

1. Purpose

- 1.1. Quality Training & Hospitality College (QTHC)'s Agents represent and promote the college and often act as the first point of contact for students who are looking to study with QTHC. Therefore, QTHC is committed to ensuring its Education Agents act in an ethical, compliant and appropriate manner.
- 1.2. The purpose of this policy is to ensure that all QTHC's appointed Education Agents act in an ethical manner and comply with QTHC's obligations under the ESOS Act and Standard 4 of the National Code, and the Migration Act. This policy will also describe the procedure for approving prospective agents and the monitoring of agents that are appointed to represent QTHC.
- 1.3. This policy has been developed in accordance with National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code):
 - Standard 4 Education agents: This standard sets out that registered providers must ensure that their Education agents act ethically, honestly and in the best interests of overseas students as well as uphold the reputation of Australia's international education sector.
 - Standard 10.2.2 the provider will include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's Education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services

2. Scope

- 2.1. This policy applies to all appointed Education Agents of QTHC and QTHC staff who are involved in the approval and monitoring of QTHC's Education agents.

3. Definitions

Education agent: 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).

4. Policy

- 4.1 QTHC reviews agent activities and monitors Education Agents on an ongoing basis, in accordance with section 6 of this policy.
- 4.2 QTHC may terminate an Education Agent's appointment where it knows or has reasonable suspicion that an Education Agent may have been engaged in unprofessional conduct or is in any way non-compliant with the ESOS Act, National Code or QTHC's policies and procedures.
- 4.3 QTHC retains the right to veto any Education Agent activity that in QTHC's opinion is not compliant with:
 - 4.3.1 The Education Agent Agreement
 - 4.3.2 Any relevant legislation
 - 4.3.3 Any information provided to the agent by QTHC

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4.4 QTHC enters into a written agreement with each Education Agent it engages to formally represent it. The agreement specifies the responsibilities of the Education Agent and the registered provider and the need to comply with the requirements in the National Code.

The agreement includes:

- 4.4.1 QTHC responsibilities, including for compliance with the ESOS Act 2000 and National Code 2018
 - 4.4.2 The requirements of the Education Agent in representing QTHC
 - 4.4.3 Processes for monitoring the activities of the of the Education Agent and ensuring the Education agent gives overseas students accurate and up-to-date information;
 - 4.4.4 The corrective actions that may be taken and the grounds for termination of the written agreement with the Education Agent; and
 - 4.4.5 The circumstances which information about QTHC may be shared by the registered provider and Commonwealth or state and territory agencies.
- 4.5 QTHC publishes a list of all current appointed Education Agents who formally represent QTHC on its website, PRISMS and ASQAnet.
- 4.6 QTHC ensures that Education Agents have access to accurate and up to date marketing information as set out in National Code Standard 1.
- 4.7 QTHC will not accept students from an Education Agent or enter into an agreement with an Education Agent if it knows or reasonably suspects the Education Agent to be:
- 4.7.1 Engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where it clearly conflicts with the obligations of registered providers under National Code Standard 7 (Transfer between registered providers);
 - 4.7.2 Facilitating the enrolment of a student who the Agent believes will not comply with the conditions of his or her student visa;
 - 4.7.3 Using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment (CoEs) for other than a bona fide student; or
 - 4.7.4 Providing immigration advice where not authorised under the Migration Act 1958 to do so.
- 4.8 QTHC does not allow Education Agents to access PRISMS or issue CoEs on its behalf.
- 4.9 QTHC will take immediate corrective and preventative action upon becoming 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.

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5. Procedure for new agent approval

5.1 Any person or organisation that wishes to formally represent QTHC as an Agent will be required to:

- i) Complete and Education Agent Application Form
- ii) Provide evidence of business registration and ABN registration
- iii) Provide at least two educational institute references
- iv) Provide Company Profile
- v) QTHC recommends the completion of, or evidence of successful completion of the Education Agent Training Course <https://eatc.onlinetrainingnow.com/courses/education-agent-training-course> and/or Registration with Migration Agents Registration Authority where applicable.

5.2 Education agents must declare and take all reasonable steps to avoid conflicts of interest with its duties as an Education agent of the QTHC. This is to ensure transparency in the Education agent's activities. Examples of conflicts of interest include, but are not limited to:

- 5.2.1 When the Education agent charges services fees to both overseas students and registered providers for the same service;
- 5.2.2 Where an Education agent has a financial interest in a private education provider; or
- 5.2.3 Where an employee of an Education agent has a personal relationship with an employee of the education provider.

5.3 Education agents must have appropriate knowledge and understanding of the overseas education system in Australia, including the Australian International Education and Training Agent Code of Ethics.

5.4 On receipt of the Education Agent Application form, QTHC will review the application. Before proceeding with an Education Agent's Agreement, QTHC must be satisfied that the following criteria are met:

- 5.4.1 The agent is reputable and acts in an ethical, responsible and compliant manner
- 5.4.2 The agent has sufficient knowledge of the overseas student recruitment market to provide a valuable service to both the student and QTHC.

5.5 To ensure the agent satisfies these criteria, QTHC will use one or more of the following methods:

- 5.5.1 Contact referees provided by the agent by email
- 5.5.2 Contact referees provided by the agent by phone
- 5.5.3 Contact known educational or business partners that the agent has worked with in the past
- 5.5.4 Contact known students that the Agent has recruited in the past
- 5.5.5 Review the Agent's social media profiles and website
- 5.5.6 Check the Migration Agent Registration Authority (MARA) database of Registered Migration Agents

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- 5.5.7 Check the Pier Online database of Qualified Education agent Counsellors.
- 5.5.8 Review information provided on the Agent Application form
- 5.5.9 Conduct a web search of the agent and review any feedback or other related content that has been posted online.
- 5.6 Once QTHC is satisfied that the Agent meets the criteria in 5.4, QTHC will issue the Agent with the Agent's agreement.
- 5.7 To finalise the appointment of the Agent, the agent must send a copy of the completed agreement back to QTHC by email or post. QTHC International Marketing Manager will then check all details are correct as per information provided on Agent Application form and sign off on the Agent Agreement. A copy of the fully signed agreement will be forwarded to the Education Agent, together with a copy being kept in the Agents file.
- 5.8 Once appointed, QTHC will:
 - 5.8.1 Enter the Education agent's details in PRISMS
 - 5.8.2 enter the Agent's details into the QTHC approved Agent's register including QTHC website and ASQAnet
 - 5.8.3 send the Agent marketing materials
 - 5.8.4 send the Agent a QTHC Education Agent certificate

6. Procedure for renewal of expired agents' agreements

- 6.1 At the end of the Education Agent Agreement expiry date, QTHC will review Agent's agreements.
- 6.2 For Education agents who have recruited one (1) or more students within the period of the previous agreement:
 - 6.2.1 QTHC will review the agent's activity during the agreement period. If QTHC is satisfied that the criteria at 5.4 are met, they will email the Agent the current version of QTHC's Agents Agreement to complete.
- 6.3 For Agents who have not recruited any students within the period of the previous agreement:
 - 6.3.1 QTHC may not automatically renew the Agent's Agreement.
 - 6.3.2 Agents who have previously worked with QTHC, however their agreement has expired, are welcome to reapply following the procedures listed in Section 4 of this policy.

7. Procedure for Education Agent monitoring

- 7.1 QTHC ensures that agents have up to date information through the following methods:
 - i) Email newsletters that are sent whenever QTHC has important information for agents.
 - ii) Emails, phone calls, text messages or other informal communications regarding specific student issues
 - iii) Delivering seminars and marketing events with agents when QTHC representatives are available in the Agent's region.

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- iv) Publishing content on QTHC's website and social media profiles.
- v) Regular college events where agents are present including; Graduation Ceremonies, College Charity Functions, etc.
- vi) Regular agent visits by QTHC staff.

7.2 QTHC monitors agent performance through the following methods

- 7.2.1 Student surveys
- 7.2.2 Informal communication with students
- 7.2.3 Ongoing evaluation of the quality of applications and the application documents sent by the agent.
- 7.2.4 Ongoing evaluation of the number of student applications submitted by the Agent.
- 7.2.5 Ongoing evaluation of student conversion rates including student visa outcomes
- 7.2.6 Monitoring outcomes of marketing activities
- 7.2.7 Communication with pathway partner colleges
- 7.2.8 Informal and formal communication with Agent through methods outlined in Section 6.1; including visiting Agent offices.

7.3 If at any time QTHC believes that the Agent is not meeting the obligations of the Agent's Agreement or the National Code, is being negligent, careless or incompetent, or is engaged in false, misleading or unethical advertising and recruitment practices, QTHC will follow this reviewing process:

- 7.3.1 Identify and gather information about the issue
- 7.3.2 Contact the agent and seek their response to the issue
- 7.3.3 Discuss the issue and the response from the agent
- 7.3.4 Decide the action to be taken
- 7.3.5 There are three (3) possible outcomes from the review process
 1. No Breach; In this case the Agent is thanked in writing for their input and no further action is required
 2. Minor Breach; In this case the Agent is given a written warning advising them that any further breach will result in the termination of their agent's agreement. If necessary, the Agent will be provided with advice and/or training to ensure the breach is not repeated
 3. Major Breach; In this case the Agent will be advised in writing that their Agency agreement has been immediately terminated and that QTHC may advise authoritative bodies such as Department of Home Affairs, Department of Education, MARA, PIER Online and/or the local Australian Embassy of the breach

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