

EDUCATION AGENTS POLICY



Human Resources and Compliance

Version 2.1

Last Reviewed: 26 February 2019

1 Statement

FSAC Ltd trading as St John's International College and St John's Anglican College (the College) is committed to ensuring its Education Agents act ethically, honestly and in the best interest of overseas students and uphold the reputation of Australia's international education sector. The engagement of Education Agents must comply with the *Education Services for Overseas Students Act 2000* (ESOS Act) and the requirements of the *National Code of Practice for Providers of Education and Training to Overseas Students* (the National Code).

2 Scope

This policy applies to the College Council members, employees and Education Agents of the College.

3 Principles

This policy is based on the following principles:

- International Students have the right to feel safe, be listened to, be involved in decisions that affect them, have their cultural values respected, not be unjustly discriminated against based on their status, activities, expressed opinions or beliefs of their parents or carers, and have their best interests considered.
- Students under the care of the College should be provided with the knowledge and information they require to feel empowered to act in the event of abuse or neglect.
- The College acknowledges that International Students are unique and valued individuals and deserve to be treated with care and respect.
- The College recognises that respect for students is the foundation on which all policies and procedures are developed.
- The College is committed to promoting the wellbeing of International Students under its protection by protecting their security, safety and wellbeing.

4 Student Protection

The College supports the rights of children and young people and is committed to ensure the safety, welfare and wellbeing of students. The College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees. This



commitment includes the provision of a safe and supportive living and learning environment for all students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

5 Education Agents

The College practices due diligence by requiring its agents to have an appropriate knowledge and understanding of the overseas education system in Australia, including the Australian International Education and Training Agent Code of Ethics, requesting comprehensive information about the agency (including up-to-date and accurate marketing information) via the 'Education Agent Application' form and references from reputable sources. In addition, the College regularly monitors the performance and activities of all Education Agents on an ongoing basis, to ensure that they continue to act ethically, honestly and in the best interest of overseas students.

Education Agents engaged by the College will have their details entered into the Provider Registration and International Student Management System (PRISMS) and will enter into a written agreement outlining:

- the College's responsibilities, including legislative compliance;
- the requirements of the agent in representing the College;
- the College's processes for monitoring the agent's activities and ensuring the agent gives overseas students accurate and up-to-date information;
- the corrective actions that may be taken and the grounds for termination of the written agreement with the agent; and
- the circumstances which information will be shared.

5.1 Conflicts of Interest

Education Agents must declare and take all reasonable steps to avoid conflicts of interest with their duties as an education agent of the College and maintain transparency with their activities.

Conflicts of interest may include:

- when the Education Agent charges services fees to both overseas students and registered providers for the same service;
- where an Education Agent has a financial interest in a private education provider; or
- where an employee of an Education Agent has a personal relationship with an employee of the College.

5.2 Australian International Education and Training Agent Code of Ethics

This Code of Ethics is based on the 'London Statement' (Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants). These requirements ensure Education Agents adhere to and practice responsible business ethics, and that they understand their



obligations to provide current, accurate and honest information to overseas students to help them make informed decisions about study in Australia.

6 Education Agent Monitoring

The performance of each Education Agent will be reviewed by the College annually using the 'Monitoring Agent Interactions' form. The College will consider the performance of the Education Agent to decide whether to:

- maintain the Education Agent's appointment;
- appoint the Education Agent for a further period subject to certain conditions; or
- terminate the Education Agent's appointment.

In considering the Education Agent's performance the College will consider:

- the Education Agent's compliance with the written agreement or relevant legislation;
- the number of students the Education Agent has recruited;
- conversion rates (number of applications, offers and commencements);
- the academic progress and performance of students recruited by the Education Agent;
- any feedback or information from students or third parties regarding the Education Agent;
- the quality, accuracy and currency of information and advice provided by the Education Agent to students; and
- the quality of the appointment as assessed by the College.

7 Termination of an Education Agent's Appointment

The College may terminate an Education Agent's appointment where the College knows or has a reasonable suspicion that the agent may have been engaged in unprofessional conduct.

The College maintains the right to ban any agent activity that in the College's opinion is not compliant with:

- the written agreement; or
- any relevant legislation; or
- any information provided to the agent by the College.

7.1 Immediate corrective actions

The College will take immediate corrective action if it believes the Education Agent is in breach of Standard 4 of the National Code. This corrective action will adhere to the principles of 'Natural Justice' and corrective actions may include:

- providing the Education Agent with additional information; or
- providing targeted training to the Education Agent regarding obligations and expectations; or
- warning the Education Agent; or
- suspending the Education Agent's appointment; or



- maintaining the Education Agent's appointment subject to certain conditions; or
- terminating the Education Agent's appointment immediately.

If the College becomes aware or has a reasonable suspicion that an Education Agent is engaging in false or misleading recruitment practices, it will immediately terminate their relationship with the Education Agent and notify the Department of Home Affairs.

8 Privacy

Personal information that may be obtained, stored and released is done so in accordance with the *Privacy Act 1988*. For further information please refer to the college's *Privacy Procedure*.

9 Accountabilities and Responsibilities

| The table below outlines the accountabilities and responsibilities for governing and managing the College. | |
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| College Council: | Is responsible for ensuring the proper and effective management and operation of the College. This includes defining and monitoring the strategic direction, developing and monitoring policies, monitoring the effectiveness of the College Council and College, and establishing control and accountability systems. |
| Principal: | Is responsible for the administration and implementation of the College's strategic direction, policies and procedures and control and accountability systems developed by the College Council. The Principal works closely with and is accountable to the College Council for leading the College to deliver high quality curriculum and educational outcomes, excellence in teaching and learning, a strong College community and driving market growth. |
| Manager Human Resources and Compliance: | Is responsible for ensuring the achievement of College strategic objectives through the development and application of best practice Human Resource Management principles and practices that comply with legislative requirements. The Manager Human Resources and Compliance works closely with and is accountable to the Principal for developing, implementing and evaluating an appropriate policy framework compliant with all statutory requirements. |
| Employees: | Are expected to abide by all College policies and procedures. |

10 Related policies, procedures and other documents

10.1 Policies

Complaints and Appeals Policy

Course Progress, Attendance and Course Duration Policy

Deferral, Suspension and Cancellation Policy

Entry Requirements Policy

International College Homestay Management Policy



Refund Policy

Student Transfer Request Policy

10.2 Procedures

Accommodation and Welfare Procedure

Homestay Selection and Screening Procedure

Homestay Training Procedure

Privacy Procedure

10.3 Other documents

Australian Privacy Principles

College Vision, Mission and Values Statement

Homestay Code of Conduct

Student Code of Conduct

Homestay Handbook

10.4 Legislation

Child Protection Act 1999 (Qld)

Education Services for Overseas Students Act 2000

Education Services for Overseas Students Regulations 2001

Migration Act 1958

Migration Regulations 1994

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

Privacy Act 1988

11 Approval

This policy was issued on 4 March 2019 under the authority of the Principal. This document represents the current policy of the College until it is revised or rescinded.

12 Managing this policy

12.1 Review

This policy is to be reviewed every two years or earlier if necessary. The Manager Human Resources and Compliance is responsible for reviewing or making approved modifications to the policy.



13 Authorisation

Maria McIvor
Principal
Date: 4 March 2019