

# Education Agents Policy and Procedures

## Policy

Education agents who are accepted by Achievers Global Pty Ltd for the recruitment of students' are required to enter into a written agreement with Achievers Global Pty Ltd which specifies the obligations of the agent and the obligations of Achievers Global Pty Ltd. Achievers Global will thoroughly check the suitability of agents before entering into agreements with them.

Achievers Global will ensure that education agents with whom agreements are entered have an appropriate knowledge and understanding of the Australian international education industry. Achievers Global will ensure that it does not enter into agreements with agents who are dishonest or lack integrity.

Achievers Global will monitor the performance of agents to ensure that they provide applicants with necessary pre-enrolment information. Achievers Global will not accept students from an education agent who is known or reasonably suspected by Achievers Global of providing immigration advice where not authorised to do so under the Migration Act 1958.

Achievers Global will provide education agents with current and accurate marketing information.

Agent agreements may be terminated by Achievers Global if agents take negligent, unethical or incompetent action.

## Procedures

### Agent selection

Organisations who wish to be agents for Achievers Global must apply using Achievers Global agent application form, providing details of other reputable education institutions as referees. If Achievers Global approaches the agent, then the agent does not need to fill out an application form, and can directly sign the agent agreement.

Agents are selected by Achievers Global based upon their:

- commitment to the education of Overseas Students in Australia
- integrity and honesty
- understanding of the requirements of the ESOS Act and migration regulations
- local reputation
- financial standing
- proven track record of providing a quality service to students who wish to study in Australia

Achievers Global will not accept as an agent any person or organisation who is known or reasonably suspected to have:

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- 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 of the National Code 2018 (Transfer between registered providers)
- facilitated the enrolment of a student who the agent believes will not comply with the conditions of his or her student visa
- provided immigration advice where not authorised under the Migration Act 1958 to do so.

### *Agent Application Form*

The Agent application form requests the following information from prospective agents and asks for answers to a set of questions. The objective is to obtain information to be used in the process of assessing the suitability of the prospective agent according to the above criteria.

### **Information requested**

- Company trading name
- Company Business Registration Number
- ABN (for Australian based companies)
- Address (including telephone number, fax number, email address and website URL)
- Year established
- Name of Chief Executive Officer
- Description of business
- Number of staffs
- Number of students recruited annually
- Target market
- Details of any representatives in Australia
- Membership of industry bodies or organisations
- Whether the agent has completed the EATC (see below)
- Provider references
- If the agent as read the National Code 2018
- Demonstration of understanding of the National Code by listing the main responsibilities of education agents under the National Code
- Information about how the agent will comply with the obligations of the National Code

### **Questions**

The prospective agent is asked to respond to questions confirming that:

- the agent understands that students coming to Australia on a student visa must have a primary purpose of studying
- Students coming to Australia on a student visa must study full time
- the agent will not make any guarantees about achieving residential status in Australia

- the agent understands that students can be referred to the Department of Home Affairs website
- the agent is prepared to comply with all of Achievers Global’s requirements regarding advertising and course promotional material, application procedures and the provision of information to students

### **Completion of the Education Agents Training Course (EATC)**

Achievers Global will accept as agents only those who have completed the Education Agents Training Course (EATC). The EATC, which was developed in collaboration with AEI (Australian Education International, Department of Home Affairs, and Australian international education peak bodies is offered online by PIER (Professional International Education Resources).

The EATC aims to:

- provide education agents with information about the Australian education system and Australia as a study destination, education quality assurance issues and the Australian visa regulation system
- keep agents abreast of changes and developments in international education services
- encourage and support excellence in business service delivery, study and career pathways and professional development.

A list of education agents who have completed the EATC is available at <http://www.pieronline.org/qeac>. The CEO is responsible for checking that agent applicants appear on this list.

Additionally, if an agent has completed the course for registered migration agents and the agency has a MARN no, Achievers Global will be prepared to sign an agreement with them to engage their services for the purpose of recruiting international students.

### **Responsibility for receiving and screening agent applications**

The CEO is the single contact at Achievers Global and responsible for receiving and processing applications from prospective agents. The CEO is also responsible for the ongoing management of agents.

### **Visiting the Agent’s premises**

If the agent has a representative in Australia, the CEO is responsible for visiting the premises to ensure that the agent has the appropriate infrastructure to provide the necessary service. A member of Achievers Global’s staff will visit the agent in the agent’s home country. During the visit, the Achievers Global’s staff member or representative will question staff of the agent to ensure their knowledge of Achievers Global’s courses and processes. Referee check will be conducted and a record will be placed in the file.

### **Entering into agreements with agents**

Agents operating within Australia must provide Achievers Global with ABN and ACN details.

If an applicant is accepted as an agent for Achievers Global, the Student Services officer will produce an agent agreement for the applicant. Two copies, signed by the CEO, will be

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provided to the applicant as soon as practicable. The agent must sign both copies, retaining one and returning the other to Achievers Global. The CEO will create a file for the agent, transferring into it the agent application form and referee check record. The Student Services officer will place returned signed agent agreements in the file for the agent.

### **Agent Agreement**

Agent agreements will identify the responsibilities of agents according to the ESOS Act 2000, the National Code 2018, NVR Act and the Australian Migration Regulations. Only the Director and CEO of Achievers Global have the authority to sign agreements with agents.

The Agent Agreement includes the following information regarding the obligations of agents. Agents must:

- assist prospective students with the formal processes involved in applying for admission to Achievers Global.
- not provide (and ensure that employees do not provide) immigration advice where not authorised under the Migration Act 1958 to do so.
- seek clarification from Achievers Global about uncertainties in regard to the agent's duties or advice to potential students
- promote Achievers Global's courses with integrity and accuracy and recruit students in an ethical, honest and responsible manner.
- comply with the requirements of the ESOS Act 2000 and the National Code 2018.  
Australian law requires education providers and their agents to be aware of and abide by the requirements of the Education Services for Overseas Students 2000 (ESOS Act) and the National Code 2018.
- participate in arrangements with Achievers Global to monitor the activities of the agent in relation to compliance with the National Code 2018
- not engage in dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 of the National Code (Transfer between registered providers).
- not facilitate the enrolment of a student who the agent believes will not comply with the conditions of his or her student visa
- not be (and ensure that employees and agents are not) negligent, careless or incompetent or be engaged in false, misleading or unethical advertising or recruitment practices, including practices that could harm the integrity of Australian education.
- Must include the name and registration code of the RTO that will issue the VET qualification or statement of attainment while publishing any advertisement, which it represents.
- co-operate with ASQA the vet regulator:
  - a) by providing accurate and factual responses to information requests from the VET regulator relevant to the delivery of services (in this case as a third party delivering a service to Achievers Global by recruiting students).

b) In the conduct of audits and the monitoring of its operations.

The agent agreement includes the following obligations of Achievers Global:

- To provide the agent with sufficient promotional material to meet its obligations
- To provide the agent with material and information regarding the ESOS Act 2000
- To participate in arrangements with the agent to monitor the activities of the agent in relation to compliance with the National Code 2018.
- To cooperate with ASQA by providing information where requested and in the conduct of audits.

The agent agreement also contains details about the agent assessment and monitoring processes and the processes for joint marketing activities, including the review and approval by Achievers Global of any promotional material developed by the agent.

### **Agent Certificate**

Agents which are accepted by Achievers Global are provided with a certificate acknowledging their authority to act as education agents for Achievers Global. Agents will be encouraged to display their certificate prominently at their place of business.

### **Termination of agent agreements**

The Director and CEO of Achievers Global have the authority to terminate agent agreements. An agreement with an agent may be terminated if the agent has misrepresented to student's information about the living conditions in Australia, the educational outcomes of courses available at Achievers Global, or migration outcomes upon accepting a CoE from Achievers Global.

Agents are required to advertise and recruit ethically in accordance with the Achievers Global's ethical marketing policy. If an agent has been assessed as having behaved negligently, carelessly or incompetently, the agreement with the agent will be terminated.

If an agent can provide evidence that a negligent, unethical or incompetent action was taken by an employee or subcontractor and was not the responsibility of the agent, the agent may be required to take preventative action. Under these circumstances, acceptable preventative action is the provision by the agent of written notification that the arrangement with the employee or subcontractor has been terminated.

### **Accepting students referred by an agent**

Students referred by an agent will be accepted only if they meet the course entry requirements of the course for which they are applying to enter. Students who do not meet the relevant course entry requirements will not be accepted.

### **Agents may not sign for students**

An agent may not sign an enrolment application form or an enrolment acceptance agreement on behalf of a student.

## Agent Information Pack

Agents are provided with an information pack, which is a comprehensive set of documents designed for ongoing reference. The information pack provides information about Achievers Global and the requirements of third party (Agents) according to the ESOS Act, the National Code 2018 and NVR Act. The information provided is unambiguous and draws no false or misleading comparisons with other providers.

The information pack contains the following:

- Staff contacts at Achievers Global
- Course outlines, which include course entry requirements and the required level of English language proficiency
- Achievers Global’s application and enrolment procedures, including details of all fees
- Achievers Global’s student enrolment offers and acceptance agreement, which includes the refund policy
- Achievers Global’s policy and procedures on the monitoring of course progress
- Achievers Global’s academic calendar
- Details of the orientation process
- Achievers Global’s policy for reporting to students to Department of Home Affairs should they fail to meet the requirements of their visa
- Details of Achievers Global’s learner support and welfare services,
- Information about the cost of living in Australia
- qualifications and awards gained upon completion of each course
- the duration of each course
- teaching and assessment methods used at Achievers Global
- academic pathways available to students when they have completed their course at Achievers Global

The agent information pack will be translated into the language of the home country of each agent with whom Achievers Global has an agreement. The agent will be required to sign a document to confirm their understanding and acceptance of the information in the information pack.

## Maintaining regular contact with agents

Achievers Global’s CEO will maintain regular, personal contact with each agent with whom Achievers Global has an agent agreement. The CEO is responsible for providing information to agents.

Achievers Global encourages agents to visit the college to familiarise themselves with the facilities, equipment and resources available to students. Agents are required to attend information workshops at which they are fully briefed on the information they must give students under the requirements of the National Code. If education agents are unable to visit Achievers Global in Australia, the CEO will organise for workshops to be conducted in the

overseas offices of the agent. Regular agent update emails are sent to agents advising them of changes to conditions or programs at Achievers Global which may be relevant to their activities in recruiting students for Achievers Global.

### **Filing communications with agents**

Every communication with an agent must be logged. The following must be placed in the agent's file

- copies of letters to and from the agent
- hard copies of emails to or from the agents.

### **Distribution of revised marketing material**

Upon the release of revised marketing material, the CEO will send an email to each agent advising them of the release of:

- the marketing documents which have been revised
- the name and version number of the revised material

The email indicates that the revised material is being sent to the agent and that it should be used immediately when it is received.

Agents are instructed to dispose of all remaining stock of the previous material.

### **Reviewing and approving marketing material developed by education agents**

Achievers Global's CEO is responsible for working with agents to ensure that all promotional material developed by Achievers Global or developed jointly with an agent meets the requirements of Achievers Global's policy and procedures for ethical marketing, including gaining signed approval by the CEO for release. Agents are not permitted to release marketing material about the products and services offered by Achievers Global without the review and approval of Achievers Global.

### **Joint marketing**

Achievers Global will undertake joint marketing activities with agents whenever practicable. This will include attendance at exhibitions and visits to schools and other institutions. Any proposed joint marketing activities must be approved by the CEO prior to arrangements being made.

### **Monitoring the performance of agents**

Agents are required to participate in arrangements with Achievers Global to monitor the activities of the agent in relation to compliance with the National Code 2018.

The CEO and senior management staff of Achievers Global monitor carefully the activities of all agents.



The CEO is responsible for ensuring that the performance of agents is monitored in the following ways. The CEO is also responsible for ensuring that all such monitoring activities are properly documented and that the documentation is properly filed.

- regular face-to-face meetings with agents and Achievers Global’s staff onshore or offshore
- telephone/teleconference meetings
- surveys of students recruited by particular agents
- spot checks, for example, to observe agents at work at education fairs
- agent surveys

### **National code understanding checklist**

The CEO or Achievers Global’s representative will interview each agent to complete a “National Code Understanding” checklist no later than six months after the commencement of the agreement with the agent and afterwards at intervals of no greater than six months. Should the responses to the questions asked in the completion of the National Code compliance checklist indicate that the agent is unaware of significant aspects of the National Code or has operated in any way not compliant with the National Code 2018, the agreement will be terminated.

### **Agent Surveys**

Agents are required to complete an agent survey and participate in a follow up interview with the CEO at least twice per year as part of Achievers Global’s program of continuous improvement. The CEO will distribute the agent surveys by email in the final week of terms two and four and ensure that they are returned within 10 working days. The agent survey asks agents to provide their feedback on:

- The clarity and helpfulness of learning materials supplied to students at Achievers Global
- The quality of the agent’s relationship with Achievers Global
- The ease of understanding, fairness, reasonableness and equity of Achievers Global’s policies and procedures
- The fairness, reasonableness and equity and reliability of Achievers Global’s assessment processes
- The ease of access, timeliness and thoroughness of administrative services in support of agents
- The reported ease of access, timeliness and thoroughness of Achievers Global’s learner support services
- The thoroughness and accuracy of information supplied to students
- The thoroughness and accuracy of information supplied to agents
- The overall effectiveness of Achievers Global’s learner support services



Additionally, the agent survey asks agents to provide answers to the following open-ended questions:

- Which Achievers Global's procedures for dealing with agents could be improved?
- Which Achievers Global's procedures for dealing with students could be improved?
- How could Achievers Global's learner support facilities be improved?
- How could information dissemination to agents be improved?
- How could information dissemination to students be improved?
- How could the academic program at Achievers Global be improved?

Finally, the survey asks agents to provide general feedback for consideration.

### **Beginning student's satisfaction survey**

The Student Services officer will distribute a survey to all students after the completion of their first month at Achievers Global (the beginning students satisfaction survey). The beginning student satisfaction survey will be distributed in week five of first term.

The beginning student's satisfaction survey asks the following questions:

- Did your agent provide you with the following information?
  - The English language requirements for the course you are studying at Achievers Global
  - Australian Student Visa conditions
  - Work rights and restrictions
  - Course requirements
  - The requirement to remain a fulltime student and that full time refers to 20 hours of study per week
  - The requirement to maintain satisfactory course progress
  - The requirement to maintain current overseas student health cover
  - The requirement to maintain adequate arrangements for the education of dependants
- Did your agent provide you with information about the Australian education and training system?
- Did your agent provide you with information about Australian living conditions?
- Did your agent provide you with details and realistic estimates of costs for students, and for accompanying dependants of tuition, accommodation and living expenses?
- Did your agent provide you with information about Recognition of Prior Learning and Credit Transfer opportunities?
- Information about training and assessment practices at Achievers Global
- Information about student support services at Achievers Global
- Information about policy and procedure at Achievers Global

- Did the agent provide a copy of Achievers Global's pre-enrolment information?

### **Performance benchmarks**

The Student Services officer will categorise each response to the beginning student satisfaction survey as a satisfactory response or an unsatisfactory response.

Agents who achieve a satisfactory response rate of less than 80% for any given beginning student's satisfaction survey will be counselled by the CEO. Agents who achieve a response of less than 60% for two consecutive beginning student surveys or between 60% and 80% for three consecutive beginning student satisfaction surveys will have the agreement terminated by Achievers Global.

### **Identifying from the beginning student satisfaction summary report agents who need to take corrective action**

The Student Services officer is responsible for reporting to the CEO those agents identified by the beginning student satisfaction summary report who are required to take corrective action. If 10% or more of the students recruited by a particular agent identify deficiencies, the agent will be sent a performance review letter.

### **Maintaining Agent details in prisms**

Upon signing a written agreement with an agent, Achievers Global will enter and maintain the agent details in PRISMS. This information will be updated from time to time when there are changes in the agent details. The information about changes will be collected through regular agent contact, face to face or by telephone. If there are any changes to the agent details identified, Achievers Global will request an email from the agent regarding the changes. Achievers Global will keep a copy of all emails in the agent folder.

### **Notifying the Regulator:**

Achievers Global will notify the regulator

- Of any written agreement entered into under Clause 2.3 for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first, and
- Within 30 calendar days of the agreement coming to an end.'