



EDUCATION AGENTS PROCEDURE

Approving Authority	General Manager	Approval Date of Last Revision	15 Sep 2022
Approval Date	23 Feb 2018	Effective Date of Last Revision	15 Sep 2022
Effective Date	23 Feb 2018	Review Date	30 Nov 2025
Document No	PRO12.1	Version	2.0
Parent Policy	Education Agents Policy		
Policy Category	Operational		
Governing Authority			
Responsible Officer	Manager Student and Academic Services		
Related Documents	Education Agent Agreement Education Agent Application Checklist Education Agent Monitoring Checklist and training schedule Education Agent performance report – annual Higher Education Standards Framework (Threshold Standards) 2021 (TEQSA Act 2011) Education Services for Overseas Students (ESOS) Act 2000 and National Code 2018		

* Unless otherwise indicated, this procedure will still apply beyond the review date.

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1. PURPOSE

1.1 The Education Agents Procedure gives effect to the Adelaide Institute of Higher Education (AIHE) Education Agent Policy and sets out the procedures AIHE will use to ensure that relevant stakeholders, including AIHE staff involved in the selection and management of education agents, and the education agents themselves, are fully conversant with both legislative requirements and AIHE Policy.

2. SCOPE

2.1 The Education Agent Procedure applies to AIHE staff, marketing staff of Adelaide Education Group (AEG), all education agents engaged by AIHE, including staff and subcontractors of those education agents, and the students that they represent.

3. LEGISLATIVE OVERVIEW

3.1 Standard 4 of the National Code 2018 specifies the key requirements for registered providers to ensure that their education agents act ethically, honestly and in the best interest of overseas students and uphold the reputation of Australia's international education sector.

4. WRITTEN AGREEMENT

4.1 AIHE must have a written agreement with each of its education agents that outlines:

- 1) the responsibilities of AIHE, including that AIHE is responsible at all times for compliance with the ESOS Act and National Code 2018
- 2) AIHE's requirements of the education agent in representing the registered provider as outlined in Standard 4.3 of the National Code
- 3) AIHE's processes for monitoring the activities of the education agent in representing AIHE, and ensuring the education agent is giving students accurate and up-to-date information on AIHE's services
- 4) the corrective action that may be taken by AIHE if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4 of the National Code
- 5) AIHE's grounds for termination of its written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5 of the National Code
- 6) the circumstances under which information about the education agent may be disclosed by AIHE and the Commonwealth or state or territory agencies.

5. PROCEDURES

5.1 Selecting an Education Agent

Whilst not legislated, the Australian Government department responsible for Australian visas and immigration has a preference that the Education Agent and Migration Agent are two separate parties.

5.1.1 Using the Migration Agent Registration Authority (MARA), Australian Education International (AEI), and other appropriate resources that may be available from time to time, AIHE will make the best determination possible that the education agent has not breached any of the items indicated in Standard 4.6 of the National Code 2018.

5.1.2 Using MARA and other appropriate resources that may be available from time to time, AIHE will as best as possible determine that the education agent is fully conversant with the Australian international education industry.

5.1.3 AIHE will provide the prospective education agent with a copy of the Education Agent Initial Application form that will be completed and returned with:

- ; company profile document including a list of all branches;
- references;
- data related to agent's effectiveness and company registration; and
- relevant professional memberships and qualifications

5.1.4 The Marketing Manager will evaluate the Application and make a recommendation to the General Manager, addressing:

- a) market alignment – the market objectives and needs that the agent will service
- b) agent alignment – the business objectives and needs that the agent will service
- c) resource alignment – the resource alignment with outcomes that the agent will provide
- d) due diligence and screening, including reference checks

5.2.5 Wherever possible AIHE will conduct an evaluation visit to the premises of a potential education agent.

5.1.6 Potential education agents that meet all AIHE's requirements are approved for appointment by the General Manager.

5.2 Appointment of an Education Agent

5.2.1 Where an education agent's application has been approved by the General Manager the Education Agent's Agreement is to be completed by both parties.

5.2.2 Once the Education Agent's Agreement is signed, the Marketing Manager will:

- a) provide the education agent with stocks of current marketing and promotional materials, Student Information Packages and register of persons Information Packages.
- b) update the Education Agent Register
- c) schedule training.

5.2.3 Education Agent Training

In conjunction with AIHE training, all education agents and offshore representatives are advised to register for the extensive up to date, free training resources available via https://eatc.onlinetrainingnow.com/pier_users/login.

Education agent training is conducted by marketing/recruitment staff and consists of AIHE courses, the nature of the relationship between AIHE and the education agent, the code of conduct, ESOS Act and National Code.

5.3 Working with an Education Agent

5.3.1 Maintaining relationships with education agents

AIHE marketing and recruitment staff:

- a) will maintain regular contact with education agents and provide updates to agents on changes to AIHE courses or policy.
- b) will at a minimum, contact education agents formally for annual training updates.
- c) will regularly contact and engage with education agents to:
 - Maintain a strong relationship;
 - Identify, record and address potential or actual issues promptly – including additional training required;
 - Provide feedback to the education agent;
 - Provide a feedback mechanism for the education agent;
 - Reinforce quality delivery of services by both the education agent and AIHE.
- d) will provide up to date information to the education agent including marketing and promotional materials, course information, campus information and student support mechanisms. Where necessary provide teleconference or face to face briefings/workshops to better inform the education agent's staff. Online contact is the most effective method for agents overseas or in remote areas.

5.4 Review of Education Agent Performance

5.4.1 The Marketing Manager (or their nominee) will conduct an annual audit of AIHE appointed education agents at which time performance of both parties will be reviewed against the Agreement and ESOS Act, and will report the outcomes of the audit to the General Manager.

5.4.2 When an education agent is suspected to be acting unethically or is the subject of a complaint from a student in communication with AIHE the Marketing Manager will immediately investigate the situation and will report the outcomes of their investigation to the General Manager.

5.5 Managing Breaches of the Education Agent Agreement or Dishonest, Disreputable or Unethical Conduct

5.5.1 Where an education agent or an employee or subcontractor of that agent is found to be in breach of the Agreement and/or Australian International Education and Training Agent Code of Ethics, or to have not complied with the agent's responsibilities under Standards 4.2 and 4.3 of the National Code, the General Manager will take immediate corrective action.

5.5.2 Where there is evidence of an education agent's involvement in practices such as:

- Engaging in dishonest practices;
- Facilitating the enrolment of students who do not comply with their visa requirements;
- Engaging in false or misleading advertising and recruitment practices;
- Using PRISMS to create CoEs for other than bona fide students

the following actions must be undertaken against the agent:

- AIHE will immediately terminate its relationship with the agent, or require the education agent to terminate its relations with the employee or subcontractor who engaged in those practices;
- AIHE will not accept students referred by the education agent;
- AIHE will notify the Department of Home Affairs and TEQSA.

If in doubt regarding possible breaches the General Manager, Marketing Manager, and/or International Students Support Officer will meet to implement the appropriate action.

6. DEFINITIONS

6.1 See the AIHE Glossary of Terms for definitions.

Document Control

Version #	Date	Key changes
1.0	23/02/2018	Original policy approved by Council
1.1	26/03/2019	Revision to clarify responsibilities and processes
1.2	7/08/2020	Amended 5.4.1 & 5.4.2 to include reporting outcomes to General Manager
2.0	15/09/2022	Updated to reflect centralised marketing with AEG, contracting agents and maintaining relationships under clauses 5.1, 5.2 and 5.3