



RTO 41228 | CRICOS Provider No. 03640K

## AXIS Agent Appointment Policy & Procedures

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## 1. SCOPE

Axis Institute's agents are often the first point of contact between prospective students and the

Australian International Education Industry. Their activities and ethics are important to Australia's reputation as a desirable destination for students. Axis Institute is therefore committed to only appointing agents who will act ethically and appropriately. This policy and procedure applies to all:

- Agents of Axis Institute; and
- Staff of Axis Institute involved in the recruitment, accreditation and monitoring of agents for Axis Institute

## 2. Definitions

**Agent:** An accredited person or organisation with the authority to promote Axis Institute's programs and services to students or intending students in nominated regions

**Agent Agreement:** The agreement between Axis Institute and the agent including the schedules

**CRICOS:** Commonwealth Register of Institutions and Courses for Overseas Students. All courses and Education Providers have a designated CRICOS Code

**ESOS Act:** Education Services for Overseas Students Act 2000 of the Commonwealth of Australia

**ESOS Regulations:** Education Services for Overseas Students Act 2000 of the Commonwealth of Australia

**National Code:** National Code of Practice 2018 for Registration Authorities and Providers of Education and Training to Overseas Students

**Prospective Student:** A person who intends to become, or who has taken any steps towards becoming, a student, an 'overseas student' or 'intending overseas student' as defined by the ESOS Act

**Prospective Agent:** An accredited person or organization who wishes to have the authority to promote Axis Institute programs and services to students or intending students in nominated regions

**Student:** A person who holds an Australian Student Visa and is an 'overseas student' as defined by the ESOS Act

### Relevant Legislation:

- ESOS Act 2000 (Cth)
- ESOS Regulations 2001 (Cth)
- Migration Act 1958 (Cth)
- Migration Regulations 1994 (Cth)
- National Code 2018
- Australian International Education and Training Agent Code of Ethics
- Any other legislation or regulations relevant to governing the provision of education to overseas students in Australia

### 3. POLICY

This Policy is created pursuant to the ESOS Act 2000 and Standard 4 of the National Code 2018 and outlines the steps Axis Institute staff will take in the appointment of agents who meet the professional obligations required under the aforementioned legislation and standards.

Axis Institute will ensure to take all measure to ensure that any approved and appointed agents act ethically, honestly and in the best interest of overseas students and uphold the reputation of Australia's international education sector, as per Standard 4 of the National Code 2018.

Axis Institute will ensure that:

- A written agreement (International Education Agent Agreement) is created and signed by both parties
- Agents details are entered and maintained in Provider Registration and International Student Management System (PRISMS)
- Agents have appropriate knowledge and understanding of the Australian International Education and Training Agent Code of Ethics
- Agents act honestly and in good faith
- Will take immediate corrective action, or terminate a relationship (written agreement) if an agent (or an employee or sub-contractor/agent) is not complying with the National code
- Will not accept overseas students from an education agent if it knows or suspects that the education agent is engaging in unethical recruitment processes
- A list of approved agents is available on Axis Institute website, [www.axisinstitute.edu.au](http://www.axisinstitute.edu.au)

#### 3.1 Written Agreements

Axis Institute will ensure written agreements with each agent that formally represents the Institute's education services are entered and maintained the agent's details in PRISMS.

The written agreement must outline:

- Axis Institute's responsibilities, including for compliance with the Education Services for Overseas Students Act 2000 (ESOS Act) and National Code 2018
- the requirements of the agent in representing Axis Institute
- the registered provider's processes for monitoring the agent's activities and ensuring the education 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
- the circumstances which information about the registered provider may be shared by the Axis Institute and Commonwealth or state and territory agencies.

Agent Agreements by default are issued for a given period of time. Upon expiry of the Agent Agreements, the agents can apply for renewal of the same.

#### 3.2 Appointment of Approved Agents

Whenever an Agent approaches the Institute to provide recruitment services or the Institute expresses interest in an agent providing recruitment services each agent will provide information about their company. This information includes (but is not limited to):

- Business details including business name, name of contact person, postal, email, website and telephone contacts.

- Primary countries of operation
- Membership of Professional Associations
- Names of two references.

Agents are required to submit an Agent Application Form (available on the Axis Institute website, [www.axisinstitute.edu.au](http://www.axisinstitute.edu.au)) where they will provide their information, as required above.

On receiving the information and application Axis Institute will establish an Agents file, check accuracy of the information and send a confirmation email. All outcomes of the checking will be recorded on the file. If the outcome of the checks are unfavourable the Institute will take no further action and advise the Agent that they will not engaged to provide services. If the outcomes are favourable the Agent will be offered a written agreement.

In the case of newly established Agents who are unable to provide references, the application will be reviewed by Axis Institute's Head of International. Should the agent's application be successful, the institute will offer a written agreement, provide comprehensive training and monitor agent activities closely.

Before completing an application to represent Axis Institute, agents are required to be familiar with the following:

- Education Services for Overseas Students Act 2000
- Education Services for Overseas Students Amendment Act 2014
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Providers of Education and Education Services for Overseas Students Act 2000 (ESOS Act)
- The Australian Government Department of Home Affairs
- Agents Gateway
- Australian Skills Quality Authority information.

It is preferred that agents have completed an Education Agent Training course.

Axis Institute will provide newly appointed Agents training for its programs, courses, administrative procedures and forms.

Axis Institute will ensure that all information presented on the Institute website is accurate and up to date. A current list of approved agents will be uploaded to the Institute's website by the website administrator in collaboration with the International Department. The process of updating all information and content on the Institute website is conducted on a monthly basis.

### **3.3 Monitoring and Review of Agents**

Axis Institute will actively monitor all approved Agents' performance and implement methods/procedures to ensure professional behavior and positive outcomes. Ongoing and open communication with Agents is regarded by Axis Institute as a critical part of the successful operation of the Institute.

The performance of agents is monitored on an ongoing basis to ensure agents provide accurate, up-to-date, and clear information to potential students. This is through using one or more of the following:

- Quality of applications received and supporting documentation submitted
- Gathering feedback from students on the Agents performance during orientation and as needed
- Evaluate the activities of agents through one or more of the following:
  - Regular face to face meeting with agents Onshore or Offshore
  - Telephone/teleconference meetings
  - Surveys of students recruited by a particular agent
  - Agent return forms/surveys.

Agent Reviews are done periodically at a time set to coincide with the end date for an Agentswritten agreement. The review is based on the analysis of the agents file and student survey results that will include (but not limited to):

- Number of students provided by the agent
- The conversion rate of applications to CoEs and the conversion of CoEs to enrolments
- Comment on student satisfaction regarding the agent
- Comment of responsiveness of Agents to communications with the Institute
- Areas of improvement required by the agent

Axis Institute will include agent information in student satisfaction surveys and use this data to identify any issues related to the agent's conduct or performance.

If any agents have been identified as underperforming or have gaps in knowledge on Axis Institute services, then Axis Institute will assist to provide agents with additional training, as required.

On the basis of this performance review the Institute will extend the Agent's agreement, take corrective action prior to extending agreement or terminate the agreement. As part of extending the contract Axis Institute will ensure that the agent details on file are accurate and up to date.

### ***Working with Subagents***

Axis Institute requires all agents inform the Institute of any subagents who will be promoting Axis Institute. It is the primary agent's responsibility to ensure that the sub-agents are not involved in any deceptive or misleading advertisements about Axis Institute or its courses.

Details pertaining to termination are set out in the Agent Agreement.

### ***Marketing and Advertising***

Only registered/approved agents of Axis Institute are able to market and advertise course/s offered by Axis Institute. Any advertisements relating to Axis Institute needs to be approved prior to placement to ensure adherence with Axis Institute Policies. All advertisements must contain the Axis Institute's RTO number and CRICOS code.

The Agent must not engage in any unethical, misleading or deceptive advertisement on behalf of Axis Institute, and must also ensure that any subagent adheres to ethical advertising practices, as per Axis Institute's International Marketing Information and Practices (provided to all Agents).

A Marketing Request Form is to be completed by approved representative agents of Axis Institute wishing to promote Axis Institute and its courses, who are planning to use the Axis Institute logo, website link or course descriptions. All relevant sections of the form must be completed and sent to Axis Institute for approval.

### 3.4 Immediate Corrective Actions

Axis Institute will take immediate corrective action if they are aware that or believe the agent or its employee or subcontractor, have not complied with the education agent's responsibilities under Standard 4.

In the event that Axis Institute has become aware or has reason to believe that an agent of an agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training, Axis Institute will take immediate corrective and preventative action.

Preventative action could include training sessions for agents and ensuring they have all the material they need to represent the provider accurately and professionally.

Corrective action may include providing additional information/material or targeted training in, for example, the expectations of Axis Institute. Corrective action may also include termination of the agreement with the agent.

If the false or misleading recruitment practices were engaged in by an employee or subcontractor of the agent, Axis Institute will require the agent to terminate its relationship with those individuals.

Circumstances when Axis Institute will not accept students from agents:

- if the Institute believes that agent is engaging in unethical recruitment practices. This includes education agents that provide migration advice to overseas students when they are not authorised to do so under the Migration Act 1958,
- from agents that engage in, or have previously engaged in, dishonest recruitment practices. This includes education agents knowingly recruiting an overseas student in conflict with the registered providers' obligations under Standard 7 Overseas Student Transfers of the National Code 2018, or
- from agents if they believe the agent is creating Confirmation of Enrolments (CoEs) in PRISMS for non bona fide overseas students or facilitating the enrolment of overseas students while knowing that the overseas student will not comply with the conditions of their visa.

## 4. Procedure

### ***Agent Appointment Process***

1. Approved Agent Application Form sent to prospective agent to completely fill out. This form is also available to download from the website at [www.axisinstitute.edu.au/downloads](http://www.axisinstitute.edu.au/downloads)
2. The completed form with documentation required attached and returned to Axis Institute. Documentation may include (but not limited to):
  - Company profile
  - Business registration certificate
  - PIER qualifications
  - Other related documents

3. An Agents file will be established where all information and documents are kept
4. If determined to be suitable to appoint as an agent, Axis Institute will contact referees for completion of Agent Reference Check. The contact referees will be forward an Agent Reference Check Form. In some cases, one agent reference can be provided
5. Of the case that the Agent is entirely new, and unable to provide references, the agent can be appointed with permission of the Head of International and will be trained and monitored closely
6. Once Agent Reference Check has been completed, a reassessment will be conducted to determine if the agent is suitable to appoint. All outcomes of the checking will be recorded on file
7. A confirmation email will be sent if the outcome to appoint is favorable along with a specifically prepared written agreement
8. If the outcome of the checks is unfavourable the Institute will take no further action and advise the Agent that they will not engaged to provide services
9. Agent returns two signed original copies of the written agreement back to Axis Institute
10. Axis Institute will then file the copy under the agent file
11. Details of the now appointed agent updated will be updated Axis Institute databases,PRISMS, and the website.