is an arrangement, formalised by a signed agreement ('agreement') between the University of Newcastle, as a registered higher education institution, and one or more third parties and where the third party(s) is located within Australia, to offer a program and/or course of study that leads to the award of a University of Newcastle qualification;
b. a 'Third Party Arrangement - Education (Transnational)' is an arrangement, formalised by a signed agreement (agreement) between the University of Newcastle as a registered higher education institution and one or more third parties where the third party(s) is located outside Australia, to offer a program and/or course of study that leads to the award of a University of Newcastle qualification.
c. References to a "Third Party Arrangement – Education" means a reference to a Third Party Arrangement – Education (Domestic) and a Third Party Arrangement – Education (Transnational).

Section 6 - Principles

Strategic Fit

(9) The arrangement must align with and advance the University's strategic direction oulined in it's strategic plan.

(10) The arrangement should benefit the University's national and international profile and reputation.

Partner Alignment

(11) The third party and the type of arrangement should complement and align with the College's strategic priorities and with the University's Global Engagement Partnership Strategy in the case of Third Party Arrangement – Education (Transnational).

(12) The third party should have a demonstrated record of academic credibility suitable to the type of arrangement.

(13) The third party should have a strong commitment to the intended partnership arrangement.

Quality and Standards

(14) The arrangement must recognise that the University of Newcastle:

a. retains academic control over its courses, degrees, and awards, which will be exercised through student selection and admission, granting of credit, curriculum and assessment;
b. is accountable for the quality assurance of all aspects of third party provider arrangements.

(15) The arrangement must support the delivery of University of Newcastle courses consistent with the academic standards of the University of Newcastle as set out in the policy and procedure, and relevant legislative and regulary

frameworks including:

a. Higher Education Standards Framework (Threshold Standards) 2021 or subsequent updates;
b. Australian Qualifications Framework;
c. Education Services for Overseas Students Act 2000 and National Code of Practice.
d. Other relevant accreditation bodies.

(16) The third party must comply with the legislative requirements of the country in which it operates.

Targets and Objectives

(17) The arrangement must be capable of delivering agreed qualitative and quantitative benefits to all parties involved.

(18) The arrangement should be capable of delivering an agreed minimum outcome within a determined period and demonstrate financially sustainability.

Agreements

(19) All Third Party Arrangements – Education require the development and execution of an agreement before commencement of the arrangement and in accordance with the University's delegations of authority, this policy and its associated procedure and documents.

(20) All agreements for Third Party Arrangements – education must take full consideration and account of ethical, safety, security, compliance and political considerations. This includes reference to the Guidelines to counter foreign interference in the Australian university sector (2019).

(21) The University will not enter into an agreement with a third party from a sanctioned country or with sanctioned persons or entities to delivery any University of Newcastle courses and/or programs (see International Sanctions Compliance Policy).

(22) The University will not enter into formal agreements with overseas institutions or organisations in any country with which Australia does not engage in diplomatic relations, or where otherwise advised by the Australian Department of Foreign Affairs and Trade (DFAT) or other relevant government bodies not to do so.

(23) Students enrolled in a program or course delivered by a third party are University of Newcastle students and are subject to the University's statutes, regulations, policies, and procedures in addition to any local legislative requirements if delivered internationally.

(24) The University will have contingency plans and safeguards to meet its obligations to students if a Third-Party Arrangement – Education is discontinued.

Management of Third Party Arrangements – Education

(25) The arrangement must prioritise student experience, safety and outcomes.

(26) All agreements must contemplate and include appropriate teach out arrangements in the event the arrangement is terminated early. If this occurs, the first and paramount consideration must be the progress and welfare of the students.

(27) The ongoing management and implementation of agreements must be consistent with the Third Party Arrangements - Education Procedure, and any associated documents.

(28) Additionally, Third Party Arrangement - Education (Transnational) must meet the requirements of the University's Commercial Activities Policy and Commercial Activities Procedure.

Section 7 - Relaxing Provision

(29) To provide for exceptional circumstances arising in any case, the Senior Deputy Vice-Chancellor (Academic & Global) in consultation with the relevant parties may relax any provision of this Policy provided that the relaxation:

a. does not compromise copmliance with external obligations (including but not limited to contractual, legislative or accreditation requirements);
b. does not override a decision made under a formal delegation of authority;
c. does not replace a decision that is subject to a formal delegation of authority; and
d. gives due consideration to the principles of procedural fairness.

Status and Details

Status	Current
Effective Date	15th December 2025
Review Date	25th June 2028
Approval Authority	President Academic Senate
Approval Date	15th December 2025
Expiry Date	Not Applicable
Responsible Executive	Belinda Yourn Senior Deputy Vice-Chancellor (Academic & Global)
Enquiries Contact	Eleanor Edwards Executive Officer Office of the Senior Deputy Vice-Chancellor (Academic & Global)

Glossary Terms and Definitions

"University" - The University of Newcastle, a body corporate established under sections 4 and 5 of the University of Newcastle Act 1989.

"Award" - When referring to a University qualification, this term means an academic qualification approved by Academic Senate that is conferred when a student has met the relevant program requirements. For all other uses of this term, the generic definition applies.

"Controlled entity" - Has the same meaning as in section 16A of the University of Newcastle Act 1989.

"Course" - When referring to a course offered by the University, a course is a set of learning activities or learning opportunities with defined, assessed and recorded learning outcomes. A course will be identified by an alphanumeric course code and course title. Course types include core courses, compulsory courses, directed courses, capstone courses and electives. For all other uses of this term, the generic definition applies.

"Credit" - When referring to course credit, credit is the recognition of equivalence in content and learning outcomes between different types of learning and/or qualifications. Credit can reduce the amount of learning required to achieve a qualification. For all other uses of this term, the generic definition applies.

"Student" - A person formally enrolled in a course or active in a program offered by the University or affiliated entity.

"Program" - When referring to learning, a program is a sequence of approved learning, usually leading to an Award. For all other uses of this term, the generic definition applies.

"Third party" - A person or group other than the University or any of the University's partner institutions.

"College" - An organisational unit established within the University by the Council.

"Work integrated learning" - In the context of the Higher Education Standards Framework (Threshold Standards) 2021 (HES Framework), work-integrated learning (WIL) encompasses any arrangement where students undertake learning in a work context as part of their course requirements. WIL can be undertaken as part of coursework or research training.