

Australian College of Business Intelligence

MANAGE EDUCATION AGENTS

Policy and Procedures Manual

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Issue History

Date	Revision Details
27/01/15	Initial Release
27/05/15	CRICOS audit rectification, monitoring agents updated
31/01/18	Revised based on changes on National Code
1/06/18	Revised Policies

1. Introduction

Australian College of Business Intelligence formulates this policy on the use and employment of education agents in accordance with the following standards of the National Code Act 2018:

- Standard 1 - Marketing information and practices
- Standard 2 - Recruitment of an overseas student
- Standard 3 - Formalisation of enrolment and written agreements
- Standard 4 - Education agents
- Standard 7 - Transfer between registered providers

All agents will be made aware of the contents of the National Code Act 2007 and in particular the requirements of Standards 1, 2, 3, 4 and 7 as they specifically relate to agent's activities. This will be done through the format of the Agent Agreements.

In this Policy, "agent" means "education agent" as defined in the National Code Act 2018.

Australian College of Business Intelligence notes that agents are often the first point of contact between Australian College of Business Intelligence and intending students and their parents. The activities and ethics of agents are important to Australia's reputation as a desirable destination for students and the Australian College of Business Intelligence has an interest in ensuring that its agents act ethically and appropriately and lists the agents it uses on its website as procedure.

2. Manage Education Agents procedures

Australian College of Business Intelligence will include in written agreements (terms and conditions, refund policies) information consistent with the requirements of the ESOS Act 2000 and ESOS Regulations 2001, in relation to refunds of course money in the case of student and provider default, including amounts that may or may not be repaid to the student (including any course money collected by agents on behalf of Australian College of Business Intelligence).

Australian College of Business Intelligence will monitor agents at least every four months on the following:

- Student feedback
- Spot checks to be undertaken by representatives of ACBI both at the agents premises and at promotional events
- Visa rejections through student applications
- Reporting of students for non-compliance with visa conditions
- Numbers of students recruited for Australian College of Business Intelligence
- Communication with students and their parents for accurate advice delivered through surveys

- Performance benchmarks outlined in the agreement
- Meetings via telecommunication
- Frequent reports from agents
- Frequent face-to-face meetings between agents both offshore or onshore
- Agent surveys

Australian College of Business Intelligence will take immediate corrective and preventative action if it becomes aware of an education agent being negligent, careless, incompetent or engaging in false, misleading or unethical advertising and recruitment practices that could harm the integrity of ACBI and or Australian education and training.

Marketing information and practices:

Australian College of Business Intelligence will ensure that agents understand that the marketing of its education and training services:

- Is undertaken in a professional manner and maintains the integrity and reputation of the industry and of registered providers.
- Clearly identifies Australian College of Business Intelligence's name and CRICOS number in written marketing and other material for students, including electronic form
- Does not give false or misleading information or advice in relation to:
 - I. Claims of association between providers
 - li. The employment outcomes associated with a course
 - lii. Automatic acceptance into another course
 - Iv. Possible migration outcomes
 - V. Any other claims relating to Australian College of Business Intelligence, its course or outcomes associated with the course.

Australian College of Business Intelligence will inform it's agents that it will not actively recruit a student where this clearly conflicts with Australian College of Business Intelligence's obligations under Standard 7 (Transfer between registered providers).

Student engagement before enrolment:

Australian College of Business Intelligence will advise its agents that it will recruit students in an ethical and responsible manner and provide information that enables students to make informed decisions about studying with Australian College of Business Intelligence in Australia. Australian College of Business Intelligence will ensure that students' qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

3. Formalisation of enrolment

Australian College of Business Intelligence will ensure that agents understand the requirement for formal processes of enrolment for students and that there must be written agreements

between Australian College of Business Intelligence and students, setting out the services to be provided, fees payable and information in relation to refunds of course money. In particular written agreements must contain information, consistent with the requirements of the ESOS Act 2000 and ESOS Regulations 2001, in relation to refunds of course money in the case of student and provider default: amounts that may or may not be repaid to the student.

Education agents

Australian College of Business Intelligence will take all reasonable measures to use agents that have an appropriate knowledge and understanding of the Australian international education industry and will not use education agents who are dishonest or lack integrity.

Australian College of Business Intelligence will enter into a written agreement with each education agent it engages to formally represent it.

Australian College of Business Intelligence will not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the agent to be involved in any of the undesirable practices specified in the formal written agreement set out below.

The Agent Agreement will specify the following:

- The responsibilities of the agent and of Australian College of Business Intelligence.
- The need to comply with the requirements in the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
- Processes for monitoring the activities of the education agent, including where corrective action may be required. Australian College of Business Intelligence will take immediate corrective and preventative action if it becomes aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training.
- Termination conditions, including providing for termination where Australian College of Business Intelligence becomes aware of, or reasonably suspects, the engagement by a formally engaged education agent, or an employee or sub-contractor of that agent, of the following conduct:
 - Engaged in, or to have previously been 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 (Transfer between registered providers).
 - Facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa.

- Using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student.
- Providing immigration advice where not authorised under the Migration Act 1958 to do so.
- Australian College of Business Intelligence will ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).

Termination conditions do not apply where an individual employee or sub-contractor of the education agent was responsible for the misconduct if the education agent has terminated the relationship with that individual employee or sub-contractor.

4. Care for and services to students

Agents must be aware that before a student visa can be granted to a student under 18 years of age, the Australian Government must be satisfied that there are appropriate accommodation, support and general welfare arrangements in place for the period that the student will be under 18 whilst in Australia.

5. Transfer between registered providers

Agents will be made aware of the circumstance under which Australian College of Business Intelligence can accept requests from students for a transfer between registered providers.