

# University Partnerships Policy

## Section 1 - Purpose

- (1) Charles Sturt University (the University) engages with a broad range of organisations both in Australia and overseas to assist in achieving its mission. Many of these relationships are commonly referred to as 'partnerships'.
- (2) This document sets out the University's policy on such partnerships.
- (3) The purpose of this Policy is to provide clear, agreed definitions and responsibilities for the establishment, management and governance of the various types of partnerships entered into by the University.

### Scope

- (4) This Policy applies only to partnerships of the University that are formalised through an Agreement, executed in accordance with the University's [Delegation and Authorisations Policy](#) and [Schedule 7: Legal and Contract Delegations](#).
- (5) This Policy does not apply to:
- commercial activities that do not involve the undertaking of academic activities or the award of a Charles Sturt University award or non-award course, i.e. Contract Research; or
  - commercial fee for service arrangements where the University contracts a third party to provide goods and services, i.e. recruitment agents, campus services (cleaning, grounds maintenance, security etc.) and/or infrastructure goods and services.

## Section 2 - Glossary

- (6) For the purposes of this Policy, partnerships of the University are categorised as:
- Partnership involving Educational Delivery (Award) - refers to an arrangement where a Charles Sturt University award course is delivered under an agreement with a third party, either in Australia, overseas or online. This comprises all modes of delivery including supported online models. (Refer to the [Awards Involving Third Parties Policy](#).)
    - an Educational Delivery (Award) Partnership includes but is not limited to:
      - joint, twin or dual award arrangements;  
delivery of a Charles Sturt University award or non-award course either in Australia or overseas;
      - licensing of course materials; and
      - co-provider arrangements involving the delivery of training services associated with training package qualifications and vocational education training (VET) accredited courses within the University's scope of registration.
  - Partnership involving Educational Delivery (Non award) - refers to an arrangement where the University delivers a training program or non-award course under a contract or agreed arrangement with a third party, either in Australia, overseas or online. (Refer to the [Non Award Offerings Policy](#)).

- i. Non-award offerings include but are not limited to:
  - short courses;
  - training events;
  - single subject study; and
  - delivery of workshops or events.
- c. Partnership involving Academic Cooperation - refers to an arrangement where the University participates in academic cooperation but does not undertake any form of educational delivery.
  - i. Academic Cooperation includes but is not limited to:
    - credit transfer;
    - articulation;
    - student and staff mobility including exchange; Regional Study Centres;
    - hosting of scholarship recipients funded by an institution or entity; and
    - other hosting arrangements such as those that facilitate visiting staff or students, partner use of facilities etc.
- d. Partnership involving Regional/Community Partners - refers to a formal arrangement that the University has with a local or regional organisation supporting the development of our regions through contributions to cultural, economic, sporting and related activities and build higher education aspiration and awareness particularly amongst young people in rural and regional communities. (Refer to the [Heads of Campus Committee - Membership and Terms of Reference](#)).
  - i. A Regional/Community Partnership includes but is not limited to:
    - Regional Consultative Committees;
    - Local Government including Councils; and
    - Local authorities such as Regional Development Australia (RDA).
- e. Partnership involving Industry Partners - refers to formal arrangements with industry partners that the University holds to facilitate activities such as work placement, research training and accreditation.
  - i. Industry Partner includes but is not limited to:
    - Educational - organisations with whom the University has formal arrangements for academic activities including course accreditation, work placements, etc. These include professional bodies that accredit the University's courses and employer groups who host the University's students on work placements; and
    - Research - organisations with whom the University has formal arrangements for research activities including research training, collaborative funding etc.
- f. Partnership involving Government - refers to formal arrangements with a Federal or a State Government department including entities such as:
  - i. Department of Foreign Affairs and Trade;
  - ii. Austrade;
  - iii. NSW Department of Trade and Investment, Regional Infrastructure and Services; and
  - iv. Regional Development Australia (RDA).
- g. Partnership involving Research - refers to any formal engagement with another entity either in Australia or overseas where the main purpose is to facilitate research engagement.
  - i. A partnership involving research includes but is not limited to:
    - research student enrolment;
    - research funding;
    - consultancies and/or research collaboration;

- hosting of visiting researchers; and
  - research training partnerships, including partnered, joint or dual award arrangements.
- h. Partnership - refers to any formal relationship between the University and other parties to achieve specified objectives. As used in this Policy the term is broader than (although it may include) the concept of a Partnership as defined at law, which is any relationship between persons carrying on a business in common with a view to profit.
- i. Partnership Agreement - refers to any formal instrument or document entered into by the University and another party which sets out the respective rights and responsibilities of the parties (including financial obligations and deliverables) in respect of a partnership.
- j. Primary Partnership Manager - refers to the organisational unit deemed as the primary owner of a Partnership type, as detailed in Section 3.

## Section 3 - Policy

### Partnership Principles

(7) When developing and approving partnerships, the University will be guided by the key principles of:

- a. alignment of the partnership and proposed outcomes with the strategic direction and values of the University;
- b. protection or enhancement of the University's domestic and international reputation and brand;
- c. maintenance of the quality standards of the University;
- d. equivalence of curriculum, assessment and graduate outcomes;
- e. sustainability with due consideration of financial and business risk; and
- f. compliance with relevant legislative and regulatory requirements including NSW Government statutory requirements for commercial activities.

The University seeks to establish partnerships that are aligned to the key principles and will result in:

- a. strong and long term relationships;
- b. a breadth of opportunities for engagement.

(8) Partnerships must be established and approved in accordance with the [Delegations and Authorisations Policy](#) and must comply with University rules, policies and directives.

(9) All activities of a partnership must also comply with University delegations, rules, policies and directives.

(10) Following approval by the authorised University delegate to establish a partnership, the Primary Partnership Manager is responsible for the management of the partnerships within the category they hold responsibility for.

### Indigenous Partnerships

(11) Any formal or informal partnership that involves indigenous organisations, communities or students must have the endorsement of the Pro Vice-Chancellor (Indigenous Education). It is the responsibility of the Primary Partnership Manager to seek this endorsement before progressing the establishment of a relationship with a partner.

### Primary Partnership Manager

(12) All partnership categories will be allocated to a primary organisational unit owner who will be known as the Primary Partnership Manager.

(13) The Primary Partnership Manager is responsible for assigning the management of partnerships in their category

of responsibility to authorised officers within their area, in accordance with the [Delegations and Authorisations Policy](#).

- a. Management of a partnership may involve:
  - i. undertaking negotiations with the proposed partner;
  - ii. ensuring that all relevant internal and external approvals are obtained for the partnership before entering into an Agreement;
  - iii. liaising with partners and coordinating the University's efforts to ensure the specified objectives of the proposed partnership are met and benefits to the partners are maximised;
  - iv. reporting on the partnership including outcomes achieved;
  - v. providing the overarching academic and non-academic governance of the partnership;
  - vi. records management; and
  - vii. risk management.

(14) Partnerships will be allocated to Primary Partnership Managers as follows:

Partnership Type	Primary Partnership Manager	Key Stakeholders
Educational Delivery - Award	Pro Vice-Chancellor (International Education and Partnerships)	Faculties, Office for Students
Educational Delivery - Non Award	Executive Deans	Office of Global Engagement and Partnerships
Educational Cooperation	Pro Vice-Chancellor (International Education and Partnerships)	Faculties, Office for Students, Divisions
Regional/Community Partners	Director, Government and Community Relations	Faculties, Office of Global Engagement and Partnerships, Heads of Campus, Office for Students
Industry Partners - Research	Deputy Vice-Chancellor (Research and Engagement)	Faculties, Research Centres, Office of Global Engagement and Partnerships
Industry Partners - Educational	Executive Deans	Schools, Office for Students, Office of Global Engagement and Partnerships, Office of Research Services and Graduate Studies
Government	Director, Government and Community Relations	Faculties, Office of Global Engagement and Partnerships, Heads of Campus, Division of Student Administration, Division of Strategy, Marketing and Analysis
Research	Deputy Vice-Chancellor (Research and Engagement)	Faculties, Research Centres Office of Global Engagement and Partnerships

(15) Note: The allocation of management responsibility does not replace the University's Delegation Schedules.

### **Exceptions to Primary Partnership Manager**

(16) Exceptions to the allocation of specific partnerships to Primary Partnership Managers may be approved by the:

- a. Deputy Vice-Chancellor (Academic) for Educational Delivery - Non Award and Industry Partners - Education;
- b. Deputy Vice-Chancellor (Research and Engagement) for Educational Delivery - Award, Educational Cooperation, Research and Industry Partners-research; and
- c. Vice-Chancellor for Government and Regional/Community Partners.

Where an exception is made, it will be the responsibility of the approving officer to advise stakeholders of the exception.

## **Proposal, establishment and approval**

(17) The proposer is responsible for determining the primary objective or function of the proposed partnership.

(18) Negotiations for the establishment of a proposed partnership can only be undertaken with the prior approval of the Primary Partnership Manager.

(19) No employee of the University shall make any promise to another party which purports to bind the University, whether verbally or in writing, without all proper approvals and a properly documented Partnership Agreement. Negotiations with respect to partnerships are always subject to internal approval and finalisation of legal agreements.

(20) To ensure that a proposed partnership meets the requirements of the University, the Primary Partnership Manager is responsible for consulting with and obtaining appropriate advice and approvals from all relevant sections of the University:

- a. before entering into a partnership; or
- b. at any time when advice regarding the activities and management of the partnership is warranted:
  - i. the level of final approval required for a partnership proposal will depend on the chosen partnership structure. For example, under the University's [Legal and Contract Delegations](#) approval to enter into a formal partnership or establishment of a joint venture is a University Council responsibility, whereas authority to approve an affiliation agreement may be granted by the Vice-Chancellor. (Refer to the [Overseas Institutions Agreements Establishment Policy](#).)

## **Structure**

(21) Determination of the appropriate structure (governance/legal) for a category of Academic Partnership will be the responsibility of the Primary Partnership Manager, having regard to the guiding Academic Partnership Principles, the preferences of the proposed partner institution and internal advice from relevant stakeholders within the University (including the Division of Finance and Office of Governance and Corporate Affairs - Legal Services, as appropriate).

## **Preparing and finalising Partnership Agreement**

(22) The rights and obligations of the University and its partners (including financial and in-kind commitments and other contributions, agreed deliverables, milestones etc.) must be documented in a formal Partnership Agreement.

(23) Any proposal to enter a Partnership Agreement with another institution or organisation in relation to partnership matters must be reviewed and approved by the Primary Partnership Manager, prepared in accordance with the [Legal Policy](#) and have the approval of Legal Services.

(24) When seeking legal advice the Primary Partnership Manager must comply with their responsibilities under the [Legal Policy](#) which includes seeking advice in a timely manner and providing Legal Services with all relevant background information necessary for the provision of impartial and independent legal advice. All Partnership Agreements must be established using sound business plans (where required) and be compliant with legal requirements.

(25) Partnership Agreements must be executed in accordance with the University's [Delegations and Authorisations Policy](#). No University delegate should sign an agreement which purports to bind the University without written advice from Legal Services. When seeking the advice of Legal Services, the instructing University officer must ensure that all relevant internal approvals have been obtained.

## Section 4 - Procedures

(26) The Primary Partnership Manager is responsible for:

- a. developing and disseminating this Policy to assist in the establishment, approval and management of the partnership category they hold responsibility for.

(27) All policies and procedures related to partnerships will include and adhere to the following core requirements:

- a. Information management and record keeping:
  - i. Organisational units identified as having primary responsibility for a partnership category will be required to keep accurate and relevant information (in accordance with the [Records Management Policy](#) and [Records Management Policy - Vital Records](#)) necessary to appropriately manage the partnership in accordance with all regulatory, legislative and good practice guidelines.
  - ii. the Primary Partnership Manager will be responsible for ensuring partnership documentation is stored in the University's official record management system in accordance with the University's record keeping policies and procedures.
  - iii. the Primary Partnership Manager is responsible for ensuring appropriate recording of the original and signed copy of the Partnership Agreement in the University's record management system (TRIM) for which they are responsible.
  - iv. the Primary Partnership Manager will maintain a register of Partnership Agreements entered into on behalf of the University within their area of responsibility.
- b. Contract management:
  - i. The Primary Partnership Manager will be responsible for contract management requirements and activities in accordance with all regulatory, legislative (i.e. [Government Information \(Public Access\) Act](#)) and good practice guidelines and the University's related policies and procedures.
- c. Financial Management:
  - i. All financial arrangements for partnerships will follow the [Commercial Activities Statutory Guidelines](#) and the [Collaborative Ventures Approval Procedure](#), and any other requirements that the University Council and executive management of the University require at the time of the development of the proposal.
- d. Branding:
  - i. All partnership activity defined in this Policy will be undertaken in accordance with the [Communications and Marketing Procedure - Brand Governance](#).
- e. Third party enquiries:
  - i. Enquiries from prospective or current partners will be directed to the Primary Partnership Manager who under this policy has primary responsibility for the proposed partnership type.
  - ii. Univeristy staff will familiarise themselves with this policy in order to appropriately direct these enquiries.
- f. Legal issues:
  - i. Primary Partnership Managers are responsible for ensuring that only they or persons acting with their authorisation (instructing University officers) provide instructions to the Legal Services unit on legal matters related to partnership arrangements, including requests to draft or review Partnership Agreements.
  - ii. When seeking legal advice the instructing University officer must comply with their responsibilities under the [Legal Policy](#) which include, among other things, providing Legal Services with all relevant background information necessary for the provision of impartial and independent legal advice.

## **Termination**

(28) Termination of a partnership arrangement must be carried out in a manner that ensures the University's interests are protected, including the interests of students.

(29) The Primary Partnership Manager will determine the process and accountabilities in relation to the termination of partnership arrangements, taking into account any requirements of the relevant Partnership Agreement and consultation with Legal Services.

(30) When making decisions on the termination of a partnership, the University will consider:

- a. teach out responsibilities to students;
- b. legal, financial and reputational implications;
- c. other areas of the University involved in the partnership; and
- d. compliance with relevant regulatory and legislative requirements.

## **Reporting**

(31) The Primary Partnership Manager will provide an annual report to the Academic Senate on all educational delivery and cooperation partnerships in the previous year.

(32) Where applicable, these reports will include:

- a. information on visits to partners and/or the partners' reports, as well as reports provided by the sponsoring Faculty/ies;
- b. evidence of the continued strategic value of the partnership to the University;
- c. partnership outcomes for the year in review;
- d. student enrolments and outcomes;
- e. financial performance;
- f. issues raised by the partners in relation to the University; and
- g. issues in relation to quality assurance.

## **Procedures for disseminating and implementing this Policy**

(33) Deputy Vice-Chancellors, Pro Vice-Chancellors, Executive Deans, Deans, Executive Directors, Directors and Heads of School will communicate this Policy and related procedures, including the responsibilities of Primary Partnership Managers and other stakeholders, and will manage their implementation.

(34) Deputy Vice-Chancellors, Pro Vice-Chancellors, Executive Deans, Deans, Executive Directors, Directors and Heads of School will be responsible for ensuring that associated procedures and guidelines are amended to align with this Policy.

# **Section 5 - Guidelines**

(35) Nil.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	9th June 2016
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