

# HE-AG06 EDUCATION AGENT MANAGEMENT POLICY AND PROCEDURE

## Abbreviations:

<b>AHE</b>	Apex Australia Higher Education
<b>CEO</b>	Chief Executive Officer
<b>CoE</b>	Confirmation of Enrolment
<b>eCoE</b>	electronic Confirmation of enrolment
<b>ESOS</b>	Education Services for Overseas Students
<b>PRISMS</b>	Provider Registration and International Student Management System

## 1. Introduction

- 1.1 The Apex Australia Higher Education (AHE) Education Agent Management Policy and Procedure sets out the purpose, scope, principles, policy statements, procedures and responsibilities associated with the selection, appointment and management of its approved education agent network.

## 2. Purpose

- 2.1 The purpose of this Policy and Procedure is to set out the AHE's approach to selecting, appointing, and managing its approved education agent network and to ensure that the use of education agents aligns with AHE's commitment to academic quality; does not generate unacceptable reputational risk for AHE; and to ensure compliance with mandated higher education standards.

## 3. Scope

- 3.1 This Policy and Procedure applies to AHE staff and to AHE's approved education agents.

## 4. Principles

- 4.1 AHE conducts due diligence on prospective education agents before appointment and undertakes regular monitoring and review of approved education agents.
- 4.2 AHE provides its approved education agents with clear, current, and accurate information, regarding AHE and its courses, the Australian higher education system, and student life in Australia, to enable the effective, ethical and professional recruitment of students.
- 4.3 AHE ensures that its approved education agents act ethically, honestly, professionally, in the best interests of prospective students, and with due regard to AHE's reputation as a provider of high-quality education.
- 4.4 AHE requires its approved education agents to participate in an initial induction and regular training regarding their obligations and responsibilities under the Education Services for Overseas Students Act 2000 (ESOS Act), the National Code, the Australian International Education and Training Code of Ethics, and the Agent Agreement.
- 4.5 AHE will immediately terminate an Agent Agreement should AHE become aware of, or reasonably suspect, that the approved education agent, or one of its employees or subcontractors, has engaged in false, misleading or otherwise unethical recruitment practices.
- 4.6 AHE's approach to the selection, appointment and monitoring of agents is regularly reviewed.

## 5 Policy Statements

### 5.1 Compliance and Due Diligence

- 5.1.1 Education agents are a key international student recruitment mechanism and contribute to the achievement of AHE's strategic goals. The use of education agents is however constrained by certain considerations.
- 5.1.2 Their engagement and use must comply with the requirements of Standard Four of the National Code of Practice for Providers of Education and Training to Overseas Students 2018. AHE may only engage education agents under a formally executed, written Agent Agreement, which specifies the obligations of education agents and of AHE and which sets out the conditions under which the engagement would be terminated.
- 5.1.3 Key requirements are that education agents must act ethically, honestly, professionally, in the best interests of prospective students, and with due regard to AHE's reputation as a provider of high-quality education.
- 5.1.4 Education agents are only appointed after a careful due diligence process to establish their capabilities, aptitude, professionalism and commitment to ethical behaviour.
- 5.1.5 Once approved, AHE provides its education agents with relevant inductions and regular training to inform appropriate behaviour and conduct.
- 5.1.6 AHE has in place mechanisms for monitoring education agent behaviour and for addressing concerns regarding education agent behaviour including issuing warnings and terminating appointments.
- 5.1.7 AHE must not pay, offer or provide any commission, incentive, benefit or other consideration (monetary or non-monetary) to an education agent in relation to the recruitment of an overseas student who is transferring from another registered provider, unless the movement meets the permitted exceptions under the National Code (such as packaged courses or progression to a higher-level course following completion of the principal course).

### 5.2 Information and Communication

- 5.2.1 In order to enable its education agents to operate effectively, professionally and ethically, AHE provides its approved education agents with clear, current and accurate information regarding:
  - 5.2.1.1 AHE and its courses,
  - 5.2.1.2 The Australian higher education system, and
  - 5.2.1.3 Student life in Australia.
- 5.2.2 AHE requires its approved education agents to participate in an initial induction and regular training regarding their obligations and responsibilities under the Education Services for Overseas Students Act 2000 (ESOS Act), the National Code, the Australian International Education and Training Code of Ethics, and the Agent Agreement.
- 5.2.3 This induction is supported by regular provision of information and ongoing training activities.

5.2.4 Prospective students are provided, through the website and, where relevant, through other modes of communication, with clear, comprehensive, accurate and easily accessible contact and location details of approved education agents, and information regarding AHE's responsibilities to ensure ethical practices on the part of these approved education agents.

### 5.3 Monitoring, Reporting, and Review

5.3.1 Education agent performance is monitored through:

5.3.1.1 feedback from prospective students, current students and staff who deal with AHE's approved education agents,

5.3.1.2 monitoring of relevant metrics related to applications and academic performance, and

5.3.1.3 regular formal reviews.

5.3.2 Where prospective students or current students make complaints about, or comment negatively on, approved education agents, these matters are immediately investigated.

5.3.3 Where AHE staff report concerns about an education agent's processes or behaviour, including concerns about the quality of the students recruited, these concerns are immediately followed up.

5.3.3.1 In each case any required intervention is initiated, and the education agent's response noted and monitored. Interventions are outlined in the Agent Agreement and may include official warnings or termination of the Agreement.

5.3.4 AHE monitors education agent websites; marketing and promotional materials and activities; and reporting of them in the media, taking appropriate action where matters of concern are discovered.

5.3.5 Education agent performance is monitored through the analysis of metrics, including rates of conversion from application to offer; from offer to acceptance; and from acceptance to the granting of a student visa and subsequent commencement.

5.3.5.1 AHE will also assess academic quality through metrics including academic qualifications, English language proficiency, and the full-year academic progress and performance of students enrolled by the agent.

5.3.5.2 Where analysis of these metrics reveals any areas for improvement, an investigation will be conducted which may result in actions as outlined in the Agent Agreement.

5.3.6 Education agent performance is monitored through regular formal reviews, including external benchmarking and input from external experts, such as reviews of international operations or audits of compliance with the National Code.

5.3.7 AHE applies risk-based agent monitoring using indicators including:

- visa refusal rates
- document fraud rates
- student attrition
- non-commencement

- academic failure patterns
- complaints frequency

5.3.8 A report on education performance, which utilises the feedback and data analysis mentioned above, and findings from any external reviews, is provided each year to the Academic Board for its consideration and action where required.

5.3.9 High-risk agents are subject to enhanced review or suspension. Serious agent misconduct will be escalated to the CEO and Compliance function immediately and may be reported to regulators where required.

#### 5.4 Conflict of Interest Management

Education agents must declare any actual, potential or perceived conflict of interest. Conflicts include but are not limited to:

5.4.1 Charging both student and provider for the same service

5.4.2 Financial interest in another education provider

5.4.3 Personal relationships with AHE staff

5.4.4 Ownership links with migration or visa service businesses.

AHE will assess declared conflicts and may impose conditions or refuse appointment.

## 6 Procedure

### 6.1 Selection and Appointment of Education Agents

6.1.1 Education agents are selected on the basis of:

6.1.1.1 their experience and track record in international student recruitment,

6.1.1.2 their demonstrated professionalism and adherence to standards of ethical conduct,

6.1.1.3 the countries or regions in which they operate,

6.1.1.4 their knowledge of the Australian higher education sector and student life in Australia,

6.1.1.5 the quality of their website, and marketing and promotional materials and activities, and

6.1.1.6 the quality of their references.

6.1.2 None of these factors rules out the appointment of an education agent who is just commencing or has only recently commenced operations, and where it may be strategically advantageous to appoint such an agent and where relevant risks are mitigated.

6.1.3 Education agents wishing to work with AHE are required to complete the AHE Agent Application Form, which includes provision of:

- 6.1.3.1 agency name, email address, website address, and contact details for both the office and a contact person, including locations of all offices,
  - 6.1.3.2 clear evidence of the agency's legal entitlement to conduct a business in the jurisdiction in which they are located,
  - 6.1.3.3 information regarding the agency's experience working in international student recruitment,
  - 6.1.3.4 data regarding the number of students successfully recruited in the previous calendar year, indicating nationality, study destination (country), and broad area of study,
  - 6.1.3.5 a clear business plan outlining their student recruitment methods, and examples of marketing and promotional materials,
  - 6.1.3.6 a list of fees the agency charges prospective students for its services,
  - 6.1.3.7 evidence of the agency's corporate level of knowledge and understanding of the ESOS Act, the National Code, and the Australian International Education and Training Code of Ethics. (Where an education agent is assessed not to have an appropriate level of knowledge and understanding, appointment may be made conditional on the achievement of the required level), and
  - 6.1.3.8 the contact details of two (2) education institution referees at managerial level for which the education agent has worked who can attest to the credentials and capabilities of the education agent.
- 6.1.4 Once the completed application is submitted it will be reviewed by AHE, and an Agent Application Assessment Summary will be completed.
- 6.1.5 The outcome of the application assessment summary will be one of the following:
- 6.1.5.1 the application will be declined, or
  - 6.1.5.2 further information will be requested, or
  - 6.1.5.3 the application will be progressed, and referee's will be contacted.
- 6.1.6 Referee's will be either sent an email with reference check details or a phone call will be made, and a reference form completed.
- 6.1.7 Once referee's reports have been obtained, they are reviewed by AHE, and
- 6.1.7.1 the application will be declined, or
  - 6.1.7.2 a recommendation is made to the CEO that the education agent be appointed.
- 6.1.8 The CEO will either:
- 6.1.8.1 decline the recommendation, providing feedback, or
  - 6.1.8.2 approve the recommendation and signs the Agent Agreement.
- 6.1.9 AHE notifies the education agent of the outcome of the selection process, providing feedback as appropriate, and, in the case of a successful outcome, arranges a time to meet the Agent and process the agreement.

- 6.1.10 Once the Agent Agreement is counter-signed and returned:
- 6.1.10.1 the document is securely stored,
  - 6.1.10.2 the education agent's details are published on the website,
  - 6.1.10.3 an induction program and ongoing training sessions are scheduled,
  - 6.1.10.4 any other necessary administrative arrangements are made.

## 6.2 Induction and Training

- 6.2.1 On appointment, AHE schedules a comprehensive induction for new education agents, the core elements of the induction include:

- 6.2.1.1 explaining the ESOS Framework and providing a clear understanding of the requirements and obligations flowing from the ESOS Act and the National Code relevant to both the education agent and to AHE,
- 6.2.1.2 explaining AHE's education agent management responsibilities,
- 6.2.1.3 introducing AHE's Education Agent Management Policy and Procedure, ensuring, in particular, that the termination provisions are understood,
- 6.2.1.4 explaining AHE's approach to monitoring education agents,
- 6.2.1.5 explaining AHE's admissions policies and procedures,
- 6.2.1.6 explaining arrangements regarding the calculation and payment of commissions,
- 6.2.1.7 explaining AHE's approach to assessing the Genuine Student (GS) status of applicants, and AHE's expectations of its education agents regarding relevant screening,
- 6.2.1.8 explaining any other relevant compliance requirements,
- 6.2.1.9 providing an overview of AHE's courses and entry requirements, and
- 6.2.1.10 providing an overview of student life in Australia, including information about accommodation, public transport and permitted hours of work.

- 6.2.2 Ongoing training sessions are scheduled Core elements include:

- 6.2.2.1 information and updates on AHE's courses and entry requirements,
- 6.2.2.2 refreshing understanding of compliance obligations,
- 6.2.2.3 reviewing the effectiveness of operational processes,
- 6.2.2.4 providing and receiving feedback, and
- 6.2.2.5 answering questions which agency staff might have.

### 6.2.3 Agent Code of Ethics Compliance

Education agents must formally acknowledge compliance with the Australian International Education and Training Agent Code of Ethics as a condition of appointment and renewal.

### 6.3 Information and Assistance for Education Agents

6.3.1 AHE provides education agents with comprehensive, current and accurate information to enable them to work effectively for AHE. Information provided includes:

- 6.3.1.1 course duration,
- 6.3.1.2 modes of delivery including assessment methods,
- 6.3.1.3 information on the qualification gained on successful course completion,
- 6.3.1.4 information about the AHE campus, including location, access to public transport, facilities and arrival support,
- 6.3.1.5 tuition fee information including refund policy, and information about any other course-related fees, and
- 6.3.1.6 student related policies and procedures.

6.3.2 Assistance provided includes:

- 6.3.2.1 informing education agents about changes to student visa requirements and application processes,
- 6.3.2.2 providing information and materials for education agent's promotional activities.

### 6.4 Application Management

6.4.1 AHE will assess student applications submitted through an education agent before an offer of a place in a course is made. An offer:

- 6.4.1.1 Will only be made if the student meets AHE's entry requirements.
- 6.4.1.2 May be made conditional on achieving a particular outcome and where this is the case the conditions will be specified in the Letter of Offer.
- 6.4.1.3 Will not be made to any student that does not meet AHE's entry requirements.

6.4.2 Applications must be complete in order for them to be assessed by AHE.

6.4.3 AHE will issue and electronic Confirmation of enrolment (eCoE) or Confirmation of Enrolment (CoE) to successful applicants who meet all admissions conditions and make the required payment in accordance with the Letter of Offer (Written Agreement and Acceptance of Offer and Student Agreement.)

6.4.4 AHE will record and maintain complete agent details in PRISMS including:

- legal name and trading names
- business and postal address
- ABN/ACN
- website and contact details
- directors (if body corporate)
- migration agent registration number (if applicable)
- names and contact details of agent employees involved in recruitment activity.

### 6.5 Education Agent Obligations and Subcontracting

- 6.5.1 Education agents are responsible for all obligations under their Agent Agreement.
  - 6.5.2 Education agents remain fully responsible for the conduct of their employees and any approved subcontractors. Subcontracting of recruitment functions requires prior written approval from AHE, and subcontractors must meet the same compliance and ethical standards required of the appointed education agent.
  - 6.5.3 AHE may require removal of any subcontractor or employee who breaches obligations.
  - 6.5.4 Education agents must not provide migration advice unless they are a registered migration agent under the Migration Act 1958. AHE will not accept applications from agents known or suspected to be providing unlawful migration advice.
- 6.6 Monitoring and Review
- 6.6.1 AHE reviews education agents' performance annually using academic and non-academic metrics. Key metrics are:
    - 6.6.1.1 meeting stated targets for application, offers and enrolments,
    - 6.6.1.2 quality of applications and enrolments,
    - 6.6.1.3 rate of conversion from application to offer,
    - 6.6.1.4 rate of conversion from offer to enrolment,
    - 6.6.1.5 visa approval and refusal rates,
    - 6.6.1.6 incidence of fraudulent documentation, and
    - 6.6.1.7 full-year academic progress and performance of students enrolled by the agent.
  - 6.6.2 AHE monitors education agents' performance based on student feedback gathered through:
    - 6.6.2.1 interviews with students,
    - 6.6.2.2 surveys and questionnaires, and
    - 6.6.2.3 ad hoc comments made by prospective students and staff.
  - 6.6.3 AHE also monitors education agent performance based:
    - 6.6.3.1 on the feedback of staff who interact with the education agents in the student recruitment and application management process.
  - 6.6.4 AHE monitors education agent performance through:
    - 6.6.4.1 audits of education agent websites,
    - 6.6.4.2 their marketing and promotional materials and activities, and
    - 6.6.4.3 reporting of them in the media.
  - 6.6.5 An annual report on agent performance is provided to the Academic Board, based on the analysis and monitoring described above, and including details of actions taken to:
    - 6.6.5.1 improve education agent performance,
    - 6.6.5.2 ensure compliance with mandated standards,

- 6.6.5.3 foster good practice, and
- 6.6.5.4 warnings issued and terminations of appointment effected.
- 6.6.6 If AHE becomes aware, or reasonably suspects, that an education agent, its employees, or sub-contractors, have:
  - 6.6.6.1 Not met with their responsibilities under the Agent Agreement, or under relevant legislation including Standard 4 of the National Code, AHE may determine that corrective action is required, including but not limited to:
    - feedback warranting further training,
    - issuing a written warning to the education agent, or
    - terminating the education agent’s appointment.
  - 6.6.7 If AHE becomes aware, or reasonably suspects, that the education agent, its employees or subcontractors have breached any provision of the Agent Agreement, or have engaged, or are reasonably believed to have engaged, in behaviour that is negligent, careless or incompetent and could bring AHE into disrepute, AHE may terminate the education agent’s appointment with immediate effect.
  - 6.6.8 AHE will not accept applications or enrolments from any education agent where AHE knows or reasonably suspects the agent has engaged in:
    - 6.6.8.1 Dishonest or misleading recruitment practices
    - 6.6.8.2 Non-genuine CoE creation
    - 6.6.8.3 Prohibited student transfers
    - 6.6.8.4 Visa non-compliance facilitation
    - 6.6.8.5 Unregistered migration advice.
- 6.7 If an education agent’s appointment is terminated, then, the education agent must:
  - 6.7.1 submit all applications and fees from prospective students received up to the date of termination of the agreement,
  - 6.7.2 immediately cease using all marketing, promotional and advertising material supplied by AHE and return all such materials to AHE,
  - 6.7.3 submit all lists of prospective students to AHE.
- 6.8 Appointment Renewal
  - 6.8.1 After six (6) months of the initial commencement date of the Agent Agreement, AHE will conduct a review of the Agent’s performance over the period of the current appointment.
  - 6.8.2 If the term of this agency agreement is longer than twelve (12) months, AHE will review the Agent’s performance on an annual basis.
  - 6.8.3 Based on these reviews, AHE may:
    - 6.8.3.1 re-appoint the education agent for a further period,

6.8.3.2 re-appoint the education agent for a further period subject to certain conditions, such as requiring the agent to do additional training or undertake further professional development, or

6.8.3.3 choose not to renew the Agent Agreement.

## **7 Responsibilities**

### **7.1 The Board of Directors**

The Board of Directors is responsible for:

- Ensuring compliance with relevant legislation and regulatory requirements through the oversight of AHE activities and the development, monitoring and review of policies and practices and initiating prompt action where compliance is deemed to have lapsed.

### **7.2 Academic Board**

The Academic Board is responsible for:

- Monitoring the academic impact of recruitment practices, including student academic preparedness, progression and success outcomes associated with recruitment channels; and
- Providing advice where recruitment practices may affect academic standards or student academic outcomes.

### **7.3 Chief Executive Officer**

The Chief Executive Officer is responsible for:

- Implementing this Policy and Procedure, and
- Reviewing and approving the appointment of education agents.

### **7.4 Staff**

Staff are responsible for:

- Acting in accordance with this Policy and Procedure, and
- Seeking advice on matters related to this Policy and Procedure where required.

### **7.5 Education Agents**

Education agents are responsible for:

- Acting in accordance with this Policy and Procedure, and
- Taking all reasonable steps to recruit students for AHE in an ethical, efficient and professional manner.

## **8 Relevant Documents**

- AHE Agent Agreement
- AHE Agent Application Form
- Agent Application Assessment Summary
- Agent Reference Check (Email or Phone call) Template

- [Australian International Education and Training Agent Code of Ethics](#)
- [Education Services for Overseas Students Act 2000](#)
- [Higher Education Standards Framework \(Threshold Standards\) 2021](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)
- [Migration Act 1958](#)
- Written Agreement and Acceptance of Offer and Student Agreement – International

## 9 Definitions

- **Genuine Student** means an applicant that intends to obtain a successful educational outcome and has the education, language and material background to have a reasonable chance of achieving this educational outcome.
- **Prospective Student** means a person (whether within or outside Australia) who intends to become, or has taken steps towards becoming, an overseas student as defined by the ESOS Act.

## 10 Version Control

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V1.1	January 2026	Standard 4 compliance updates <ul style="list-style-type: none"> <li>• Commission restrictions added</li> <li>• Conflict of interest controls added</li> <li>• Agent monitoring strengthened</li> <li>• PRISMS reporting clarified</li> <li>• Migration advice restriction added</li> <li>• Sub-agent responsibility strengthened</li> <li>• Academic Board role corrected</li> <li>• Compliance escalation clarified</li> </ul>	Senior Compliance and Risk Manager	January 2029
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