

SC7: Education Agent Policy

International Students

Policy

1. Recruitment of Agents

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

2. Written Agreements

- SHIC develops and implements a written agreement with each Education Agent that is engaged to recruit students on its behalf. All written agreements are recorded in the *Education Agent Agreements Register*.
- Written agreements will specify all of the following:
 - SHIC responsibilities, including that SHIC is responsible at all times for compliance with the ESOS Act and National Code 2018.
 - SHIC 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 SHIC
 - 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.
 - SHIC 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 SHIC services
 - corrective action that may be taken by SHIC if an Education Agent does not comply with its obligations under the written agreement.
 - SHIC 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 SHIC and the Commonwealth or state or territory agencies.
- A list of Education Agents with whom SHIC has a written agreement will be included on SHIC's website. As a minimum this information will include the agency name, name of the principal agent, legal entity and street address.
- SHIC will advise ASQA of third party arrangements in place.

3. Monitoring and termination

- Where SHIC becomes aware that, or has reason to believe, the Education Agent or an employee or subcontractor of that Education Agent has not complied with the Education Agent's responsibilities. SHIC will take immediate corrective action.

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- Where SHIC 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, SHIC 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.
- SHIC 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 SHIC will identify where an agent may be involved in any of the above activities. SHIC 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 SHIC's *Marketing and Advertising Policy*.

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