

Agent Management Policy – International

Policy Code: INT-014 **Version:** 7.0 **Effective Date:** 10 August 2017

Purpose:

This policy outlines the way in which international education agents are managed with reference to National Code 2007 Standard 4 and the College's obligations under the Education Services for overseas Students Act 2000 (ESOS Act 2000).

Definition of “College” – *In the higher education sector, Australian College of Natural Medicine Pty Ltd trades as Endeavour College of Natural Health (Endeavour) and Wellnation; Study Group Australia Pty Limited trades as Martin College and Martin Higher Education (Martin HE). For the purpose of this policy, any reference to ‘College’ or ‘the College’ should be considered a reference to each or any of these respective entities or trading names.*

Definition of “International students” – *The College defines an International Student as someone **who is not an** Australian citizen or permanent resident or a New Zealand citizen or a permanent visa holder. This definition includes students studying onshore on a range of temporary visas (working holiday visa, tourist visa, student visa etc) or offshore as an online student. Information that applies only to students studying on specific visa classes (e.g. Student Visa) is specified when relevant. It should be noted that all international students pay fees specified for international students, regardless of visa subclass.*

- Scope:**
- All campuses
 - All international students
 - Student Services Staff
 - Admissions Staff

Policy Statement:

As agents are often the first point of contact between international students and the College and it is vital that agent activities are monitored and evaluated. The relationships students have with agents directly impact the reputation of the College and the Australian Education industry as a whole. Under the *National Code 2007* (National Code), Standard

4 the College is required to ensure that its education agents act with honesty and integrity. This Policy sets out the way in which the College manages its international education agents.

Agent Register

A list of the College's current registered agents must be published on the College website. In addition, the College will record its formal relationship with the agent on PRISMS (the DIBP database for international student interactions).

Agent Engagement and Termination

The National Higher Education Compliance Manager (Endeavour) and International Recruitment Sales Manager (Martin HE) are responsible for the recruitment and selection and management of agents.

The College must enter into a written agreement with each education agent it engages to formally represent it; the agreement specifies the responsibilities of the education agent and the College and the need to comply with the requirements in the National Code. The agreement must include:

- Processes for monitoring the activities of the education agent, including where corrective action may be required; and
- Termination conditions, including providing for termination in the circumstances outlined below.

The College must 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:

- Engaged in, or to have previously engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer Between Registered Providers);
- Facilitating the enrolment of a student who the education agent believes will not comply with the conditions of their student visa;
- Providing immigration or migration advice where not authorised to do so under the Migration Act 1958.

Where the College has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement of that

education agent, or an employee or sub-contractor of that agent, of conduct outlined above, the College must terminate the agreement with the education agent. This does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct outlined above and the agent has terminated the relationship with the individual employee or sub-contractor.

The College 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, including practices that could harm the integrity of the Australian education and training industry. Further detail regarding the way in which unacceptable agent behaviour is identified and addressed is outlined within the [Agent Management Procedure – International](#).

Agent Relationship Management

The College will maintain agent relationships as set out in the [Agent Management Plan](#) and the [Agent Agreement](#). The College will contact agents in the event that a student recruited by the agent is issued an Intention to Report Letter for Unsatisfactory Course Progress, Non Payment of Fees or Unsatisfactory Attendance.

Student Responsibility to Notify College of Change to Education Agent

International students who have arrangements with education agents must inform the College of any change to these arrangements using the [Agent Change Notification Form](#).

Provision of Current Marketing Material

The College ensures agents are provided with up-to-date information and current marketing materials when changes are made. If agents wish to order marketing materials they must complete an [Agent Order Form for Promotional Materials](#).

Definitions:

Agent: An accredited person or organisation with the authority to promote the College's courses and services to Students or intending Students in nominated regions.

Agent Agreement: The agreement between the College and the Agent including the Schedules.

CRICOS: Commonwealth Register of Institutions and Courses

for Overseas Students.

DIBP: Department of Immigration and Border Protection

ESOS: [Education Services for Overseas Students](#). A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students

ESOS Act: Education Services for Overseas Students Act 2000.

ESOS Regulations: Education Services for Overseas Students Regulations 2001.

National Code: National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007.

PRISMS: Provider Registration and International Student Management System. The DIBP database for international student management.

Prospective Student: A person who intends to become, or who has taken any steps towards becoming a Student at the College.

Student/Learner is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

Further Information:

Related Procedures [Deferring, Suspending or Cancelling Enrolment Procedure – International](#)

Related Policies: [Deferring, Suspending or Cancelling Enrolment Policy - International](#)

[Fee Policy – International](#)

[Refund policy – International](#)

Benchmarking: Benchmarking cohort

Supporting Research and Analysis: Not applicable

Related Documents:

- [Agent Acceptance Letter](#)
- [Agent Agreement](#)
- [Agent Communication Plan](#)
- [Agent Discontinuation of Contract Letter](#)
- [Agent Order Form for Promotional Materials](#)
- [Agent Progress Review Report](#)
- [Agent Reference Check Form](#)
- [Agent Refusal Letter](#)
- [Agent Renewal of Contract Letter](#)
- [Agent Selection Criteria](#)
- [Agent Termination Letter](#)
- [Agent Warning Letter](#)
- [International Education Agent Application Form](#)
- [International Education Agent Handbook](#)
- [Agent Management Plan](#)

Related Legislation:

- [The Education Services for Overseas Students \(ESOS\) Act 2000](#)
- [National Code of Practice 2007](#)
- Education Services for Overseas Students (ESOS) Regulations 2001
- Education Services for Overseas Students (Registration Charges) Act 1997
- Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012
- Education (Overseas Student) Regulation 1998 (plus amendments)

| | |
|---|---|
| Policy Author: | Quality and Compliance Coordinator |
| Policy Owner: | National HE Compliance Manager |
| Contact: | National HE Compliance Manager |
| Approval Body: | Executive Director, Higher Education |
| Policy Status: | Harmonised – across 2 brands |
| Responsibilities for Implementation: | <ul style="list-style-type: none"> • National HE Compliance Manager • Director, Student Services and Retention • International Student Advisers • National Admissions Centre team • Student Services |
| Key Stakeholders: | <ul style="list-style-type: none"> • National HE Compliance Manager • Director, Student Services and Retention • International Student Advisers • National Admissions Centre team • Student Services • International Students |