

Purpose

This policy is to ensure that Education Agents with whom Pakenham Institute has written agreements with act ethically, honestly and in the best interests of overseas students, as well as uphold the reputation of Australia's international education sector.

This policy will also ensure that intending students will benefit from the monitoring strategies of Pakenham Institute and from Pakenham Institute ability to terminate agreements with Education Agents who engage in false or misleading recruitment practices.

This contributes to compliance with Standard 4 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*, as well as Standards 2.3, 2.4 and 8.3 of the *Standards for Registered Training Organisations 2015*.

Policy

1. Recruitment of Agents

- Pakenham Institute will only work with reputable Education Agents who have an appropriate knowledge and understanding of the Australian international education industry.

2. Written Agreements

- Pakenham Institute develops and implements a written agreement with each Education Agent that is engaged to recruit students on its behalf.
- Written agreements will specify all of the following:
 - Pakenham Institute responsibilities, including that Pakenham Institute is responsible at all times for compliance with the Standards for Registered Training Organisations, ESOS Act and National Code 2018.
 - Pakenham Institute requirements for agents who represent them, including the requirement to:
 - declare in writing and take reasonable steps to avoid conflicts of interests with duties as an Education Agent of Pakenham Institute.
 - observe appropriate levels of confidentiality and transparency in dealings with overseas students or intending overseas students.
 - act honestly and in good faith, and in the best interests of the student.
 - have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
 - Pakenham Institute processes for monitoring the activities of Education Agents in representing the provider, and ensuring the Education Agent is giving students accurate and up-to-date information on Pakenham Institute services
 - corrective action that may be taken by Pakenham Institute if an Education Agent does not comply with its obligations under the written agreement.
 - Pakenham Institute grounds for termination of the registered provider's written agreement with the Education Agent.
 - the circumstances under which information about the Education Agent may be disclosed by Pakenham Institute and the Commonwealth or state or territory agencies.

- Need to provide accurate and factual responses to information requests from the VET Regulator or any other Commonwealth state or territory body or as required by law, relevant to the recruitment of students.
- Need to cooperate with the VET regulator in the conduct of audits and the monitoring of its operations
- A list of Education Agents with whom Pakenham Institute has a written agreement will be included on Pakenham Institute's website. As a minimum this information will include the agency name, name of the principal agent, legal entity and street address.
- Pakenham Institute will advise ASQA of the third-party arrangements in place with Education Agents in accordance with clause 8.3 of the Standards:
 - Within thirty days of an agreement commencing.
 - Within thirty days of an agreement coming to an end.

3. Monitoring and termination

- Where Pakenham Institute becomes aware that, or has reason to believe, the Education Agent or an employee or contractor or subcontractor of that Education Agent has not complied with the Education Agent's responsibilities. Pakenham Institute will take immediate corrective action.
- Where Pakenham Institute 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, Pakenham Institute 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.
- Pakenham Institute 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.
 - 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 registered providers under Standard 7 (Overseas student transfers).
 - facilitating the enrolment of a student who the Education Agent believes will not comply with the conditions of his or her visa.
 - using PRISMS to create CoEs for other than bona fide students.
- The monitoring activities of Pakenham Institute will identify where an agent may be involved in any of the above activities. Pakenham Institute will also take into account reports from students where the number of students is a reasonable proportion of the students recruited by an agent (e.g. 3 in 10 students).

4. Marketing Materials

- Education agents will be provided with current and accurate marketing information that meets the requirements of Pakenham Institute's *Marketing Information Policy and Procedure*.

Procedures

1. Process new Education Agent application

National Code: Standard 4

Procedure	Responsibility
A. Provide information to potential Education Agents <ul style="list-style-type: none"> Email or post potential Education Agents with the Agent <i>Application Form</i> and marketing material. 	CEO/Compliance Manager
B. Assess application from agent <ul style="list-style-type: none"> Acknowledge receipt of completed application. Review application for completeness. Where the application is incomplete, inform the agent of the additional information required and the requirement to provide this within 60 days or that otherwise the application will no longer be valid. Consider information in application and contact referees as required. Assess application based on the responses from referees, the location that the agent will recruit from, the demonstrated understanding of Australian laws in regard to student recruitment and agent experience in the recruitment of international students. Approve or refuse application. Notify agents in writing of the decision to approve or not approve the application and including reasons where the application is declined. 	CEO/Compliance Manager

2. Confirm agreement

Relevant to National Code: Standard 4

Procedure	Responsibility
A. Confirm agreement with new Education Agent <ul style="list-style-type: none"> Send two copies of the written agreement to agent for signing with one to be returned. The agreement will be valid for one year for new applications. Following receipt of signed agreement, send certificate as evidence of registration with Pakenham Institute to be displayed in agents' offices to indicate to prospective students that they have a written agreement with Pakenham Institute. Publish the approved agent/s on Pakenham Institute web site. Report the agent to ASQA via Asqanet Third party Notification. Enter details of education agent into PRISMS. Ensure details are maintained at all times in the event of changes. 	CEO/Compliance Manager

Procedure	Responsibility
B. Renew existing agent agreements <ul style="list-style-type: none"> For existing Education Agents and subject to effective performance, provide copies of renewed agreements for signing. Existing agreements will generally be renewed for a further three years. 	CEO/Compliance Manager

3. Implement agent agreement

National Code: Standard 4

Procedure	Responsibility
A. Induct new agents <ul style="list-style-type: none"> Provide an induction regarding Pakenham Institute's course offerings. Provide an overview of Pakenham Institute's current marketing. Discuss student enrolment and selection process. Provide approved marketing materials and discuss process for updating any revised marketing materials. Discuss and clarify National Code 2018 requirements and Pakenham Institute's <i>Education Agent Policy & Procedures</i>. 	Marketing Officer
B. Provide up to date information to agents <ul style="list-style-type: none"> Provide up to date information to agents through: <ul style="list-style-type: none"> Email monthly letters regarding important information for agents. Ensure each letter identifies by version numbers/name the most current documents/links, so that the agents are able to easily check they are using the most current up to date material available. Emails, phone calls, text messages or other informal communications regarding specific student issues Delivering seminars and marketing events with agents when Pakenham Institute representatives are available in the agent's region. Publishing content on Pakenham Institute's website. 	
E. Provide up to date marketing information to agents <ul style="list-style-type: none"> Provide up to date marketing information to agents each time marketing information is updated. Send updated marketing information via email or post. Where the web site is updated, email agents with a link to the updated web site and provide a summary of changes. Check that emails have been received from all agents confirming that they are using new versions and have removed, taken down or destroyed previous 	CEO/Compliance Manager

Procedure	Responsibility
<p>versions.</p> <ul style="list-style-type: none"> Follow up agents who have not sent this email confirmation to ensure they send it immediately. 	
<p>F. Monitor Education Agents</p> <ul style="list-style-type: none"> Implement monitoring procedures as per written agreement including: <ul style="list-style-type: none"> Documented face to face meetings and/or teleconferences with agents at least every six months Analysis of quality and quantity of applications on behalf of prospective students Analysis of conversion rates from lodging applications to studying at Pakenham Institute. Requirement for a quarterly report documenting the number of students interviewed by the agent either in their offices or at other venues such as education fairs. Documenting on the agent's file instances where students claim to have been misinformed about their studies at Pakenham Institute. Documenting on the agent's file instances where the agent has shown a lack of knowledge of student visa requirements or other matter relating to the student's stay in Australia. Surveying current and prospective students about the information provided to them by the Education Agent and the level of assistance given to the student to assist them in travelling to Australia. If at any time, monitoring procedures show that the agent is not meeting the terms as specified in the written agreement, investigate the issue as shown below. Where an agent is meeting the terms as shown in the written agreement, provide written feedback to agent indicating such. 	<p>CEO/Compliance Manager</p>
<p>G. Investigate agents who are not meeting the terms of their agreement</p> <ul style="list-style-type: none"> Seek feedback from the agent on the issue. Discuss issue with CEO and decide on action as follows: <ul style="list-style-type: none"> Where it is considered that there was no breach of the agreement, write to agent confirming this. Where corrective or preventative action is required, inform agent in writing of breach and action required and timelines. Where breach is considered to be major, inform agent of the reasons, terminate agreement and report to DHA and DET. Remove agent from Asqanet and PRISMS. Where an agent is required to implement corrective or preventative action, 	<p>CEO/Compliance Manager</p>

Procedure	Responsibility
<p>monitor agent to ensure that actions are implemented according to agreed timelines. If actions are not implemented, terminate the agreement as above.</p> <ul style="list-style-type: none">• Keep all documentation on file.	