



EDUCATION AGENT POLICY

1. Applicable Standards

National Code of Practice for Providers of Education and Training to Overseas Students 2018; Clause: 4.1 – 4.6

2. Overview

This Policy sits within the Regulatory Compliance and Governance Phase of the Student Journey.

3. Purpose

The purpose of this Policy is to provide guidance to potential and engaged Education Agents.

4. Definitions

In this Policy, these terms have the same meaning as defined in the Education Services for Overseas Students Act 2000.

Intending overseas student means a person (whether within or outside Australia) who intends to become, or who has taken any steps towards becoming, an overseas student.

Overseas student means a person (whether within or outside Australia) who holds a student visa, but does not include students of a kind prescribed in the regulations.

In this Policy, these terms have the same meaning as defined in the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Confirmation of Enrolment means a document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.

Education agent means a person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers.

Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).



EDUCATION AGENT POLICY

Provider Registration and International Student Management System means the system used to process information given to the Secretary of the Department of Education and Training by registered providers.

Standards means the information listed in Part B of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

5. Policy

5.1 AMA College will enter into a written agreement with each education agent it engages to formally represent it. This agreement will outline AMA College's;

- responsibilities, including that it is responsible at all times for compliance with the Education Services for Overseas Students Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018,
- requirements of the agent in representing the registered provider as outlined in Standard 4.3 of the Standards,
- processes 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 the registered provider's services,
- corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4 of the Standards,
- grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5 of the Standards,
- disclosure of information which it, and the Commonwealth or state or territory agencies, may undertake about the education agent.

5.2 AMA College will enter and maintain the details of each education agent which formally represents it, in the Provider Registration and International Student Management System.

5.3 AMA College will require each of its education agents to;

- declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the AMA College,



EDUCATION AGENT POLICY

- observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students,
- act honestly and in good faith, and in the best interests of the student, and
- have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.

5.4 Should AMA College become aware, or have reason to believe, that the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under Standards 4.2 and 4.3 of the Standards, AMA College will take immediate corrective action.

5.5 Where AMA College becomes aware, or has reason to believe, that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices, AMA College will immediately terminate its relationship with the education agent, or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.

5.6 AMA College will not accept students from an education agent if it knows or reasonably suspects the education agent to be;

- providing migration advice, unless that education agent is authorised to do so under the Migration Act 1958,
- engaged 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 AMA College under Standard 7 of the Standards,
- facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa, or
- using the Provider Registration and International Student Management System to create a Confirmation of Enrolment for other than bona fide students.



EDUCATION AGENT POLICY

6. Policy Links

This Policy should be read in conjunction with the following AMA College Policies:

- 1.01 Marketing Advertising and National Logo Usage Policy
- 2.03 Overseas Student Transfer Policy
- 2.04 Recognition of Prior Learning and Course Credit Policy

7. Policy Documents

- 6.02 Education Agent Procedure

8. Policy Review and Implementation

The Principal Executive Officer (PEO) is accountable for the implementation of this Policy. The General Manager Vocational Education and Training is responsible for the implementation of this Policy, and may delegate responsibilities for elements of this Policy. Where this occurs, this delegation must be recorded within this document. This Policy is to be reviewed on an annual basis, or more frequently as required, with revisions detailed in the section below.

Date of Issue and Revision	Description of Amendment	Reviewed (Quality Manager)	Authorised (General Manager)
July 2018	Initial Registration	Peigi Hinton	Jan Norberger