



# **EDUCATION AGENT RECRUITMENT AND MONITORING**

## **POLICY AND PROCEDURES**

Document ID	Education Agent Recruitment and Monitoring Policy and Procedures
Related Documents	<ul style="list-style-type: none"> <li>- Student Code of Conduct;</li> <li>- Course Progress and Intervention Policy and Procedures;</li> <li>- Student Complaints and Appeals Policy and Procedures;</li> <li>- Privacy and Data Protection Policy and Procedure;</li> <li>- Access and Equity Policy and Procedures;</li> <li>- Disability and Special Needs Policy and Procedures.</li> </ul>
Date	April 2022
Approved / Authorised by	Principal
Version	1.0
References and Legislation	<ul style="list-style-type: none"> <li>- Education Services for Overseas Students Act 2000 (Cth);</li> <li>- Education Services for Overseas Students Regulations 2001;</li> <li>- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.</li> <li>- Standards for Registered Training Organisations (RTOs) 2015.</li> <li>- The Migration Act 1958</li> <li>- The Migration Regulations 1994</li> </ul>

## CONTENTS

<b>1</b>	<b>Purpose .....</b>	<b>4</b>
<b>2</b>	<b>Scope .....</b>	<b>4</b>
<b>3</b>	<b>Policy Statement.....</b>	<b>4</b>
<b>4</b>	<b>General Principles of Agent Recruitment and Monitoring .....</b>	<b>5</b>
<b>5</b>	<b>Policy .....</b>	<b>5</b>
<b>6</b>	<b>Procedure .....</b>	<b>6</b>
<b>7</b>	<b>International Education Agent Application.....</b>	<b>6</b>
<b>8</b>	<b>Appointment of International Education Agent.....</b>	<b>7</b>
<b>9</b>	<b>Review of Education Agent Performance.....</b>	<b>7</b>
<b>10</b>	<b>International Education Agent Marketing.....</b>	<b>9</b>
<b>11</b>	<b>Termination of International Education Agent Agreement.....</b>	<b>9</b>
<b>12</b>	<b>International Education Agent Remuneration.....</b>	<b>9</b>
<b>13</b>	<b>Communication with International Education Agents .....</b>	<b>10</b>
<b>14</b>	<b>Promotional Material and Events.....</b>	<b>10</b>
<b>15</b>	<b>Roles and Responsibilities.....</b>	<b>10</b>
<b>16</b>	<b>Confidentiality .....</b>	<b>11</b>
<b>17</b>	<b>Appeals.....</b>	<b>11</b>
<b>18</b>	<b>Further Information and Assistance .....</b>	<b>12</b>

## **EDUCATION AGENT RECRUITMENT AND MONITORING POLICY AND PROCEDURES**

### **I Purpose**

- 1.1** The Education Agent Recruitment And Monitoring Policy And Procedures ('the Policy') outlines the requirements of Education Agents ('Agents') who are authorised for acting on behalf of Hallmark Institute ('the Institute').
- 1.2** Agents must provide high standards of service and information to overseas students. The Institute takes all reasonable measures to use Agents with appropriate knowledge and understanding of the Australian international education industry who will act with honesty and integrity. The policy and procedures ensure compliance with:
  - a) The relevant standards of National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 ('the National Code 2018');
  - b) The relevant standards of the Standards for Registered Training Organisations (RTOs) 2015.

### **2 Scope**

- 2.1** This Policy and its related procedures apply to all staff, including the Institute's marketing /business development team and any other staff involved in the recruitment and monitoring of Agents who are engaged on behalf of the Institute, and enrolled students participating in units of competency in all courses of study at the Institute.
- 2.2** It should be noted that the procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law.
- 2.3** This document should be read in conjunction with other related policies.

### **3 Policy Statement**

- 3.1** The Institute will only appoint Agents whose company is registered in the relevant country, state, or province and if relevant in Australia. All appointed agents must have completed the Education Agent Agreement form to become an official Education Agent for the Institute and had a referee check completed by the principal or their nominee.
- 3.2** The Institute will monitor its appointed Agent's performance and activities using a variety of methods which include:
  - a) Informal and formal feedback;
  - b) Agent visits and meetings;
  - c) Reports from Education Agents and other external stakeholders;
  - d) Performance benchmarks.
- 3.3** The Institute will not engage in any activities with an Agent who has been found to be dishonest, lack integrity or have engaged in unethical behaviour.
- 3.4** If the Institute becomes aware, or reasonably suspects that the appointed Agent, or an employee or sub-contractor of the appointed Agent has acted in breach of the conduct set out in Standard 4 of the National Code 2018, the Institute will terminate the agreement immediately.

**3.5** The Institute retains the right to override any Agent activity and or decision that in the Institute's opinion is not compliant with:

- a) The Education Agent Agreement; or
- b) Any Relevant Legislation; or
- c) Any relevant standards;

## **4 General Principles of Agent Recruitment and Monitoring**

- 4.1** Due care shall be exercised in the appointment of all Agents. All appointed Agents must have a written agreement with the Institute;
- 4.2** The Institute will appoint education agent businesses on a non - exclusive basis;
- 4.3** Agents will be appointed for a term of two years.;
- 4.4** From time to time, the Institute may recommend appointment of Educational Advisors to provide specific services related to the recruitment of international students;
- 4.5** The Institute will keep appropriate records of all agents and shall investigate and document any complaints received regarding the behaviour of agents. The Institute will take immediate corrective action upon becoming aware of an Agent being negligent, careless, or incompetent or being engaged in false, misleading, or unethical advertising and recruitment practices. Where appropriate, any Agent agreement may be terminated without notice;
- 4.6** Where appropriate, the Institute will prepare an Annual Plan with agents, including the setting of targets and shall regularly monitor the performance and activities of all Agents. Review of Agents shall be held on an annual basis;
- 4.7** The Institute will take all reasonable measures to use Agents that have an appropriate knowledge of the Institute and Australian international education and training;
- 4.8** The Institute will require all Agents to adhere to the requirements of The National Code 2018 and other legislation in so far as it related to the provision of services by International Education Agents;
- 4.9** The Institute will nominate a staff member for the purposes of contact and liaison with the Agent, including issues relating to admissions, planning of promotional activities, advertising, training of Agents etc.;
- 4.10** The Institute will take all reasonable steps to ensure that all advertising undertaken by appointed Agents is approved prior to placement and is in accordance with legislative and Institute requirements;
- 4.11** The Institute will provide Agents with accurate and up to date course and other information and materials to enable them to conduct their services;
- 4.12** The Institute will advise agents as soon as practicable, about the changes to the legal or regulatory conditions for Australian student visa requirements;
- 4.13** The Institute will publicise through its website an up-to-date list of appointed Agents.

## **5 Policy**

The Institute will:

- 5.1** Select only reputable International Education Agents and ensure those agents act honestly and with integrity;
- 5.2** Manage the appointed International Education Agents in a professional and responsible manner;
- 5.3** Enter into a written agreement with each International Education Agent approved to represent the Institute in accordance with the agent assessment process as described below;
- 5.4** Maintain an accurate list of approved International Education Agents, which will be published on the Institute's website;

- 5.5** Ensure all relevant parties have access to an accurate list of approved and authorised International Education Agents;
- 5.6** Include the name of the International Education Agent on the Confirmation of Enrolment (CoE) where applicable;
- 5.7** Require the appointed International Education Agents to have appropriate knowledge and understanding of the Australian international education industry;
- 5.8** Provide adequate training and information for International Education Agents; and
- 5.9** Ensure that International Education Agents have access to accurate and up-to-date marketing information.

## **6 Procedure**

### **6.1 International Education Agent Functions**

- a) Individual persons or organisations, onshore or offshore, may be engaged by the Institute as an International Education Agent to assist the Institute in recruiting international students pursuant to the terms of individual Education Agent Agreements;
- b) International Education Agents are representatives only within the terms of individual Education Agent Agreements;
- c) As an agent of the Institute, all International Education Agents must abide by the principles of the National Code 2018, and the terms of their signed individual Education Agent Agreement.
- d) The principles of the National Code 2018, as they relate to the conduct of International Education Agents, are derived from Standard 4. An International Education Agent must not:
  - I. Be engaged in, or 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 (Overseas student transfers);
  - II. Be currently facilitating, or have previously facilitated, the enrolment of a student who the Agent believes will not comply with the conditions of his or her student visa;
  - III. Use the Provider Registration and International Students Management System
  - IV. (PRISMS) to create Confirmations of Enrolment for other than a bona fide student; or
  - V. Provide immigration advice where not authorised under the Migration Act 1958 to do so.

## **7 International Education Agent Application**

Agents who wish to become the Institute's approved Agent must follow the guidelines set out below.

- 7.1** It is the responsibility of the Student Support Manager to ensure that communication between the Institute and its Agents is efficient and effective.
- 7.2** New agents are actively sourced by the Institute based on development markets.
- 7.3** An Agent can make an enquiry about becoming the Institute's approved Agent by:
  - a) Contacting the Institute directly, by phone or email;
  - b) Visiting the Institute's campus;
  - c) Being visited by the Institute representative either in Australia or overseas.

- 7.4** The Student Support Manager contacts the enquiring Agent and requests relevant information, including the company profile, before proceeding the International Education Agent appointment process.
- 7.5** The Student Support Manager will then discuss the Agent application with the principal who decides whether to continue with the application or not.
- 7.6** If the Agent's application is not approved, the Agent is notified in writing by the Student Support Services Manager.

## **8 Appointment of International Education Agent**

- 8.1** An International Education Agent is appointed by signing a formal written International Education Agent Agreement with the Institute.
- 8.2** Prior to engaging a new International Education Agent, the Institute will request the completion of an International Education Agent Application Form which incorporates the requirement for a declaration of interests on the part of the applicant.
- 8.3** The Institute will undertake an assessment to satisfy itself that the potential agents will represent the Institute appropriately and will not pose risks to the Institute, staff, students, or prospective students. This may include:
  - a) Assessing that the agent is registered to operate in their local jurisdiction;
  - b) Assessing the agent's history and track record in recruiting students for the Australian market;
  - c) Assessing the agent's knowledge of the Australian international education industry, understanding of the principles of the National Code 2018 and other requirements relating to the provision of the Institute's services;
  - d) Inspecting the agent's premises to ensure that they are appropriate and present a professional image;
  - e) Interviewing agents to assess their performance in advising students;
  - f) Obtaining information on the display of the Institute's promotional materials.
- 8.4** A database of approved International Education Agents and respective Education Agent Agreements is maintained by the Student Support Manager.

## **9 Review of Education Agent Performance**

- 9.1** The Student Support Manager will manage ongoing operational performance monitoring of Agents throughout the contract period; which may include one or more of the following strategies:
  - a) Visits to Agent's offices and face-to-face meetings where feasible;
  - b) Telephone/teleconference meetings;
  - c) Documented comments taken when speaking or visiting the Agent;
  - d) Regular reports from the Agent;
  - e) Feedback from students recruited by the Agent;
  - f) Surveys of students recruited by the Agents;
  - g) Surveys of Agents;
  - h) Performance benchmarks included in the International Education Agent Agreement;
  - i) Spot checks by the Institute, e.g., observing the Agent at work, at Education Fairs,
  - j) quality of students (completion rates, number of students reported to Department of Immigration and Border Protection (DIBP);
  - k) Conversion rates of successful enrolments from letters of offer;
  - l) Recommendations from within the industry/sector,

- m) Informal feedback from Industry/sector colleagues.
- 9.2** The Institute will monitor International Education Agent performance on a continuous basis and will conduct formal reviews of such performance at least annually, or prior to each contract renewal period, whichever is sooner.
- 9.3** Agents will be sorted into three groups:
- a) Dormant;
  - b) Performing;
  - c) New (registered with the Institute for under 6 months).
- 9.4** Agents who are categorised as “dormant” may be suspended in the Institute management system and no further enrolments will be allowed until the suspension is lifted. If a suspended Agent seeks to be reactivated the agent may be required to undertake the full International Education Agent Application approval process at the Institute’s discretion.
- 9.5** Agents who are categorised as “performing” will remain under contract with the Institute provided the Agent has maintained consistent enrolments and demonstrated a proven ability to continue to abide by all regulatory requirements, including ESOS and the National Code 2018.
- 9.6** Higher Performing agents may be provided with a number of incentives, including (but not limited to) bonuses and additional marketing support and resources at the Institute’s discretion.
- 9.7** Agents who have not acted in a professional manner and/or have not adhered to all regulatory requirements and/or the terms of their individual agreement with the Institute, will be subject to any or all of the following actions:
- a) A written warning on performance from the Institute;
  - b) Suspension of their International Education Agent Agreement (i.e., no enrolments allowed until the Agent can demonstrate their capacity to improve performance);
  - c) Termination of the individual International Education Agent Agreement (i.e., the Agent’s relationship with the Institute is fully terminated such as in the case of criminal activities and serious non-compliances by the Agent or any of its officers, employees, or subcontractors).
- 9.8** The Institute supports an Agent’s right to appeal any decisions made by the Institute in relation to its International Education Agent Agreement. Agents will be given the opportunity to show cause as to why any of the above actions should not be imposed against them by the Institute by submitting their reason(s) and any supporting documentation to the Student Support Manager in writing. The Student Support Manager will discuss the Agent appeal with the principal who will establish if the Agent is eligible for a probationary extension of the International Education Agent Agreement valid for 3 to 6 months or the re-issue of an International Education Agent Agreement.
- 9.9** Formal International Education Agent performance reviews will be conducted for those contracts up for renewal.
- 9.10** The review may include (but is not limited to):
- a) New student recruitment volume;
  - b) Enrolment application conversion rates;
  - c) Visa success rates;
  - d) Quality and completeness of applicant documentation;
  - e) Compliance with the individual Agency Agreement;
  - f) Student performance on post enrolment;
  - g) Quality of advice and information provided to students; and
  - h) Student feedback.



- 9.11** Renewal of an Education Agent Agreement will only be approved if the performance of the International Education Agent is found to be satisfactory.
- 9.12** Where, on review, the performance of an International Education Agent is found to be unsatisfactory, action may be taken as specified in their individual Education Agent Agreement.
- 9.13** Each year, a review report will be produced by Student Support Manager which summarises the performance of International Education Agents. This report will be forwarded to the Institute's Continuous Improvement Committee for review.

## **10 International Education Agent Marketing**

- 10.1** The use of the Institute name, logo and other branding is subject to guidelines agreed with the Institute. All agents must ensure the following in conducting marketing and promotion activities connected with the Institute (in addition to complying with the terms of their individual International Education Agent Agreement, ESOS and the National Code 2018):
  - a) Only advertise the provision of courses with the written permission from the Institute;
  - b) Ensure that the Institute's business name and CRICOS Provider Number appear in all written and electronic marketing material;
  - c) All advertising and use of the Institute brand must be approved by the Institute prior to publication.

## **11 Termination of International Education Agent Agreement**

- 11.1** In the event of an Agent who has been found to have breached the terms and/or conditions of the individual Education Agent Agreement, the Institute may terminate their Agreement with the Institute in accordance with the terms of the individual Education Agent Agreement.
- 11.2** In the event that an International Education Agent has been found to have acted dishonestly, the Institute will terminate the individual Education Agent Agreement immediately in accordance with the terms of the individual Agency Agreement.
- 11.3** The Institute will investigate and document any complaints received regarding the behaviour of agents. An Agent found of being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practice, any Agent agreement will be terminated without notice;
- 11.4** The Institute may terminate an International Education Agent Agreement with an Agent who does not comply with requirements as set out in the terms of the individual Agreement, and in accordance with this policy.

## **12 International Education Agent Remuneration**

- 12.1** International Education Agents are remunerated by the Institute through either direct payment for particular services or payment of commissions based on enrolments attributable to an Agent.
- 12.2** The amounts payable, and terms of payment are determined by the individual Education Agent Agreement.
- 12.3** Any other conditions will be specified in the individual Education Agent Agreement.

### **13 Communication with International Education Agents**

- 13.1** The Institute will ensure there is timely and relevant communication with its International Education Agents.
- 13.2** Contact with, and management of the activities of the Agent network is primarily the responsibility of the Student Support Services Manager.
- 13.3** An International Education Agent newsletter will be distributed to all active International Education Agents by Student Support Services on a regular basis and as needed.
- 13.4** Copies of all communications relating to updates, commission payment and individual Education Agent Agreements are retained by Student Support Services Manager.

### **14 Promotional Material and Events**

- 14.1** International Education Agents and other relevant organisations are notified of the availability of new material via International Education Agent updates. International Education Agents who request materials are referred to the Institute's website where appropriate.
- 14.2** International Education Agent engagement is coordinated by Student Support Services department.

### **15 Roles and Responsibilities**

- 15.1** International Education Agents are responsible for:
  - a) Promoting the Institute to prospective students;
  - b) Recruiting genuine students to the Institute;
  - c) Complying with the terms and condition of their individual International Education Agent Agreement; and
  - d) Maintaining understanding and compliance with this policy and related procedures.
- 15.2** The Principal or their nominee is responsible for:
  - a) Entering into International Agent Agreements that are on terms consistent with this policy and its related procedures;
  - b) Managing the agent relationship on behalf of the Institute;
  - c) Managing the agent selection, monitoring, and review process;
  - d) Maintaining communications with the Agent network;
  - e) Maintaining the Agent database and online listing;
  - f) Distributing appropriate promotional material to Agents;
  - g) Providing adequate training to Agents;
  - h) Coordinating International Education Agent engagement; and
  - i) Undertaking Agent performance monitoring and reviews and reporting annually to the Institute's Continuous Improvement Committee.
  - j)
- 15.3** The Institute's marketing/ business development staff are responsible for:
  - a) Providing adequate Institute and course specific information to Agents;
  - b) Where appropriate, maintaining Agent relationship; and

- c) Providing Student Support Manager with information on interactions with Agents and any outcomes.

**15.4** The Institute is responsible for:

- a) Entering into International Education Agent Agreements that are on terms consistent with this policy and its related procedures;
- b) Developing promotional material appropriate for source markets in conjunction with the Institute's International Recruitment staff.
- c) Providing adequate Institute course specific information to Agents;
- d) Managing training and communications;
- e) Contributing to agent performance reviews; and
- f) Providing Student Support Manager with information on Agent interactions and their outcomes.

## **16 Confidentiality**

**16.1** All information relating to International Education Agent Recruitment and Monitoring will be treated as confidential and in accordance with the Institute's Privacy and Data Protection Policy and Procedures.

**16.2** The Institute will maintain confidentiality to ensure that:

- a) No information will be released without the agreement of the individual or group involved.

## **17 Appeals**

**17.1** If the International Education Agent is not satisfied with any decision relating to the International Education Agent Recruitment and Monitoring, the Agent has the right to appeal the decision.

**17.2** An appeal must be lodged in writing to the Student Support Manager within 20 working days from the date of the decision was taken.

**17.3** The appeal should include the following details:

- a) the Agent's full name (family/surname and first name), and contact details,
- b) the nature of the decision or matter being appealed,
- c) the basis for the appeal,
- d) details of the specific outcome sought by the Agent, and
- e) copies of all relevant documents.

## **18 Further Information and Assistance**

**18.1** Students should seek clarification on any aspects of this Policy and its related Procedures prior to accepting an offer of admission made by the Institute.

**18.2** Student assistance is available by contacting Institute Reception or Student Support.

**18.3** Students may make an appointment with the Student Support Manager for assistance with their request relating to this Policy and its related Procedures.

**18.4** Contact details for the Institute are outlined as follows:

Phone: +61 2 9066 6903

Address: Suite 603, Level 6  
2 Meredith Street,  
BANKSTOWN NSW 2200

Email: [admin@hallmarkinstitute.edu.au](mailto:admin@hallmarkinstitute.edu.au)

**NOTE:** For definitions and explanation of the terms used in this policy and procedures, please refer to the document titled '*Glossary of Terms.*'