



# **Education Agent Management Policy and**

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## 1. PURPOSE

This policy aims to ensure that the recruitment, appointment, management, and termination of international education agents at the Australis Business School ("Australis"). Fare consistent, effective, and compliant with legislative and regulatory obligations. Australis is committed to upholding standards in collaborating with agents for ethical and accurate representation of Australis. This policy ensures that Australis adheres to a strict process for the recruitment and selection of agents, monitors their performance, and takes appropriate action in cases of non-compliance or misconduct.

## 2. SCOPE

This policy applies to:

- agents seeking to become approved agents of Australis.
- agents authorised to represent Australis.
- agents representing either prospective or current Australis students, both onshore and offshore.
- students who have secured their enrolment through an approved agent.
- Australis staff interacting directly with education agents.
- Australis staff involved in student admissions.

## 3. DEFINITIONS

See the Australis *Glossary of Terms* for definitions.

## 4. POLICY STATEMENT

### 4.1. Policy Statement

Australis is committed to ensuring that all international education agents representing Australis operate with the highest standards of professionalism and integrity. Australis is committed to a rigorous and transparent process for selecting and appointing agents, with continuous monitoring and evaluation of their performance.

### 4.2. Policy Principles

- a. Prior to entering into any partnership or agreements, Australis undertakes a thorough assessment of potential agents, including their track record, reputation, and adherence to ethical standards.

- b. Australis values the importance of working with agents who uphold transparency and honesty, prioritise the best interests of students, and always behave ethically and professionally.
- c. Australis continually monitors and reviews agent partners to ensure they maintain appropriate standards of representation.
- d. Agents associated with Australis must have a comprehensive understanding of the Australian higher education sector, including all relevant legislation, codes, and standards.
- e. Australis reserves the right to terminate or restrict any agent partnership in cases of discrepancies, especially non-adherence to the signed agreements, institutional guidelines, or relevant laws. Australis may also decline student applications forwarded by non-compliant agents.
- f. Only agents who have formalised agreements with Australis are allowed to recruit and represent Australis's students.
- g. Australis will provide regular training and updates to agents to ensure they are informed about changes in policies, procedures, and regulatory requirements.
- h. Agents must maintain accurate and up-to-date records of their interactions with prospective and current students and provide these records to Australis upon request.
- i. Australis will engage in regular feedback sessions with agents to ensure continuous improvement and address any concerns promptly.

## **5. POLICY DETAILS**

### **5.1. Australis Responsibilities**

Australis is committed to ensuring the highest standards of agent management and compliance with all relevant regulations. Key responsibilities include:

- a. Australis maintains compliance with all relevant legislative and regulatory frameworks, including the Education Services for Overseas Students (ESOS) Framework, the Higher Education Standards Framework (Threshold Standards) 2021, and the Migration Act 1958.
- b. Regarding managing agents, Australis's duties include:
  - i. Monitoring agents to ensure adherence to their contractual obligations, including performance indicators, and implementing measures such as rewards, incentives, warnings, suspensions, terminations, and verifying the Genuine Student (GS) requirement.
  - ii. Providing comprehensive and ongoing training for agents to ensure they are well-informed about:
    - The complexities of the Australian international education landscape.
    - Compliance requirements under the ESOS Framework.
    - Their specific roles and responsibilities in relation to Australis.

- iii. Administering a rigorous process for the application and approval of agent partnerships.
- c. Australis reserves the right to reject student applications or implement corrective measures if there is credible evidence or a reasonable suspicion that an agent is:
  - i. Providing unauthorised visa advice in breach of Australian law.
  - ii. Enrolling students who have not completed the mandatory six months of their principal course, unless compliant with Standard 7 of the National Code 2018.
  - iii. Engaging or having engaged in unethical recruitment practices.
  - iv. Recruiting students who are likely to breach their visa conditions.
  - v. Participating in or attempting any form of tax fraud or evasion related to commissions or payments received from Australis.
  - vi. Manipulating the PRISMS system to issue Confirmation of Enrolments (CoEs) without genuine intent.
  - vii. Breaching any relevant legal requirements, such as those set out in the Modern Slavery Act 2018.

## 5.2. Agent Responsibilities

Agents representing Australis must uphold the highest standards of professionalism, ethics, and compliance.

- a. Agents must:
  - i. enter into an official agreement with Australis for formal collaboration.
  - ii. comply with the Simplified Student Visa Framework (SSVF).
  - iii. use the PRISMS responsibly, ensuring they do not issue CoEs with fraudulent intentions.
  - iv. provide detailed and accurate information to facilitate informed decision-making regarding studies at Australis in Australia.
  - v. always act ethically, legally, and in the best interests of students.
  - vi. notify Australis promptly of any changes in their agency contact or business details.
  - vii. use only Australis-approved promotional materials in their recruitment processes.
- b. Agents must not:
  - i. make false claims about potential migration, career, or assessment outcomes from Australis courses.
  - ii. spread misleading or incorrect information regarding Australis courses, affiliations, or prerequisites.
  - iii. offer visa advice unless legally authorised under Australian law.
  - iv. enrol students who:
    - are suspected of not satisfying the Genuine Student (GS) requirement.
    - have not completed the first six months of their principal course, unless permitted by Standard 7 of the National Code 2018.

### **5.3. Agent List on Australis website**

To comply with the ESOS Framework, Australis ensures that its official website is regularly updated to display a current list of its authorised agents. This practice ensures transparency and provides accurate information for reference.

### **5.4. Agent Details in PRISMS**

Australis records and maintains agent-related information within PRISMS, adhering to the standards set forth in the ESOS Framework and the Higher Education Standards Framework (Threshold Standards) 2021.

Agents must notify Australis of any changes to their contact information within 15 working days to ensure that PRISMS records are kept accurate and updated.

### **5.5. CRICOS Registration Name and Number**

Agents must prominently display the CRICOS registration name and number of Australis, when advertising or promoting Australis courses. This requirement is mandatory for materials related to:

- a. showcasing Australis's capacity or intent to offer courses to international students.
- b. motivating students to apply for or enrol in an Australis course.
- c. providing or offering Australis courses to international students.

## **6. PROCEDURES**

### **6.1. Agent Selection and Appointment Process**

- a. Australis assesses the need for agents by conducting thorough evaluations of both internal data and external market trends. The evaluation of agent applications is based on specific criteria, including at least two references from CRICOS-registered institutions or reputable international organisations for those without prior experience with Australian institutions.
- b. Agents must disclose any potential conflicts of interest in writing related to their relationship with Australis and proactively avoid conflicts throughout their engagement. The authority to approve agent applications rests with Australis's Marketing Manager, who will inform agents of their application status in writing within 10 working days of the decision.
- c. The Chief Executive Officer (CEO) of Australis signs agent agreements, ensuring compliance with all requirements stated in Standard 4 of the National Code of Practice. Agents must return the signed agreements to Australis within eight weeks

of receipt. The agency relationship is formalised once Australis receives the signed agreement.

- d. Agent details are entered into both the PRISMS database and Australis's internal database to ensure accurate record-keeping and compliance.

## **6.2. Agent Induction Process**

- a. Australis's Marketing Manager provides a comprehensive induction for agents immediately upon their engagement, covering the ESOS Framework, National Code requirements, roles and responsibilities, admissions policies, procedures, and other mandatory compliance requirements.
- b. In addition to the initial induction, Australis conducts a formal training session for agents within three months of the agent agreement being signed to reinforce key information and provide ongoing support.
- c. All agent training initiatives are evaluated to ensure quality assurance and continuous improvement, ensuring that agents are well-equipped to represent Australis effectively.

## **6.3. Review and Monitoring of Agents**

- a. Continuous monitoring of agents by Australis's Marketing Manager is essential and includes:
  - i. gathering feedback from students and other stakeholders, and regularly checking agents' online materials, events, and communications.
  - ii. reviewing agent application quality, conversion rates, and reasons for student withdrawals, as well as inspecting records of student visa approvals, refusals, and cancellations.
  - iii. analysing the relationship between agent recruitment performance and promotional expenses.
- b. Australis's Marketing Manager and CEO must be promptly notified of any potential breaches by agents or their associates that could compromise Australis's compliance with legislative requirements such as the ESOS Act or National Code. In the event of a breach, Australis's CEO, in collaboration with the Marketing Manager, will investigate and determine necessary actions, which may include suspending agent activities pending the outcome of the investigation.
- c. Confirmed breaches may lead to the termination of the agreement or the relationship with any employee or associate found to have engaged in the breach. The necessary actions will be based on the severity and impact of the breach on Australis's compliance and reputation.

#### **6.4. Annual Evaluation**

- a. In addition to continuous monitoring, agents undergo an annual evaluation to ensure ongoing compliance with the agreement, relevant legislation, and performance criteria.
- b. The Marketing Manager assesses the agent's adherence to these standards, and the outcome of the review can be:
  - i. The agent's performance is deemed satisfactory.
  - ii. The agent's performance or compliance is found to be unsatisfactory, necessitating further action.
- c. If further action is required, agents will be notified and given 10 working days to respond. This response period may be extended at the discretion of Australis's Marketing Manager.

#### **6.5. Renewal or Termination of Agent Agreement**

- a. After a positive annual evaluation or satisfactory resolution of any issues, Australis may:
  - i. renew the agent's agreement.
  - ii. extend the agent's agreement with specific conditions.
  - iii. require the agent to complete additional training and development as specified by Australis before considering reappointment.
- b. The responsibility to suspend or terminate an agent's agreement lies with the Marketing Manager, who will notify the agent of such decisions in writing within three weeks. Australis reserves the right to terminate an agent's agreement if the agent fails to address raised concerns adequately, in addition to reasons outlined in previous sections.
- c. The agency agreement can be terminated by either party for any reason, provided a 60-day written notice is given to the other party. In the event of contract termination, agent must:
  - i. transfer all application and course fees collected from potential students up to the termination date to Australis.
  - ii. immediately cease all activities representing Australis.
  - iii. submit all outstanding invoices to Australis within 30 working days from the termination date.
- d. Upon successful re-evaluation, Australis will proceed with renewing the agent's agreement.



## 6.6. Feedback and Continuous Improvement

Australis values feedback from agents and students as an essential component for continuous improvement. The following measures will be undertaken to ensure continuous improvement of the policy and procedures:

- a. Regularly collect and analyse feedback from agents regarding their experiences, challenges, and suggestions for improvement.
- b. Use the collected feedback to review and update the *Agent Recruitment and Management Policy and Procedure*, ensuring they remain relevant, effective, and aligned with regulatory requirements.
- c. Conduct regular training sessions and workshops for agents to address identified issues and share best practices.
- d. Implement a system for tracking and addressing feedback to ensure timely and effective responses to any concerns or suggestions.

## 7. COMPLAINTS AND APPEALS

- a. Agents have the right to appeal Australis's decision to terminate an agreement if they believe the review process has not been fairly applied or if they have implemented a solution to any issues leading to the termination.
- b. Appeals must be submitted to the CEO in writing, clearly stating the grounds for the appeal and any supporting evidence.
- c. The CEO will review the appeal and make a final decision within four weeks of receiving the appeal. This decision will be communicated to the agent in writing and is final.

## **8. Related Documents, External References and Version Control**

### **8.1. Related Australis Documents**

- Admission and Student Selection Policy and Procedure
- Code of Conduct
- Conflict of Interest Policy
- Privacy Policy
- Records and Information Management Policy
- Student Fees and Refund Policy and Procedure
- Student Letter of Offer and Agreement
- Student Orientation and Transition Policy and Procedure

### **8.2. Related legislation and external references**

- Higher Education Standards Framework 2021
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2021
- Migration Act 1958
- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code)

### **8.3. Version Control**

<b>Version</b>	<b>Date</b>	<b>Reviewed/approved by</b>	<b>Key notes/changes</b>
0.1	19/7/24	Chief Executive Officer and Board of Directors (BoD)	Draft circulated and reviewed by BoD
0.2	26/7/24	BoD	Approved at the BoD 26/07/24 meeting

### **8.4. Document Review**

To be reviewed at least every five (5) years from the date of final approval