



Agent Management Policy

1. Purpose

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) requires providers to ensure that their Education Agents act ethically, honestly and in the best interests of overseas students, and that they uphold the reputation of Australia's international education sector.

King's Own Institute (KOI) is committed to ensuring its compliance with the ESOS Act and the National Code. The purpose of this policy is to ensure consistent and effective management of the Education Agents engaged by KOI.

2. Scope

This policy applies to all education agents, both onshore and offshore, appointed by KOI to represent the institute and its courses, to education agents representing prospective or enrolled students of KOI, both onshore and offshore, and to education agents seeking to become registered agents for KOI.

3. Definitions

Term	Definition
Agent Code of Conduct	The Australian International Education and Training Agent Code of Conduct
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) is the register prescribed under section 14A of the ESOS Act
Education Agency	Education Agency (or Agency) means a person or organisation (in or outside Australia) which recruits overseas students and refers them to education providers.
Education Agent	Education Agent (or Agent) means a person or organisation (in or outside Australia) operating as an officer, staff member or contractor for an Education Agency. Education agents may provide education counselling to overseas students as well as marketing and promotional services for education providers. The provision of education or teaching services is not included in the scope of this policy.
ESOS Act	The Education Services for Overseas Students Act 2000
Marketing	Marketing means any promotion of KOI about its courses and facilities to prospective overseas students and their parents or guardians, agents, international organisations' and other interested parties such as alumni.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018 made under section 33 of the ESOS Act
Overseas Students	Overseas students (also referred to as international students) means students (within or outside Australia) who hold a student visa.
PRISMS	The Provider Registration and International Student Management System used to process information given to the Secretary of the Department of Education and Training (DET) by registered providers



4. Policy principles

KOI appoints Education Agencies and Education Agents to represent it and its courses for the purpose of recruiting international students to study at KOI. The principles which apply when appointing and managing Education Agencies and their Education Agents are set out in this section.

4.1 Expression of interest

Education Agencies may seek to become a KOI contracted agency by submitting an expression of interest on the KOI Agency Application Form. The Agent Application form is available on the KOI website

https://koi.edu.au/wp-content/uploads/2024/09/KOI-EDUCATION-AGENT-APPLICATION-FORM_V08Aug2024_Fillable.pdf

4.2 Due diligence

All prospective Education Agencies will be subject to a due diligence process. KOI will generally require agencies to:

- (a) provide copies of their business registration certificates;
- (b) provide a list of company directors and authorised signatories;
- (c) provide copies of any accreditation certificates like Qualified Education Agent Counsellor (QEAC) certificate, Migration Agent Registration Authority (MARA) certificate, etc., where applicable
- (d) provide references as to their suitability;
- (e) declarations of conflict of interest and potential use of sub-agents;
- (f) attend an interview, which may take place via phone or videoconference; and
- (g) commit to complying with the Australian regulations on education to overseas students and the relevant policies and procedures of KOI on marketing and agent management.

4.3 Discretion not to appoint an Education Agency

KOI is under no obligation to appoint an Education Agency to be its representative and all appointments will be at the sole discretion of KOI. KOI will not appoint an Education Agency to be its representative where it knows or reasonably suspects the Education Agency to be:

- (a) involved in unethical recruitment practices by providing migration advice, unless that education agent is authorised to do so under the *Migration Act 1958*;
- (b) 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)* in the National Code;
- (c) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa; and/or
- (d) using PRISMS to create CoEs for Overseas Students that are not genuine students.

4.4 Appointment

If, after completion of the due diligence process, KOI decides to proceed to appoint an Education Agency, the Education Agency will be expected to enter into KOI's standard education agency agreement.

No Education Agency may represent KOI or its courses without having entered into a written agreement with KOI.



4.5 Induction and training

KOI expects all of its contracted Education Agencies and their Agents to understand and comply with the ESOS Act, the National Code and the Agent Code of Conduct.

KOI will conduct training for its newly contracted Education Agencies as part of an induction process through in country training sessions, online training sessions and the distribution of training and information materials. Agency induction training will be undertaken in two (2) stages. The initial training will be undertaken directly by the Marketing Director. Ongoing training after the end of each trimester will be undertaken by KOI Marketing Officers.

Induction and training will cover, but is not limited to:

- the ESOS Act, the National Code and overview of compliance requirements;
- the Australia's independent national quality assurance and regulatory agency for higher education, Tertiary Education Quality and Standards Agency (TEQSA), and TEQSA's expectations of the provider and their agents;
- KOI organisation and management;
- KOI strategic vision, mission, goals and values;
- KOI internal administration and admissions processes;
- KOI's extensive student support services; and
- the need for transparency in all operations.

Ongoing online training is provided after the end of each trimester in addition to, or in lieu of, onsite visits.

All Agency training and visits will be recorded in the communications log of the Agency's file managed and maintained by KOI Marketing team.

4.6 Performance Management

In relation to its contracted Education Agencies, KOI will:

- (a) monitor compliance with the ESOS Act, the National Code, the Agent Code of Conduct and the terms of the Education Agency's written agreement with KOI, on an ongoing basis;
- (b) conduct agent performance reviews on the basis of six key performance indicators (as defined in the [KOI Agent Performance and Risk Assessment Framework](#) at this link)
 - Formal Agent Review: This is an annual, comprehensive performance review conducted in alignment with KOI's [Agent Performance and Risk Assessment Framework](#). The outcome of this review determines whether the Agent's Agreement will be renewed or discontinued, based on their risk profile and overall performance.
 - Informal Agent Review: KOI may conduct informal review following each trimester, initiated if an agent fails to meet one or more criteria outlined in the [Agent Performance and Risk Assessment Framework](#). Should an agent be classified as medium or high risk during this assessment, corrective actions will be considered; and
- (c) take any action it deems necessary in relation to non-compliance to this policy and related documents or poor performance by a contracted Education Agency. This may take the form of requesting the Education Agency to take corrective action, or suspension or termination of the Education Agency in accordance with the Education Agency's written agreement with KOI.

The performance review will be conducted by the KOI Marketing team and is signed off by the KOI Marketing Director. KOI Marketing Director may delegate this responsibility to the Marketing Manager with clear and written directions. Results of the performance review and any proposed actions or recommendations will be reported in writing by the Marketing Director to KOI's CEO and President, and subsequently to the Audit and Risk Committee and AIBM Council as per the reporting cycle.



Upon completion of a performance review, the KOI Marketing Director, as sanctioned by the CEO and President, will recommend one of the following:

- (a) maintain the Agency's current appointment (this may require a new Agency Agreement to be issued);
- (b) maintain the Agency's current appointment, subject to certain conditions (for example, no offshore recruitment for a defined period of time); or
- (c) suspend or terminate the Agency's appointment in accordance with the relevant termination clauses of the Agent Agreement.

4.7 Suspension or termination

If an Education Agency is suspended or terminated by KOI, it must immediately cease representing KOI and its courses to overseas students.

5. Responsibilities

The Marketing Director is responsible for the implementation, dissemination and review of this policy.

The Marketing Director is responsible for the day to day implementation of this policy and is the first point of contact for all enquiries that relate to this policy.

The Marketing Director is responsible for monitoring KOI's Education Agencies and their Agents and for reporting on the performance of the KOI's Education Agencies.

Document control

Policy title	Agent Management Policy
Policy owner	Marketing Director
Policy approver	AIBM Council on the recommendation of the Audit and Risk Committee
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Date of next review	22 November 2025
Changes in this version	Update link of the Agent Application Form on the website. Strengthen Agent selection process. Reference Performance Management requirements to the Agent Assessment and Risk Management Framework. Amend authority to conduct performance review.