

SC7-I: Education Agent Policy & Procedure

Contents

Purpose	1
Definitions	1
Policy	2
1. Recruitment of Agents	2
2. Written Agreements	2
3. Monitoring and termination	3
4. Marketing Materials	3
Procedure	4
1. Process new education agent application	4
2. Confirm agreement	4
3. Implement agent agreement	5
Document Control	6

Purpose

This policy is to ensure that Sydney Centre for Finance Studies Pty Ltd trading as Decode College (**Decode College**) 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 Decode College and from Decode College ability to terminate agreements with education agents who engage in false or misleading recruitment practices.

This ensures compliance with Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018. It also ensures compliance with Clause 2.3, 2.4 and 8.3 of the Standards for RTOs 2015 with regards to third party arrangements.

Definitions

DET means Department of Education and Training

DHA means Department of Home Affairs

SC7-I: Education Agent Policy & Procedure

Policy

1. Recruitment of Agents

- Decode College will only work with reputable education agents who have an appropriate knowledge and understanding of the Australian international education industry.

2. Written Agreements

- Decode College develops and implements a written agreement with each Education Agent that is engaged to recruit students on its behalf. All written agreements are recorded in the *Education Agent Agreements Register*.
- Written agreements will specify all of the following:
 - Decode College responsibilities, including that Decode College is responsible at all times for compliance with the ESOS Act and National Code 2018.
 - Decode College requirements for agents who represent them, including the requirement to:
 - declare in writing and take reasonable steps to avoid conflicts of interests with duties as an Education Agent of Decode College.
 - observe appropriate levels of confidentiality and transparency in dealings with overseas students or intending overseas students.
 - act honestly and in good faith, and in the best interests of the student.
 - have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
 - Decode College processes for monitoring the activities of Education Agents in representing the provider, and ensuring the Education Agent is giving students accurate and up-to-date information on Decode College services
 - corrective action that may be taken by Decode College if an Education Agent does not comply with its obligations under the written agreement.
 - Decode College grounds for termination of the registered provider's written agreement with the Education Agent.
 - the circumstances under which information about the Education Agent may be disclosed by Decode College and the Commonwealth or state or territory agencies.
- A list of Education Agents with whom Decode College has a written agreement will be included on Decode College's website. As a minimum this information will include the agency name, name of the principal agent and the street address.
- Decode College will advise ASQA of third party arrangements in place within 20 days of the arrangements commencing and within 30 days of the agreement coming to an end.

SC7-I: Education Agent Policy & Procedure

3. Monitoring and termination

- Where Decode College 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. Decode College will take immediate corrective action.
- Where Decode College 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, Decode College 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.
- Decode College 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.
 - using PRISMS to create CoEs for other than bona fide students.
- The monitoring activities of Decode College will identify where an agent may be involved in any of the above activities. Decode College will also take into account reports from students where the number of students is a reasonable proportion of the students recruited by an agent (e.g. 3 in 10 students).

4. Marketing Materials

- Education agents will be provided with current and accurate marketing information that meets the requirements of Decode College's *Marketing and Advertising Policy*.

SC7-I: Education Agent Policy & Procedure

Procedure

1. Process new education agent application

Relevant to National Code: Standard 4

Procedure	Responsibility
A. Provide information to potential education agents <ul style="list-style-type: none">Email or post potential education agents with the <i>Education Agent Application Form</i> for completion.	RTO Manager
B. Assess application from agent <ul style="list-style-type: none">Acknowledge receipt of application.Review application for completeness.Where the application is incomplete, inform the agent of the additional information required and the requirement to provide this within 60 days or that otherwise the application will no longer be valid.Consider information in application and contact referees as required.Assess application based on the responses from 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.Approve or refuse application.Notify agents in writing of the decision to approve or not approve the application and including reasons where the application is declined.	RTO Manager

2. Confirm agreement

Relevant to National Code: Standard 4

Procedure	Responsibility
A. Confirm agreement with new Education Agent <ul style="list-style-type: none">Send copy of written agreement to agent for signing with signed copy to be scanned and returned. The agreement will be valid for 6 months for new applications.Following receipt of signed agreement, send certificate as evidence of registration with Decode College to be displayed in agents' offices to indicate to prospective students that they have a written agreement with Decode College.Add approved agent details to RTO Manager.Add approved agents to Decode College list of approved Education Agents and publish on Decode College web site.Enter details of education agent into PRISMS. Ensure details are maintained at all times in the event of changes.Enter details of arrangements into ASQAnet.	RTO Manager

SC7-I: Education Agent Policy & Procedure

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B. Renew existing agent agreements <ul style="list-style-type: none"> For existing education agents and subject to effective performance, contracts remain in place until communicated otherwise. Update <i>Education Agent Agreements Register</i>. 	RTO Manager

3. Implement agent agreement

Relevant to National Code: Standard 4

Procedure	Responsibility
A. Induct new agents <ul style="list-style-type: none"> Provide an overview of Decode College's current marketing prospectus Discuss student enrolment and selection process Provide approved marketing materials and discuss process for updating any revised marketing materials. Discuss and clarify National Code 2018 requirements and Decode College's <i>Education Agent Policy & Procedures</i>. 	RTO Manager
B. Provide up to date information to agents <ul style="list-style-type: none"> Provide up to date information to agents through: <ul style="list-style-type: none"> Email newsletters regarding important information for agents. Emails, phone calls, text messages or other informal communications regarding specific student issues Delivering seminars and marketing events with agents when Decode College representatives are available in the agent's region. Publishing content on our website and social media profiles 	RTO Manager
C. Monitor education agents <ul style="list-style-type: none"> Implement monitoring procedures as per written agreement. Use agent monitoring form to conduct and report monitoring. Monitoring is to be conducted every 6 months. If at any time, monitoring procedures show that the agent is not meeting the terms as specified in the written agreement, investigate the issue as shown below. Where an agent is meeting the terms as shown in the written agreement, provide written feedback to agent indicating such. 	RTO Manager
D. Investigate agents who are not meeting the terms of their agreement <ul style="list-style-type: none"> Seek feedback from the agent on the issue. Discuss issue with CEO and decide on action as follows: <ul style="list-style-type: none"> Where it is considered that there was no breach of the agreement, write 	RTO Manager

SC7-I: Education Agent Policy & Procedure

Procedure	Responsibility
<p>to agent confirming this.</p> <ul style="list-style-type: none"> – Where corrective or preventative action is required, inform agent in writing of breach and action required and timelines. – Where breach is considered to be major, inform agent of the reasons, terminate agreement and report to DHA and DET. Remove agent from register. <ul style="list-style-type: none"> • 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. • Keep all documentation on file. • Where an agent is terminated, advise ASQA through ASQAnet. 	

Document Control

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