EDUCATION AGENT POLICY AND ASSOCIATED PROCEDURES

Purpose Of The Policy

This policy and associated procedures have been developed to ensure that AICC has processes in place to ensure that education agents act honestly and in the best interests of overseas students, as well as uphold the reputation of Australia's international education sector.

This policy and associated procedures meet the requirements of Standards 2 and 8 and associated clauses of the Standards for RTOs 2015, as well as the National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 4.

POLICY STATEMENTS

Overview

AICC will not accept students from an education agent if it 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
- 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)

  facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa, and/or
- using PRISMS to create CoEs for other than bona fide students.

Agent Agreements

All education agents representing <insert organisation> must sign and abide by AICC Education Agent Agreement.

AICC's Education Agent Agreement meets the requirements of the National Code including:

- responsibilities of AICC, including that AICC is responsible at all times for compliance with the ESOS Act and National Code 2018
- AICC requirements of the agent in representing it include:
  - declaring in writing and taking reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider
  - observing appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
  - acting honestly and in good faith, and in the best interests of the student
  - having appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics

- AICC'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
- the corrective action that may be taken by AICC if the education agent does not comply with its obligations under the written agreement, including providing for corrective action outlined in Standard 4.4
- grounds for termination of AICC's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
- the circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.

MONITORING AND CORRECTIVE ACTION

AICC will monitor all education agents using the monitoring processes described in the agreement.

AICC will take immediate corrective action where AICC 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 as outlined above.

TERMINATION

AICC 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, where AICC 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.

PROCEDURES

1. PROCESS EDUCATION AGENT APPLICATIONS

1.1 Provide an Education Agent Application form to education agent.

1.2 On receipt of an application, check that the application form has been completed in full and that any supporting information has been provided.

1.3 Send an acknowledgement that the application form has been received within 3 working days of the receipt of the application. Request additional information not provided, as relevant.

1.4 Review information included in application form.

1.5 Call referees for reports on the agents.

1.6 Approve the agent's application where the agent has demonstrated experience and skills, provides services that align with AICC's marketing objectives and positive reports from referees are received.

1.7 For successful agents, customise the Education Agent Agreement and send to the agent for signing. This must be within 10 working days of receiving the application.

1.8 Where the agent is not deemed to be suitable, send an email within 10 working days of receiving the application advising that their application has not been successful and including the reasons why.

2. MANAGE EDUCATION AGENTS

2.1 Following the signing of the agreement, add the agent details to PRISMS following the *How to manage agent details* in PRISMS information.

2.2 Following the signing of the agreement, advise ASQA via ASQAnet and within 30 days of the agreement.

2.3 Add the agent details to list of agents on website.

2.4 File all signed education agent agreements.

2.5 Contact the agent to provide an induction, including an overview of AICC requirements and marketing and recruitment processes.

2.6 Provide the education agent with current copies of marketing materials and enrolment forms.

3. MONITOR EDUCATION AGENTS

3.1 Regularly update education agents with details of new courses and any updated marketing and enrolment materials/processes.

3.2 Monitor agents every six months using the Education Agent Monitoring Form.

3.3 Where the Education Agent Monitoring Form or feedback from students indicates that the Education Agent may not be meeting the terms of their agreement, immediately investigate the issue.

3.4 Where the investigation confirms that the provider has not complied with their responsibilities as per the Education Agent Agreement (except in the case of where the education agent has engaged in false or misleading practices – see the following section), contact the education agent in writing to advise to corrective actions that are required.

3.5 Implement relevant corrective actions.

3.6 Monitor corrective actions as required to ensure they are implemented.

3.7 File all documentation associated with monitoring.

4. TERMINATE EDUCATION AGENT AGREEMENTS

4.1 Where education agent monitoring or any other intelligence demonstrates that the education agent has engaged in false or misleading practices, immediately send a notice in writing to the agent advising them that their agreement is terminated and giving the reasons why.

4.2 Remove the agent details from website.

4.3 Remove the agent details from PRISMS following the *How to manage agent details* in PRISMS information.

4.4 Advise ASQA via ASQAnet of termination of the agreement and within 30 days of the agreement ending.

RESPONSIBILITIES

The RTO Manager is responsible for:

- assessing and approving education agent applications
- managing education agent applications
- monitoring and terminating education agent agreements.

Document Control

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