International Agent Procedure

Section 1 - Governing Policy

(1) This Procedure is governed by the International Agent Policy.

Section 2 - Section 2 - Definitions

(2) Terms used in this Procedure are consistent with the Glossary of Student and Course Terms. The following specific definitions also apply:

Term	Definition
Agent	Means an education agent that recruits international students for study in Australia
Agreement	Means a signed agreement between the University and an education agent for the purposes of recruiting international students
ESOS Act	Means the Education Services for Overseas Students Act 2000 (Cth)
HESF	Means the Higher Education Standards Framework (Threshold Standards) 2021 (Cth)
Migration Act	Means the Migration Act 1958 (Cth)
National Code	Means the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)
TEQSA	Means the Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 (Cth)
Threshold Standards	Means the Higher Education Standards Framework (Threshold Standards) 2021 (Cth)

Section 3 - Scope / Application

(3) This Procedure applies to the appointment and management of agents.

(4) This Procedure is to be read in conjunction with relevant University policies, and Standards 1, 2 and 4 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

Section 4 - Selection of agents

(5) The University will consider the following in the engagement of agents:

a. The University's need for an agent in a particular region or country;
b. That the agent has appropriate knowledge of the regulatory environment for the recruitment of international students; and
c. That the agent has demonstrated the potential to effectively recruit in markets where the University seeks representation.

(6) Global will undertake due diligence to assess a prospective agent's suitability to represent the University against criteria that may include:

a. The location of the agent and the country or countries from which the agent will recruit;
b. Alignment between the University's strategy and mission and the agent's ability to meet relevant objectives;
c. Market information for the proposed territory, including likely recruitment channels;
d. Agency structure, such as whether a company or individual, and likely support that will be required from the University;
e. An assessment of agent premises and staff;
f. Demonstrated understanding of Australian legislation in regards to student recruitment, student visa requirements, data management and privacy, anti-modern slavery, foreign interference and foreign bribery, the Australian international education industry and the University;
g. Relevant prior training completed, including whether any of the agency staff have completed the PIER Education Agent Training Certification;
h. Evidence of experience in the recruitment of genuine quality international students, which may include recruitment for other Australian universities or education providers;
i. Utilisation and consideration of the Risk Assessment Tool made available by the University;
j. Relevant agent network membership;
k. Feedback from referees;
l. Evidence of marketing strategies and marketing experience;
m. Any history of non-compliance with the ESOS Act, National Code, other legislative instruments or agent agreements;
n. Any history of false or misleading recruitment practices, illegal provision of migration advice and / or dishonest recruitment practices;
o. Agent's reputation, including through publicly available sources, and evaluation of any previous dealings;
p. Agent's fees and charges structure; and
q. Agent performance data available through PRISMS and other sources.

(7) The University will not accept students from an agent that has or is reasonably suspected of:

a. Engaging 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 of the National Code (Overseas student transfers);
b. Facilitating the enrolment of a student that the agent believes, or should know, would not comply with the conditions of their student visa;
c. Negligence, carelessness, incompetence or engaging in false, misleading or unethical advertising and recruitment practices, including practices that could harm the reputation of the University or the Australian international education industry, including non-compliance with standards 7.1 and 7.2 of the HESF; and
d. Providing migration advice, unless that education agent is authorised to do so under the Migration Act 1958 (Cth).

Section 5 - Appointment

(8) Agents who are assessed as meeting the requirements of the University and the requirements of the National Code will be offered a written agent agreement to represent the University and promote courses with the intention of recruiting quality students who meet admissions, visa and Genuine Temporary Entrant (GTE) requirements, on a non-exclusive basis.

(9) The University will not enter into an agreement with an agent that is known of suspected of:

a. Having engaged in dishonest recruitment practices including where this conflicts with the University's obligations under Standard 7 of the National Code (Overseas Student Transfers);
b. Negligent or false and misleading advertising and recruitment practices, including non-compliance with standards 7.1 and 7.2 of the HESF; or
c. Providing migration advice where the agent is not authorised to do so under the Migration Act 1958 (Cth).

(10) Global will publish an up-to-date list of appointed agents on the University website and maintain each agent's details in PRISMS.

Section 6 - Training and information provision

(11) The University will provide ongoing training and updated information on the University and its courses to enable the agent to promote the University including:

a. Course changes;
b. Changes to legal and regulatory requirements;
c. Admissions application processes; and
d. Taking corrective action to address any identified issues.

(12) The University will provide training to agents during visits to offices and online.

(13) Agents will be expected to engage with regular training and provide the University with details of any relevant external training undertaken. Agents must have knowledge of the Australian International Education and Training: Agent Code of Ethics.

(14) New agents must, within one month of appointment undertake induction training covering key policies, procedures and information about the University and courses offered.

Section 7 - Monitoring and review

(15) This section of the Policy is to be read in conjunction with the Course and Student Monitoring Policy and the provisions of the Risk Management Procedure.

(16) The University will conduct an annual formal review of each agent's performance.

(17) The Internationalisation Committee will have oversight of agent monitoring.

(18) Ongoing monitoring will be undertaken in accordance with the agent's agreement and may include:

a. International student surveys;
b. Visits to agents' offices;
c. Conversion rates;
d. Student visa grant rates;
e. Application rejection rate including on academic and GTE grounds;
f. Academic performance of students recruited by the agents; and
g. Compliance with the agent agreement.

(19) Reviews of agent performance may include both qualitative and quantitative data including both internal and publicly available external sources.

(20) Where deficiencies or non-compliance are identified, action will be taken in accordance with the agent agreement and may include counselling, training, corrective action or non-renewal or cancellation of the agent agreement.

(21) Where the University becomes aware or reasonable believes the agent, an employee or subcontractor of the agent has not complied with the National Code or agent agreement, the University will take corrective action that may include:

a. Legal action for loss or damage to the University;
b. Termination of the agreement;
c. Suspension of one or more territories;
d. Non-renewal of the agreement;
e. Additional training; or
f. Any other corrective action required by the University.

(22) Following the annual review of agents, any identified deficiencies or non-compliance will be reported to the Pro Vice-Chancellor (Global) including recommendations for actions to be taken. The Pro Vice-Chancellor (Global) will authorise any action taken.

(23) Global will communicate to the agent the outcome of any decisions relating to corrective actions. Agents will be provided with the opportunity to respond to the proposed action.

Section 8 - Recordkeeping

(24) To ensure compliance with the National Code, Global will keep records of all agents engaged by the University including:

a. A signed written agreement;
b. Evidence of monitoring of agent performance;
c. Evidence of corrective action in the case of performance issues or non-compliance with University policies and procedures or regulatory requirements; and
d. Expired and terminated agreements.

(25) A biannual report of agent agreements, appointments, terminations and corrective actions will be tabled for noting by the Internationalisation Committee.

Status and Details

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Effective Date	4th December 2024
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Approval Date	2nd December 2024
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Responsible Executive	Richard Dobek Pro Vice-Chancellor (Global)
Responsible Manager	Bronwyn Bartsch Director, Global Engagement
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