

VAP04 AGENT RECRUITMENT, SELECTION AND MONITORING PROCEDURE

Abbreviations:

ATMC (The Company)	Australian Technical and Management College
BDR	Business Development Representative
CEO	Chief Executive Officer
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students.
CUP	The Centre for Partnerships
GTE	Genuine Temporary Entrant
RTO	Registered Training Organisation
VET	Vocational Education and Training

The education agents are often the first point of contact between prospective students and the Australian international education industry. Their activities and ethics are important to Australia's reputation as a desirable destination for students. ATMC is therefore committed to ensuring its agents act ethically and appropriately.

1 Purpose

- 1.1 To provide information as to how the RTO adheres to a strict process of application and approval in the recruitment and selection of education agents.

2 Responsibility

- 2.1 The Chief Executive Officer (CEO) is responsible for the implementation of this procedure, ensuring that staff are aware of its application and implement its requirements.
- 2.2 The operational responsibility can be delegated by the CEO to the following Positions in the organisation:
 - 2.2.1 Director of Studies
 - 2.2.2 Sales and Marketing Team Leader
 - 2.2.3 Operations Manager
 - 2.2.4 Compliance Manager

3 Agent application

- 3.1 Education agents who wish to become an approved agent must follow the guidelines set out below.
 - 3.1.1 It is the responsibility of the Business Development Representative (BDR) assigned to the respective Education agent to ensure that communication between the RTO and its agents is accurate and up to date.
 - 3.1.2 New agents are actively sourced by the RTO based on the development of markets.
 - 3.1.3 New agents can also be sourced, with assistance, from:
 - 3.1.3.1 Existing RTO approved agents
 - 3.1.3.2 RTO entities in Australia or overseas.
 - 3.1.4 An agent can also make an enquiry about becoming an approved agent by:
 - 3.1.4.1 Contacting the RTO directly by phone or email

- 3.1.4.2 Visiting the RTO and contacting a BDR either domestically or internationally or being visited by a BDR either domestically or internationally.
- 3.1.5 The BDR contacts the enquiring agent and requests relevant information inclusive of the company profile, before providing the application of the prospective agent to the relevant RTO Manager.
- 3.1.6 The BDR then decides whether to continue with the application.
 - 3.1.6.1 When the agent's application is not approved, the agent is notified in writing by the BDR.

4 Agent Approval

- 4.1 When the RTO decides to continue with the agent application, the BDR will:
 - 4.1.1 Create a new agent account in the agent management system and enter all relevant information.
- 4.2 The BDR requests the agent complete a New Agent Questionnaire, all information in the questionnaire must be true and correct.
- 4.3 Two referees are requested, unless there is an active agreement in place between the agent and RTO, in which case, one reference from the education agents' employee who has had direct dealings with the proposed agent is required.
- 4.4 The application is then submitted to Compliance for relevant checks:
 - 4.4.1 Correctly completed questionnaire.
 - 4.4.2 Relevant references.
 - 4.4.3 Current references, standard within 6 months, acceptable within 12 months.
 - 4.4.4 Required data fields completed correctly are checked via a global database to determine if there are any 'red flags' in dealing with this agency and/or agent.
 - 4.4.5 Names of the agency and director(s) or authorised representative(s) that will sign the agreement are checked via a global database to determine if there are any 'red flags' in dealing with this agency and/or agent.
 - 4.4.6 Approval from CEO or delegated manager to appoint the Education agent.
 - 4.4.7 Approval from CEO or delegated manager for any non-standard commission arrangements or bonus incentive scheme.
- 4.5 Once all checks have been completed, Compliance produce an Agent Agreement:
 - 4.5.1 The duties and responsibilities of the agent are stipulated in the Agent Agreement
 - 4.5.2 The duties and responsibilities of the RTO are stipulated in the Agent Agreement
 - 4.5.3 The Agreement is sent electronically to the prospective agent
 - 4.5.4 The agent has four weeks (4) to digitally sign the Agreement before it is voided, however automatic reminders will be sent to the agent on a weekly basis for the next four (4) weeks before following up ceases.
 - 4.5.5 When the agent signs digitally, Compliance and the relevant RTO Manager are notified immediately by email.
 - 4.5.6 The agent also automatically receives an electronic copy of the signed contract.
 - 4.5.7 Compliance then verifies the legitimacy of the Agreement and activates it in the RTO's management system.
- 4.6 Upon activation in the RTO's management system, the agent is sent a/an:

- 4.6.1 Current Prospectus Agent Sales toolkit, which includes promotional material, product specific information, application forms, fee sheets and a brand guidelines pack.
- 4.6.2 Agent details are updated on the RTO's website once they are appointed.
- 4.6.3 In accordance with the [National Code of Practice 2018](#), the RTO will enter into a written agreement with each education agent it engages to formally represent it. The details of the agent is entered into and maintained in [ASQAnet](#) and [PRISMS](#).
- 4.6.4 If the agent's application is not approved, at any stage, the agent is notified via email by the BDR.

5 New Agent Approved Training

- 5.1 All Approved Agents will be provided with sufficient tools and resources by the RTO to ensure that accurate and up-to-date information is always given to prospective students, and to ensure compliance with the relevant laws, regulations, standards, and codes.
- 5.2 A standard Statement of Agent Responsibilities (Appendix 1) must also be provided to all new agents to ensure that the agent has an appropriate understanding and knowledge of the [Education Services for Overseas Students Act 2000](#) and the [National Code of Practice 2018](#).
- 5.3 As soon as reasonably practicable, and no later than three [3] months from becoming an Approved Agent, the Agent will be provided with appropriate training on the RTO and its courses, including but not limited to entry requirements, admissions process, and support services.
 - 5.3.1 Their obligations and responsibilities under the [National Code of Practice 2018](#), the [Education Services for Overseas Students Act 2000](#) and the requirements of the RTO in relation to:
 - 5.3.1.1 The Genuine Temporary Entrant (GTE) status of all prospective students aimed at managing potential visa risks arising from a student's reasons for seeking to study in Australia, will also be clarified.
- 5.4 All new agents will be provided appropriate training on the:
 - 5.4.1 RTOs' courses, as well as clarification of the agent's obligations under the [National Code of Practice 2018](#) and [Education Services for Overseas Students Act 2000](#).
 - 5.4.2 This training will be provided in person, via Skype/zoom, webinar, over the phone or through email.
- 5.5 Where applicable, Genuine Temporary Entrant (GTE) training is completed with new agents as well as on an ongoing basis.
 - 5.5.1 GTE training is actively initiated by the RTO and is provided:
 - 5.5.1.1 In person
 - 5.5.1.2 Via Skype / MS Teams
 - 5.5.1.3 Over the phone, or
 - 5.5.1.4 Through email.
- 5.6 Where a new agent is based in Australia:
 - 5.6.1 The relevant RTO Manager will arrange for the agent's Director/Manager to have a meeting and tour of a campus (where location allows).
 - 5.6.1.1 This meeting will include information regarding the courses and facilities available at the RTO to ensure the agent will pass on relevant information to prospective students.

- 5.7 Where the new agent is offshore:
 - 5.7.1 The relevant Manager will, where possible, arrange for a representative - who may be travelling to that specific region:
 - 5.7.1.1 To meet with the agent and view their premises and practices
 - 5.7.1.2 Inform them about the courses and facilities available at the RTO to ensure the agent will pass on relevant information to prospective students.
- 5.8 Ongoing training is also provided through:
 - 5.8.1 Agent familiarisation visits to Australia
 - 5.8.2 Agent training and workshops days held in market
 - 5.8.3 Various training sessions
 - 5.8.4 Agent Updates
- 5.9 Using a range of communication options – emails and newsletters, training webinars, regular agent meetings and agent visits, the RTO will ensure that Approved Agents are provided with:
 - 5.9.1 Up-to-date and accurate promotional material
 - 5.9.2 Information of any changes to courses and/or any legislative or regulatory requirements (where applicable).
- 5.10 As required, the BDR communicates to agents on:
 - 5.10.1 Issuing of CoE's
 - 5.10.2 Student Visa requirements
 - 5.10.3 GTE visa process
 - 5.10.4 Product and/or campus updates
 - 5.10.5 Relevant government process changes
 - 5.10.6 The advertising of events
- 5.11 In addition:
 - 5.11.1 Where the agent is based in Australia, the relevant BDR will visit the Agent at least once every three (3) months.
 - 5.11.2 Where the agent is based overseas, the relevant Regional Manager can, where possible, arrange for a representative – who may be travelling to that specific region – to visit the agent.
 - 5.11.3 The relevant Regional Manager will ensure that all existing agents have current information on applicable promotional prices, new procedures, and enquiry/enrolment information.
 - 5.11.4 Every agent will be emailed 'Agent Update Emails' from time to-time detailing the latest RTO updates.
- 5.12 Agent Payments
 - 5.12.1 Payment of commission is made in accordance with the Agent Agreement.
 - 5.12.1.1 In addition, agents may be eligible to take part in a Bonus Incentive Scheme when offered.
 - 5.12.1.2 The Bonus Incentive Scheme is reviewed each year and key performing agents are invited to participate.
 - 5.12.1.3 The Scheme is intended to foster and further develop new relationships, incentivise partners to reach next tier of performance and provide ongoing support to long term partners.

6 Monitoring and Reviewing Agent Performance

- 6.1 The RTO will monitor and review the performance of its approved agents twice a year as well as through a formal annual review.
- 6.2 This information may be provided through Australian government agencies and their reporting systems, local government agencies around the world, as well as student feedback, including those that change agents.
 - 6.2.1 Annual Agent Performance Reports
 - 6.2.2 The business will review agent performance at the end of every year.
- 6.3 Agents will be sorted into three groups:
 - 6.3.1 Non-Performing:
 - 6.3.1.1 New (registered with the RTO for under 12 months).
 - 6.3.1.2 Agents who are “non-Performing” may become suspended in the RTO’s agent management system.
 - 6.3.1.3 Will be removed from the RTO’s website, [PRISMS](#) and [ASQAnet](#) and no further enrolments will be allowed unless this status is changed.
 - 6.3.2
 - 6.3.3 Performing:
 - 6.3.3.1 Agents who are “Performing” will have their contract continued based on maintaining consistent enrolments and demonstrating a proven ability to continue to abide by all regulatory requirements.
 - 6.3.3.2 “Performing” agents may be provided with a number of incentives, including (but not limited to) bonuses and additional marketing support and resources.
 - 6.3.4 Unprofessional Agents:
 - 6.3.4.1 Agents who have not worked in a professional manner and/or have not abided by all regulatory requirements, will have one or all of the following actioned:
 - 6.3.4.1.1 A warning letter or email
 - 6.3.4.1.2 Suspension of Agent Agreement (no enrolments allowed until performance improves)
 - 6.3.4.1.3 Termination of Agent Agreement (criminal activities and serious non-compliances)
 - 6.3.4.2 The RTO supports an agent’s right to appeal any decisions made by the RTO regarding their Agent Agreement.
 - 6.3.4.3 Agents must address their appeal in writing with any supporting documentation.
- 6.4 The RTO Manager will review the appeal and establish if the agent is eligible for a probationary extension of the Agent Agreement valid for 3 to 6 months.
- 6.5 Agents who satisfy standard requirements will be issued a new Agent Agreement.
- 6.6 The agent has four (4) weeks from the renewal date to digitally sign the Agent Agreement before it is voided, however automatic reminders are sent to the agent on a weekly basis for the next four (4) weeks. Failure to sign the Agreement within the four (4) week period will result in temporary suspension until the signed Agreement is returned.

7 Agent Duties

- 7.1 Agent use of the RTO’s Name and Logo (individual RTO Business School branding, as well as RTO branding):

- 7.1.1 The RTO ensures consistent, compliant, and professional use of the RTO's logo, corporate image and visual branding in accordance with the Agent Brand Guide.
- 7.1.2 A registered agent agrees to only advertise the provision of courses with the written permission from the RTO and its business name and CRICOS Provider Number must appear in all written and electronic material.
- 7.1.3 All advertising and use of the RTO's logo must be approved by the RTO prior to publication.
- 7.1.4 All requests for use of the relevant RTO logo are to be emailed to the RTO's Marketing Manager.
- 7.1.5 The duties and responsibilities of the agent are stipulated at length in the agents' agreement.
- 7.1.6 The Agreement outlines an Agent's obligations in relation to the rules and regulations as set out in the [Education Services for Overseas Students Act 2000](#) and [National Code of Practice 2018](#), recruitment rules, promotional activities, fees, privacy and conduct.
- 7.1.7 Agent obligations are also outlined in the Agent Practices and Responsibilities Statement attached as (Appendix 1).
- 7.1.8 Failure to abide by these obligations will result in a review process which may result in the warning or termination of the Agent Agreement.

8 Agent name changes

- 8.1 Agents who change the trading name after signing the Agent Agreement must inform the RTO in writing.
- 8.2 Compliance produces a New Trading Name Statement (Appendix 3) and sends it electronically to the agent.
- 8.3 The agent has four (4) weeks to digitally sign the New Trading Name Statement before it is voided, however automatic reminders will be sent to the agent on a weekly basis for the next four (4) weeks before following up ceases.
- 8.4 When the agent signs digitally, Compliance and the relevant RTO Manager are notified immediately by email.
- 8.5 Compliance then records Agent name changes in the RTO's management system.

9 Warning prior to termination

- 9.1 All agents are continually reviewed by the business in all areas of performance
- 9.2 If it is established that an agent is deemed to be unsatisfactory in their performance or in severe breach of any items stipulated in the agent's agreement, Compliance or the relevant Manager will make a recommendation to the CEO or delegated manager to issue a warning or immediately terminate the agent's Agreement.
- 9.3 Where a warning has been issued, it is at the discretion of the CEO or delegated manager to decide on the recommendation.
- 9.4 In the first instance, a letter or email of warning will be sent.
- 9.5 It is at the discretion of the CEO or delegated manager to decide whether the agent's response justifies the situation in question.
- 9.6 The RTO supports an agent's right to appeal in all instances listed above. Agents must address their appeal in writing with any supporting documentation.

10 Definitions

Accepted Student	<p>An accepted student of a registered provider (Student) means a student (whether within or outside Australia):</p> <ul style="list-style-type: none"> • Who is accepted for enrolment, or enrolled, in a course provided by the provider; and • Who is, or will be, required to hold a student visa to undertake or continue the course
Agent Agreement	An agreement between the RTO and the agent including the schedules.
Compulsory Study Period	<ul style="list-style-type: none"> • A period of study in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under Standard 9 (Deferring, suspending, or cancelling the student’s enrolment). • A compulsory study period does not include periods in which the student can elect to undertake additional studies.
Course	The fulltime registered University or vocational education and training courses or ELICOS courses offered by or through ATMC and registered on Registered Providers CRICOS scope of registration.
Confirmation of Enrolment (CoE)	<ul style="list-style-type: none"> • An official document that provides important information about an international student’s enrolment status. • This document is required to be submitted to the Department of Home Affairs before applying for a student visa.
Education Agent	<ul style="list-style-type: none"> • A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. • Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).
Enrolment	Where the student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student
ESOS Act	<p>Education Services for Overseas Students Act 2000</p> <p>Protects the rights of international students studying in Australia</p>
Fulltime Study	The amount of study for a particular Course which is approved by the accrediting body for the Course or in cases where the accrediting body gives no such approval, means minimum of 20 contact hours per week.
Genuine Student	An applicant that intends to obtain a successful educational outcome and has the language, education, and material background to have a reasonable chance of achieving this educational outcome
Genuine Temporary Entrant (GTE)	An applicant that has circumstances to support a genuine intention to enter and stay in Australia temporarily.
Mode of Study	Face-to-face in a classroom, supervised study on the registered provider’s campus, distance learning, online learning, and work-based learning.

National Code	National Code of Practice 2018 Sets nationally consistent standards to support providers to deliver quality education and training to overseas students.
Overseas Student	<ul style="list-style-type: none"> • A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act but does not include students of a kind prescribed in the ESOS Regulations. • Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student’s parent or legal guardian.
Partner Provider	The Educational institution providing programs and courses to a university through an approved education agreement.
Principal Course of Study	<ul style="list-style-type: none"> • Refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. • Would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.
PRISMS	The Provider Registration and International Students Management System <ul style="list-style-type: none"> • The electronic system that holds CRICOS course and provider registration details and the electronic Confirmation of Enrolment
Prospective Student	An intending overseas student (whether within or outside Australia) who intends to become, or who has taken any steps towards becoming, an overseas student
Recruitment	The pre-enrolment processes of: <ul style="list-style-type: none"> • Engaging and assisting overseas students (or parent or guardian if the overseas student is under 18) to apply for a place in a course with a provider leading up to the formal enrolment • Assistance with administrative issues and the issuing of a Confirmation of Enrolment for an application for a student visa

Related Policies and Documents

- ATMC – Agents Policy and Procedure
- ATMC – Agent Monitoring and Termination Procedure
- ATMC – Agent Agreement (International) Students (CRICOS) and VET Domestic students)
- Agent Audit Checklist
- Agent Reference Check
- Student Post Arrival Appraisal of Agent Form
- Agent Performance Review Form

Legislation

[Australian Qualifications Framework](#)

[Education Services for Overseas Students Act 2000](#)

[National Code of Practice 2018](#) – Standard 4

[National Vocational Education and Training Regulator Act 2011 \(the Act\)](#)

[Privacy Act 1988](#)

[Standards for Registered Training Organisations \(RTOs\) 2015](#) – Standard 7

[Student Identifiers Act 2014](#)

[The Migration Act 1958](#)

[The Migration Regulations 1994](#)

[VET Quality Framework](#)

Version Control

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APPENDICES

Appendix 1

Agent's Ethical Practices and Responsibilities Statement

Australia offers a high-quality education experience to overseas students across all sectors, including English language and foundation programs through to higher education. By providing a fair and accessible system that supports overseas students, Australia has gained an enviable reputation as a popular study destination.

The Education Services for Overseas Students legislation is a robust framework that protects and enhances the experiences of overseas students in Australia. An integral part of the legislation is the National Code of Practice for Providers of Education and Training to Overseas Students (the National Code). The National Code provides nationally consistent standards for the conduct of registered providers and the registration of their courses.

ATMC must comply, and ensure that education agents comply, with the CRICOS National Code to maintain their registration to provide education services to overseas students.

Under the National Code, education agents must act ethically, honestly and in the best interests of overseas students, as well as uphold the reputation of Australia's international education sector. To comply with these regulations, it is imperative that all education agents contracted to ATMC understand and abide by the requirements and responsibilities set out in this Statement. Failure to do so will result in corrective action which may include termination of your education agent agreement.

Education agents must:

- enter a written agreement with ATMC to be appointed as an authorised education agent.
- not provide migration (visa) advice unless authorised to do so under Australian migration law.
- not give false or misleading information, or engage in any deceptive practices, in the marketing and promotion of ATMC's courses.
- not claim to commit to securing a migration outcome from undertaking an ATMC course.
- not claim that an ATMC course will guarantee any specific career or job outcome for a student.
- not actively recruit a student that has not completed the first six months of their principal course (except as permitted by Standard 7 of the CRICOS National Code 2018).
- not accept or recruit students reasonably suspected to be non-genuine entrants into Australia.
- provide students with sufficient information to enable them to make informed decisions about studying with ATMC in Australia.
- declare in writing and take reasonable steps to avoid conflicts of interests with their duties as an authorised ATMC education agent.
- observe appropriate levels of confidentiality and transparency in their dealings with overseas students or prospective overseas students.
- use RTO approved marketing and promotional materials in its recruitment activities have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- notify the RTO as soon as there are any changes to their Agency contact details and business information (i.e., registered address, email and/or director/owner details).

Note: The Australian Government collects education agent details through PRISMS (the Australian Government’s Provider Registration and International Student Management System) and makes available access to reports about the education agents ATMC has engaged to recruit overseas students.

- If you have any questions about any of the requirements and responsibilities outlined in this Statement, please contact your Business Development Representative.

Appendix 2

Australian International Education and Training Agent Code of Ethics

Introduction:

Australia is committed to ensuring the highest standard of service and care is delivered across its international education and training sector and has a comprehensive international education and training quality framework to support this aim.

The Agent Code of Ethics (ACE) is a critical component of this framework and provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector.

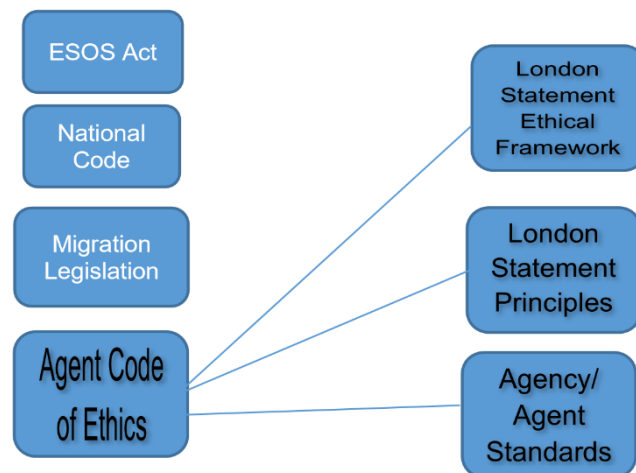
The ACE builds on the London Statement’s ethical framework and provides a set of Australian specific ‘Standards’ for Australia’s education agents.

The ACE also aims to support Australia’s education and training providers to meet their obligations under the National Code.

1. Purpose

1.1. The Agent Code of Ethics aims to:

- 1.1.1. Outline the principles and expectations of fair and ethical conduct of Australia’s offshore and onshore education agents
- 1.1.2. Foster best practice among education agents to assist them to provide quality services to potential and existing international students and partner providers
- 1.1.3. Provide assurances on the quality and standard of services provided by education agents recruiting into Australia
- 1.1.4. Build on Australia's globally recognised international education and training quality systems to further enhance the reputation of Australia’s education system. Australian International Education and Training Australia’s international education and training provides a holistic approach across the sector to ensure the highest quality outcomes for everyone. Agent quality is one component of a comprehensive and integrated quality system.



1.2. Education Agent Code of Ethics Australia’s Education Agent Code of Ethics is based on three core elements of:

- 1.2.1. The London Statement’s Ethical Framework
- 1.2.2. The London Statement’s Principles
- 1.2.3. Australia’s Education Agent Standards

1.3. The Australian education and training sector expects education agents to adhere to seven ethical principles, as outlined in the London Statement, that are supported by an underlying ethical framework of:

- 1.3.1. Integrity – being straightforward and honest in all professional and business dealings
- 1.3.2. Objectivity – not allowing professional judgment to be compromised by bias or conflict of interest
- 1.3.3. Professional competence and due care, maintaining professional knowledge and professional service, and acting diligently
- 1.3.4. Transparency – declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student
- 1.3.5. Confidentiality – respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority
- 1.3.6. Professional behaviour – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently, and fairly; and
- 1.3.7. Professionalism and purpose – acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is how the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

2. Principles

The London Statement Principles promote best practice among education agents and consultant professions that support international students. The Statement of Principles is a unifying set of understandings for the recruitment of students in international education that serve to promote best practice among education agents and consultants. The seven principles are:

Principle 1:

Agents and consultants practise responsible business ethics

- Avoiding conflicts of interest.
- Observing appropriate levels of confidentiality and transparency.
- Acting professionally, honestly, and responsibly.
- Refraining from being party to any attempt by students or others to engage in fraudulent visa applications.
- Always acting in the best interests of the student.
- Declaring conflicts of interest.
- Being transparent in fees to be paid by students and commissions paid by providers.
- Providing clear avenues for handling complaints and resolving disputes.
- Complying with relevant laws and regulations.

Principle 2:

Agents and consultants provide current, accurate and honest information in an ethical manner

- Providing realistic and appropriate information that is tailored to the individual student's circumstances, particularly in relation to language skills, capacity to pay and level of study.
- Specifying the rights and responsibilities of the student in the country of destination.
- Refraining from claiming a direct government endorsement or privileged relationship with a public official or member of the government where one does not exist, including for example the misuse of national brand logos.
- Providing a registration number or other identifier on advertising material.
- Using institutions' officially approved material in promoting providers with whom agents have an agreement.

Principle 3:

Agents and consultants develop transparent business relationships with students and providers through the use of written agreements:

- Signed by the student and the agent.
- Signed by the provider and the agent.
- Include information on the arrangements put in place by agents and consultants on behalf of the student, such as itemised payment schedules of fees and services, and refund and transfer policies.
- Provide details on information provided under Principles 1 and 2, as a means of guiding agents and consultants to give appropriate information to students so that both students and agents understand what has been agreed to maintain student confidentiality.
- Are archived in an appropriate manner so that the agreements can be made available to the student or an appropriate authority within a reasonable timeframe.

Principle 4:

Agents and consultants protect the interests of minors

- Ensuring that the prospective student has adequate representation and support from a guardian and/or legal counsel during meetings with the agent or consultant and that this is recorded as informed consent before any money changes hands.
- Ensuring that the client has the legal capacity to enter into any commitment.
- Acting not only in accordance with relevant laws and regulations, but competently, diligently, and fairly as befits dealings with minors.

Principle 5:

Agents and consultants provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ

- Providing information to students about the accreditations the agents have met, the training they have undertaken, the memberships they hold to professional associations or processes undertaken to become registered and accredited education agents and consultants.
- Providing information about themselves that support comparison of qualifications and experience.

Principle 6:

Agents and consultants act professionally

Participating in training courses and professional development wherever possible.

- Becoming members of professional associations and networks that promote and support best practice in the recruitment of international students.

Principle 7:

Agents and consultants work with destination countries and providers to raise ethical standards and best practice

Sharing information on best practice in the recruitment of international students by education agents and consultants.

3. Standards

To ensure alignment and equity, Australia's Standards for international education agents mirror the requirements for education and training providers as outlined in the ESOS Act and National Code.

The ACE provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector.

These Standards will be reviewed and updated to ensure continued relevance to the sector. The standards are:

STANDARD	ELEMENT
Organisational Effectiveness	<ul style="list-style-type: none"> • Demonstrates effective organisational governance and appropriate ownership including a well-articulated strategic plan, policies, and procedures. • Evidence of relevant and up-to date business licensing and or registration. • Discloses all relevant partnerships, affiliations and agreements are disclosed, including disclosure of sub agent representation agreements and a clearly articulated approach to managing these relationships is in place to ensure compliance with the ACE. • Offers assurance of the organisation’s financial integrity and financial systems. • Provides clear and transparent disclosure of recruitment practices and activities including countries serviced.
Business Ethics	<ul style="list-style-type: none"> • Demonstrates agency and individual agent adherence to the ethical standards and principles of the ACE. • Discloses any past, pending, threatened or potential litigation, arbitration or administrative actions or other disputes against the agency, CEO or other relevant business associate. • Provides current, accurate and appropriate information to students and offers a commitment to not knowingly providing false or misleading information. • Demonstrates openness and disclosure of any incentives to any party that may influence the student’s decisions.
Staff Capability	<ul style="list-style-type: none"> • Demonstrates effective human resource management practices are in place to ensure all employees and representatives are trained, informed and act in the best interests of clients at all times. • Demonstrates a strong working understanding the Australian education and training system, including all relevant legislation, regulations and information. • Completion of an Agent Training program and or other relevant education and training qualifications or programs.
Agency Recruitment Practices and Standards	<ul style="list-style-type: none"> • Implements considered and targeted marketing practices and ensures honest and accurate communication resources are in place. • Provides appropriate, fair and considered counselling of students including assessing the student’s willingness and ability to complete the courses, their understanding of course and provider requirements and awareness of realistic employment and pathway outcomes. • Demonstrates and articulates a clear and fair complaints and appeals process. • Offers transparent and clearly articulated fees and charges including a documented refund policy. • Ensures strict confidentiality of personal information and ensures this information is not shared with a third party unless consent is given.

4. Australia's International Education Agent Code of Ethics main objectives

ETHICS	PRINCIPLES	STANDARDS
<p>Integrity: being straightforward and honest in all professional and business dealings.</p> <p>Objectivity: not allowing professional judgement to be compromised by bias or conflict of interest.</p> <p>Professionalism: competence and due care maintaining professional knowledge and professional service and acting diligently.</p> <p>Transparency: declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student.</p> <p>Confidentiality: respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without authority.</p> <p>Professional behaviour: acting in accordance with relevant laws and regulations, behaving with clients competently, diligently, and fairly.</p> <p>Professionalism and behaviour: acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is how the profession can earn the trust and confidence of stakeholder groups i.e., individual clients, the public, business, training providers and the government.</p>	<ul style="list-style-type: none"> • Agents and consultants practice responsible business ethics. • Agents and consultants provide current, accurate and honest information in an ethical manner. • Agents and consultants develop transparent business relationships with students and providers using written agreements. • Agents and consultants protect the interests of minors. • Agents and consultants provide current and up to date information that enable international students to make informed choices when selecting which agent or consultant to employ. • Agents and consultants act professionally. • Agents and consultants work with destination countries and providers to raise ethical standards and best practice. 	<ul style="list-style-type: none"> • Agents and consultants comply with this framework and the ACE. • Agency demonstrates robust organisation effectiveness. • Agency demonstrates strong business ethics. • Agency supports staff capability development and ongoing education. • Agency always demonstrates quality and effective recruitment practices and standards.

Appendix 3 New Trading Name Statement

This appendix is to confirm that **##NEW TRADING NAME##** is a trading name of **##LEGAL NAME##**, ABN **#####**.

The contract signed between **##NAME ON ORIGINAL AGREEMENT##** applies to **##NEW TRADING NAME##**.

Agents' declaration:

I have read the New Trading Name Statement and agree to abide by the statement whilst an authorised agent of Sheila Baxter Training Centre Pty Ltd.

Signed: _____ Date: _____

(Must be signed by a director/owner/partner of the Education Agency)

Witness Name: _____ Witness Signature: _____

Date: _____