



## Agent Management Policy and Procedure

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<b>HESF (Threshold Standards) 2021</b>	N/A

### 1. Purpose

This Policy and Procedure sets out how the Australian Institute of Higher Education Pty Ltd ('the Institute') engages and manages international education agents ('agents') with reference to the Institute's obligations under the National Code 2018 and the Education Services for Overseas Students Act 2000 ('ESOS Act').

### 2. Principles

The Institute will enter into a written agency agreement with each agent it engages to formally represent it. Agents will be formally engaged for a period of two years, at which time the contract may be renewed at the discretion of the Institute. The following will apply to all contracted agents:

- The Institute will maintain updated records on agents in its student management system and in PRISMS.
- The institute will maintain a register of all engaged agents and will publicise this through its website.
- The Institute will appoint agents on a non-exclusive basis.
- The Institute will require all agents to know and adhere to the requirements of the National Code 2018 and the ESOS Act and any other legislation in so far as it relates to the provision of services by agents to the Institute.

- The Institute will require agents to have an appropriate knowledge of the Institute, Australian International Education system and the requirements of the Australian student visa system.
- The Institute will require all marketing activities undertaken by agents in relation to the recruitment of students to be approved by the Institute and be in accordance with all relevant legislative requirements.
- The Institute will provide agents with accurate and up-to-date course and other information and materials to enable them to conduct their services.
- The Institute will advise agents as soon as practicable of changes to legal or regulatory conditions which may affect any potential enrolments with the Institute.

### 3. Context

This policy has been developed to ensure that:

- Both the Institute and its agents are aware of, and adhere to, the National Code 2018 and the ESOS Act.
- There are guiding principles for the engagement and management of international education agents for the purpose of international student recruitment and enrolment to the Institute.

Agents play a vital role in connecting prospective international students (both overseas and Australia-based) with Australian educational institutions. In playing this vital role, the ethics and procedures followed by agents are of crucial importance to maintaining the integrity of the Australian higher education sector.

In order to comply with the National Code 2018, the Institute must enter into a written agreement with each agent it engages to formally represent it. The agreement must specify the responsibilities of the agent and the Institute, including the Institute's responsibility for compliance with the National Code 2018 and the ESOS Act at all times. The agent agreement is required to include, among other things:

- the Institute's processes for monitoring the activities of agents, including where corrective action may be taken by the Institute; and
- grounds upon which the Institute may terminate the written agreement with an agent, including but not limited to: dishonest practice including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of a registered provider; recruiting students whom the agents believe will not comply with their student visa conditions; providing immigration or migration advice where not authorised to do so under the Migration Act 1958.

## 4. Scope

This policy and procedure relates to the Institute (including the Institute's Executive Management team, Business Development Management team, Admissions team) and agents engaged by the Institute.

## 5. Definitions

See the AIH Glossary of Terms for definitions.

## 6. Policy details

### 6.1 Head of Admissions Responsibilities

The Head of Admissions is responsible for ensuring agent data is accurately entered into and maintained in PRISMS.

### 6.2 Account Manager Responsibilities

Account Managers have recruitment functions at the Institute and are responsible for entering into and maintaining accurate agent data in the student management system. In addition, Account Managers are responsible for managing agent agreements, reviewing agent performance data each Study Period, monitoring agents for compliance with the agent agreement, National Code 2018 and ESOS Act and escalating occurrences of non-compliance to the Director, Student Recruitment & Admissions.

### 6.3 Director, Student Recruitment & Admissions Responsibilities

The Director, Student Recruitment & Admissions is responsible for:

- managing the Institute's Account Managers,
- reporting incidents of non-compliances with the agent agreement, National Code 2018 or ESOS Act to the Principal/Chief Executive Officer,
- reporting on agent performance on a Study Period and annual basis to the Principal/Chief Executive Officer and
- making recommendations to the Principal/Chief Executive Officer in relation to the engagement and management of the Institute's Agents.

### 6.4 Principal/Chief Executive Officer

The Principal/Chief Executive Officer is responsible for:

- ensuring the Institute implements the procedures in section 7 to maintain compliance with the agent agreement, the National Code 2018 and the ESOS Act, including the entry and maintenance of accurate agent data in PRISMS and the student management system,

- reporting on agent performance, including incidents of non-compliance with the agent agreement, National Code 2018, or ESOS Act, to the Board of Directors, and
- ensuring that the agent agreement is compliant with standard 4 of the National Code 2018.

## 6.5 Agent Responsibilities

Agents must comply with the obligations prescribed in the agent agreement, National Code 2018 and ESOS Act, and take all steps required to ensure that the Institute does not breach any of its obligations through engagement of the agent.

Apart from representing the Institute in an ethical and professional manner, in accordance with the requirements of the Simplified Student Visa Framework (SSVF) and in order to maintain the integrity of the Australian student visa program, the Institute only engages agents who seek to recruit high quality and genuine temporary students. The Institute's agents must ensure all applicants for enrolment in the Institute's courses are both Genuine Temporary Entrants and Genuine Students. Prior to submitting a student's application to the Institute, the agent must take into consideration the following factors: Academic Entry requirements; English Language Proficiency; Financial Capacity Requirements; Intention to comply with visa conditions.

Agents must keep updated on the Department of Home Affairs (DoHA) requirements in regards to Genuine Temporary Entrant and Genuine Student assessment criteria to ensure that the Institute complies at all times with DoHA requirements.

Agents must advise prospective students that the Institute may undertake further screening of the student to determine Genuine Temporary Entrant and Genuine Student suitability prior to making an offer to the student.

An agent engaged by the Institute is an important representative of the Institute for the purposes of student recruitment. The Institute supports marketing and recruitment activities of its agents through the Institute's participation in:

- Student exhibitions and interview programs in an advertised venue or virtual fairs;
- Student interviews/seminars in the agent's office;
- Briefing of counsellors;
- Email updates;
- Briefing of Faculty and/or course experts;
- Advertising in conjunction with the agent.

The Institute will ensure that its agents have access to up-to-date and accurate

marketing information so that the agent can clearly inform students regarding their study options at the Institute.

## **7. Procedure**

### **7.1 Agent Appointment**

Agents may apply to the Institute to become a representative online via the student management system or email directly to Admissions or Marketing.

- The Institute may also strategically approach agents directly and invite them to become an agent for the Institute.
- An application made to the Institute by a prospective agent should be accompanied by the following information: Business Registration, Company Profile, Reference contact details from a minimum three Australian education institutions, and migration agent certifications where held.
- The Institute's Account Managers are responsible for reviewing agent's applications and approving the engagement of education agents.
- In the event of an agent's application being successful, an agent agreement shall be prepared for execution and exchange.
- In the event of an agent's application being rejected, notification will be forwarded to the agent and the decision recorded on the Institute's student management system.
- The Institute's Account Managers are the key points of contact and liaison with agents, including for issues relating to admissions, planning or promotion activities, advertising, training of agents and counsellors.

### **7.2 Training and Monitoring Authorised agents**

- Agents engaged by the Institute will receive a comprehensive training manual including information relating to international education in Australia, Australian requirements for and conditions of student visas, the Institute's programs and courses, administrative procedures and forms.
- The relevant Account Manager will use thorough, open and transparent evaluative methodologies to actively monitor the performance of its agents on an ongoing basis.
- The relevant Account Manager will undertake regular agent monitoring using data from internal databases, Australian Government agencies and their reporting systems and student feedback.
- Formal monitoring of agents occurs on a Study Period and annual basis.
  - Study Period review pre and post intake: Review performance of agents in terms of volume, VISA outcomes, student cancellations and academic outcomes of their students with the aim of escalating immediate issues for action.
  - Annual: Review performance of agents in terms of volume, VISA

outcomes, student cancellations and academic outcomes of their students.

- The Director, Student Recruitment & Admissions in conjunction with Account Managers responsible for monitoring and review of agents at the Institute and will report on outcomes to the Principal/Chief Executive Officer.
- The Principal/Chief Executive Officer will present an annual report to the Board of Directors.

### 7.3 Agent Communication

- The Institute's Account Managers are responsible for communication with agents regarding contract renewal, key operational updates, policy changes, enrolment details, training, and termination.

### 7.4 Agent Termination

- In the case of complaints made by students in relation to agents, the Director, Student Recruitment & Admissions will undertake an investigation of the complaint, document the complaint received and, if required, escalate the complaint to the Principal/Chief Executive Officer.
- The Institute will take immediate corrective action where it becomes aware, or has reason to believe, that an agent (or an employee or subcontractor of that agent) has not complied with its responsibilities under the agent agreement, National Code 2018 or ESOS Act.
- The Institute will immediately terminate its relationship with an agent where it becomes aware, or has reason to believe, that the agent (or employee or subcontractor of that agent) has engaged in false or misleading recruitment practices.
- The Institute may determine not to terminate an agent where an individual employee or subcontractor of the agent was responsible for the conduct outlined immediately above and the agent has terminated the relationship with the individual employee or sub-contractor.

## 8. Legislation

This policy is formulated taking into consideration the requirements of the the ESOS Act and the National Code 2018.

## 9. Version Control

This Policy has been endorsed by the Australian Institute of Higher Education Board of Directors as at July 2021 and is reviewed every 3 years. The Policy is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under 'Policies and Procedures'.

<b>Change and Version Control</b>				
<b>Version</b>	<b>Authored by</b>	<b>Brief Description of the changes</b>	<b>Date Approved:</b>	<b>Effective Date:</b>
2019.1	Principal	Template created.	22 November 2019	25 November 2019
2021.1	Director, Student Recruitment & Admissions	Changes to title and agent responsibilities Formatting changes	7 July 2021	13 July 2021
2022.1	Registrar	Updated Higher Education Standards Framework [Threshold Standard] 2021	25 May 2022	26 May 2022