

Education Agent Policy and Procedure

Approving body	Governing Board
Date approved	27 Feb 2025
Date of effect	Commencement of operation
Next scheduled review	Two years from approval date
Policy owner	Chief Executive Officer
Policy contact	Chief Executive Officer
Related Documents	Admission Policy and Procedure Delegations Policy and Schedule Education Agent Application Form Education Agent Agreement Template Education Agent Monitoring Form Education Agent Register Student Transfer Policy and Procedure Student Orientation Policy and Procedure
Higher Education Standards Framework (HESF) 2021 (Cth)	Standard 2.4.1 Standard 7.1.1 Standard 7.1.4

Purpose

1. This policy and procedure outlines **Zenith Innovation Institute's (ZII / Zenith / the Institute)** framework for managing education agents involved in the recruitment of international students, and to ensure agents understand obligations to act ethically, honestly and in the best interests of ZII's international students, as well as to uphold the reputation of ZII and Australia's international education sector.

Scope

2. This policy and procedure applies to:
 - (a) ZII's prospective and registered education agents;
 - (b) all staff of the Institute, whether full-time, part-time, casual or contract;
 - (c) members of the Institute's governing bodies; and
 - (d) individuals engaged in providing services to the Institute or receiving services from the Institute or education agents, such as students, contractors or consultants.

Policy

Principles

3. The Institute will only engage agents who have completed the Education Agents Training Course (**EATC**)¹ offered by Icef Academy or a recognised equivalent and belong to a professional association representing education agents, where one exists.
4. The Institute will proactively manage its relationship with education agents and monitor agent performance and compliance with regulatory and contractual requirements to ensure positive outcomes for students receiving services from education agents. This does not, however, mean that all applications will result in the students being admitted to ZII.
5. The Institute will ensure that:
 - (a) agents act ethically, honestly and in the best interests of international students, and have an appropriate knowledge of the Australian international education industry;
 - (b) agents are provided with up-to-date, comprehensive and accurate information about the Institute;
 - (c) representation by the education agent of the Institute, its educational offerings and charges are accurate, current and not misleading;
 - (d) current and prospective students have access to mechanisms to resolve grievances regarding experience or interaction with an education agent registered with the Institute; and
 - (e) education agents are bound by formal contracts with the Institute including the Education Agent Agreement, agent performance is monitored in accordance with the Education Agent Monitoring Form, and prompt corrective action is taken in the event or likelihood of misrepresentation, non-compliant or unethical conduct.
6. The Institute will not accept students from an education agent if it knows or reasonably suspects the education agent to be in breach of obligations and/or its ZII Education Agreement.

Procedure

Education agent registration

7. Education agents may apply to be registered with the Institute by submitting an Education Agent Application Form, available on the Institute's website.
8. The Institute will appoint an officer with responsibilities for management and oversight of agents (the Institute responsible officer) and this officer will:
 - (a) liaise with education agents, including assessing applications for registration with the Institute, and will promptly acknowledge receipt of applications;
 - (b) review the application for completeness in the first instance and, if required, request the applicant provide additional information. The application will not be valid until this information is provided;
 - (c) conduct due diligence checks, including contacting referees, upon reception of the full application and prior to entering into an agreement; and

¹ Education Agent Training Course ([Icef Academy](#))

- (d) confirm that any candidate for registration as an education agent with the Institute has adequate knowledge and understanding of the *Australian International Education and Training Agent Code of Ethics*².

9. The assessment will consider:

- (a) the response from referees;
- (b) the location that the agent will recruit from;
- (c) the agent's demonstrated understanding of Australian laws regarding student recruitment; and
- (d) the agent's international student recruitment experience.

10. If satisfied that the prospective agent is suitable, the Institute responsible officer will make a recommendation to the Chief Executive Officer (**CEO**) to proceed with the appointment of the agent.

11. If the CEO agrees with the recommendation:

- (a) a record of the assessment and outcome will be created and the applicant notified of the outcome;
- (b) the successful applicant will be provided with:
 - (i) two copies of ZII's Education Agent Agreement for review and signature;
 - (ii) a copy of the Australian International Education and Training Agent Code of Ethics; and
 - (iii) Standard 4 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the **Code**).

12. Following receipt of the signed Agreement, the successful applicant would be considered an education agent of the Institute and will receive:

- (a) a certificate to be displayed in the education agent's offices to indicate to prospective students that they have a written agreement with the Institute; and
- (b) a copy of the ZII Education Agent Agreement with the CEO's signature.

13. The education agent's relevant details will be entered in the Institute's Education Agent Agreements Register.

14. The Department of Education, and the Tertiary Education Quality and Standards Agency will be notified via PRISMS of the details of the registered education agent. Any changes of details over time or termination of an agreement are also updated on PRISMS.

15. A list of the Institute's education agents will be maintained on the Institute's website. As a minimum, this information will include the agency name, name of the principal agent, the legal entity and street address.

Education agent agreement

16. The Institute has a written agreement with each education agent that formally represents its education services.

17. The ZII Education Agent Agreement:

² International Education Association of Australia <https://ieaa.org.au/IEAA/IEAA/Advocacy/Policies-Charters-Folder/agent-code-of-ethics.aspx>

- (a) the Institute's responsibilities (including for compliance with international student protection legislation and standards);
- (b) the obligations of the education agent in representing the Institute, including to:
 - (i) declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the Institute;
 - (ii) observe appropriate levels of confidentiality and transparency in interactions with international students or prospective international students;
 - (iii) act honestly and in good faith, and in the best interests of the student;
 - (iv) have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics;
 - (v) the processes for monitoring the activities of the education agent in representing the Institute, and ensuring the education agent is giving students accurate and up-to-date information on the Institute's services;
 - (vi) corrective actions that may be taken by the Institute if the education agent does not comply with its obligations under the written agreement;
 - (vii) the grounds for termination of the written agreement with the education agent; and
 - (viii) the circumstances under which information about the education agent may be disclosed by the Institute to Commonwealth, state or territory agencies.

18. Written agreements have an initial maximum duration of one year. Subject to satisfactory performance and compliance by the agent, written agreements may be subsequently renewed.

Education agent information and training

19. The Institute's education agents will receive induction and training encompassing the following topics:

- (a) the Institute's courses;
- (b) an overview of the Institute's marketing strategies;
- (c) an overview of the student admission process;
- (d) a full briefing of the requirements of the Code and this policy; and
- (e) performance and written agreement review dates.

20. Additional training can be provided upon request by the Marketing Team.

Ensuring information is current

21. Education agents will be provided up-to-date, accurate and relevant marketing material and will be promptly notified when the Institute's materials become obsolete or the website is updated.

22. The Institute responsible officer will confirm with education agents that they are using the latest versions of any marketing material and have removed previous versions.

Education agent monitoring

23. Education agents are required to declare as soon as possible, and take all reasonable steps to avoid, conflicts of interest related to duties as an education agent of the Institute.

24. A 6 monthly review of education agents' performance and compliance with the terms of the written agreement will be undertaken. The education agent will be advised of the outcome of this review, including if the agent is not meeting the terms as specified in the written agreement.
25. The following monitoring mechanisms will be employed using the Education Agent Monitoring Form:
 - (a) documented face-to-face meetings and/or teleconferences with agents;
 - (b) analysis of quality and quantity of applications from prospective students;
 - (c) analysis of conversion rates from lodging applications to studying at the Institute and completion rates of admitted students; and
 - (d) documenting on the education agent's file:
 - (i) instances where students claim to have been misinformed about studies or studying at the Institute;
 - (ii) instances where the education agent has shown a lack of knowledge of student visa requirements or other matter relating to the student's stay in Australia; and
 - (iii) 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.
 - (iv) And any complaints and feedback concerning this agent.

Managing performance or compliance issues

26. Where investigation of performance and compliance issues are required, feedback from the education agent on the issue will be sought and:
 - (a) where it is considered that there was no breach of the agreement, the education agent will receive confirmation of this;
 - (b) where corrective or preventative action is required, the education agent will be informed in writing of the breach, the remedial action required and timelines;
 - (c) where the breach is considered to be major (see *Major issues* below), the education agent will be informed of the reasons, the written agreement will be terminated, the termination will be reported through PRISMS, and the education agent will be removed from the Register and ZII website; or
 - (d) where an agent is required to implement corrective or preventative action, ZII will monitor the agent to ensure that actions are implemented according to agreed timelines. If actions are not implemented, the written agreement will be terminated as above.
27. The Institute will not accept students from an education agent if it knows or reasonably suspects the education agent to be:
 - (a) providing migration advice, unless that education agent is authorised to do so under the *Migration Act*;
 - (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 the Institute for transfers between providers (for more information, refer to the Institute's *Student Transfer Policy and Procedure*);
 - (c) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa; or
 - (d) using PRISMS to create Confirmation of Enrolments for other than bona fide students.

Major issues

28. Where the Institute becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent:
 - (a) has not complied with the education agent's responsibilities under the Code, the Institute will take immediate corrective action, up to termination of agreement; or
 - (b) is engaging in false or misleading recruitment practices, the 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.
29. All reviews, breaches, decisions and actions taken by the Institute against an education agent will be recorded in the ZII Education Agent Agreements Register.
30. Where an agreement with an education agent is terminated, the name of the education agent is immediately removed from the ZII Education Agent Agreements Register, and from the Institute website.

Improvements and reporting

31. The Institute uses data collected during agent monitoring to analyse trends in the use of, and issues with, education agents in conjunction with progression and completion data.
32. Evidence-based analysis of education agents' performance will be conducted to identify emerging risks and prevent adverse student outcomes, e.g. identifying groups of underperforming students recruited through a particular education agent.
33. The CEO will receive regular information on education agents' performance and compliance.
34. The Institute will improve its processes for managing education agents based on the collected data.
35. An annual report on education agents' performance and compliance will be provided to the Governing Board after review by the Academic Board for matters relating to student progression and completion.

Student complaints

36. Reports of fraudulent behaviour by an education agent, whether made by a student, a member of the Institute's staff or a member of the public, will be immediately escalated to the CEO for investigation and action.

Accountabilities

37. The Institute's responsible officer is responsible for:
 - (a) all due diligence prior to the appointment of any education agents;
 - (b) making recommendations for the appointment of agents;
 - (c) maintaining all records in relation to agent appointment and monitoring; and
 - (d) ensuring that agents are provided with accurate and up-to-date information about the Institute.

38. The CEO is responsible for:

- approving the appointment of agents and authorising agent agreements;
- managing any major issues that are escalated in relation to the performance of agents; and
- authorising the renewal or termination of any agent agreements.

Definitions

39. For the purposes of this policy and procedure, the following terms are defined as follows:

Term	Definition
Confirmation of Enrolment	An electronic document issued by the Institute to a prospective international student applying for a student visa to the Department of Home Affairs to confirm the student's eligibility to enrol into a course offered by the Institute.
Education agent or agent	A business entity who recruits international students and refers them to the Institute. In doing so, the education agent may provide education counselling to overseas students.
International student	Any overseas student, including those who have student visas, temporary residency, bridging visas and provisional residency (as falling under the <i>Education Services for Overseas Students Act 2000</i>).
PRISMS	The Provider Registration International Student Management System, a secure database owned and maintained by the Department of Education for the purposes of administering the <i>Education Services for Overseas Students Act 2000</i> .
Written agreement	The Education Agent Agreement outlining the terms and conditions for representing the Institute to recruit prospective international students.

Version Control

Version	Changes	Approval Body	Approval Date
1.0	Original Version	Governing Board	19 Sep 2024
1.1	Point 20 added "the marketing team" Point 24 replaced "annually" with "A 6 monthly review..."		
1.2	Under Policy Owner and Policy Contact updated from "Chief Education Officer" to "Chief Executive Officer" Point 1 added "ZII"	Governing Board	27 Feb 2025