International Students Appointment and Monitoring of Education Agents Procedure

Section 1 - Purpose

(1) To ensure that Melbourne Polytechnic meets the requirements of the Education Services for Overseas Students Act 2000 (ESOS Act) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) in the assessment, evaluation and appointment of education agents for the referral of prospective international students to the institute.

Section 2 - Scope

(2) This procedure applies to all Melbourne Polytechnic staff along with current and prospective education agents involved in the recruitment of prospective international students, including those with an Agency Agreement.

Section 3 - Procedure

(3) Education agents contracted by Melbourne Polytechnic will be expected to act ethically and in the best interest of international students and uphold the reputation of Melbourne Polytechnic and the Australian education sector.

Requirements of International Agents

(4) Under the ESOS Act requirements, all education agents are required (but not limited) to:

a. refer students who genuinely intend to be temporary entrants to Australia for the purpose of achieving successful education outcomes at Melbourne Polytechnic and who then plan to utilise the skills gained through study in Australia to return home (or to an alternate country) to gain employment;
b. ensure students receive accurate and current information about Melbourne Polytechnic, including campus locations, facilities, entrance requirements, information about the Melbourne Polytechnic course, and tuition fees;
c. ensure students receive information about living in Australia, the local environment, costs of living and accommodation options;
d. ensure that the Melbourne Polytechnic course is right for the student based on your student's experience, English level and previous qualifications including information on content, duration, qualifications, tuition fees and payment/refund policies;
e. ensure students are aware of the conditions of their student visas and ensure they comply with these conditions; and
f. not engage in dishonest practices and not providing immigration advice where not qualified to do so.

Assessment and Selection

(5) Melbourne Polytechnic will consider applications based on the following criteria:

a. regions and office locations requested and current authorised education agent coverage for that region;
b. education agent understanding of the Education Services for Overseas Students Act 2000;
c. appropriate knowledge and understanding of the overseas education system in Australia, including the Australian International Education and Training Agent Code of Ethics; and
d. current providers being represented, and courses identified by agent to be promote

(6) All prospective education agents will be required to provide three (3) referees from current CRICOS registered providers from an Australian University or TAFE. Melbourne Polytechnic will contact each referee to ascertain suitability to be appointed.

Appointment

(7) The period of the agreement will be for a period up to one (1) year, and may, subsequently be renewed for additional periods of up to two years on the discretion of Melbourne Polytechnic.

(8) Approved agents will be added to the Melbourne Polytechnic List of Education Agent Representatives that are published on the Melbourne Polytechnic website.

Training

(9) Melbourne Polytechnic will provide training admission requirements, systems, key selling points of courses and where to find information required to comprehensively counsel potential students.

Monitoring

(10) Melbourne Polytechnic will monitor the performance and activities of all education agents throughout the contract period through a range of performance measures.

(11) These performance measures may include, but are not limited to the:

a. analysis of applications submitted;
b. analysis of conversion rates;
c. log of evidence of students being misinformed;
d. log of lack of knowledge of visa requirements;
e. survey of students; and
f. survey of agents.

Review

(12) Melbourne Polytechnic will conduct an annual review performance of all contracted education agents, reporting on the efficacy of conversion of students from application to acceptance and relevant performance measures, together with adherence to agent requirements under the ESOS Act.

(13) Subject to an education agent receiving a positive performance review, Melbourne Polytechnic may choose to renew an agreement at the end of the contract period, subject to the acceptance of the review, for a period of time as determined by Melbourne Polytechnic.

Termination

(14) Melbourne Polytechnic can, at its own discretion and at any time, decide to cease the services of any International Education Agent contracted to provide student recruitment services without providing reason, giving thirty (30) days' notice.

(15) Notwithstanding the following, any education agent found not to act ethically or in the best interests of international students, may have their agency agreement terminated with immediate effect through:

a. engaging in dishonest practices including counselling students that they can arrive in Australia on a student visa with a primary purpose other than that of study;
b. identifying students who do not comply with visa conditions yet still proceed with sending an application to Melbourne Polytechnic;
c. engaging in false or misleading marketing/advertising or recruitment practices;
d. providing false or inaccurate information about a course at Melbourne Polytechnic;
e. providing false or inaccurate information about employment or migration outcomes associated with a Melbourne Polytechnic course;
f. committing to/guaranteeing a student that Melbourne Polytechnic will accept a prospective student into a course at Melbourne Polytechnic; and/or
g. advertising or marketing Melbourne Polytechnic in any way without prior consent from Melbourne Polytechnic's International Office.

Section 4 - Responsibility and Accountability

(16) All International Education Agents are responsible for acting ethically and in the best interest of international students, upholding the reputation of Melbourne Polytechnic and the Australian education sector in the recruitment of students.

(17) The Senior International Admissions Coordinator is responsible for ensuring all International Education Agents are assessed, monitored and reviewed throughout the course of agency agreement at Melbourne Polytechnic.

(18) The Vice President International Development, International Partnerships (International Office) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.

Section 5 - Supporting Documents and Templates

(19) Related Melbourne Polytechnic policies and procedures:

a. Approved Representative Application Form (contact International Office)
b. International Office Agent Referee Check Form (contact International Office)
c. International Student Studying on a Student Visa Policy
d. Melbourne Polytechnic Privacy Statement
e. Student Complaints and Appeals Policy.

(20) Related Legislation and Regulation

a. Australian International Education and Training Agent Code of Ethics
b. Education Services for Overseas Students (ESOS) Framework
c. Higher Education Standards Framework (Threshold Standards) 2021
d. National Code of Practice for Providers of Education and Training to Overseas Students 2018
e. Standards for Registered Training Organisations (RTOs) 2015
f. Tertiary Education Quality and Standards Agency Act 2011.

Section 6 - Definitions

(21) For the purpose of this policy the following definitions apply:

a. Agency Agreement: means a legal agreement between Melbourne Polytechnic and an International Education Agent, outlining the obligations and responsibilities of all parties to the agreement.
b. International Education Agent: refers to an individual person or organisation acting as an approved representative of Melbourne Polytechnic for the purpose of recruitment of Prospective International Students via an individual Agency Agreement.
c. Prospective International Student: refers to a person who intends to become, or who has taken any steps towards becoming an 'overseas student' or 'intending overseas student' as defined by the ESOS Act.

Status and Details

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Policy Owner	Cathy Frazer Executive Director People and Student Success
Policy Implementation Officer	Timothy Gilbert Vice President International Development
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