

Student Recruitment Agents' Policy

Darwin Institute of Technology (DIT)

RTO Code: 41128 | CRICOS Code: 03609J

Policy

DIT will appoint Student Recruitment Agents to be non-exclusive representatives and to perform the services for the terms set out in an agreement referred to as an 'Agent Agreement'. Each Agreement will be a non-exclusive Agreement and the Agent acknowledges that DIT may appoint other representatives as it so chooses.

DIT will make each Agent aware of the requirements of the Migration Act 1958, ESOS Act (2000) and the National Code 2018 and the Agent will undertake to comply with all regulatory and statutory requirements under any Agreement reached. The specific requirements of DIT and the Agent will be contained in a written agreement signed by both parties.

The Agreement will set out the following obligations of the Agent:

- At all times act in an ethical manner
- Promote courses with integrity and accuracy
- Recruit students in an honest, ethical and responsible manner
- Inform students accurately about the requirements of the courses
- Uphold the high reputation of DIT and the Australian education sector
- Assist suitable qualified applicants to complete all required documentation
- Ensure that applications and acceptances of offer documents are submitted to DIT in a timely manner
- Ensure all applications are accompanied by a current residential address and contact details
- Advise students that if their visa application is rejected DIT will refund the amount received less 5% or A\$500 whichever is lower to the account they have written in enrolment application.
- Undertake all advertising and marketing for DIT using the current documentation supplied by DIT
- At all times comply with Standard 4 of the National Code 2018

- Advise students that information collected by DIT about changes to student enrolment or any breaches by the prospective students must be reported to Dept. of Home Affairs.
- Advise the student that if they come to Australia on a student visa, they must have the primary purpose of studying and that is must be on a full-time basis
- Any school age children who accompany them are required to pay full fees if they enrol in either government or non-government school
- Keep confidential all information provided by DIT including the terms of any formal Agreement

Framework

DIT has in place an effective framework that documents our dealings with education agents. The framework has four elements:

- How to select appropriate education agents
- A standard agency agreement
- Training and induction arrangements
- Guidelines for monitoring education agents' activities.

1. Selection and Screening of Education Agents:

Every Education Agent has to submit application and go through DIT's screening process. Business Development Manager (BDM) and Chief Executive Officer (CEO) will consider the application and approve on discretionary basis. Preference will be given to those established/larger/longer-serving education agents who show a commitment to this profession.

Criteria for Selecting Agents

1. Proof of Business Licences: BDM will check the agent's business licence and relevant documents and keep a copy of them in file. He may verify it, if he thinks it necessary. He will ensure that the applicant is a legally valid and sound business.
2. Length of time in the business: Agent's business license should be more than 2 years of age. However, if the BDM considers the applicant with high potential; this requirement may be relaxed. BDM needs to write down his considerations.

3. One Australia-based referee: BDM can send an email to a provider inquiring about the nature of the agent. Alternatively, he can call the referee and document their conversation (e.g. how long the agent is working with the education provider, has they ever submitted any forged document, can they meet target, has they ever breached any term of the agent contract, what is the turnover rate of students recruited by this agent, etc). BDM can also ask for a certificate of agency for the agent issued by another RTO with current registration. The agency certificate/contract should be at least one year old and verifiable.
4. Assessment of agent knowledge of ESOS Act and National Code and visa application process: BDM will ask for QEAC/PIER certificate for at least one member of agent organisation (who is in a key position in that organisation). If the agent does not have it, BDM can conduct an interview assessing agent's knowledge about the state areas.
5. Memberships or licenses they hold: For example, membership of - "International Education Association of Australia", "Association of Australian Education Representatives in India", "China Education Association for International Exchange". BDM will decide on the quality of membership applying discretion. Agent has to submit at least one proof of membership.
6. Any supporting evidence: BDM will apply discretion on this evidence and keep documents reflecting the evidence in agent file. Examples include but is not limited to media report on agent, awards, workshop with students, participation in industry seminars, advertisement given in media by the agent, copy of at least 1-year old contract with another education provider, proof of payment of commission from another provider, lease agreement showing that the applicant will run student consultancy service in premise, referral from previously recruited students, copy of utilities bill (not more than 4 months old) where agent's business name is written, etc.
7. Business Plan submitted by agent: It should show agent's knowledge about their market area and how they will market DIT's courses to students. It will also show number of office premises of agent, number of staff they employ, key persons' background and experience, number of students they recruited in last two years, projected student number in next 2 years, which courses are in more demand in agent's catchment area, marketing strategy, media exposure, number of education provider they are serving, visa success rate, usual visa obstacles etc. BDM will assess this business plan. However, business plan will be obtained wherever available.
8. Website Quality: BDM will check agent's website and ensure that necessary information is there. He will keep a screen shot of its home page.

To be selected as DIT's agent, applicant has to fulfil criteria listed above. However, CEO/DoS can apply discretion in these matters. They may exempt Documents # 6 and 7.

If available, BDM will obtain copy of license of Migration Agent and Public Liability & Professional Indemnity insurances (where relevant) from the agent and consider conflict of interest.

2. Agreement between Agents and DIT

The formal agreement covers all the terms & conditions, rights & responsibilities of agents & DIT and all relevant issues. DIT will publish a list the names of education agents with whom we have a written agreement and this list will be included on DIT's Web Site. As a minimum, this information may include the agency name, name of the principal agent, legal entity and street address.

DIT may terminate an Agent's appointment where the Institute knows or has a reasonable suspicion that an Agent may have been engaged in Unprofessional Conduct. More details are kept in legal contract for termination issues.

After negotiation with agents, DIT can set a target for them for a specific period. BDM will track its progress through separate documentation.

The Institute retains the right to veto any Agent activity that in the Institute's opinion is not compliant with.

3. Training & Induction

After getting into the contract, DIT administration department or BDM/CEO will communicate with the agent face-to-face or via teleconferencing, emails to CONFIRM

- Contacts
- Contracts
- course information
- entry requirements, including required level of English proficiency
- application and enrolment procedures
- How to Enrolment Interview is conducted
- payment procedures, including medical insurance (if applicable)
- the written agreement, including the refund policy

- course progress/attendance requirements
- key dates and details
- arrangements for reporting on compliance with visa requirements
- student support services
- other services for students, such as accommodation
- costs of living in Australia

It can also be done by communicating/emailing

- Student Handbook
- Marketing brochures
- Extract from DIT Policies & Procedures

Further training or information session can be provided, if required, as decided by BDM//CEO. Evidence of such will be preserved in Agent File. DIT may also translate the information into agent's native language and try to identify agent's skills and attributes for allocating roles based on those attributes.

4. Monitoring Education Agent's Activities

A range of activities will be in place to monitor agents' activities by BDM

- Four Monthly review will be conducted for each agent on
 - How many students they have provided and what the intended amount of total tuition fee is.
 - How many students from the agent have been transferred from DIT to another provider?
 - How many students the agent referred from other providers to DIT
 - The timeliness of service
 - Etc
- Post Arrival Student Survey will be conducted on the arrival of each batch of students to understand agent's service quality for the students.
- Complaint Register will be checked whether there is any complaint against any agent
- The Business Development Manager may undertake a teleconference or videoconference with each appointed education agent. The purpose of this engagement is to monitor the activities of the education agent and ensure their practices are aligned

with the obligations outlined above. Specifically, this annual engagement is to address the following points:

- review of the agents' recent activity and initiatives to promote the services of DIT with integrity and accuracy;
- review any changes to administrative processes internal to DIT; review any changes to marketing material or course information that impacts on the activities of the agent; and
- discuss future course schedules and student capacity.

The outcomes of this reviews and meetings are to be minuted and submitted to the CEO for acknowledgement. It may contribute to Continuous Improvement Plan. BDM will keep track of the Agent's reviews and any other issue with a register.

- Spot check may be conducted by BDM to check whether agent's office has latest version of flyers, prospectus etc.

This policy will be updated whenever there is a change in relevant internal, external or regulatory policies.