# ISP Education Agent Engagement Policy

## Purpose

This policy aims to ensure that agents accredited by the Department and Training (DET) have the expertise and capability to effectively perform their role. It establishes mechanisms for performance management and review of agents to ensure that DET-accredited agents act with integrity and honesty, protecting the reputation of DET. It also ensures that the selection, appointment and review process for agents is simple, transparent, fair and legislatively compliant.

This policy provides a governing framework for the engagement of agents in order to comply with National Code requirements and covers agent accreditation, written agreements, reporting, monitoring, performance management, reward and recognition mechanisms and quality assurance.

## Scope

This policy applies to DET, the Department of Education and Training (International Education Division) (DET (IED)), and education agents.

## Policy

### Education Agent Accreditation

* A person or organisation, within or outside Australia, who wishes to represent or act on behalf of DET is eligible to apply to be accredited as an agent.
* In order to be accredited by DET (IED), agents must meet DET's specified accreditation criteria (Business Registration, Business Services, Market Knowledge and Capacity, Trained and Qualified Staff).
* The agent accreditation criteria are published and made available to applicants within the DET New Agent Application Form, which also specifies the supporting documentation required to meet the criteria.
* Agents are required to be accredited by DET (IED) in order to receive a commission for the successful recruitment of international students, in accordance with the conditions of the written agreement.
* An Accreditation Committee formed to assess agent accreditation applications against the published criteria will include an external representative as well as DET staff from the International Education Division (IED) and Integrity and Assurance Division. The panel will ensure the accreditation assessment process is open, transparent and recommendations are formulated based on an assessment against the agent accreditation criteria.
* Accreditation applications are assessed by the Committee three times a year, following the application closing dates in March, June and October.
* The receipt of applications will be acknowledged in writing.
* Incomplete applications will be returned to the applicant for further information and may be considered as part of a subsequent accreditation cycle.
* Feedback will be provided to unsuccessful applicants, who will have the opportunity to resubmit a new application at a subsequent accreditation cycle.

### Written Agreements

* Accredited agents must enter into a DET Service Agreement with DET, which specifies the service delivery responsibilities, monitoring and review mechanisms and termination conditions applicable in accordance with National Code requirements.
* An associated commission schedule (Schedule 1) which is reviewed annually and accompanies the agreement will specify the commissions payable to accredited agents, including quantitative performance-based targets for agents.
* An Accredited Education Agent Attestation (Schedule 2) must be signed by agents and returned to DET (IED) annually as part of the annual reaccreditation process, and includes agents attesting to compliance with the National Code.
* Written agreements are up to three years in duration, with the accompanying schedules being of a one-year duration. Both the written agreement and schedules will commence on 1 July and end on 30 June of the relevant year.
* Agents must continue to satisfy the requirements of the written agreement in order for the agreement to be renewed for a further term of up to three years.

### Education Agent reporting in PRISMS and on the website

* The information about agent applications and accreditation will be maintained in DET’s internal SharePoint system and international student management database.
* The list of DET-accredited agents will be published on [www.study.vic.gov.au](http://www.study.vic.gov.au).
* The list will also be entered and maintained in the Provider Registration and International Student Management System (PRISMS) regularly, including at the time of accreditation and reaccreditation, upon notification and annually, when DET (IED) updates its agent details via a survey.

### Monitoring and Performance Management

* DET (IED) has established ongoing mechanisms to monitor agent conformance and performance with the terms of the written agreement and commits to regular monitoring.
* The monitoring mechanisms include the annual Accredited Education Agent Attestation (Schedule 2) by agents, evidence of EATC trained staff, evidence of DET Education Agent Online Training Module certified staff, face-to-face and video conference meetings, email and telephone contact and regular agent reporting.
* Any instances of non-compliance with the terms of the agreement will be reported to the Executive Director, DET (IED).
* An agent found to be non-compliant with the conditions of the agreement may be required to take action to rectify the instance of non-compliance, or, depending upon the nature of the breach, DET (IED) may take cancellation action.
* In such instances, written notification of the decision to seek rectification or cancel an agreement will be issued by DET (IED).
* Any dispute unable to be resolved must be referred to an independent mediator acceptable to both DET and the agent selected from a list of mediators to be provided by the Australian Commercial Disputes Centre (ACDC). The mediation will be conducted in accordance with ACDC’s mediation rules, and the cost of the mediation borne equally by both parties, unless otherwise agreed.
* Records will be maintained, including, but not limited to, agent accreditation decisions and notification letters, agent agreements and schedules, performance monitoring logs, media reports and any termination notifications, including any associated complaints or appeals.

### Reward and Recognition

* DET (IED) has established a Reward and Recognition Framework that includes both financial and non-financial rewards.
* The DET (IED) Education Agent Awards Program recognises high performing education agents across a range of award categories on an annual basis, with awards presented in key source countries as well as promotional and branding packs for award recipients.
* Financial rewards are specified within the commission schedule (Schedule 1) which accompanies the written agreement and includes both standard and bonus commission payments, which provide performance-based incentives for agents.
* The commission structure will be reviewed annually to ensure it remains financially viable, provides return on investment and is of economic benefit to DET.

### Quality Assurance

* DET (IED) has established the following mechanisms in order to ensure that it only works with accredited agents:
  + A DET Service Agreement must be completed, signed by the agent and counter-signed by the Executive Director, DET (IED) in order for the agreement to come into effect and for the agent to become accredited by DET. Agents receive a Certificate of Accreditation at the time of accreditation, which may be used for public display in their office
  + The agent’s details are registered on DET’s internal SharePoint system, database and website, as well as on PRISMS, only after the agreement has been executed between DET and the agent. This includes registration of the agent’s company bank account details on DET’s internal financial system for commission payments
  + Accredited agents receive an agent account on DET’s online student application system, through which all student applications must be submitted in order to be eligible for commission payments. Manual applications are not accepted
  + Agent details are updated regularly on all internal systems and PRISMS through agent notifications, email, face-to-face meetings and an annual survey conducted by DET.
* Agent visits are conducted onshore and offshore to provide regular training and updates, gather feedback, discuss and resolve issues and ensure that the most current marketing materials are used or on display. An agent visit report is prepared and recorded on DET’s internal Agent Visit Register following each visit.
* Agent issues, including media reports, are recorded on DET’s internal Agent Performance Log and are addressed and monitored quarterly, in conjunction with PRISMS records. Any breaches of the Service Agreement or of the National Code are addressed immediately.
* Updated marketing materials are distributed to all agent offices at the beginning of each year, for joint events held throughout the year and upon request. For further details, refer to the International Student Program (ISP) Marketing Policy.

## Roles and responsibilities

* DET (IED) will provide accredited agents with access to up-to-date and accurate marketing information to effectively promote Victorian government schools and respond to queries from prospective students and students in a timely manner.
* DET (IED) will process all application forms received from prospective students for the ISP in a timely manner.
* DET (IED) will pay accredited agents any commission payable in accordance with the terms of the DET Service Agreement.
* The **Executive Director, DET (IED)**, is responsible for approving the accreditation or non-accreditation of agents and the termination of any written agreements, as the nominated Principal Executive Officer of DET as a CRICOS-registered provider (Code 00861K).
* The **DET (IED) Education Agent Accreditation Committee** makes recommendations to the Executive Director, DET (IED), to accredit or not accredit agents.

## Legislation

* *Migration Act 1958* (Cth)
* *Education Services and Overseas Students Act 2000* (Cth)
* *The National Code of Practice for Providers of Education and Training to Overseas Students 2018* (Cth)
* *Education and Training Reform Act 2006* (Vic)

## Associated documents

* DET New Education Agent Application Form
* DET Education Agent Improvement Monitoring Framework (Conformance & Performance Mechanisms)
* DET Quality Assurance Performance Improvement Framework - Education Agents
* DET Education Agent Service Agreement
* DET Education Agent Commission Payment (Schedule 1)
* DET Accredited Education Agent Attestation (Schedule 2)
* DET Accredited Agent Certificate of Accreditation
* Education Agent Visit Evaluation Forms (Schools & DET (IED))
* Education Agent Accreditation Committee Terms of Reference
* Education Agent performance monitoring records
* PRISMS agent reports
* Education Agent accreditation and non-accreditation notification letters
* Education Agent agreement termination letters

## Definitions

* **DET (IED)** Department of Education and Training – International Education Division. IED is the division in DET that administers the International Student Program in Victorian government schools. IED is not a separate entity to DET. DET is the CRICOS registered provider.
* **Education agents** are accredited by DET (IED) to recruit students for an ISP course.
* **International Student Program (ISP)** for the purpose of this policy is defined as the program administered by the DET International Education Division (IED).
* **International students (or students)** for the purposes of this policy are defined as students participating in the ISP under a 500 Student – Schools visa or a 571 Schools Sector visa.
* **School** for the purpose of this document is defined as a Victorian government school accredited by DET (IED) to deliver an ISP.

## Policy contact and maintenance officer

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## Authorised

Executive Director, International Education Division

**Date of authorisation**: 29/11/2018

**Review frequency**: This policy will be reviewed at minimum every 24 months or when any changes arise impacting its currency, including legislative or regulation change.