

# Education Agent Management Policy

## 1. Purpose

This policy ensures that the RTO only partners with ethical, compliant and informed education agents who uphold the standards of the ESOS Act and the National Code 2018. It governs the appointment, training, monitoring, corrective action, and termination of education agents, ensuring transparency and protection of overseas student interests.

## 2. Scope

This policy applies to:

- All education agents and sub-agents representing the RTO
- All staff involved in agent recruitment, training, monitoring and compliance
- Domestic and international operations, including PRISMS records

## 3. Definitions

| Term                     | Definition                                                                                                                                                                                                                                                  |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Education Agent          | A person or organisation formally appointed to recruit students on behalf of the RTO                                                                                                                                                                        |
| Agent Agreement          | A formal contract outlining the expectations, responsibilities, and legal obligations between the RTO and the agent                                                                                                                                         |
| PRISMS                   | Provider Registration and International Student Management System – a database managed by the Australian Government for recording enrolments and agent details                                                                                              |
| CEO                      | Chief Executive Officer responsible for signing agreements and taking compliance action                                                                                                                                                                     |
| National Code Standard 4 | Legislative standard covering the requirements for managing education agents who represent CRICOS-registered providers                                                                                                                                      |
| RTO                      | In this policy, the term 'RTO' (Registered Training Organisation) refers to Melbourne Institute of Australia Pty Ltd, T/A Melbourne Institute of Australia (RTO Code: 46139, CRICOS Code: 04217F), except where otherwise stated in legislative references. |

## 4. Legislative & Regulatory References

This policy is guided by the following:

- National Code of Practice 2018 – Standard 4
- ESOS Act 2000
- Migration Act 1958
- Standards for RTOs 2025 – Clause 4.1 & 7.3
- ASQA Agent Monitoring Guidelines
- Australian International Education and Training Agent Code of Ethics

## Education Agent Management Policy

### 5. Policy Statement

The RTO enters into a written agreement (Education Agent Agreement) with each education agent it formally engages to represent the organisation in the recruitment of overseas students. The RTO also enters and maintains each education agent's details accurately in PRISMS, as required under the ESOS Act 2000 and the National Code 2018 – Standard 4.

#### Responsibilities of Education Agents

In being appointed as an education agent, the agent must:

- Promote the RTO and its approved training products in accordance with all applicable RTO policies and procedures
- Recruit only Genuine Students, maintaining the integrity of the Australian student visa program
- Provide accurate and complete information to prospective students regarding training products, support services, facilities, and enrolment processes

Comply with all applicable laws and frameworks, including:

- The ESOS Act 2000,
- The National Code of Practice 2018, and
- The Standards for RTOs 2025.

#### Education Agent Agreement Provisions

The Education Agent Agreement includes clear terms regarding:

- The responsibilities of the RTO, including its ongoing obligation to comply with the ESOS Act and the National Code
- The expectations and obligations of the agent, aligned with Standard 4.3
- The RTO's monitoring process to ensure agents provide accurate, up-to-date information and act ethically
- Corrective actions for any breach of responsibilities, including as per Standard 4.4
- Conditions under which the agreement may be terminated, including misconduct under Standard 4.5
- Circumstances where the RTO may disclose information about the agent to Commonwealth, state or territory agencies.

#### Ethical Conduct Requirements

The RTO requires its education agents to:

- Provide a written declaration of conflict of interest, and take all reasonable steps to avoid such conflicts
- Act with transparency, confidentiality, honesty, and in the best interests of students
- Maintain up-to-date knowledge of the Australian international education system
- Comply with the Australian International Education and Training Agent Code of Ethics
- Avoid any conduct that may mislead students about employment, visa, migration, or study outcomes.

#### Monitoring, Corrective Action and Termination

The RTO conducts ongoing monitoring and reviews of its education agents to ensure continuous compliance.

Where the RTO becomes aware, or has reason to believe, that the education agent or their staff have:

- Breached their responsibilities
- Engaged in false or misleading recruitment
- Provided unauthorised migration advice
- Attempted to recruit students who are not likely to meet visa conditions
- Recruited students in violation of Standard 7 (Overseas Student Transfers)
- The RTO will take immediate corrective action or terminate the agreement, as required under Standard 4.4 and 4.5.

The RTO reserves the right to veto or suspend any agent activity deemed non-compliant with:

## Education Agent Management Policy

- The Education Agent Agreement,
- Any relevant Australian legislation, or
- The RTO's policies and intent of this policy.

### Agent Agreement Duration and Publishing

- Agent agreements are valid for One Year and subject to performance reviews before renewal or termination.
- A public list of current agents is published on the RTO's website, including:
  - Agency name,
  - Legal entity,
  - Contact details

### Commission and Financial Arrangements

The RTO negotiates and confirms commission in writing, ensuring that:

- Payment is based on actual student enrolments;
- The student has:
  - Been recruited by the agent,
  - Enrolled in a course,
  - Paid the fees,
  - Commenced training,
  - Not received a full refund
- The agent's name is on the enrolment application and eCoE (PRISMS)
- No commission is paid:
  - Where a student was directly enrolled,
  - Where the agent was in breach of the agreement,
  - Without a valid invoice in approved format
- Advertising and promotional costs are the agent's responsibility unless otherwise agreed.

### Access and Restrictions

- Agents do not receive PRISMS access.
- Agents must not issue eCoEs on behalf of the RTO.
- The RTO ensures that up-to-date marketing material is available to agents, in line with:
  - Standard 1 of the National Code 2018, and
  - The RTO's Marketing and Advertising Policy
- Maintain a public list of active agents and keep signed agreements and monitoring records for at least two years

## 6. Step-by-Step Procedure

### A. Process new education agent application

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                       | Responsible    |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1    | <p>Provide information to potential education agents upon making contact with the Institute.</p> <ul style="list-style-type: none"><li>• Email or post potential education agents with the Education Agent Application Form for completion.</li><li>• Advise in a covering email or letter that the application process will take 4 – 6 weeks from receipt of the completed forms.</li></ul> | CEO / Delegate |

## Education Agent Management Policy

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Responsible    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 2    | <p>Assess application from education agent</p> <ul style="list-style-type: none"> <li>Acknowledge receipt of application.</li> <li>Review application for completeness.</li> <li>Where the application is incomplete, inform the education agent of the additional information required and the requirement to provide this within 28 days or that otherwise the application will no longer be valid.</li> <li>Consider information in application and contact referees as required.</li> <li>Advise referees to complete the Education Agent Reference Check Form or complete the form if referees are contacted by phone.</li> <li>Assess application based on the responses from referees, the location that the education agent will recruit from, the demonstrated understanding of Australian laws in regard to student recruitment and agent experience in the recruitment of international students.</li> <li>Approve or refuse application and forward the application to CEO.</li> <li>If approved, compile and forward the draft Education Agent Agreement for endorsement.</li> </ul> | CEO / Delegate |
| 3    | <p>Endorse application from education agent</p> <ul style="list-style-type: none"> <li>Endorse or refuse application and forward the decision to Marketing.</li> <li>If endorsed, approve the draft Education Agent Agreement.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | CEO / Delegate |
| 4    | <p>Notify agents in writing of the decision to approve or not approve the application and including reasons where the application is declined. If approved commence the confirm agreement stage.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CEO / Delegate |

### B. Confirm agreement

| Step | Action                                                                                                                                                                                                                                      | Responsible    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1    | <p>Send copies of the Education Agent Agreement to the agent for signing with one to be returned. The agreement will be valid for one year for new applications.</p>                                                                        | CEO / Delegate |
| 2    | <p>Following receipt of signed agreement, send certificate as evidence of registration with the Institute to be displayed in agents' offices to indicate to prospective students that they have a written agreement with the Institute.</p> | CEO / Delegate |

## Education Agent Management Policy

| Step | Action                                                                                                                                                                                      | Responsible    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 3    | Add approved agent to Education Agent Agreements Register and publish on website.                                                                                                           | CEO / Delegate |
| 4    | Enter details of education agent into PRISMS as soon as practical within in 30 days. Ensure details are maintained at all times in the event of changes.                                    | CEO / Delegate |
| 5    | Update the agent information to ASQA through ASQAnet within 30 days of the agreement date.                                                                                                  | CEO / Delegate |
| 6    | 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 one year. | CEO / Delegate |
| 7    | Any updates to agent contact information should be processed using Education Agent Information Update Form                                                                                  | CEO / Delegate |
| 8    | Update Education Agent Agreements Register.                                                                                                                                                 | CEO / Delegate |

### C. Implement agent agreement

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Responsible    |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1    | <p>Induct new agents</p> <ul style="list-style-type: none"> <li>• Provide an induction regarding the Institute's training products.</li> <li>• Provide an overview of Institute's current marketing.</li> <li>• Discuss student enrolment and selection process.</li> <li>• Provide approved marketing materials and discuss process for updating any revised marketing materials.</li> <li>• Discuss and clarify National Code 2018 requirements</li> <li>• Confirm dates for review of Agreement and targets to be achieved.</li> </ul>                                                                                                                                                                  | CEO / Delegate |
| 2    | <p>Provide up to date information to agents</p> <ul style="list-style-type: none"> <li>• Provide up to date information to agents through: <ul style="list-style-type: none"> <li>◦ Email important information to agents if any legislative and organisational changes related to agent or as per need basis. Ensure each email includes most current documents/links, so that the agents are able to easily check they are using the most current up to date material available.</li> <li>◦ Emails, phone calls, text messages or other informal communications regarding specific student issues.</li> <li>◦ Publishing content on Institute's website and social media profiles</li> </ul> </li> </ul> | CEO / Delegate |

## Education Agent Management Policy

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Responsible    |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 3    | <p>Provide up to date marketing information to agents</p> <ul style="list-style-type: none"> <li>• Provide up to date marketing information to agents each time marketing information is updated.</li> <li>• Send updated marketing information via email or post.</li> <li>• Education agent information sessions held at the Institute (for onshore agents).</li> <li>• Delivering seminars and marketing events with education agents when the Institute representatives are available in the education agent's region.</li> <li>• Where the website is updated, email agents with a link to the updated website and provide a summary of changes.</li> </ul> | CEO / Delegate |

### D. Monitoring Education Agents

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Responsible    |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1    | <p>Implement monitoring procedures as per written agreement</p> <ul style="list-style-type: none"> <li>• Implement monitoring procedures as per written agreement</li> <li>• Documented face to face meetings and/or teleconferences with agents at least every six months.</li> <li>• Analysis of quality and quantity of applications on behalf of prospective students.</li> <li>• Analysis of conversion rates from lodging applications to studying at the Institute.</li> <li>• Requirement for education agent to complete Education Agent Annual Self-Assessment Form documenting the agent's performance over the past year and Education Agent Performance Review Form completed by Marketing and Admissions Manager.</li> <li>• Collect feedback from students relating to their education agent using Student Satisfaction Survey on Education Agent</li> <li>• Documenting on the agent's file instances where students claim to have been misinformed about their studies at the Institute.</li> <li>• 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.</li> <li>• Surveying current and prospective learners 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.</li> <li>• Evaluation of number of students reported and cancelled to the Department of Home Affairs (DHA) for non-compliance.</li> </ul> <p>Evaluation of the education agent's advertising activities by reviewing the education agent's website and social media profiles.</p> | CEO / Delegate |

## Education Agent Management Policy

| Step | Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Responsible    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|      | <p>The Institute may request the Agent to provide advertising material that the Agent has used over the past year and review them for any false or misleading advertising or unscrupulous conduct.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Where an agent is meeting the terms as shown in the written agreement, provide written feedback to agent indicating such.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | CEO / Delegate |
| 2    | <p>Investigate agents who are not meeting the terms of their agreement</p> <ul style="list-style-type: none"> <li>• If at any time the Institute believes that the education agent is not meeting the obligations of the Education Agent Agreement or the National Code 2018, is being negligent, careless or incompetent, or is engaged in false, misleading or unethical advertising and recruitment practices, the Marketing and Admissions Manager will follow the review process stated below: <ul style="list-style-type: none"> <li>◦ Identify and gather information about the issue.</li> <li>◦ Contact the education agent to seek response on the issue.</li> <li>◦ Discuss the issue and the response from the education agent with CEO.</li> </ul> </li> </ul>                                                                                                                                                                                                                                               | CEO / Delegate |
| 3    | <p>CEO decide on action as follows:</p> <p>i) <b>No Breach:</b> In this case the education agent is acknowledged in writing for the education agent's input and no further action is taken.</p> <p>ii) <b>Minor Breach:</b> In this case the education agent is given a written warning advising the education agent that any further breach will result in the termination of their Education Agent Agreement. If necessary, the education agent will be provided with advice and/or training to ensure that the breach is not repeated. The Institute may decide to vary the Education Agent Agreement with additional conditions if required.</p> <p>iii) <b>Major Breach:</b> In this case the education agent will be advised in writing that their Education Agent Agreement has been immediately terminated and that the Institute may advise authoritative bodies such as Department of Home Affairs, Migration Agents Registration Authority, PIER Online and/or the local Australian Embassy of the breach.</p> | CEO / Delegate |
| 4    | <p>Implement corrective or preventative action</p> <ul style="list-style-type: none"> <li>• Where an agent is required to implement corrective or</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CEO / Delegate |

## Education Agent Management Policy

| Step | Action                                                                                                                                                                                                                                                                                                                                     | Responsible    |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|      | <p>preventative action, 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"><li>• CEO is responsible of implementing the decision and keeping all documentation on education agent file.</li></ul> | CEO / Delegate |