



Education Agent Management Policy and Procedure

1 Scope and Purpose

This policy provides a framework for managing education agents in relation to recruiting international students. It aims to ensure that Russo Business School's education agents act ethically, honestly and in the best interests of international students as well as uphold the reputation of Australia's international education sector in accordance with the National Code of Practice for Providers of Education and training to Overseas Student 2018, (the National Code 2018)

This policy applies to all international students, education agents, and staff of Russo Business School's higher education community.

2 Definitions and Abbreviations

Confirmation of Enrolment (CoE) is a document, provided electronically, which is issued by the registered provider to intending international students and which must accompany their application for a student visa. It confirms the international student's eligibility to enrol in the particular course of the registered provider.

Counsellor is an employee of an Agent who provides recruitment advice to prospective students.

CRICOS is the Commonwealth Register of Institutions and Courses for Overseas Students prescribed under section 14A of the ESOS Act.

DHA is the Department of Home Affairs.

Education Agent is a person or organisation (in or outside Australia) who recruits international students and refers them to education providers. In doing so, the education agent may provide education counselling to international students as well as marketing and promotion services to education providers.

Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).

Education Agent Agreement is a legal agreement between a higher education provider and an Education Agent outlining the obligations and responsibilities of all parties to the agreement.

Genuine Student is considered a genuine temporary entrant to Australia for the purpose of study as defined by the DHA.

International student means a person (whether within or outside Australia) who holds a student visa but does not include students of a kind prescribed in the regulations.

Marketing is the promotion of the provider and its courses and facilities to prospective international students and their parents or guardians, agents, international organisations and other interested parties such as alumni.

Overseas student means an International student.

PRISMS is the Provider Registration and International Student Management System used to process information given to the Secretary of DET by registered providers.

Prospective Student is generally a person who is thinking about lodging and application to study a particular course.

Recruitment is the pre-enrolment processes of engaging and assisting international students (or parent or guardian if the international student is under 18) to apply for a place in a course with a provider leading up to the formal enrolment, including assistance with administrative issues and the issuing of a CoE for an application for a student visa.

Registered Provider is as defined in section 5 of the ESOS Act, the registered provider for a course for a location means a provider that is registered to provide the course at the location.

3 Policy Objectives

This policy aims to ensure that international education agents appointed by Russo Business School are managed appropriately to ensure compliance with relevant legislation and standards.

Russo Business School will:

- a. *Be responsible for compliance with the National Code 2018 and ESOS Act 2000*
- b. *Only appoint reputable education agents that conduct themselves ethically, honestly and with integrity.*
- c. *Monitor and manage its education agents to ensure transparent, fair and ethical practices.*
- d. *Keep appropriate records of its education agents.*
- e. *Ensure that its education agents are appropriately trained and have knowledge of the Australian education sector.*
- f. *Provide accurate marketing information for its education agents that is not false or misleading and is consistent with Australian Consumer Law.*

4 Implementation

The CEO is responsible for implementing this policy and ensuring that all relevant staff are trained appropriately to select, monitor and manage Russo Business School's education agents.

In accordance with Service Level Agreement between Russo Higher Education and Russo Business School, staff from Russo Higher Education may provide services in student recruitment (including agent management) and admissions for RBS courses. This includes the Director of International Marketing (Russo Higher Education) who is actively involved in agent management.

5 Procedure

5.1 Responsibilities

Education agents are responsible for:

- a. *Complying with this policy, individual agent agreements, and relevant legislation relating to international students studying in Australia, including the requirements of the National Code 2018 Standard 4.3 which states that, 'A registered provider must require its education agent to:
 - 4.3.1 declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider
 - 4.3.2 observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
 - 4.3.3 act honestly and in good faith, and in the best interests of the student
 - 4.3.4 have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.*
- b. *Promoting Russo Business School's courses to prospective students in an accurate manner.*
- c. *Providing market intelligence on trends and demand to inform recruitment strategies.*
- d. *Recruiting only genuine students by undertaking visa risk integrity checks.*

Russo Business School's staff are responsible for:

- e. *Assessing, appointing and entering into agreements with education agents.*
- f. *Managing relationships and communicating with agents.*
- g. *Monitoring agent risk and conducting training and performance reviews of agents.*
- h. *Maintaining all records relating to agents.*
- i. *Managing and processing agent remuneration.*
- j. *Developing and distributing promotional material to agents.*

5.2 Appointment of Education Agents

Prospective education agents must complete and submit an *Education Agent Application Form* to seek approval to be an authorised representative of Russo Business School.

Russo Business School will assess the agent's application against selection criteria to determine if the agent has met all requirements to ensure that the agent will represent Russo Business School appropriately, which will include assessing:

- a. *If the agent is registered to operate in their local jurisdiction.*
- b. *The agent's premises.*
- c. *The agent's history and track record in recruiting international students for Australian higher education providers, including reference checks.*
- d. *The agent's knowledge of the National Code 2018 and the Australian international education sector.*
- e. *Counsellors and student advisors of the agent to determine their ability to provide appropriate advice to students.*

The agent will be notified of the outcome of the application assessment in writing.

5.3 Written agreements

A written agreement must be prepared in accordance with the requirements of the National Code 2018, Standard 4, and be signed by authorised representatives of the agent and Russo Business School. Agreements can be for a 12 or 24 month period.

Agreements are subject to an annual review and Russo Business School reserves the right to terminate the agreement should they default in compliance or performance. If the CEO is satisfied with the performance of the agent then the appointment can continue for a further 12 or 24 months.

The CEO of Russo Business School is the authorised decision-maker and signatory for Education Agent Agreements. Once an agreement has been executed, the agent's details must be entered on PRISMS. The Register of Approved Education Agents must be updated regularly, and at least every semester. Conditions may be specified in the agreement.

Remuneration of education agents is in accordance with the terms of the individual education agent's agreement.

5.3.1 Performance of Education Agents

The Director International Marketing (Russo Higher Education) is responsible for monitoring and managing the performance of agents appointed by Russo Business School. Ongoing management includes activities such as:

- a. *Regular communication between Russo Business School and the Education Agent*
- b. *Training and familiarisation with Russo Business School processes as required*
- c. *Provision of updated promotional materials as required*
- d. *Site visits as required*

Performance review of agents will be conducted annually, and prior to each agreement renewal. The review criteria may include, but is not limited to:

- e. *Compliance with the agent agreement, National Code 2018, and ESOS Act 2000*
- f. *Ability to meet obligations and act ethically and honestly*
- g. *Quality of advice provided to students*
- h. *Number of students recruited and any recruitment issues noted*
- i. *Conversion rates of students from application to enrolment*
- j. *Student visa approval rates*
- k. *Students' successful academic progression in the course*
- l. *Student feedback on agents*

Student feedback will be taken into account and obtained by surveying international students regarding the accuracy and validity of information provided by the agent. Student complaints will be recorded on the agent's file.

Agent's agreements will only be renewed if their performance is satisfactory. Unsatisfactory performance will be managed based on the terms and procedures of the agreement. Where the 'education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3 [National Code 2018], the registered provider must take immediate corrective action.'

The Director International Marketing (Russo Higher Education) will prepare a report on the performance of Education Agents at least annually, and submit it to the CEO for initial consideration, and tabling at the Board of Directors.

5.3.2 Corrective actions

If a performance review of an education agent identifies unsatisfactory performance, then The Director International Marketing (Russo Higher Education) will notify the CEO, who will provide a written notice to the agent outlining the issues; timeframe to respond to the issues; and any corrective action required.

If the Education Agent fails to rectify the issues raised, then the Registered Provider may take one or more of the following correct actions:

- a. Commence training and professional development activities with the agent to assist with rectifying the matter*
- b. Restrict the recruitment activities of the agent*
- c. Temporarily suspend the agent from representing the Registered Provider until further notice*
- d. Terminate the Agreement between the Registered Provider and the Education Agent.*

5.3.3 Termination of agreements

The authorised signatory may terminate an agent's agreement if they have breached the terms or conditions of the agreement. In accordance with the National Code 2018, Standard 4.6, Russo Business School will not accept students from an education agent if it knows or reasonably suspects the education agent to be:

- 4.6.1 providing migration advice, unless that education agent is authorised to do so under the Migration Act*
- 4.6.2 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)*
- 4.6.3 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa*
- 4.6.4 using PRISMS to create CoEs for other than bona fide students.*

The issues or behaviours listed above may lead to termination of an agreement. Complaints from students, staff or other sources may also be taken into account.

Immediate termination of an education agent's agreement will occur if Russo Business School becomes aware, or has reason to believe, that the education agent or an employee or a subcontractor of the education agent is engaging in false or misleading recruitment practices. Alternatively, Russo Business School may require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.

Agents will be notified of concerns and provided with corrective actions and a timeframe to address concerns, unless the behaviour is considered intentional, in which case termination may be actioned immediately.

5.3.4 Record keeping

The Director International Marketing (Russo Higher Education) must maintain all records relevant to education agents on a dedicated file for each agent, including:

- a. *Copies of all agreements*
- a. *A Register of Approved Education Agents*
- b. *Performance reviews and breach notices*
- c. *All commission payments made to agents*
- d. *Records of all communication with education agents.*

5.4 Communication with Education Agents

Communication with education agents is the responsibility of the Director International Marketing (Russo Higher Education) who will ensure that communication with agents is relevant, timely and accurate. Newsletters and up-to-date promotional material will be distributed to all agents on a regular basis by Marketing Team.

The Marketing Team is responsible for preparing all promotional material in liaison with the Chief Operating Officer and The Director International Marketing.

6 Related Documents

The following policies and procedures are related to this policy:

- a. *Admissions Policy and Procedure*
- b. *Credit and RPL Policy and Procedure*
- c. *Education Agent Agreement*
- d. *Education Agent Application Form*
- e. *English Language Proficiency Policy and Procedure*
- f. *Student Support Policy and Procedure*

Legislation and Standards

The following legislation is relevant to this policy, however not all are mandatory for HEPs:

- g. *Education Services for Overseas Students Act 2000 (ESOS Act)*
- h. *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)*
- i. *Higher Education Standards Framework (Threshold Standards) 2021*

7 Review

Three years from commencement.

8 Accountabilities

The Board of Directors is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to students and Russo Business School's higher education community via the website and other publications.

Delegated Authority	Delegation
Governance	
Board of Directors	Refer to the Terms of Reference
Executives	
Chief Executive Officer	Relevant to Accountability Statement
Chief Operating Officer	Relevant to Accountability Statement
Management	
Director International Marketing (Russo Higher Education)	Relevant to Accountability Statement

9 Revision History

Policy & Procedure Version No	Policy & Procedure Sponsor	Approval Authority	Date of Approval	Date for next review
1/2022	Chief Operating Officer	Board of Directors	13/07/2022	13/07/2024