

## Appointing and Monitoring Education Agent Policy and Procedure

### Purpose

The purpose of this policy is to outline Wall Street College documented process in appointing and monitoring education agents that it engages to recruit overseas students.

The practices followed will be in compliance with clauses 2.3 – 2.4, 8.2-8.3 of RTO Standards 2015 and Standard 4 of National Code 2018.

### Scope

This policy applies to all education agents that are subject to a written agreement with the college.

### Definitions

|               |   |
|---------------|---|
| College       | Wall Street College   |
| VET Regulator | The Australian Skills Quality Authority (ASQA)                                    |
| PRISMS        | Provider Registration and International Student Management System                 |
| ASQA Net      | Online web portal for managing registration, application and fees payment to ASQA |
| ESOS Act      | Education Services for Overseas Student Act 2000                                  |

### Policy

The college ensures that:

- It enters into a written agreement with any third parties who provide services on behalf of the college including education agents.
- The written agreement must include:
  - The responsibilities of the college including compliance with ESOS Act and National Code 2018
  - The college's requirements of the agent in representing the college. As a minimum, it includes the following:
    - The agent must declare in writing and take reasonable steps to avoid conflicts of interest as the education agent. Examples of what constitutes conflicts of interest are outlined in the written agreement.
    - The agent must inform the college in writing if the agent has an interest, pecuniary or otherwise, that conflicts, could conflict, with the proper performance of the agent's duties in relation to the college. The written notice to the college must include the nature of the interest and how interest conflicts, or could conflict, with the proper performance of the agent's duties. A written consent from the college is required prior to providing assistance to the college.



- The agent must observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
- The agent must act honestly and in good faith, and in the best interest of the student
- The agent must have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- The college's monitoring processes to ensure accurate and up to date information is provided to students at all times.
- The corrective actions taken by the college if there is a reason to believe that the agent (including its employees or subcontractors) has not complied with any of requirements as outlined the agreement. Corrective actions may include:
  - Providing additional information/materials
  - Providing targeted training in a specific area
  - Cancelling the agent agreement,
  - Correcting incorrect information provided to students,
  - Providing students with a full refund of the agent fees in the event that students have been misled by the actions of the Agent.
  - Requiring the Agent to undertake counselling by the college about the Agent's responsibilities under this agreement, code of conduct under this agreement and requirements under the National Code.
- The college's grounds for terminating the agreement with the agent including when the college becomes aware or has a reason to believe that the agent (including its employees or subcontractors) engages in false or misleading recruitment practices. The college will either terminate its agreement with the agent or the agent must immediately terminate its relationship with its employees or subcontractors who have engaged in such practices. Other grounds for termination may include, but not restricted to the following:
  - When there are breaches in the agreement
  - Inadequate representation of the college
  - Evidence of non-compliance with ESOS Act and National Code 2018
  - Demonstrated grounds for believing that the agent has engaged in unethical, unprofessional and/or criminal conducts.
- The circumstances under which information about the education agent may be disclosed by the college and the Commonwealth or state or territory agencies.
- It will not accept any students from an education agent if it has been identified that:
  - The education agent has provided migration advice, unless it is authorised to do so under the Migration Act.
  - The education agent has engaged in dishonest recruitment practices, including recruitment practices that are conflicting with the requirements under Standard 7

- (overseas students)
- The education agent has facilitated the enrolment of an overseas student when the student will not comply with the conditions of his or her visa.
  - The education agent has used PRISMS to create CoEs for other than bona die students.
  - It implements sufficient resources and strategies to enable systematic monitoring of third parties to ensure its compliance with RTO Standards 2015 and National Code 2018.
  - Its third parties will cooperate with the VET Regulator:
    - By providing accurate and factual information relevant to the delivery of services on behalf of the college, as directed by the VET Regulator
    - In the conduct of audits and the monitoring of its operations
  - It will notify VET Regulator of any written agreement:
    - Being entered within 30 calendar days or prior to the obligation taking effect (whichever occurs first)
    - Being concluded / coming to an end within 30 calendar days.

## Procedure

| Appointing an Education Agent  | Responsible Person |
|--|--------------------|
| 1. Provide a potential education agent with an Agent Application Form  | Marketing Team     |
| 2. Require the education agent to send the completed form along with the evidence outlined in the form to the college.   |                    |
| 3. Review the completeness of documents received. Contact the potential agent for further information and/or clarification if required.  |                    |
| 4. Conduct a reference check as required.  |                    |
| 5. Determine the application outcome based on the documents received and reference check conducted.  |                    |
| 6. If successful, provide the education agent with Education Agent Agreement to sign to indicate acceptance.   |                    |
| 7. Enter the agent details in PRISMS & report this new arrangement to ASQA via ASQA Net within 30 days of the agreement being entered or before the agreement takes effect (whichever comes first).  |                    |
| 8. Conduct an induction to the education agent which may include: <ul style="list-style-type: none"> <li>● Providing information relating to course offerings, entry requirements, facilities, locations, enrolment process etc.</li> <li>● Providing all current marketing and promotional materials</li> <li>● Confirming and clarifying any items outlined in the agreement.</li> </ul> |                    |

| Marketing Materials Update   | Responsible Person |
|--|--------------------|
| 1. Notify the education agent when there are changes to the marketing materials via one of the following (or other means that are deemed appropriate): <ul style="list-style-type: none"> <li>• Email</li> <li>• Telephone calls</li> <li>• Face to face / virtual meetings</li> </ul> | Marketing Team     |
| 2. Confirm the receipt of such information and clarify any questions if any.   |                    |

| Monitoring and Terminating Education Agent   | Responsible Person |
|--|--------------------|
| 1. Monitor the education agent performance via a combination of any of the following: <ul style="list-style-type: none"> <li>• Regular visits and meetings (face to face/virtual) with the education agent</li> <li>• An annual review of agent performance</li> <li>• Feedback received from students (e.g., inaccurate information or misleading information provided by the education agent)</li> <li>• Spot checks by the college to ensure accurate and up to date marketing and promotional materials are used.</li> </ul> | Marketing Team     |
| 2. Determine the monitoring activities outcome. If not satisfactory, discuss the feedback with the education agent.  |                    |
| 3. Determine if any of the corrective and/or termination actions are required as outlined in this policy.  |                    |
| 4. Send an email to the education agent of the required action/s and timeframe if any.   |                    |
| 5. Monitor the implementation of such action/s and timeframe/s.  |                    |

| Terminating Education Agent Agreement   | Responsible Person |
|---|--------------------|
| 1. Send a written notice in the event when termination is required. The agreement will be terminated within 2 weeks since the written notice is provided. | Marketing Team     |
| 2. Update PRISMS and notify ASQA via ASQA Net within 30 days of the agreement being concluded.  |                    |

### Related Documentation

- Agent Application Form
- Education Agent Agreement

### Document Control

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| Policy Owner:                          | Wall Street College |
| Endorsed By:                           | CEO                 |
| Person Responsible for Implementation: | Marketing Team      |
| Date:                                  | November 2022       |
| Version:                               | 1.0                 |

