

Education Agents Policy and Procedures

Policy

Education agents who are accepted by Institute of Business and Management (Victoria) for the recruitment of students are required to enter into a written agreement with Institute of Business and Management (Victoria) which specifies the obligations of the agent and the obligations of Institute of Business and Management (Victoria). Institute of Business and Management (Victoria) will thoroughly check the suitability of agents before entering into agreements with them.

Institute of Business and Management (Victoria) will ensure that education agents with whom agreements are entered have an appropriate knowledge and understanding of the Australian international education industry. Institute of Business and Management (Victoria) will ensure that it does not enter into agreements with agents who are dishonest or lack integrity.

Institute of Business and Management (Victoria) will monitor the performance of agents to ensure that they provide applicants with necessary pre-enrolment information. Institute of Business and Management (Victoria) will not accept students from an education agent whom is known or reasonably suspected by Institute of Business and Management (Victoria) of providing immigration advice where not authorised to do so under the Migration Act 1958.

Institute of Business and Management (Victoria) will provide education agents with current and accurate marketing information.

Agent agreements may be terminated by Institute of Business and Management (Victoria) if agents take negligent, unethical or incompetent action.

Procedures

Agent selection

Organisations who wish to be agents for Institute of Business and Management (Victoria) must apply using Institute of Business and Management (Victoria) agent application form, providing details of other reputable education institutions as referees. If Institute of Business and Management (Victoria) approaches the agent then the agent does not need to fill out an application form, and can directly sign the agent agreement.

Agents are selected by Institute of Business and Management (Victoria) based upon their:

- commitment to the education of Overseas Students in Australia
- integrity and honesty
- understanding of the requirements of the ESOS Act and migration regulations
- local reputation
- financial standing
- proven track record of providing a quality service to students who wish to study in Australia

Institute of Business and Management (Victoria) will not accept as an agent any person or organisation who is known or reasonably suspected to have:

- engaged in dishonest 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 2018 (Transfer between registered providers)

- facilitated the enrolment of a student who the agent believes will not comply with the conditions of his or her student visa
- provided immigration advice where not authorised under the Migration Act 1958 to do so.

Agent Application Form

The Agent application form requests the following information from prospective agents and asks for answers to a set of questions. The objective is to obtain information to be used in the process of assessing the suitability of the prospective agent according to the above criteria.

Information requested

- Company trading name
- Company Business Registration Number
- ABN (for Australian based companies)
- Address (including telephone number, fax number, email address and website URL)
- Year established
- Name of Chief Executive Officer
- Description of business
- Number of staffs
- Number of students recruited annually
- Target market
- Details of any representatives in Australia
- Membership of industry bodies or organisations
- Whether the agent has completed the EATC (see below)
- Provider references
- If the agent has read the National Code 2018
- Demonstration of understanding of the National Code by listing the main responsibilities of education agents under the National Code
- Information about how the agent will comply with the obligations of the National Code

Questions

The prospective agent is asked to respond to questions confirming that:

- the agent understands that students coming to Australia on a student visa must have a primary purpose of studying
- Students coming to Australia on a student visa must study full time
- the agent will not make any guarantees about achieving residential status in Australia
- the agent understands that students can be referred to the Department of Home Affairs website
- the agent is prepared to comply with all of Institute of Business and Management (Victoria)'s requirements regarding advertising and course promotional material, application procedures and the provision of information to students

Completion of the Education Agents Training Course (EATC)

Institute of Business and Management (Victoria) will accept as agents only those who have completed the Education Agents Training Course (EATC). The EATC, which was developed in collaboration with AEI (Australian Education International, Department of Home Affairs, and Australian international education peak bodies) is offered online by PIER (Professional International Education Resources).

The EATC aims to:

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- provide education agents with information about the Australian education system and Australia as a study destination, education quality assurance issues and the Australian visa regulation system
- keep agents abreast of changes and developments in international education services
- encourage and support excellence in business service delivery, study and career pathways and professional development.

A list of education agents who have completed the EATC is available at <http://www.pieronline.org/qeac>. The CEO is responsible for checking that agent applicants appear on this list.

Additionally, if an agent has completed the course for registered migration agents and the agency has a MARN no, Institute of Business and Management (Victoria) will be prepared to sign an agreement with them to engage their services for the purpose of recruiting international students.

Responsibility for receiving and screening agent applications

The CEO is the single contact at Institute of Business and Management (Victoria) and responsible for receiving and processing applications from prospective agents. The CEO is also responsible for the ongoing management of agents.

Visiting the Agent's premises

If the agent has a representative in Australia, the CEO is responsible for visiting the premises to ensure that the agent has the appropriate infrastructure to provide the necessary service. A member of Institute of Business and Management (Victoria)'s staff will visit the agent in the agent's home country. During the visit, the Institute of Business and Management (Victoria)'s staff member or representative will question staff of the agent to ensure their knowledge of Institute of Business and Management (Victoria)'s courses and processes. Referee check will be conducted and record will be placed in the file.

Entering into agreements with agents

Agents operating within Australia must provide Institute of Business and Management (Victoria) with ABN and ACN details.

If an applicant is accepted as an agent for Institute of Business and Management (Victoria), the Student Services officer will produce an agent agreement for the applicant. Two copies, signed by the CEO, will be provided to the applicant as soon as practicable. The agent must sign both copies, retaining one and returning the other to Institute of Business and Management (Victoria). The CEO will create a file for the agent, transferring into it the agent application form and referee check record. The Student Services officer will place returned signed agent agreements in the file for the agent.

Agent Agreement

Agent agreements will identify the responsibilities of agents according to the ESOS Act 2000, the National Code 2018, NVR Act and the Australian Migration Regulations. Only the Director and CEO of Institute of Business and Management (Victoria) have the authority to sign agreements with agents.

The Agent Agreement includes the following information regarding the obligations of agents. Agents must:

- assist prospective students with the formal processes involved in applying for admission to Institute of Business and Management (Victoria).
- not provide (and ensure that employees do not provide) immigration advice where not authorised under the Migration Act 1958 to do so.
- seek clarification from Institute of Business and Management (Victoria) about uncertainties in regard to the agent's duties or advice to potential students

- promote Institute of Business and Management (Victoria)'s courses with integrity and accuracy and recruit students in an ethical, honest and responsible manner.
- comply with the requirements of the ESOS Act 2000 and the National Code 2018.
Australian law requires education providers and their agents to be aware of and abide by the requirements of the Education Services for Overseas Students 2000 (ESOS Act) and the National Code 2018.
- participate in arrangements with Institute of Business and Management (Victoria) to monitor the activities of the agent in relation to compliance with the National Code 2018
- not engage in dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered provider under Standard 7 of the National Code (Transfer between registered providers).
- not facilitate the enrolment of a student who the agent believes will not comply with the conditions of his or her student visa
- not be (and ensure that employees and agents are not) negligent, careless or incompetent or be engaged in false, misleading or unethical advertising or recruitment practices, including practices that could harm the integrity of Australian education.
- Must include the name and registration code of the RTO that will issue the VET qualification or statement of attainment while in publishing any advertisement, which it represents.
- co-operate with ASQA the vet regulator:
 - a) by providing accurate and factual responses to information requests from the VET regulator relevant to the delivery of services (in this case as a third party delivering a service to Institute of Business and Management (Victoria) by recruiting students).
 - b) In the conduct of audits and the monitoring of its operations.

The agent agreement includes the following obligations of Institute of Business and Management (Victoria):

- To provide the agent with sufficient promotional material to meet its obligations
- To provide the agent with material and information regarding the ESOS Act 2000
- To participate in arrangements with the agent to monitor the activities of the agent in relation to compliance with the National Code 2018.
- To cooperate with ASQA by providing information where requested and in the conduct of audits.

The agent agreement also contains details about the agent assessment and monitoring processes and the processes for joint marketing activities, including the review and approval by Institute of Business and Management (Victoria) of any promotional material developed by the agent.

Agent Certificate

Agents which are accepted by Institute of Business and Management (Victoria) are provided with a certificate acknowledging their authority to act as education agents for Institute of Business and Management (Victoria). Agents will be encouraged to display their certificate prominently at their place of business.

Termination of agent agreements

The Director and CEO of Institute of Business and Management (Victoria) have the authority to terminate agent agreements. An agreement with an agent may be terminated if the agent has misrepresented to student's information about the living conditions in Australia, the educational

outcomes of courses available at Institute of Business and Management (Victoria), or migration outcomes upon accepting a CoE from Institute of Business and Management (Victoria).

Agents are required to advertise and recruit ethically in accordance with the Institute of Business and Management (Victoria)'s ethical marketing policy. If an agent has been assessed as having behaved negligently, carelessly or incompetently, the agreement with the agent will be terminated.

If an agent can provide evidence that a negligent, unethical or incompetent action was taken by an employee or subcontractor and was not the responsibility of the agent, the agent may be required to take preventative action. Under these circumstances, acceptable preventative action is the provision by the agent of written notification that the arrangement with the employee or subcontractor has been terminated.

Accepting students referred by an agent

Students referred by an agent will be accepted only if they meet the course entry requirements of the course for which they are applying to enter. Students who do not meet the relevant course entry requirements will not be accepted.

Agents may not sign for students

An agent may not sign an enrolment application form or an enrolment acceptance agreement on behalf of a student.

Agent Information Pack

Agents are provided with an information pack, which is a comprehensive set of documents designed for ongoing reference. The information pack provides information about Institute of Business and Management (Victoria) and the requirements of third party (Agents) according to the ESOS Act, the National Code 2018 and NVR Act. The information provided is unambiguous and draws no false or misleading comparisons with other providers.

The information pack contains the following:

- Staff contacts at Institute of Business and Management (Victoria)
- Course outlines, which include course entry requirements and the required level of English language proficiency
- Institute of Business and Management (Victoria)'s application and enrolment procedures, including details of all fees
- Institute of Business and Management (Victoria)'s student enrolment offers and acceptance agreement, which includes the refund policy
- Institute of Business and Management (Victoria)'s policy and procedures on the monitoring of course progress
- Institute of Business and Management (Victoria)'s academic calendar
- Details of the orientation process
- Institute of Business and Management (Victoria)'s policy for reporting to students to Department of Home Affairs should they fail to meet the requirements of their visa
- Details of Institute of Business and Management (Victoria)'s learner support and welfare services,
- Information about the cost of living in Australia
- qualifications and awards gained upon completion of each course
- the duration of each course
- teaching and assessment methods used at Institute of Business and Management (Victoria)

- academic pathways available to students when they have completed their course at Institute of Business and Management (Victoria)

The agent information pack will be translated in to the language of the home country of each agent with whom Institute of Business and Management (Victoria) has an agreement. The agent will be required to sign a document to confirm their understanding and acceptance of the information in the information pack.

Maintaining regular contact with agents

Institute of Business and Management (Victoria)'s CEO will maintain regular, personal contact with each agent with whom Institute of Business and Management (Victoria) has an agent agreement. The CEO is responsible for providing information to agents.

Institute of Business and Management (Victoria) encourages agents to visit the institute to familiarise themselves with the facilities, equipment and resources available to students. Agents are required to attend information workshops at which they are fully briefed on the information they must give students under the requirements of the National Code. If education agents are unable to visit Institute of Business and Management (Victoria) in Australia, the CEO will organise for workshops to be conducted in the overseas offices of the agent. Regular agent update emails are sent to agents advising them of changes to conditions or programs at Institute of Business and Management (Victoria) which may be relevant to their activities in recruiting students for Institute of Business and Management (Victoria).

Filing communications with agents

Every communication with and agent must be logged. The following must be placed in the agent's file

- copies of letters to and from the agent
- hard copies of emails to or from the agents.

Distribution of revised marketing material

Upon the release of revised marketing material, the CEO will send an email to each agent advising them of the release of:

- the marketing documents which have been revised
- the name and version number of the revised material

The email indicates that the revised material is being sent to the agent and that it should be used immediately it is received.

Agents are instructed to dispose of all remaining stock of the previous material.

Reviewing and approving marketing material developed by education agents

Institute of Business and Management (Victoria)'s CEO is responsible for working with agents to ensure that all promotional material developed by Institute of Business and Management (Victoria) or developed jointly with an agent meets the requirements of Institute of Business and Management (Victoria)'s policy and procedures for ethical marketing, including gaining signed approval by the CEO for release. Agents are not permitted to release marketing material about the products and services offered by Institute of Business and Management (Victoria) without the review and approval of Institute of Business and Management (Victoria).

Joint marketing

Institute of Business and Management (Victoria) will undertake joint marketing activities with agents whenever practicable. This will include attendance at exhibitions and visits to schools and other institutions. Any proposed joint marketing activities must be approved by the CEO prior to arrangements being made.

Monitoring the performance of agents

Agents are required to participate in arrangements with Institute of Business and Management (Victoria) to monitor the activities of the agent in relation to compliance with the National Code 2018.

The CEO and senior management staff of Institute of Business and Management (Victoria) monitor carefully the activities of all agents.

The CEO is responsible for ensuring that the performance of agents is monitored in the following ways. The CEO is also responsible for ensuring that all such monitoring activities are properly documented and that the documentation is properly filed.

- regular face-to-face meetings with agents and Institute of Business and Management (Victoria)'s staff onshore or offshore
- telephone/teleconference meetings
- surveys of students recruited by particular agents
- spot checks, for example, to observe agents at work at education fairs
- agent surveys

National code understanding checklist

The CEO or Institute of Business and Management (Victoria)'s representative will interview each agent to complete a "National Code Understanding" checklist no later than six months after the commencement of the agreement with the agent and afterwards at intervals of no greater than six months. Should the responses to the questions asked in the completion of the National Code compliance checklist indicate that the agent is unaware of significant aspects of the National Code or has operated in any way not compliant with the National Code 2018, the agreement will be terminated.

Agent Surveys

Agents are required to complete an agent survey and participate in a follow up interview with the CEO at least twice per year as part of Institute of Business and Management (Victoria)'s program of continuous improvement. The CEO will distribute the agent surveys by email in the final week of terms two and four and ensure that they are returned within 10 working days. The agent survey asks agents to provide their feedback on:

- The clarity and helpfulness of learning materials supplied to students at Institute of Business and Management (Victoria)
- The quality of the agent's relationship with Institute of Business and Management (Victoria)
- The ease of understanding, fairness, reasonableness and equity of Institute of Business and Management (Victoria)'s policies and procedures
- The fairness, reasonableness and equity and reliability of Institute of Business and Management (Victoria)'s assessment processes
- The ease of access, timeliness and thoroughness of administrative services in support of agents
- The reported ease of access, timeliness and thoroughness of Institute of Business and Management (Victoria)'s learner support services
- The thoroughness and accuracy of information supplied to students
- The thoroughness and accuracy of information supplied to agents
- The overall effectiveness of Institute of Business and Management (Victoria)'s learner support services

Additionally, the agent survey asks agents to provide answers to the following open-ended questions:

- Which Institute of Business and Management (Victoria)'s procedures for dealing with agents could be improved?
- Which Institute of Business and Management (Victoria)'s procedures for dealing with students could be improved?
- How could Institute of Business and Management (Victoria)'s learner support facilities be improved?
- How could information dissemination to agents be improved?
- How could information dissemination to students be improved?
- How could the academic program at Institute of Business and Management (Victoria) be improved?

Finally, the survey asks agents to provide general feedback for consideration.

Beginning student's satisfaction survey

The Student Services officer will distribute a survey to all students after the completion of their first month at Institute of Business and Management (Victoria) (the beginning students satisfaction survey). The beginning student satisfaction survey will be distributed in week five of each term.

The beginning student's satisfaction survey asks the following questions:

- Did your agent provide you with the following information?
 - The English language requirements for the course you are studying at Institute of Business and Management (Victoria)
 - Australian Student Visa conditions
 - Work rights and restrictions
 - Course requirements
 - The requirement to remain a fulltime student and that fulltime refers to 20 hours of study per week
 - The requirement to maintain satisfactory course progress
 - The requirement to maintain current overseas student health cover
 - The requirement to maintain adequate arrangements for the education of dependants
- Did your agent provide you with information about the Australian education and training system?
- Did your agent provide you with information about Australian living conditions?
- Did your agent provide you with details and realistic estimates of costs for students, and for accompanying dependants of tuition, accommodation and living expenses?
- Did your agent provide you with information about Recognition of Prior Learning and Credit Transfer opportunities?
- Information about training and assessment practices at Institute of Business and Management (Victoria)
- Information about student support services at Institute of Business and Management (Victoria)
- Information about policy and procedure at Institute of Business and Management (Victoria)
- Did the agent provide a copy of Institute of Business and Management (Victoria)'s pre-enrolment information?

Performance benchmarks

The Student Services officer will categorise each response to the beginning student satisfaction survey as a satisfactory response or an unsatisfactory response.

Agents who achieve a satisfactory response rate of less than 80% for any given beginning student's satisfaction survey will be counselled by the CEO. Agents who achieve a response of less than 60% for two consecutive beginning student surveys or between 60% and 80% for three consecutive beginning student satisfaction surveys will have the agreement terminated by Institute of Business and Management (Victoria).

Identifying from the beginning student satisfaction summary report agents who need to take corrective action

The Student Services officer is responsible for reporting to the CEO those agents identified by the beginning student satisfaction summary report who are required to take corrective action. If 10% or more of the students recruited by a particular agent identify deficiencies, the agent will be sent a performance review letter.

Maintaining Agent details in prisms

Upon signing a written agreement with an agent, Institute of Business and Management (Victoria) will enter and maintain the agent details in PRISMS. This information will be updated from time to time when there are changes in the agent details. The information about changes will be collected through regular agent contact, face to face or by telephone. If there are any changes to the agent details identified, Institute of Business and Management (Victoria) will request an email from the agent regarding the changes. Institute of Business and Management (Victoria) will keep a copy of all emails in the agent folder.

Notifying the Regulator:

Institute of Business and Management (Victoria) will notify the regulator

- Of any written agreement entered into under Clause 2.3 for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first, and
- Within 30 calendar days of the agreement coming to an end.'