

## Education Agent Policy & Procedure (International education agents)

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### Purpose

This policy is to ensure that Mint International College (MIC) uses education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack of integrity.

This policy will also ensure that intending students will benefit from the monitoring \strategies of MIC and their ability to terminate agreements with education agents with education agents who engage in false or misleading recruitment practices.

This ensures compliance with Standard 4 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 and Clause 4.1 Standards for Registered Training Organizations 2015-Chapter 1-Marketing and recruitment.

### Definitions

**Agent:** means a person or organization with the authority to promote MIC's courses and services to Students or intending students in nominated regions.

**Agents Agreement:** means the agreement between MIC and the Agent including the Schedules.

**CRICOS** means Commonwealth Register of Institutions and Courses for Overseas Students

**DET** means Department of Education and Training

**Department of Home Affairs** is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber security, border, immigration, multicultural affairs, emergency management and trade related functions.

**MIC** means Mint International College

**ESOS Act** means Education Services for Overseas Students Act 2000 of the Commonwealth of Australia

**ESOS Regulations** means Education Services for Overseas Students Act 2000 of the Commonwealth of Australia

**National Code** means National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students

**Prospective Student** means A person who intends to become, or who has taken any steps towards becoming, a Student an overseas student or intending overseas student as defined by the ESOS Act.

**Relevant Legislation** means

- The ESOS Act 2000;
- The ESOS Regulations 2001;
- The Migration Act 1958;
- The National Code 2018;
- The Standards for Registered Training Organizations 2015 (SRTO 2015) and

- Any other legislation or regulations relevant to governing the provision of education to overseas students in Australia
- Student means a person (whether within or outside Australia) who holds a student visa and is an overseas student as defined by the ESOS Act.

## Policy

1. MIC will only work with reputable education agents who have an appropriate knowledge and understanding of the Australian international education industry.
2. MIC will only engage agents who have completed the Education Agents Training Course (EATC) offered by PIER (Professional International Education Resources) or a recognized equivalent and belong to a professional association representing education agents where one exists.
3. MIC develops and implements a written agreement with each education agent that is engaged to recruit students on its behalf. Written agreements will specify the responsibility of the education agent and MIC and the need to abide by the National Code 2018, including monitoring arrangements and termination conditions in place.
4. A list of education agents with whom MIC has a written agreement will be included MIC website. As a minimum, this information will include the agency name, name of the principal agent, legal entity, website, address and contact numbers.
5. MIC will enter and maintain education agent details in Provider Registration and International Student Management System (PRISMS).
6. MIC will not accept students from an education agent or enter into an agreement with an education agent where it is known or there are grounds for believing an education agent to be:
  - a. Engaged in or have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of MIC under Standard 7 of the National Code 2018 (MIC course transfer policy and procedure)
  - b. Facilitating the enrolment of a student who the education agents believes will not comply with the conditions of his or her student visa
  - c. Using the PRISMS to create Confirmation of Enrolment for other than a bona fide student
  - d. Providing immigration advice where not authorized to do so under the Migration Act 1958
7. Where MIC suspects an education agent of acting unethically but does not have a written agreement with the agent, MIC will inform both Department of Home Affairs and the Department of Education and Training of its concerns.
8. The monitoring activities of MIC will identify where an agent may be involved in any of the above activities. MIC will also take into account reports from students where the number of students is a reasonable proportion of the students recruited by an agent
9. Where MIC has entered into a written agreement with an education agent and subsequently becomes aware, or reasonably suspects, that the agent has engaged in any of the activities specified in MIC policy, MIC will immediately terminate the written agreement with the education agent. Where an employee or sub-contractor was responsible for this conduct and the education agent has already terminated the relationship with paragraph does not apply
10. Where MIC becomes aware that must its education agent has not declared conflicts of interest with its duties as an education agent of the registered provider. MIC will immediately terminate the written agreement with the education agent. This provision is to ensure transparency in the education agent's activities. Conflicts of interest include, but are not limited to:
  - o When the education agent charges services fees to both overseas students and registered providers for the same service;
  - o Where an education agent has a financial interest in a private education provider; or
  - o Where an employee of an education agent has a personal relationship with an employee of the education provider.
11. Education agents will be provided with up to date and accurate marketing information that meets the requirements of MIC marketing and advertising policy.
12. Information, whether disseminated directly by MIC or on its behalf, will be both accurate and factual, and;
  - a. Accurately represents the services it provides and the training products on its scope of registration
  - b. Includes its RTO code
  - c. Refers to another person or organization in its marketing material only of the consent of that person or organization has been obtained
  - d. Uses the NRT logo only in accordance with the conditions of use specified in MIC policy
  - e. Makes clear where a third party is recruiting prospective learners for MIC on its behalf

- f. Distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party
- g. Distinguishes between nationally recognized training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO
- h. Includes the title and code of any training product, as published on the National Register, referred to in that information
- i. Only advertises or markets a non-current training product while it remains on the MIC scope of registration
- j. Only advertise or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised

## Procedure

### 1. Process new education agent application

Procedure	Responsibility
Provide information to potential education agents <ul style="list-style-type: none"> <li>- Email or post potential education agents with the education agent information pack and education agent application form for completion</li> <li>- Advise in a covering email or letter that the application process will take 2-4 weeks from receipt of the completed form</li> </ul>	Marketing manager/General manager/CEO
Assess application from agent <ul style="list-style-type: none"> <li>- Acknowledge receipt of application</li> <li>- Review application for completeness</li> <li>- Where the application is incomplete, inform the agent of the additional information required and the requirement to provide this within 30 days or that otherwise the application will no longer be valid</li> <li>- Consider information in application and contact referees, the location that the agent will recruit from, the demonstrated understanding of Australian laws in regard to student recruitment and agent experience in the recruitment of international students</li> <li>- Approve or refuse the application</li> <li>- Notify agents in writing of the decision to approve or not approve the application and including reasons where the application is declined</li> </ul>	Marketing manager/General manager/CEO

### 2. Confirm agreement

Procedure	Responsibility
Confirm agreement with new education agent <ul style="list-style-type: none"> <li>- Send two copies of the written agreement to agent for signing with one to be returned. The agreement will be valid for one year for new applications.</li> <li>- Following receipt of signed agreement, send certificate as evidence of registration with MIC to be displayed in agents' offices to indicate to prospective students that they have a written agreement with MIC.</li> <li>- Add approved agents to MIC list of approved education agents and publish on MIC website.</li> </ul>	Marketing manager/General manager/CEO

- Update the agent on PRISMS.	
Renew existing agent agreements <ul style="list-style-type: none"> <li>- For existing education agents and subject to effective performance, provide copies of renewed agreements for signing. Existing agreements will generally be renewed for a further two years.</li> </ul>	Marketing manager/General manager/CEO

### 3. Implement agent agreement

Procedure	Responsibility
Induct new agents <ul style="list-style-type: none"> <li>- Provide an induction regarding MIC course offerings</li> <li>- Provide an overview of MIC current marketing</li> <li>- Provide training for student enrolment and selection process</li> <li>- Provide approved marketing materials and discuss process for updating any revised marketing materials</li> <li>- Discuss and clarify National Code 2018 requirements and MIC education agent policy</li> <li>- Confirm dates for review of Agreement and targets to be achieved</li> </ul>	Marketing manager/General manager/CEO
Provide up to date information to agents <ul style="list-style-type: none"> <li>- Provide up to date information to agents through ;</li> <li>- Email newsletters regarding important information for agents</li> <li>- Emails, phone calls, text messages or other informal communications regarding specific student issues</li> <li>- Delivering seminars and marketing events with agents when MIC representatives are available in the agents' region</li> <li>- Publishing content on MIC website and social media profiles</li> <li>- Provide courses training sessions to education agents counsellors</li> </ul>	Marketing manager/General manager/CEO
Monitor education agents <ul style="list-style-type: none"> <li>- Implement monitoring procedures as per written agreement including:</li> <li>- Documented face to face meetings and/or teleconferences with agents</li> <li>- Analysis of quality and quantity of applications on behalf of prospective students</li> <li>- Analysis of conversion rates from lodging applications to studying at MIC</li> <li>- Requirement for a quarterly report documenting the number of students interviewed by the agent either in their offices or at other venues such as education fairs</li> <li>- Documenting on the agents file instances where students claim to have been misinformed about their studies at MIC</li> <li>- Documenting on the agent's file instances where the agent has shown a lack of knowledge of student visa requirements or other matter relating to the students stay in Australia.</li> <li>- Surveying current and prospective students about the</li> </ul>	Marketing manager/General manager/CEO

<p>information provided to them by the education agent and the level of assistance given to the student to assist them in travelling to Australia</p> <p>If at any time, monitoring procedures show that the agent is not meeting the terms as specified in the written agreement, investigate the issue.</p> <p>Where an agent is meeting the terms as shown in the written agreement, provide written feedback to agent indicating such.</p>	
<p>Investigate agents who are not meeting the terms of their agreement</p> <ul style="list-style-type: none"> <li>- Seek feedback from the agent on the issue</li> <li>- Discuss issue with the Director/CEO and decide on action as follows: <ol style="list-style-type: none"> <li>1) Where it is considered that there was no breach of the agreement, write to agent confirming this.</li> <li>2) Where corrective or preventative action is required, inform agent in writing of breach and action required and timelines.</li> <li>3) Where breach is considered to be major, inform agent of the reasons, terminate agreement and report to Department of Home Affairs and DET.</li> </ol> </li> <li>- Where an agent is required to implement corrective or preventative action, monitor agent to ensure that actions are implemented according to agreed timelines. If actions are not implemented, terminate the agreement as above using Letter of Termination.</li> <li>- Keep all documentation on file</li> </ul>	<p>Marketing manager/General manager/CEO</p>