147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

Education Agents Policy & Procedure

Scope

This policy applies to all education agents of Polytechnic Victoria and Staff of the Polytechnic Victoria involved in the recruitment, and monitoring of agents for Polytechnic Victoria.

Purpose

Polytechnic Victoria's Agents (Agents) are often the first point of contact between prospective Students and the
Australian Overseas education industry. Their activities and ethics are important to Australia's reputation as a
desirable destination for Students. Polytechnic Victoria is therefore committed to ensuring its agents act ethically and
appropriately.

To this end, Polytechnic Victoria requires its agents to have an appropriate knowledge and understanding of the Australian
Overseas education industry and to act honestly and with integrity.

This policy aims to ensure that the actions of its appointed agents are ethical and comply with the Institute's
obligations under the:

- ESOS ACT;
- ESOS Regulations;
- National Code;
- Migration Act; and
- Migration Regulations

Polytechnic Victoria follows a firm practice in the monitoring and termination of education agents domestically and internationally to ensure honest and professional representation of Polytechnic Victoria with the highest integrity.

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

Definitions

CRICOS:	Commonwealth Register of Institutions and Courses for Overseas Students.
ESOS Act:	Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
ESOS Regulations:	Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
National Code:	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.
Prospective Student:	A person who intends to become, or who has taken any steps towards becoming, a Student an 'overseas Student' or 'intending overseas Student' as defined by the ESOS Act.
Relevant Legislation:	the ESOS Act 2000; the ESOS Regulations 2001; the Migration Act 1958; the Migration Regulations 1994; the National Code; and Any other legislation or regulations relevant to governing the provision of education to overseas Students in Australia.
Agent:	An accredited person or organisation with the authority to promote Polytechnic Victoria's courses and services to Students or intending Students in nominated regions.
Agents Agreement:	Agreement between the Institute and the Agent including the Schedules.
Student:	A person (whether within or outside Australia) who holds a Student Visa and is an 'overseas Student' as defined by the ESOS Act.

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

Policy

This policy/procedure supports 'Standard 4 – Educational Agents' of the 'National Code of Practice for Registration
Authorities & Providers of Education & Training to Overseas Students 2018' which states:

"Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian Overseas education industry and do not use education agents
who are dishonest or lack integrity."

Polytechnic Victoria will enter into a written agreement with each education agent it engages to formally represent it, and enter and maintain the education agent's details in PRISMS.

In following this procedure Polytechnic Victoria will ensure it is able to manage the activities of their education agents, ensuring only reputable education agents are used.

Polytechnic Victoria will conduct ongoing reviews including annual Agents Performance Appraisals and Agent Student Appraisals

Polytechnic Victoria may terminate an agent's appointment where Polytechnic Victoria knows or has a reasonable suspicion that an agent must have been engaged in Unprofessional Conduct.

Polytechnic Victoria retains the right to veto any Agent activity that in Polytechnic Victoria's opinion is not compliant with:

- The Agent Agreement; or
- Any Relevant Legislation; or
- Any information provided to the Agent by Polytechnic Victoria.

Procedure

Agent Appointment Process

	STEPS	WHO IS RESPONSIBLE?	COMMENTS

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

1.	Agent Application Form and Agent Information documents sent to prospective agent via email. Application form also available on the website for them to download.	Admin Manager	
2.	Completed forms with documentation required attached returned to my.pv	Prospective agent	Business Profile etc to be attached.
3.	If determined to be suitable to appoint, contact referees for a Reference Check.	Admin Manager	In cases where referees refuse to complete the Reference Check in writing then: • Admin Manager to call the referee and complete the form on their behalf with verification signature from Operations Manager OR • Provide supporting statement documenting reasons why the agent was appointed (i.e. office visit or recommendation from somebody)
4.	Once Agent Reference Check has been completed reassess to determine if suitable to appoint.	Operations Manager	
5	Upload agent details on the my.pv portal - Agent login's for my.pv portal shared via email		
6.	Agent agreement is available on my.pv portal.	Admin Manager	Ensure correct details are entered i.e. title of Agent, company

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

	Agent to login to my.pv portal using the logins and password that was shared earlier to access the agreement		registration number (if any); country of representation, address is listed in agreement.
7.	Agent signs the agreement. Signed copy is available for agent to download from my.pv portal	Operations Manager	
8.	Once the signed agreement is available on the portal, the Agency Certificate of Representation gets generated on the portal for download	Operations Manager Admin Manager	
9.	Details of Agent updated in PRISMS & pv Website	Admin Manager	

Responsibility

- Operations Manager
- Admin Manager

Policy Base

- Education Services for Overseas Students Act 2000.
- ESOS Regulations 2001.
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code).
- The Migration Act 1958.
- The Migration Regulations 1994

Agent Agreements

- Any person who is formally engaged by Polytechnic Victoria to promote its courses with the intention of recruiting students for Polytechnic Victoria shall be required to be approved by the Operations Manager who shall initiate an Agents Agreement

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

- All persons approved as an Agent shall be required to sign an 'Agent Agreement' prior to undertaking any promoting activities on behalf of Polytechnic Victoria.
- Polytechnic Victoria will not enter into an agreement with any education agent or potential education agent if it knows or reasonably suspects the education agent to be:
- Engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers);
- Facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa
- Providing immigration advice where not authorised under the Migration Act 1958 to do so.
- All agents who are approved by Polytechnic Victoria and have a signed agreement as an agent shall be paid an agents fee as outlined in their specific agreement.
- The agreement, conditions, and authorisation to promote Polytechnic Victoria relates to the 'agent' named in the agreement and, any sub-contractors or employees of the agent must be authorised by Polytechnic Victoria
- The original signed agent agreement shall be kept in the Agents file and the agent shall also receive a copy.

The written agreement will outline:

- The responsibilities of the registered provider, including that the registered provider is responsible at all times for compliance with the ESOS Act and National Code 2018
- the registered provider's requirements of the agent in representing the registered provider as outlined in Standard 4.3
- the registered provider's processes for monitoring the activities of the education agent in representing the provider, and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services
- the corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4
- the registered provider's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
- The circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.

Monitoring Agent activities

To ensure that Polytechnic Victoria is using reputable agents Polytechnic Victoria will monitor procedures of all active agents. This monitoring process is outlined as follows.

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

Agent Student Appraisals: On the day of orientation all the new student's complete the Agent Student Appraisals form.

Annual Agents Performance Appraisals: All education agents will be required to conduct a face to face meeting with Polytechnic Victoria at least once a year or a discussion over the phone once a year. This meeting or the telephonic conversation will cover:

- Current practices
- Ensure current Marketing materials are being used
- Discuss any issues or concerns

Annual Agents Performance Appraisals form will be filled and kept on the agents file.

- Where any practices of the education agent are identified as being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training, Polytechnic Victoria shall take immediate action.

- Where the above practice(s) by an agent is identified, The Operations Manager is responsible for ensuring there is a change of the practices causing concern through counselling the agent or for terminating the agreement. Any counselling or termination of agreements shall be documented within the Agent file.

- The agent files shall be reviewed through the internal continuous improvement policy.

Termination of an Agent

1. If Polytechnic Victoria believes or suspects that an Agent has engaged in Unprofessional Conduct, the operations Manager may write to and forward the Agent Warning Letter to the Agent.
2. The Agent must provide a written response within 10 business days of the date of the letter. An extension of time to provide a response may be provided at the discretion of the operations Manager
3. After 10 Business Days from the date of the letter, or after the expiration of such further period as may have been granted ,the Operations Manager will consider the Agent's performance in light of:

    1. the response of the Agent to the letter
    2. whether the Agent engaged in Unprofessional Conduct;

4. After considering the Agent's conduct and performance, the Operations may:

    a. require the Agent to undertake further training;
    b. maintain the Agent's appointment;
    c. warn the Agent;
    d. suspend the Agent's appointment;

147 Islington St, Collingwood, VIC 3066 |
P +613 94290348 |
www.pv.edu.au | info@pv.edu.au |

e. maintain the Agent's appointment subject to certain conditions; or
f. Terminate the Agent's appointment immediately.

5. The Operations Manager must terminate the appointment of an Agent if he knows or reasonably suspects the Agent may have been engaged in Unprofessional Conduct.

6. If the Operations Manager decides to terminate an Agent's appointment, the Operations Manager should:

a. write to the Agent to advise that his or her appointment has been terminated using the Agent Termination Letter;
b. Notify Department of Home Affairs of the termination and the grounds for the termination Through PRISMS; and
c. Update the agent list on the Polytechnic Victoria website.

Updating Information

- Polytechnic Victoria will ensure that the agent is provided with current information regarding the provider and the courses offered (Agent Manual).
- New course documents and detailed information will be provided to agents whenever such documents are amended.
- Agents are required to notify Polytechnic Victoria if any details related to the agent or its operations are altered.

Forms

4.1 Agent Application Form
4.2 Agent Reference Check Form
4.3 Agent Agreement
4.4 Agency Certificate
4.5 Agent Student Appraisals form
4.6 Annual Agents Performance Appraisals form
4.7 Agent warning letter
4.8 Agent termination letter
4.9 Agent Manual

Implementation

This Procedure will be implemented using the following strategies:

- By ensuring that staff engaged in student recruitment activity are fully trained in the requirements of the ESOS Act
- By ensuring that all new Admin staff have attended ESOS training in the first 6 months of the commencement of their role
- Ensure that all agents have up to date course information and stock
- Staff during the induction into the Polytechnic Victoria team, training on using PMS
- The Process flow Diagram
- By providing always updated 4.9 Agent Manual

Review

This policy will be reviewed annually to ensure ongoing ESOS requirements