



AGENT MANAGEMENT POLICY	
Category/Business Group	Education Group
Published Externally (Yes/No)	Yes
Approver	Chief Executive Officer
Responsible Officer	Group Executive, Education
Contact Officer	Recruitment Manager
Effective Date	1/11/2018
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Version	1

Policy Approval

Approver (Acting CEO)	Responsible Officer	Policy Officer
Emma Drummond	Marc Weedon-Newstead	Emma Drummond
Date:1/11/2018	Date:1/11/2018	Date:30/10/2018



1. Background

Australian law requires providers of education and training courses to overseas students to be registered and 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.

2. Purpose

The purpose of this policy is to ensure consistent and effective management of Education Agents.

3. Scope

This policy applies to:

- (a) those education agents UNSW Global has appointed to represent it and its programs, both onshore and offshore; and
- (b) those education agents representing prospective or enrolled students of UNSW Global, both onshore and offshore; and
- (c) those education agents seeking to become UNSW Global's registered agents.

4. Definitions

Agent Code of Ethics means the Australian International Education and Training Agent Code of Ethics.

CRICOS means The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under section 14A of the ESOS Act.

Education Agent means a person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. Education agents may provide education counselling to overseas students as well as marketing and promotional services for education providers. An education agent is not an institution with whom an Australian provider has an agreement for the provision of education or teaching services.

ESOS Act means The Education Services for Overseas Students Act 2000.

Marketing means any promotion of the company about its courses and facilities to prospective overseas students and their parents or guardians, agents, international organisations and other interested parties such as alumni.

National Code means the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* made under section 33 of ESOS.

Overseas Students means Overseas students (within or outside Australia) who holds a student visa but does not includes students of a kind prescribed in the ESOS Regulations.

PRISMS means the Provider Registration and International Student Management System used to process information given to the Secretary of the Department of Education and Training (DET) by registered providers.



UNSW means the University of New South Wales, the sole shareholder of UNSW Global.

5. Policy Statement

UNSW Global is committed to being compliant with the ESOS Act and National Code, and to the effective and diligent management of the Education Agents who it appoints to recruit Overseas Students to study with UNSW Global in Australia.

6. Contracted Agents

UNSW Global appoints Education Agents to represent it and its programs for the purpose of recruiting Overseas Students to study with UNSW Global in Australia. The principles that UNSW Global apply when appointing and managing its contracted Education Agents is set out in this section 6. The way in which UNSW Global implements the principles set out in this section 6 is set out in the Agent Management Procedure.

6.1. Expression of Interest

Education Agents may seek to become a UNSW Global contracted agent in the following ways:

- (a) submission of an expression of interest (EOI) form; or
- (b) after being appointed as an Education Agent of UNSW (which still requires submission of an EOI form).

UNSW Global normally assesses expressions of interest from prospective Education Agents during November in each calendar year. In exceptional cases, expressions of interest may be assessed at other times during the year.

6.2. Due Diligence

All prospective Education Agents will be subject to a due diligence process. Where possible, the information provided by Education Agents as part of the due diligence process will be verified by independent third parties. UNSW Global will, as a minimum, require agents to:

- (a) provide copies of their business registration certificates;
- (b) provide a list of company directors and authorised signatories;
- (c) provide copies of any accreditation certificates;
- (d) provide references as to their suitability; and
- (e) attend an interview, which may take place via phone or videoconference.

UNSW Global will rely on due diligence conducted by UNSW in relation to its contracted agents, if such due diligence was completed within the previous twelve (12) months.



6.3. Discretion not to appoint an Education Agent

UNSW Global is under no obligation to appoint an Education Agent to be its representative, and all appointments will be in the sole discretion of UNSW Global. Education Agents should be aware that UNSW Global will not appoint an Education Agent to be its representative where it knows or reasonably suspects the Education Agent to be:

- (a) involved in unethical recruitment practices by providing migration advice, unless that education agent is authorised to do so under the *Migration Act 1958*;
- (b) 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)*;
- (c) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa; and/or
- (d) using PRISMS to create CoEs for Overseas Students that are not genuine students.

6.4. Appointment

If, after completion of the due diligence process, UNSW Global wishes to proceed to appoint an Education Agent, the Education Agent will be expected to enter into UNSW Global's standard education representative agreement.

No Education Agent may represent UNSW Global or its programs without having entered into a written agreement with UNSW Global.

6.5. Induction and Training

UNSW Global expects all of its contracted Education Agents and their counsellors to understand and comply with the ESOS Act, the National Code and the Agent Code of Ethics. UNSW Global will conduct training for its contracted Education Agents as part of an induction process and on an ongoing basis, this may take the form of:

- (a) in country training sessions;
- (b) online training sessions; and
- (c) the distribution of training and information materials.

6.6. Performance Management

In relation to its contracted Education Agents, UNSW Global will:



- (a) monitor compliance with the ESOS Act, the National Code, the Agent's Code of Ethics and the terms of the Education Agent's written agreement with UNSW Global, on an ongoing basis;
- (b) conduct an annual performance review; and
- (c) take any action necessary in relation to non-compliance or poor performance by a contracted Education Agent. This may take the form of requesting the Education Agent to take corrective action, or the suspension or termination of the Education Agent in accordance with the Education Agent's written agreement with UNSW Global.

6.7. Suspension or Termination

If an Education Agent is suspended or terminated by UNSW Global, it must immediately cease representing UNSW Global and its programs.

UNSW Global reserves the right to suspend or terminate any contracted Education Agent who is suspended or termination by UNSW.

7. Non-Contracted Agents

UNSW Global may accept applications from Education Agents who do not formally represent UNSW Global. In these circumstances, UNSW Global expects that it is the student who has approached the Education Agent and wishes to attend UNSW Global. UNSW Global will pay a commission to these non-contracted Education Agents on an exceptions basis, in an amount to be determined by UNSW Global.

Where a non-contracted Education Agent sends UNSW Global multiple applications in the same calendar year (two or more) UNSW Global will carry out enquiries to ensure that the non-contracted Education Agent is not promoting UNSW Global or its programs without authorisation.

If UNSW Global becomes aware or suspects that a non-contracted Education Agent is promoting UNSW Global or its programs without authorisation, or that it is otherwise carrying out activities that would be a breach of the ESOS Act, the National Code or the Agent Code of Ethics, it will cease to accept students from this Education Agent.

8. Legal and Policy Framework

8.1. Responsibilities

- (a) *Approver*
The Chief Executive Officer is responsible for the approval of this policy.
- (b) *Responsible Officer*
The Group Executive, Education is responsible for the implementation, dissemination and review of this policy.



- (c) *Contact Officer*
The Recruitment Manager is responsible for the day to day implementation of this policy and is the first point of contact for all enquiries that relate to this policy.
- (d) *Policy and Compliance Officer*
The ESOS Compliance Officer is responsible for the administration and publishing of this policy.
- (e) *Staff, Supervisors and Executives*
UNSW Global staff, supervisors and executives are responsible for assisting in the implementation of and adherence to this policy.

8.2. Review

This policy is due for review 3 years from its date of implementation or in case of legislative or regulatory changes.

9. Related Policies and Procedures

- (a) Agent Management Procedure
- (b) Non-Contracted Agent Management Procedure

10. Version History

Version Control	Date Effective	Approved By	Amendment Notes