

1. Purpose

- 1.1 The purpose of this Policy and Procedure is to ensure that the Central Australian Institute of Technology Higher Education (CAIT Hi-Ed) work with education agents in a manner that upholds ethical standards, maintains transparency, and promotes compliance with regulatory requirements. This policy outlines the processes for selecting, monitoring, and managing agents to ensure they represent the institution accurately and responsibly. It also seeks to protect prospective students from misleading practices, fostering a trustworthy relationship between the institution, agents, and students, while ensuring adherence to national education laws.

2. Scope

- 2.1 This Policy and Procedure will apply to all education agents who will be engaged to represent CAIT Hi-Ed, as well as staff involved in recruiting and managing these agents. It will also apply to prospective and current students who will be recruited through these agents. Additionally, the policy will be relevant to the CAIT Hi-Ed's management and compliance teams, ensuring that all parties involved will follow ethical practices and meet regulatory requirements, such as those outlined by the ESOS Act and the National Code in Australia.

3. Policy

- 3.1 This Policy and Procedure aims to ensure that all education agents representing the CAIT Hi-Ed do so with integrity, professionalism, and in compliance with relevant laws and regulations, including the ESOS Act and the National Code. The CAIT Hi-Ed is committed to engaging agents who act in the best interest of prospective students and provide accurate and ethical advice about study opportunities. This policy outlines the procedures for selecting, monitoring, and managing education agents, ensuring they uphold the institution's values, meet performance standards, and are subject to regular review to maintain a high level of service quality and regulatory compliance.

4. Principles

- 4.1 Select only reputable education agents and enter into a written agreement with each education agents.
- 4.2 Maintain accurate list of approved education agents.
- 4.3 Agents will operate with integrity, providing honest and accurate information to prospective students, ensuring transparency in all dealings.
- 4.4 All education agents will be required to adhere to regulatory requirements, including the ESOS Act, National Code, and other relevant laws.
- 4.5 The CAIT Hi-Ed will regularly monitor and assess the performance of agents to ensure they meet agreed-upon standards and represent the institution appropriately.
- 4.6 Agents will be held accountable for their actions, and the institution will reserve the right to terminate agreements with agents who fail to meet performance or ethical standards.
- 4.7 The CAIT Hi-Ed will provide regular training to agents to ensure they are knowledgeable about the institution's offerings, policies, and any changes in regulatory requirements.
- 4.8 Agent engagement will focus on ensuring that students receive accurate, relevant, and timely information to make informed decisions about their education pathways.

5. Procedure.

5.1 Agent Appointment

- 5.1.1 Prospective education agents will submit an application or EOI to express interest in representing the CAIT Hi-Ed.
- 5.1.2 The EOI will include the agent's business profile, recruitment strategies, partnerships with other institutions, and a record of success in recruiting international students.
- 5.1.3 The CAIT Hi-Ed will conduct a thorough vetting process, including background checks on the agent's credibility, reputation, and compliance with regulations like the Education Services for Overseas Students (ESOS) Act.
- 5.1.4 This process will assess the agent's visa success rates, references from partner institutions, and overall recruitment performance.
- 5.1.5 The CAIT Hi-Ed will evaluate the agent's qualifications and ensure alignment with its goals for student recruitment.
- 5.1.6 Interviews or meetings may be conducted to confirm the agent's understanding of Australian education standards and recruitment processes and provide orientation on CAIT Hi-Ed general business.
- 5.1.7 Upon successful vetting and completion of any required orientation, CAIT Hi-Ed and the Education agent will engage in a formal written agreement.

5.2 Agent Agreement

- 5.2.1 Once the education agent has been vetted and approved, the CAIT Hi-Ed will draft a formal agreement.
- 5.2.2 This agreement will outline the roles and responsibilities of the agent, the terms of engagement, and the ethical and legal obligations both parties must follow, especially in compliance with the Education Services for Overseas Students (ESOS) Act.
- 5.2.3 Both parties may negotiate terms, including the scope of services, payment structures (e.g., commissions), and any specific performance metrics or expectations.
- 5.2.4 The agreement will include provisions that ensure the agent complies with relevant Australian laws and institutional policies, including accurate information dissemination to prospective students and adherence to visa and admissions requirements.
- 5.2.5 The CAIT Hi-Ed will emphasize the agent's role in providing ethical services, following marketing guidelines, and adhering to the ESOS Act and the National Code of Practice.
- 5.2.6 After review and any necessary revisions, both parties will sign the agreement.
- 5.2.7 Once signed, the agreement becomes legally binding, governing the relationship between the agent and the institution.
- 5.2.8 Following the signing, the institution will provide the agent with marketing materials, training on programs and policies, and any recruitment tools necessary for effectively promoting the institution to prospective students.

5.3 Agent Training and Orientation

- 5.3.1 After the agent's appointment, the institution will organize an initial orientation session.
- 5.3.2 This session will introduce the institution's values, mission, and the specific roles the agent will play in recruiting international students.
- 5.3.3 Key regulatory frameworks, such as the Education Services for Overseas Students (ESOS) Act and the National Code of Practice, will be covered to ensure the agent understands their legal obligations.

5.3.4 The institution will provide in-depth training on its academic programs, including:

- Course offerings, entry requirements, and application processes.
- Tuition fees, scholarships, and financial aid options.
- Unique selling points of the institution and campus life.

5.3.5 The training will ensure agents are equipped to provide accurate and detailed information to prospective students.

5.3.6 A critical component of the training will focus on Australian visa requirements, student eligibility criteria, and the institution's admissions process.

5.3.7 The institution will guide agents through:

- Application timelines and document requirements.
- Common visa issues and how to support students in applying for visas.

5.3.8 This ensures agents can effectively assist students through the admissions and visa application stages.

5.3.9 Training will cover ethical recruitment practices, ensuring agents understand the importance of providing honest, accurate, and transparent information to students.

5.3.10 The CAIT Hi-Ed will reinforce the need for compliance with ESOS regulations, marketing guidelines, and the protection of student rights.

5.3.11 The CAIT Hi-Ed will provide agents with continuous updates on changes in programs, policies, and regulations.

5.3.12 Regular refresher training sessions and webinars may be conducted to ensure agents remain informed about new developments and continue to meet compliance standards.

5.4 Monitoring and Review

5.4.1 After the agent is appointed, the CAIT Hi-Ed will establish key performance indicators (KPIs) and compliance standards that the agent must adhere to.

5.4.2 These KPIs may include student recruitment numbers, visa success rates, adherence to ethical marketing practices, and compliance with the Education Services for Overseas Students (ESOS) Act.

5.4.3 A clear communication plan will also be set up to ensure regular interaction between the CAIT Hi-Ed and the agent.

5.4.4 The CAIT Hi-Ed will continuously track the agent's performance in recruiting students, monitoring:

- The number of students referred by the agent who successfully enrol and complete their studies.
- The accuracy and quality of the information provided by the agent to prospective students.
- The agent's visa success rates and how well they assist students in the application process.

5.4.5 CAIT Hi-Ed may use student feedback and visa rejection data to evaluate the agent's effectiveness.

5.4.6 Regular compliance checks will be conducted to ensure the agent is following the ESOS Act and the National Code of Practice. This includes verifying that the agent is providing accurate marketing materials, honest advice to students, and acting in the students' best interests.

- 5.4.7 Random or periodic audits may be carried out to assess compliance with legal and ethical standards.
- 5.4.8 The CAIT Hi-Ed will conduct formal reviews of the agent's performance on a periodic basis, such as annually or biannually.
- 5.4.9 These reviews will assess whether the agent has met the agreed-upon KPIs, maintained high standards of student service, and complied with legal requirements. CAIT Hi-Ed may conduct these reviews through meetings, reports, or site visits.
- 5.4.10 Based on the monitoring and review results, feedback will be provided to the agent.
- 5.4.11 If performance gaps or compliance issues are identified, the CAIT Hi-Ed may offer further training, request corrective actions, or impose performance improvement plans.
- 5.4.12 Continuous communication will ensure the agent remains aligned with the institution's expectations and evolving regulations.
- 5.4.13 After reviewing the agent's performance, the institution will decide whether to renew or terminate the agent's agreement.

5.5 Renewal and Termination

- 5.5.1 If the agent's performance is satisfactory:
 - A formal offer to renew the agreement will be extended, which may include updated terms, conditions, and targets based on the institution's evolving needs.
 - Any necessary adjustments, such as new compliance requirements or changes in commission rates, will be negotiated.
- 5.5.2 If there are minor performance issues:
 - The CAIT Hi-Ed may opt to renew the contract conditionally, with specific goals or improvement plans that the agent must meet during the new term.
- 5.5.3 If the agent fails to meet performance standards or violates compliance requirements, the CAIT Hi-Ed may decide to terminate the agreement.
- 5.5.4 Grounds for termination may include:
 - Consistently poor recruitment numbers or high visa rejection rates.
 - Breaches of the ESOS Act, unethical behaviour, or providing false information to students.
 - Failure to comply with the terms of the contract or ongoing performance improvement plans.
- 5.5.5 The CAIT Hi-Ed will issue a formal notice of termination, in line with the terms outlined in the original agreement, which typically includes a notice period.
- 5.5.6 Upon termination, the CAIT Hi-Ed will:
 - Remove the agent from its list of authorised representatives and notify relevant authorities and regulatory bodies, such as the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).
 - Request the return or destruction of any marketing materials and cease all promotional activities related to the institution.
 - The CAIT Hi-Ed will also inform prospective and current students of the termination, ensuring they are aware that the agent is no longer affiliated with the institution.

5.6 Records and Compliance

5.6.1 The CAIT Hi-Ed will create a centralized system for managing all records related to education agents. This will include:

- Signed agreements, contracts, and any amendments.
- Performance data, such as student recruitment numbers, visa success rates, and compliance history.
- Copies of marketing materials used by the agent and any communications related to their recruitment activities.

5.6.2 Digital platforms or databases will often be used to store this information securely and allow for easy retrieval.

5.6.3 Throughout the partnership, the institution will maintain detailed records of the agent's performance. This will include:

- The number of students referred, their success in gaining admission, and the outcomes of their visa applications.
- Feedback from students about their experience with the agent.
- Results of any audits, reviews, or performance assessments.

5.6.4 The CAIT Hi-Ed will ensure that agents adhere to the ESOS Act and the National Code of Practice for Providers of Education and Training to Overseas Students. To do this:

- Records of agent training on compliance, marketing standards, and visa regulations will be kept.
- Documentation of agent adherence to the CAIT Hi-Ed's ethical standards, such as providing accurate information to students, will be monitored regularly.
- All marketing materials used by the agent will be reviewed and documented to ensure they align with Australian regulatory requirements.

5.6.5 The CAIT Hi-Ed will conduct regular audits or reviews of the agent's activities to ensure compliance. These may include:

- Periodic checks on student recruitment processes, visa outcomes, and feedback from students.
- Logs of corrective actions taken in response to any performance issues or compliance breaches.

5.6.6 Results of these audits will be stored for regulatory reporting and internal quality assurance.

5.6.7 The CAIT Hi-Ed will retain records of all agent-related activities for a defined period as required by Australian law.

- This includes agreements, performance reviews, and compliance checks.
- These records must be available for inspection by regulatory bodies such as the Tertiary Education Quality and Standards Agency (TEQSA) or the Department of Home Affairs if needed.

5.6.8 The retention policy will ensure that records are stored for a sufficient duration to comply with regulatory requirements and institutional policies.

5.6.9 The CAIT Hi-Ed will keep records of ongoing agent training, including updates on changes to visa policies, admissions procedures, and regulatory requirements.

5.6.10 This ensures that agents remain informed about the latest legal and institutional expectations, and their compliance can be verified through documentation of training attendance and completion.

6. Roles and Responsibilities

6.1 Of the CAIT Hi-Ed

- 6.1.1 The institute has the primary responsibility of selecting and appointing education agents who will represent the institution to prospective international students. Once appointed, the institute must provide the agents with comprehensive training and support.
- 6.1.2 The CAIT Hi-Ed must actively monitor the performance of its agents. Regular reviews and audits are essential to assess compliance with institutional policies and Australian laws, including the ESOS Act and the National Code of Practice.
- 6.1.3 Another important responsibility is managing the contractual agreement with the agent. If issues arise, such as poor performance or non-compliance, the institution is responsible for taking corrective action, which could range from additional training to contract termination. Handling complaints and addressing any concerns from students regarding the agent's conduct is also a critical part of the institution's responsibilities, ensuring that the student recruitment process remains transparent and ethical.

6.2 Of the Education Agent

- 6.2.1 Their primary responsibility is to accurately represent the institution's academic programs and services, providing students with detailed and truthful information. Agents are expected to act ethically, ensuring that the information they provide is not misleading or exaggerated. They must also respect the institution's marketing guidelines and ensure that all promotional materials are up to date and compliant with the institution's standards.
- 6.2.2 Agents must also assist students throughout the application process, ensuring that all required documents are submitted and that students meet the necessary admission criteria. Agents must be well-versed in Australian visa regulations and ensure that students provide accurate and complete information. They are also responsible for assisting students in understanding the financial and practical implications of studying in Australia, including living expenses and work opportunities during and after their studies.
- 6.2.3 Education agents are also obligated to comply with Australian laws and regulations, particularly the ESOS Act and the National Code of Practice. They must maintain ethical standards in all their interactions, including avoiding promises of guaranteed admission or visa approvals, which can mislead students. Professionalism and confidentiality are essential elements of their role, as agents handle sensitive personal information. They must protect student data and comply with privacy laws. Additionally, agents must provide regular updates and reports to the institution on student applications and outcomes, ensuring clear and transparent communication throughout the recruitment process.

7. Authority and Compliance

File Number	HEP03
Status	Current
Approval Authority	Governance Board.
Legislative Compliance	<ul style="list-style-type: none">● Education Services for Overseas Students Act 2000 (ESOS Act);● National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (2018)

	<ul style="list-style-type: none"> • Privacy Act 1988 • Competition and Consumer Act 2010 • Migration Act 1958 and Migration Regulations • State and Territory Legislation.
Supporting Documents	<ul style="list-style-type: none"> • Education Agent Application form • Agent Agreement Template • Performance Metrics and KPIs • Training and Orientation materials • Compliance Checklists • Feedback Forms for Students • Audit and Review Template
Related Documents	<ul style="list-style-type: none"> • CAIT Hi-Ed Admissions Policy and Procedure • CAIT Hi-Ed Marketing and Advertising Policy and Procedure • CAIT Hi-Ed Grievance and Appeals Policy and Procedure • CAIT Hi-Ed Privacy Policy and Procedure
Higher Education Standards Framework (Threshold Standards) 2021	<ul style="list-style-type: none"> • Standard 2, ss 1 - 3 • Standard 6, ss 1 - 2 • Standard 8, ss 1 - 2 • Standard 9, ss 1 – 2 • Standard 10, ss 1 - 2
Education Services for Overseas Students (ESOS Act) and National Code of Practice for Providers of Education and Training to Overseas Students 2018	<ul style="list-style-type: none"> • Standard 4, ss 1 – 4 • Standard 5, ss 1 -2 • Standard 6, ss 1 - 2
Responsible Officer	Operations and Marketing Manager.
Responsible Executive	CEO.
Enquiries Contact	Operations and Marketing Manager.
Effective Date	
Expiry Date	Not applicable
Next Review	3 Years from the effective date

8. Review Schedule

This policy will be reviewed by the Governance Board every three years.

Version History			
Version No	Approved by	Approval Date	Revision Notes
1.0	Governance Board	1/11/2024	