

Agent Management Policy

1. Purpose

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

2. Scope

This Policy applies to those Education Agents:

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

3. Policy statement

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

4. Contracted agents

UNSW College appoints Education Agents to represent it and its programs for the purpose of recruiting international students to study with UNSW College in Australia. The principles that UNSW College applies when appointing and managing its contracted Education Agents are set out in Section 4. The way in which UNSW College implements the principles set out in Section 4 is set out in the Agent Management Procedure.

4.1. Expression of interest

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

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

UNSW College 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.

4.2. 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 College 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 College 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.

4.3. Discretion not to appoint an education agent

UNSW College is under no obligation to appoint an Education Agent to be its representative, and all appointments will be at the sole discretion of UNSW College. Education Agents should be aware that UNSW College 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 Confirmation of Enrolments (CoEs) for International Students that are not genuine students.

4.4. Appointment

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

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

4.5. Induction and training

UNSW College expects all of its contracted Education Agents and their counsellors to understand and comply with the ESOS Act, the ESOS National Code and the Agent

Code of Ethics. UNSW College 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.

4.6. Performance management

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

- (a) monitor compliance with the ESOS Act, the ESOS National Code, the Agent Code of Ethics and the terms of the Education Agent's written agreement with UNSW College 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 College.

4.7. Suspension or termination

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

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

5. Non-Contracted Agents

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

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

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

6. Roles, responsibilities and delegations

Role	Responsibility
Approver	The Chief Executive Officer is responsible for the approval of this Policy.
Responsible Officer	The Executive Director, Future Students and Business Development is responsible for the implementation, dissemination and review of this policy.
Contact Officer	The Senior Student Recruitment Manager, Pathways 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.
Policy and Compliance Officer	The ESOS Compliance Officer is responsible for the administration and publishing of this policy.
Staff, Supervisors and Executives	UNSW College staff, supervisors and executives are responsible for assisting in the implementation of and adherence to this policy.

7. Definitions

Definitions and Acronyms	
Agent Code of Ethics	The Australian International Education and Training Agent Code of Ethics.
CoE	Confirmation of Enrolment
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students, which is the register prescribed under section 14A of the <i>ESOS Act</i> .
Education Agent	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	The Education Services for Overseas Students Act 2000 (Cth).
ESOS National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth) made under section 33 of the <i>ESOS Act</i> .
ESOS Regulations	The legislative instruments made under the <i>ESOS Act</i> .
EOI	Expression of interest.

Marketing	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.
Overseas Students	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	The Provider Registration and International Student Management System used to process information given to the Secretary of the Department of Education, Skills and Employment by registered providers.
UNSW	The University of New South Wales, the sole shareholder of UNSW College.
UNSW College	UNSW College ABN 62 086 418 582.

Related Policy Documents and Supporting Documents	
Legislation	<ul style="list-style-type: none"> • <u>Education Services for Overseas Students Act 2000 (Cth)</u> • <u>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</u>
Procedures	<ul style="list-style-type: none"> • <u>Agent Management Procedure</u> • <u>Non-Contracted Agent Management Procedure</u>
Forms	<ul style="list-style-type: none"> • <u>Agent Performance Report</u>

8. Policy Governance

Agent Management Policy	
Category/Business Group	Recruitment
Published Externally (Yes/No)	Yes
Approver	Chief Executive Officer
Responsible Officer	Executive Director, Future Students and Business Development
Contact Officer	Head of Student Recruitment Pathways
Effective Date	17/08/2023
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Version	1.0



Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1	Chief Executive Officer – Sarah Lightfoot	11 August 2023	17 August 2023	N/A

Please visit our website to ensure that you have the latest version of this Policy. Policies are available at: unswcollege.edu.au/about/policies