



Education Agents Policy and Procedure

1. Overview

Education Agents play a vital role in connecting prospective international students (both overseas and Australian based) with Australian educational institutions competing in the international education industry. In playing this vital role, the ethics and procedures followed by Education Agents are of crucial importance to maintaining the reputation of education provided by Australian businesses to international students.

This is particularly true for Institutions such as CIHE. This Policy and Procedure for appointing, monitoring and terminating agreements with Education Agents is designed to ensure the highest standards of the provision of services by Education Agents to CIHE and to comply with all legislative and regulatory requirements.

CIHE will establish agreements with a number of Australian and internationally based Education Agents using the *Agent Agreement template*.

Prospective Education Agents must complete and submit the *Agent Application Form* and submit names and contact details of 3 referees. Applicants' details and the associated referees' reports will be checked and assessed by the CEO and/or Registrar.

CIHE will only enter into agreements with Education Agents that meet the established criteria and who have a demonstrated record of financial viability, ethical practice and integrity and who have an understanding of Australian international education services and of CIHE's courses.

CIHE will conduct ongoing monitoring of its Education Agents' performance. This will include:

- regular student post-enrolment assessments, and
- an annual performance review.

Ongoing monitoring may result in CIHE terminating an Education Agent's agreement if:

- CIHE believes that an Education Agent may have been engaged in unprofessional conduct,
- An Education Agent has consistently underperformed (the number of confirmed enrolments),
- An Education Agent has misrepresented CIHE and the courses and services it offers,
- An Education Agent has not been compliant with relevant legislation and regulations, and/or
- An Education Agent has not been compliant with the terms and conditions of their *Agent Agreement*.

If, in the case of under-performance, there are identified mitigating circumstances, an Education Agent may be sent a warning letter itemising CIHE's concerns and providing terms for response.

CIHE recognises the legitimacy of students wanting to change Education Agents in some circumstances, but CIHE also seeks to ensure that constraints are placed on this right to provide checks and balances.



2. Appointment of Agents

CIHE is committed to appointing a number of professional Education Agents to represent its interests.

All *Agent Agreements* will be made on an annual basis.

All Education Agents interested in making agreements for service with CIHE must submit a completed *CIHE Agent Application Form*.

1. CIHE's CEO or Registrar will record and evaluate the provided information and make a provisional assessment of the applicant's suitability for appointment.
2. The first two nominated referees of those provisionally assessed as suitable will be sent the *CIHE Agent Reference Check*, and the completed responses will be assessed. If the referee responses are inconsistent and/or not definitive, a third referee will be contacted and asked to complete an *Agent Reference Check*.
3. CIHE's CEO or Registrar will complete the *Agent Selection Checklist* and make a final assessment as to the applicant's suitability, including a statement providing reasons for the recommended appointment (or non-appointment).
4. CIHE's CEO or Registrar will complete the *Agent Agreement*, including the schedule, and send two copies to the Education Agent's head office for signing with one copy to be returned to CIHE.

3. Training and Monitoring Education Agents

Education Agents will receive comprehensive training in the legislative and regulatory requirements relating to international education in Australia, Australian requirements for and conditions of student visas, CIHE courses, administrative procedures and forms from the CIHE Marketing Manager (or delegate). After such training the Marketing Manager will prepare a report on the training and submit it to the CEO and Registrar.

All CIHE Education Agents will be required to participate in at least one information and training session a year. When there are legislative, regulative and/or administrative changes in policies and procedures pertaining to international students, CIHE will provide the information and training to ensure that Education Agents remain up-to-date and fully compliant.

CIHE will use thorough, open and transparent evaluative methodologies to actively monitor the performance of Education Agents to ensure professional and ethical behaviour and positive outcomes.

4. Methods/procedures for Monitoring Education Agents' Performance

The Executive Management Committee will hold regular reviews to analyse:

- The number of student applications and their quality and completeness,
- The conversion rate of student applications to CoEs,
- The incidence of visa rejection, and
- The conversion rate of CoEs to actual enrolments.

Education Agents' performance will be measured to identify:



- policy and/or procedural areas requiring training and/or possible modification, and/or
- Education Agents who may require additional training.
 - Where a need is identified, emails, phone calls and Skype conversations are held with Education Agents to address specific problems and to notify them of any procedural changes.

As a part of the orientation program, students will be asked to complete a CIHE *Student Survey on Agent Performance*. The completed surveys will be analysed by the Marketing Manager (or delegate) who will:

- Record the information in the CIHE's agent database,
- Undertake further investigation of an Education Agent's conduct if indicated, and/or
- Report any matters to the CEO.

The overall performance of each Education Agent will be audited annually, approximately one month before the expiry/renewal date of an *Agent Agreement*.

The Marketing Manager (or delegate) will evaluate the Agent's performance against the agreed performance criteria as defined in the CIHE *Agent Monitoring* form.

The Marketing Manager (or delegate) will make a recommendation to the CEO relating to the renewal of an *Agent Agreement*. The CEO will then decide to either:

- Renew the Education Agent's agreement,
- Renew the Education Agent's agreement for a further period subject to certain conditions (where there appear to be grounds for concern, the CEO will send a [warning letter](#) to the Education Agent), or
- Terminate the Education Agent's appointment in accordance with procedures for terminating an *Agent Agreement*.

5. Renewing an Agent Agreement

If, following completion of the annual *Agent Audit*, the CEO is satisfied that an Education Agent has operated professionally and ethically, has effectively represented CIHE's interests, and has referred significant numbers of prospective students to CIHE with a high conversion ratio, a renewal of the *Agent Agreement* may be offered to the Education Agent.

A new *Agent Agreement* will be completed and exchanged.

6. Terminating an Agent Agreement

Should CIHE at any time become aware of an Education Agent being negligent, careless or incompetent or of having engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the reputation of CIHE and/or the integrity of the Australian education and training system, CIHE shall take immediate corrective and preventative action.

Preventative action could include training sessions for the Education Agent and ensuring they have all the material they need to represent CIHE accurately and professionally.



Corrective action might also include providing additional information/material or targeted training in, for example, CIHE's expectations, or termination of the *Agent Agreement*.

Termination of an *Agent Agreement* will be automatic if the CEO knows, or, based on reasonable grounds, concludes that an Education Agent has or most probably has engaged in criminal or unprofessional conduct.

If an Education Agent identifies the cause of a recognised breach as being one of that Education Agent's employees or sub-agents, provides demonstrable evidence to support this and takes immediate action to dismiss the responsible employee and/or terminate the sub-agent's agreement, the CEO may decide to retain that Education Agent but may also require that the Education Agent undertakes additional training as specified by the CEO.

When the CEO decides to terminate or not renew an *Agent Agreement*, the Education Agent must:

- submit all applications and fees from prospective students received up to the termination date,
- cease all promotional activity on behalf of CIHE,
- submit no further student applications, and
- immediately cease using any advertising, promotional or other material supplied by CIHE and return all material to CIHE by registered mail or a reputable international courier.

All commission payments owing to an Education Agent, whose *Agent Agreement* is terminated or not renewed, from fee payments made by their clients prior to the expiry date of their *Agent Agreement* will be honoured.

If an *Agent Agreement* is terminated on the basis of demonstrated or well-founded suspicion of unethical, unprofessional and/or criminal behaviour,

- the CEO will immediately cease payments of agent commission which would otherwise become payable from the date of termination,
- DEEWR and DIAC will be notified of the termination and the grounds for the termination if the termination resulted from suspected unprofessional conduct,
- details relating to the audit and decision will be entered on the Education Agent's file,
- the Education Agent's name will be removed from the CIHE website,
- an Education Agent's students will be notified of the termination/non-renewal.

CIHE will ensure that no further referrals and applications will be accepted from the terminated Education Agent.

7. Change of Education Agents

Where CIHE terminates or fails to renew an *Agent Agreement*, the CEO will ensure that the students represented by that Education Agent are sent a letter informing them of the termination/non-renewal of their *Agent Agreement*. They will be invited to identify a new Education Agent from the list published on the CIHE website and will be supported in the process of changing Education Agents.



8. Agent Payments & Commissions

It is the agent's responsibility to remind students read and understand the policy related to refunds of fees before signing the agreement with the Crown Institute of Higher Education (CIHE). This is a legal agreement between the student and the Institute.

Commissions are payable according to the Agent Agreement signed with CIHE. Specifically, a commission is payable if a student is recruited by the agent, is accepted into a course, and has paid the required course fee to CIHE. An agent will not be regarded as having recruited a student unless the agent submits the student's application for enrolment and that application also bears the agent's name or stamp, and the agent submits an acceptance by the student of any letter of offer from CIHE of a place in a course.

If a student recruited by the agent at any time undertakes any course or courses offered by CIHE other than those specifically identified in the application for enrolment and for which the student was first recruited by the agent, no fee or other amount will be payable by the CIHE to the agent.

No commission will be payable to the agent where the student is recruited through the CIHE's own marketing activities for recruitment of students within Australia. Commissions claimed by an agent must be sent directly to the Registrar at CIHE. email registrar@cihe.edu.au. There is a base commission for all agents. However, there may be separate incentive to agents based on their performance. This encourages agents to recruit quality students rather than just concentrating on numbers of students.

8. Version History

Version	Approved by	Approval Date	Details
1.0	Executive Management Committee	31.1.2017	Document creation
1.1	Executive Management Committee	31.07.2020	Agent commission payment information was added

Next Review Date: 30 July 2023

Document owner: CEO