



Educating for Excellence

Australian Ideal College

Registered as Australian Ideal College Pty Ltd
RTO No.: 91679 | CRICOS Provider Code: 03053G
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Education Agent Policy and Procedure

1. PURPOSE

- 1.1. This document specifies Australian Ideal College Pty Ltd trading as Australian Ideal College ("AIC") education agent policy and procedure. It sets out guidance to AIC staff to assist them in ensuring education agents are operating ethically and appropriately.

2. SCOPE

- 2.1. This document applies to all staff at AIC.

3. DEFINITIONS

- 3.1. **Education agent** is a person or company or organization either in or outside Australia that recruits prospective overseas learners and refers them to education providers. In doing so, the education agent may provide education counselling to prospective overseas learners as well as marketing and promotion services to education providers.
- 3.2. **DHA** is the Department of Home Affairs.
- 3.3. **AIC** is abbreviation of Australian Ideal College
- 3.4. **Marketing Manager** is AIC staff who mainly deals with Education Agents for student recruitment for AIC
- 3.5. **CEO** is the Chief Executive Officer of AIC

4. POLICY STATEMENT

- 4.1. AIC recognises that education agents are usually the first point of contact for prospective learners intending to undertake studies in Australia and the activities and ethics of all education agents is important to Australia's reputation as a desirable destination for students.
- 4.2. AIC is committed to ensuring all education agents act ethically and appropriately when representing AIC and when providing information to prospective students about life and study in Australia.
- 4.3. AIC will only engage education agents whose company/organization is registered in the relevant country, state or province and if applicable, in Australia.
- 4.4. All education agents must have an executed Education Agent Agreement with AIC prior to being officially engaged by AIC.
- 4.5. AIC will monitor education agent's performance and activities using a variety of methods, including:
 - Evaluation of formal and informal feedbacks;
 - Education agent visits and meetings.
 - Reports from education agents and other external stakeholders.
 - Performance benchmarks and reports.
- 4.6. AIC will not engage in any activities with an education agent who has been found to be dishonest, lack integrity or have engaged in unethical behavior.
- 4.7. AIC retains the right to veto any education agent activity that in AIC's opinion is not compliant with:
 - The Agency Agreement; or
 - Any relevant legislation; or
 - Any information provided to the education agent by AIC.

5. PROCEDURE

❖ Agent Appointment

- 5.1. Education agents are required to complete and forward the [Agent Application Form](#) along with copies of proof of business to AIC.
- 5.2. The Marketing Manager will send an Education Agent Reference Check Form to the referees listed on the *Agent Application Form*. If the Marketing Manager or the CEO already knows the education agent as they have been a previous agent of AIC or have previous working experience with AIC, this step may not be necessary.
- 5.3. Once reference checks and all applicable documentation have been completed, the Marketing Manager will assess the education agent application, and will accept the application only where the applicant has demonstrated that they have the appropriate knowledge and understanding of the Australian international education industry and will maintain the reputation of the Australian international education industry.
- 5.4. The Marketing Manager will recommend the agent application to the CEO. The CEO has the final responsibility to check the credentials of the education agent prior to accepting or rejecting of the application. The CEO will decide if the agent will be engaged by AIC.
- 5.5. If the agent application is approved by the CEO, the Marketing Manager prepares the Agency Agreement and sends the agreement to the education agent to be signed. The Agency Agreement will be effective until the agreement is executed by both the Agent and the CEO.
- 5.6. If an application is not approved, the Marketing Manager informs the education agent in writing of the outcome of their application.
- 5.7. AIC retains copies of all signed Agency Agreements. The education agent will be added to the list of approved agents listed on AIC website.
- 5.8. The education agent is provided with current and accurate AIC marketing and other information required to perform their student recruitment duties as an approved education agent. The Marketing Manager will provide any subsequent updates to the AIC marketing materials and information to education agents.
- 5.9. AIC will enter the education agent's details into our student management system and into our PRISMS account.

❖ Agent Monitoring

- 5.10. The performance of each education agent will be reviewed by the Marketing Manager throughout the calendar year by the following methods:
 - a) Informal and formal feedback;
 - b) Education agent visits and meetings;
 - c) Reports from education agents; and
 - d) Performance benchmarks and reports.
- 5.11. AIC will consider the performance of the education agent to decide whether to:
 - a) Maintain the education agent's appointment;
 - b) Appoint the education agent for a further period subject to certain conditions;
 - c) Amend the education agent's commission to be reflective of their performance; or
 - d) Terminate the education agent's appointment.
- 5.12. In considering the performance of the education agent, AIC will consider:
 - a) The education agent's compliance with the Education Agent Agreement and any conditions placed on the education agent by AIC.
 - b) The number of students the education agent has recruited and the conversion rate of:
 - prospective applications to AIC offers; and
 - AIC offers to actual enrolment of students;
 - c) The reasons why applications from potential students did not convert to student enrolment status;
 - d) The number of student visa refusals for students recruited by the education agent;

- e) The number of onshore visa applications compared to offshore visa applications;
 - f) Any feedback or information from students or third parties regarding the education agent;
 - g) The quality, accuracy and currency of information and advice provided by the education agent to applicants; and
 - h) The quality of the appointment as assessed by AIC.
- ❖ **Agent Change of Details**
- 5.13. The Marketing Manager will update the education agent's contact details through:
- a) Receipt of email advice; or
 - b) Written confirmation on letterhead.
- 5.14. Any AIC staff that becomes aware of a change to an education agent's contact details must notify the CEO.
- ❖ **Acceptance of Students**
- 5.15. AIC will not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:
- a) engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a learner where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers) of the National Code of Practice for Providers of Education and Training to Overseas Students 2018;
 - b) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa;
 - c) using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student; or
 - d) providing immigration advice where not authorised under the Migration Act 1958 to do so.
- ❖ **Agent Termination**
- 5.16. If AIC has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or sub-contractor of that agent, of conduct set out in Standard 4.3, the registered provider must terminate the agreement with the education agent. This paragraph does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 and the education agent has terminated the relationship with that individual employee or sub-contractor.
- 5.17. AIC must take immediate corrective and preventative action upon becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices that could harm the integrity of Australian education and training.
- 5.18. AIC will monitor the activities of its agents on a regular basis and may include the following:
- a) regular face-to-face meetings, telephone meetings, regular reports from agents;
 - b) surveys of students recruited by agents;
 - c) spot checks by AIC e.g. to observe agents at work;
 - d) AIC internal surveys of agents.
- 5.19. If AIC becomes aware, or reasonably suspects that the education agent has acted in breach of the conduct set out in Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018, AIC will terminate the Agent Agreement immediately.
- 5.20. The CEO, having decided to terminate the education agent agreement, will:
- a) Inform the education agent to advise that his or her appointment has been terminated.
 - b) In cases where the grounds for the termination is due to the education agent having acted unethically, notify DHA and Department of Education; and
 - c) Advise staff that no further applications are to be accepted from the education agent.

6. RESPONSIBILITIES

- 6.1. The CEO is responsible for the implementation of this policy and procedure and to ensure that staff at AIC is aware of its content.

7. RELATED LEGISLATIONS:

Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018:

- 4.1 The registered provider must enter into a written agreement with each education agent it engages to formally represent it, and enter and maintain the education agent's details in PRISMS.
- 4.2 The written agreement must outline:
 - 4.2.1 the responsibilities of the registered provider, including that the registered provider is responsible at all times for compliance with the ESOS Act and National Code 2018
 - 4.2.2 the registered provider's requirements of the agent in representing the registered provider as outlined in Standard 4.3
 - 4.2.3 the registered provider's processes for monitoring the activities of the education agent in representing the provider, and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services
 - 4.2.4 the corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4
 - 4.2.5 the registered provider's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
 - 4.2.6 the circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.
- 4.3 A registered provider must require its education agent to:
 - 4.3.1 declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider
 - 4.3.2 observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
 - 4.3.3 act honestly and in good faith, and in the best interests of the student
 - 4.3.4 have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- 4.4 Where the registered provider becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3, the registered provider must take immediate corrective action.
- 4.5 Where the registered provider 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, the registered provider must 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.
- 4.6 The registered provider must not accept students from an education agent if it knows or reasonably suspects the education agent to be:
 - 4.6.1 providing migration advice, unless that education agent is authorised to do so under the Migration Act
 - 4.6.2 engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)
 - 4.6.3 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa
 - 4.6.4 using PRISMS to create CoEs for other than bona fide students.

Policy and Procedure Contact Person	Jack Shen
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Revision History			
Date	Version	Description of Modifications	Approved By
12/4/2010	1.0	Original	Jack Shen
14/06/2015	2.0	Document style and content edits	Jack Shen
15/08/2019	2.1	Document format and content edits according to National Code 2018: Standard 4: Education Agents	Jack Shen

Attachment: ***Agent Application Form***



Australian Ideal College

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Agent Application Form

1. Company Details

Company Name _____
ABN (if applicable) _____ MARA (if applicable) _____
Office Address _____
Principal Contact _____ Position _____
Telephone _____ Fax _____
Email _____ Website _____

2. Additional Agency Information

- When was your Agency established? _____
- Do you have offices in other locations? YES NO
If YES, where are they located? _____

3. Student Recruitment Expertise

- From which countries do you predominately recruit students? _____
- Which sectors do you promote most heavily? ELICOS High School VET Higher Education

4. Recruitment Records and Potential

- How many students has your business recruited in the past 12 months? _____
- Which institutions has your business recruited for in the past 12 months? _____
- How many students do you believe you can recruit for AIC in the next 12 months? _____

5. Marketing Plans

- What courses do you think will be popular for your students? _____
- How would you best promote Australian Ideal College? _____

6. References

Please list 2 institutions you currently represent that we can contact for a reference

Reference 1:	Reference 2:
Contact Name _____	Contact Name _____
Position _____	Position _____
Organisation _____	Organisation _____
Telephone _____	Telephone _____
Fax _____	Fax _____
Email _____	Email _____

Name of Director _____ Signature _____ Date _____

**Please fax or email the above completed form and attach a copy of your company profile and certificate of the company registration.*