

AGENTS

Area	Administration		Classification	International Students	
Last Updated	Jun 2011	Version	2010-03	Co-ordinating Responsibility	CEO / DOS International Student Liaison Officer
Next Review	Dec 2011	Approved by	Janet Lawrence CEO/DOS	Distribution	Policy and Procedure Manual, Website

PURPOSE

To protect students from unscrupulous agents.

POLICY

Australasian Lawrance Aged Care College takes all reasonable steps to ensure education agents that have an appropriate knowledge and understanding of the Australian International education industry and do not use education agents who are dishonest or lack integrity.

ALACC enters into a signed Memorandum of Understanding (MOU) with an Agent prior to authorising the Agent to market for International Students on its behalf. Each agent must agree to the terms and condition outlined below before a partnership arrangement commences.

At no stage are agents to be employed by ALACC.

Step PROCEDURE – Engaging an Agent

1	<p>On commencing discussions with the agent, the agent will be advised to lodge the completed Agent application Form along with the supporting documents as mentioned in the checklist of Agent application form.</p> <p>Once the documents are received, the following must be considered:</p> <ul style="list-style-type: none"> ➤ Legal registration of the agent (Business Name, Company Entity) ➤ Accessibility of the agent (Can the students easily contact the agent through telephone and a permanent residential address) ➤ Experience and qualifications of agent, and all personnel working with agent to represent students
2	The MOU specifies the responsibilities of the education agent and ALACC and complies with the requirements of the National Code.
3	CEO/DOS or delegate will ensure that its education agents have access to up-to-date and accurate marketing information
4	<p>ALACC does not accept students from an education agent or enter into an agreement where it suspects that the education agent to be:</p> <ul style="list-style-type: none"> a) 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 ALACC under Standard 7 b) Facilitating the enrolment of a student who the education agent believes will not

	<p>comply with the conditions of his or her student visa eg: Limited work rights, course attendances, payments of fees.</p> <p>c) Using Provider Registration and International Students Management System (PRISMS) to create Confirmation of Enrolment</p> <p>d) Providing immigration advice where not authorised under the Migration Act 1958 to do so.</p>
5	Once ALACC and the agent have agreed upon the details, the MOU will be executed by the parties.
6	The CEO / delegate are the only authorised person to execute the MOU on behalf of ALACC.
7	If requested, ALACC will disclose agent's commission structure to both the agent and the student

Note:

All Current agents are advised to undertake appropriate training course to gain the full understanding of the Australian International education industry (<http://www.pieronline.org/>).

Step PROCEDURE – MONITORING AN AGENT

1	As each international student is accepted by ALACC, the International Student Liaison Officer is to complete the Agents Review Checklist on the Student Orientation Day.
2	<p>The purpose of this checklist is to ensure that the agent is meeting all its requirements of the MOU, and representing ALACC in an ethical manner. Areas to be checked include:</p> <ul style="list-style-type: none"> - Demonstrated knowledge of ALACC, its courses, facilities and staff - Any evidence of discrediting other training providers for any reason at all - Any evidence of influencing or attempting to influence a student to withdraw from a training institution that the student is presently attending - Any evidence of influencing or attempting to influence a student to change plans after signing an enrolment - application and paying the registration fee to any training organisation - Any evidence of making exaggerated / inaccurate statements including residency or employment opportunities - Incorrect or false student information being provided to ALACC - Making any promises to students that cannot be fulfilled - To ensure appropriate dissemination of information is provided to students including <ul style="list-style-type: none"> o Provider and course information o Refund Policies and Procedures o All details mentioned in the Agents Review Checklist
3	If, as a result of the Agents Review Checklist, the CEO/DOS believes that the agent is not meeting the requirements of the MOU, the CEO / DOS is to arrange a meeting with the agent. During this meeting, all areas of concern are to be discussed and notes will be taken of the meeting and signed by the agent and the CEO/DOS. The notes will be filed in the Agent's file.
4	The CEO/DOS will meet with local agents on a six monthly basis to ascertain any concerns, and to assess their continuing understanding of the requirements of being an agent for overseas students. If the CEO/DOS has concerns about the understanding of an agent; then, a further meeting will be arranged to discuss those concerns and to provide the agent with any information to assist the agent.
5	In respect to overseas agents, the CEO/DOS will arrange for a list of questions to be forwarded to the agent on a six monthly basis. Where it becomes apparent that the agent does not have a sufficient understanding of any new requirements for overseas students, the CEO/Dos will

	arrange for information to be provided to the agent and will organise a telephone conference within 28 days to ascertain whether the agent has improved his or her understanding. If the position has not improved then the procedure set out in 6 applies.
6	If the agent is not meeting the requirements of the MOU, and is not willing to rectify their actions, or is continually in breach of the terms and conditions of the MOU, the CEO / DOS has the authority to terminate the partnership arrangement.
7	The CEO / DOS will meet with the agent on an annual basis (or earlier if required) and conduct an informal face-to-face review. Notes will be taken of the meeting, and will be filed on the Agent's file. For international agents – Skype may be used as an option.
8	An agreement with an agent will be terminated if ALACC becomes aware of, or reasonably suspects that the agent, or an employee or sub-contractor of the agent, has engaged in any of the conduct set out in Step 4 of the procedure – Engaging an agent. ALACC will not automatically terminate the Agreement if the conduct was the responsibility of an employee of sub-contractor of the agent and the agent has subsequently terminated the relationship with that employee or sub-contractor

STEP PROCEDURE – CORRECTIVE AND PREVENTATIVE ACTION

1	Corrective and preventative actions will be taken by ALACC upon becoming aware of an education agent 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 and Australasian Lawrence Aged Care College.
2	Corrective and preventative actions could include: <ul style="list-style-type: none"> ➤ Terminating the agent agreement, ➤ Correcting the incorrect information provided to students, ➤ Providing additional information / material or targeted training in, for example, the expectations of the ALACC.
3	Requiring the Agent to undertake counselling by ALACC about the Agent's responsibilities under this agreement, code of conduct under this agreement and requirements under the National Code.
4	Agent's refusing to undertake the required corrective and preventative action will have their agreement cancelled.