



## Purpose

This policy is to ensure that Education Agents with whom Clinton Institute has written agreements with act ethically, honestly and in the best interests of overseas students, as well as uphold the reputation of Australia's international education sector.

This policy will also ensure that intending students will benefit from the monitoring strategies of Clinton Institute and from Clinton Institute ability to terminate agreements with Education Agents who engage in false or misleading recruitment practices.

This ensures compliance with Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## Definitions

**ASQA:** Australian Skills Quality Authority

**DET:** Department of Education and Training

**DHA:** Department of Home Affairs

**Education Agent:** Person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services 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)

**ELICOS Standards:** English Language Intensive Courses for Overseas Students (ELICOS) Standards 2018

**National Code:** National Code of Practice for Providers of Education and Training to Overseas Students 2018

**RTO:** Registered Training Organisation

**RTO Standards:** Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework which can be accessed at [www.asqa.gov.au](http://www.asqa.gov.au)



## Policy

### 1. Recruitment of Agents

- Clinton Institute will only work with reputable Education Agents who have an appropriate knowledge and understanding of the Australian international education industry.
- Clinton Institute will only engage agents who have completed the Education Agents Training Course (EATC) offered by PIER (Professional International Education Resources) or a recognised equivalent and belong to a professional association representing Education Agents where one exists.

### 2. Written Agreements

- Clinton Institute develops and implements a written agreement with each Education Agent that is engaged to recruit students on its behalf. All written agreements are recorded in RTO Manager (SMS)
- Written agreements will specify all of the following:
  - Clinton Institute responsibilities, including that Clinton Institute is responsible at all times for compliance with the ESOS Act and National Code 2018.
  - Clinton Institute requirements for agents who represent them, including the requirement to:
    - declare in writing and take reasonable steps to avoid conflicts of interests with duties as an Education Agent of Clinton Institute.
    - observe appropriate levels of confidentiality and transparency in dealings with overseas students or intending overseas students.
    - act honestly and in good faith, and in the best interests of the student.
    - have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
  - Clinton Institute processes for monitoring the activities of Education Agents in representing the provider, and ensuring the Education Agent is giving students accurate and up-to-date information on Clinton Institute services
  - Corrective action that may be taken by Clinton Institute if an Education Agent does not comply with its obligations under the written agreement.
  - Clinton Institute grounds for termination of the registered provider's written agreement with the Education Agent.
  - The circumstances under which information about the Education Agent may be disclosed by Clinton Institute and the Commonwealth or state or territory agencies.
- A list of Education Agents with whom Clinton Institute has a written agreement will be included on Clinton Institute's website. As a minimum this information will include the agency name, name of the principal agent, legal entity and street address.
- Clinton Institute will advise ASQA of third party arrangements in place within twenty (20) days of the arrangements commencing and within thirty (30) days of the agreement coming to an end.

### 3. Monitoring and termination

# Education Agent Policy



- Where Clinton Institute becomes aware that, or has reason to believe, the Education Agent or an employee or subcontractor of that Education Agent has not complied with the Education Agent's responsibilities. Clinton Institute will take immediate corrective action.
- Where Clinton Institute becomes aware, or has reason to believe, that the Education Agent or an employee or subcontractor of the Education Agent is engaging in false or misleading recruitment practices, Clinton Institute will immediately terminate its relationship with the Education Agent, or require the Education Agent to terminate its relationship with the employee or subcontractor who engaged in those practices.
- Clinton Institute will not accept students from an Education Agent if it knows or reasonably suspects the Education Agent to be:
  - providing migration advice, unless that Education Agent is authorised to do so under the Migration Act.
  - engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers).
  - facilitating the enrolment of a student who the Education Agent believes will not comply with the conditions of his or her visa.
  - using PRISMS to create CoEs for other than bona fide students.
- The monitoring activities of Clinton Institute will identify where an agent may be involved in any of the above activities. Clinton Institute will also take into account reports from students where the number of students is a reasonable proportion of the students recruited by an agent (e.g. 3 in 10 students).

## 4. Marketing Materials

- Education agents will be provided with current and accurate marketing information that meets the requirements of Clinton Institute's *Marketing and Advertising Policy*.