



7.1.3 Engagement of Educational Agents Policy and Procedure

1.0 Rationale

This document forms part of Acknowledge Education's (AE) Student Recruitment Framework. While this policy offers a broad overview of the intended actions, the procedure delves deeper, providing specific instructions to operationalise the policy. This procedure not only amplifies the content of the policy but also describes a clear method to achieve the policy's goals and objectives to ensure that educational agents engaged by AE are acting ethically and honestly with the best interest of overseas students at the centre of their endeavours.

2.0 Scope

This Procedure applies to all AE educational agents, an employee or subcontractor of that education agent and all employees, managers, and administrators working within AE who are involved in the engagement, management, and oversight of education agents.

3.0 Regulatory Context

3.1 Higher Education Standards Framework (Threshold Standards) 2021

Obligations are set out in standards 1.1.1, 7.1.1, 7.1.4, 7.1.5, 7.2.3.

3.2 National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code).

Standards 2, 4, 8 and 9 Refer to the parent policy for more specifics regarding these regulatory standards.

4.0 Policy

AE commits to integrity and compliance with HESF 2021 standards in all interactions with educational agents. This policy ensures agents adhere to documented admissions criteria, ensuring students possess the necessary academic and English proficiency. AE ensures Agents provide accurate and honest representation of our offerings and charges through formal contracts with agents, whose performance is regularly monitored to prevent misrepresentation or unethical conduct. Agent representations regarding study outcomes, employment, or migration must be truthful and not misleading. Special care is taken to ensure compliance with statutory requirements for international students on Australian student visas. AE upholds the integrity of Australian higher education, ensuring ethical engagement with educational agents.

5.0 Procedure

5.1 Agent Selection Process

5.1.1 Agents wishing to recruit for AE must provide the following information via the agent portal on RTO Manager.

- Their registered company name (in Australia and abroad if necessary).
- Names of the company's principal members.
- Business address and contact details.
- Membership status in relevant industry associations.
- A statement regarding their experience recruiting students from specific locations/regions.

5.1.2 Evaluation of Agent Submission

The Director of Student Recruitment (The Director) evaluates each agent submission. The submissions are interrogated to ensure the agent can meet their responsibilities if engaged by AE, including reviewing the agent's background to ascertain their reputation, credibility, and possible conflicts of interest. The assessment also includes an evaluation of the prospective agent's comprehension of the Australian international education sector to ensure they have a foundational understanding of Australian education systems and related procedures.

5.1.3 After a review of all information and evaluations, The Director endorses the engagement with the agent.

5.1.5 If the agent meets all the specified criteria, a formal written agreement (UP Education Agent Agreement) will be offered to enlist their recruitment services for overseas students.

5.2 Agent Engagement Process

5.2.1 All agent engagements are formalised through an Agency Agreement, clearly outlining every commitment and obligation.

5.2.2 The Agent Partnerships Officer (APO) will issue the Agency Agreement by using UP Education's CRM system. The Agency Agreement will have a standard 2-year term.

5.2.3 Agency Agreements must be prepared from the authorised template. Any alterations from this template must be overseen by the Head of Risk and Compliance and authorised by the Chief Executive Officer.

5.2.4 RTO Manager will be activated and the agency granted access once the UP Education contract with AE appendix is signed and returned.

5.2.5 The Agency Agreement must outline:

- AE's responsibilities, including but not limited to AE's compliance with the ESOS Act and National Code 2018
- AE's requirements that the agent, as detailed in clause 4.3 AE's Engagement of Educational Agents Policy
- AE's commitment to and process for monitoring the activities of the education agent in representing the provider and ensuring the education

agent is giving students accurate and up-to-date information on AE services.

- The corrective actions that may be taken by AE if the education agent does not comply with its obligations under the written agreement.
- the grounds for which the Agency Agreement may be terminated, such as the agent performing in unethical or misleading ways.
- the circumstances under which the registered provider and the Commonwealth or state or territory agencies may disclose information about the education agent.

- 5.2.5 To affect a formal engagement, the prospective agent's and AE's authorised representatives must sign a written Agency Agreement containing the full engagement details and return the signed Agreement to AE.
- 5.2.6 The agent will keep an original copy of the Agency Agreement, a second signed original copy of the Agency Agreement will be kept in the agent's file of AE by the responsible student recruitment staff, and a copy of the Agency Agreement will be given to the AE Registrar for the record.
- 5.2.7 The Director must report all new Agency Agreements to the Head of Risk and Compliance to ensure the Agent's details are listed on the AE website.
- 5.2.8 Agent details must be entered and maintained in PRISMS by the Registrar.
- 5.2.9 Upon receiving a copy of the Agency Agreement, the Finance Officer will enter the agent's details into AE Agency Management Database. Agents' details and records of activities will be stored electronically. ***Note: No Agent shall receive a commission from AE without entering this agreement.***

5.3 Monitoring and Management of Recruitment Risks

5.3.1 Agent Engagement Verification

- i. When a prospective student's application is received, the Registrar will check if the student's Agent has a signed agreement with AE.
- ii. If no agreement exists, the Registrar will inform the APO and The Director.
- iii. The student's application will be paused until the Agent completes the Agent Selection and Recruitment process.
- iv. Where the agent is not approved, the students are advised that they are unable to be enrolled and directed to the list of contracted agents on AE website.

5.3.2 Monitoring and Evaluating Agent's Performance

- i. The APO will conduct regular audits of agent performance, evaluating compliance with contractual and regulatory requirements, and providing detailed reports to inform strategic decisions.
- ii. Historical Performance Metrics are undertaken every six months to track the number of students each student has recruited for AE analysing the number of students recruited and the progress of these students (completed, graduated, unsatisfactory course progress, withdrawn, course cancelled, failed to commence, and refunded).

- iii. Anonymous post-admission feedback surveys are conducted with overseas students to gather input about their interactions with their respective agents, the accuracy of the information they were provided before enrolment, and a measure of how well the course met the student's expectations.
- iv. All student recruitment staff must record agent visits in one of the following to ensure future auditing: RTOManager, Calendar, SharePoint or live tracker.
- v. The Director completes annual audits to assess the agent's performance and compliance. The annual audit will consider.
 - The number of students the Agent has recruited and the proportion of:
 - o Student applications to AE offers; and
 - o AE offers to actual enrolments of students.
 - o Student's completion in accordance with scheduled course duration.
 - The reasons why applications from potential Students did not proceed to student enrolment status.
 - The number of student visa refusals for students recruited by the agent.
 - Any feedback or information from students or third parties regarding the agent.
 - The quality, accuracy and currency of information and advice provided by the Agent to Students; and
 - The quality of the appointment as assessed by AE.

5.3.3 If, after the Agent audit of an existing agreement, AE is satisfied that the Agent has not engaged in unprofessional conduct, a new Agent Agreement may be offered to the Agent.

5.4 Agent Training and Development

The APO, in conjunction with both the admissions and student recruitment teams will design and deliver regular training sessions, webinars, and distribute educational resources to agents to ensure they are well-informed about AE's programs, policies, and compliance expectations.

5.5 Responding to Agent Performance

5.5.1 Responding to Evaluations

On completion of agent evaluations, the APO, in consultation with the Director of Student Recruitment, will recommend actions such as maintaining, placing on probation, or terminating the agent's appointment based on performance evaluations:

- Maintain the Agent's appointment.
- Place the Agent on Probation: Appoint the Agent for a further period subject to certain conditions; or

- Terminate the Agent's appointment.
- 5.5.2 Decision for appointments and terminations must be approved by Chief Executive Officer.
- 5.5.3 Agents Suspected of Breaching Agent Agreements
- i. At any time, if AE becomes aware that, or has reason to believe, the education agent, employee, or director of that education agent has not complied with the education agent's responsibilities as outlined in the Agency Agreement, The Director must take immediate corrective action.
 - ii. Corrective action can entail the following response:
 - The Director will notify the agent in writing of a suspected breach of the Agent Agreement and that AE will cease accepting students from that agent until investigative action is concluded.
 - The Agent must provide a written response within ten business days from when the notification of the breach was dated.
 - An extension of time to respond may be provided at the discretion of the Director.
 - After ten business days from when the letter was dated, or after the expiration of an extension period as may have been granted, the Director may consider the Agent's performance considering:
 - The response of the Agent to the letter referred to above.
 - Whether the Agent engaged in Unprofessional Conduct; and
 - The considerations contained in the Agent Audit.
 - After considering the Agent's conduct and performance, the Director of Student Recruitment may:
 - Require the Agent to undertake further training.
 - Maintain the Agent's appointment.
 - Warn the Agent.
 - Suspend the Agent's appointment.
 - Maintain the Agent's appointment subject to certain conditions or
 - Terminate the Agent's appointment immediately.

5.5.4 Terminating an Agent Agreement

At any time, if AE becomes aware that, or has reason to believe, the education agent, employee, or director of that education agent is engaging in false or misleading recruitment practices, The Director must immediately terminate its relationship with the education agent.

5.6 Terminating Agent Agreements

- 5.6.1 Formal Notification: The Director will write a formal termination notice (Agent Termination Letter Template). This notification will:

- Clearly state the reasons for termination, referencing specific contract clauses.
- Inform the Agent that access to the Agent Portal has been disabled.
- Inform the Agent that any students on hold for enrolment will be informed of the non-acceptance.
- Indicated the date on which the termination takes effect.

5.6.2 Internal Communication

- The Director will notify the student recruitment team, webmaster, Head of Risk and Compliance and Finance Officer of the agent's termination, so they are aware and can adjust their interactions accordingly.
- Update any internal databases or systems to reflect the agent's new status.

6.0 Roles and Responsibilities

6.1 Agent (Prospective)

Prospective agents are responsible for providing all required details for recruitment via the agent portal on RTO Manager. They must review, sign, and return the Agency Agreement to AE before commencing recruitment activities.

6.2 Agent Partnerships Officer (APO)

The Agent Partnerships Officer is the primary contact for education agents, responsible for providing training, support, and updates to ensure compliance with AE's policies and regulatory requirements. The APO conducts regular performance audits, monitors compliance with contractual and regulatory standards, and tracks key metrics such as application conversion rates, visa success rates, and student retention. Based on audit findings, the APO recommends actions regarding agent engagement, including probation, further training, or termination. The APO collaborates with internal teams, including Student Recruitment, Quality Assurance, and Admissions, and prepares detailed reports on agent performance and compliance to inform strategic decisions.

6.3 Director of Student Recruitment

The Director oversees the agent selection and engagement process, evaluates submissions from prospective agents, and endorses agreements for approval by the Board. The Director works closely with the APO and ASO to monitor agent performance and compliance. While the APO handles audits and evaluations, the Director retains responsibility for final decisions regarding agent engagement, including probation or termination. The Director ensures agent-related activities align with AE's recruitment strategies.

6.4 Head of Risk and Compliance

The Head of Risk and Compliance reviews any proposed changes to the Agency Agreement template and ensures agreements comply with AE's policies and regulatory requirements. The manager collaborates with the APO to address compliance issues and oversees updates to AE's website regarding agent details and status.

6.5 Chief Executive Officer (CEO)

The CEO authorises modifications to the Agency Agreement and approves significant decisions regarding agent appointments or terminations. The CEO ensures AE's engagement with agents complies with strategic goals and regulatory standards.

6.6 Registrar

The Registrar maintains agent details in PRISMS and ensures that only agents with signed agreements are linked to student applications. The Registrar pauses applications for students referred by unauthorised agents until the selection process is complete. The Registrar also works with the ASO to verify academic records and ensure compliance with admission standards.

6.7 Finance Officer

The Finance Officer records agent details in the AE Agency Management Database and processes commission payments only for agents with valid agreements. The Finance Officer ensures all financial transactions align with AE's contractual obligations to agents.

6.8 Agent (Terminated)

Terminated agents must adhere to the conditions outlined in the termination notice, cease all recruitment activities on behalf of AE, and return any AE materials in their possession.

7.0 Definitions

| Term | Definition |
|--------------------------------------|--|
| UP Education CRM | Customer relationship management system that is used by UP Education |
| Agency Agreement | A formal contract between AE and an agent, outlining the duties, responsibilities, and mutual commitments. |
| Agent Portal | RTO Manager, an online interface through which agents interact with and provide information to AE. |
| Agent Termination Letter Template | A standard format/template AE uses to formally notify an agent of their contract termination. |
| ESOS Act 2000 | Education Services for Overseas Students Act 2000; a legislative act governing the delivery of education to international students in Australia. |
| Higher Education Standards Framework | A set of standards and guidelines which Australian higher education providers must meet and maintain. |
| National Code 2018 | A set of standards that Australian education and training providers must follow in providing education to overseas students. |
| PRISMS | Provider Registration and International Student Management System; a system for managing information about international students in Australia. |
| RTO Manager | A software or system used to manage Registered Training Organisations, including agent information. |
| Student Recruitment Framework | The structured approach and guidelines AE uses to recruit students. |

8.0 Document Information

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| Policy Name: | Engagement of Educational Agents Procedure |
| Document Number: | 7.1.3 |
| Purpose: | This procedure describes a clear method to achieve the policy's goals and objectives to ensure that educational agents engaged by AE are acting ethically and honestly with the best interest of overseas students at the centre of their endeavours. |
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| Policy Advisor: | Director of Student Recruitment |
| Approving Authority: | Chief Executive Officer |
| Contact: | Risk and Compliance regulatorcompliance@ae.edu.au |

9.0 Change Log

| Date | Version | By | Notes |
|------------|---------|-----------------------------|---|
| 24/07/2023 | 1.0 | Narelle Whatley (Dean) | New policy development. |
| 15/07/2024 | 1.1 | Narelle Whatley | Added Agent Partnerships Officer (APO) role. Enhanced agent training, monitoring, and record-keeping processes. |
| 6/01/2025 | 1.2 | Cindy Xin | Update on agency agreement issuing process via UP Education CRM system |
| 6/01/2025 | 1.3 | Romez Moukachar | Updated 5.3.2 iv Amended some grammatical errors |
| 11/03/2025 | 1.4 | Head of Risk and Compliance | Scheduled policy review. Updated roles and responsibilities for currency with current organisational structure |