



AGENT ENGAGEMENT AND MANAGEMENT POLICY & PROCEDURE

Introduction

The Australian Academy of Commerce (AAC) is committed to ensuring compliance with the Education Services for Overseas Students (ESOS) Act 2000 and the ESOS National Code 2018. This policy establishes a framework for the ethical recruitment and management of education agents representing AAC, ensuring they act honestly, transparently, and in the best interests of overseas students. By maintaining a strong agent network, AAC aims to support high-quality student experiences and safeguard the integrity of the Australian international education sector.

Purpose

The purpose of this policy and procedure is to establish clear guidelines for the engagement, management and performance monitoring of education agents engaged by AAC. This ensures effective collaboration, ethical practices and alignment with AAC's strategic goals while complying with the ESOS Act and the National Code 2018.

Scope

This policy applies to all education agents engaged by AAC, both onshore and offshore. It also governs AAC staff involved in agent recruitment, management and commission processing.

Policy Statement

AAC recognises the significant role that education agents play in student recruitment and engagement. AAC is committed to working with agents who uphold the highest professional standards, comply with regulatory requirements and support student success. This policy outlines AAC's approach to selecting, managing and monitoring education agents to ensure they operate in a responsible and compliant manner. Agents who fail to meet these expectations may be subject to corrective action, suspension or termination of their agreements.

Definitions

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| Agent | An individual or organisation contracted by AAC to recruit students. |
| Agent Agreement | A legally binding contract between AAC and the agent outlining roles, responsibilities and compliance expectations. |
| Commission | Financial incentive paid to agents based on student enrolments. |
| CRICOS | The Commonwealth Register of Institutions and Courses for Overseas Students. |
| ELICOS | English Language Intensive Courses for Overseas Students |
| ESOS | Education Services for Overseas Students |
| ESOS Act | The Education Services for Overseas Students Act 2000, which regulates the education and training services delivered to international students on student visas in Australia. |
| Genuine Temporary Entrant (GTE) | A requirement that international students must have a genuine intention to enter Australia temporarily for study purposes only. |
| National Code | The National Code of Practice for Providers of Education and Training to Overseas Students 2018, which sets standards for registered education providers. |



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| Non-Progressing Student | A student identified as not meeting academic progression standards. |
| Genuine Temporary Entrant (GTE) | A requirement that international students must have a genuine intention to enter Australia temporarily for study purposes only. |
| Price Ceiling | The maximum allowable incentive above the standard commission rate. |
| PRISMS | The Provider Registration and International Student Management System used to issue electronic Confirmations of Enrolment (eCoEs) |
| VET | Vocational Education and Training, a sector of education providing practical and skills-based training. |

References

- ELICOS Standards 2018
- ESOS Act 2000
- ESOS National Code 2018; Specifically, Standard 4
- Standards for RTOs 2015

Related AAC Policies and Procedures

- Complaints and Appeals Policy and Procedure
- Data Integrity and Provision of Information Policy and Procedure
- Fees Management and Refund Policy and Procedure
- Financial Management and Viability Policy and Procedure
- Marketing and Advertising Policy and Procedure
- Student Enrolment and Admissions Policy and Procedure

Agent Engagement and Management Procedure

1. Agent Recruitment and Engagement

AAC is committed to engaging only those education agents who demonstrate integrity, professionalism and adherence to regulatory requirements. Agents interested in representing AAC must submit a formal application, which includes business registration documents, references and proof of compliance with Australian education regulations, such as Qualified Education Agent Counsellor (QEAC).

AAC conducts a due diligence process before appointing an agent, which includes verifying the agent's business operations, past performance, and market reputation. The assessment process includes an interview and review of any past compliance issues. Upon successful completion of the evaluation, agents will be offered a formal agreement that outlines expectations, commission structures and compliance requirements.

Once appointed, all agents must undergo an induction program to familiarise themselves with AAC's policies, courses and compliance obligations. Training will be conducted periodically to ensure compliance and competency.

2. Approval and Cancellation of Agent Agreements

AAC will enter into a written agreement with each education agent it engages to formally represent it. The CEO is responsible for approving and/or cancelling agent agreements, with the Student Services



Officer acting as the primary communication channel between AAC and agents. The CEO must ensure agents provide all necessary documents and references before approving agreements. All agent agreements must be maintained in PRISMS and a list of active agents published on AAC's website.

Agent Approval Process:

1. The prospective agent submits an application to the Student Services Officer (SSO).
2. The SSO will review the application and request a company profile and references from at least two Registered Training Organisations (RTOs).
3. Upon receipt of the required documents, the CEO decides whether to accept or refuse the application. If refused, the agent will be notified in writing with reasons for the decision.
4. If approved, the Compliance Officer creates an Active Agent in PRISMS and prepares the Agent Agreement.
5. The CEO signs the agreement, which is then sent to the agent for signature.
6. Upon receiving the signed agreement, the Compliance Officer saves it in the appropriate folder, updates PRISMS, and activates the agent.
7. The Agent Details will be published on the AAC Website.

3. Agent Responsibilities

Education agents engaged by AAC are expected to provide accurate and ethical representation of AAC's courses. They must:

- Provide prospective students with truthful and transparent information.
- Adhere to ESOS Act, National Code, and other relevant legislation.
- Ensure that students recruited meet genuine temporary entrant requirements and have the necessary academic background.
- Maintain regular communication with AAC regarding student applications and enrolments.
- Avoid conflicts of interest and disclose any potential conflicts in writing.

Failure to meet these responsibilities may result in corrective action, suspension or termination of the agent agreement.

4. Agent Performance and Monitoring

All agency agreements will be subject to an annual review. The Compliance Officer will review agent agreements prior to their anniversary date, and the decision to renew will be based on the review outcome in consultation with AAC's CEO.

Agents will be categorised into two groups:

1. Agents who have recruited no students in the past year and consequently have no enrolments,
2. Agents who have recruited within the past two years have active enrolments,

Agents with enrolment will be reviewed based on, but not limited to, the following factors:

- Evidence collected throughout the agreement period.
- Number of student enquiries received from the specific agent.
- Number of students enrolling through the agent.
- Number of students dissatisfied with the agent's services.
- Student academic performance, including course completion rate and compliance with visa.
- Warning notices issued to the agent.
- Visa grant and refusal rates based on the Department of Home Affairs (DHA) data.



Based on the review, the CEO may:

- Renew the agreement if performance is satisfactory.
- Implement corrective actions or preventative measures.
- Terminate the agreement due to non-compliance or poor performance.

Agents who are not renewed will be removed from PRISMS and AAC's website.

5. Renewal of Agreement

Agents who meet AAC's performance and compliance requirements will be issued a new agent agreement for a two-year term.

6. Corrective and Preventative Action

If as a result on ongoing monitoring or as the result of the agreement renewal review, AAC has concerns about the performance of an educational agent, corrective or preventive actions may be implemented. AAC will take immediate corrective action upon discovering that an agent has been negligent, careless or engaged in false, misleading or unethical advertising and recruitment processes.

Correction Actions may include:

- Providing additional training or updated materials.
- Issuing a formal warning letter.
- Requiring the agent to attend a compliance meeting to discuss the concerns.
- Closer monitoring of the agent's performance and student outcomes.

If the issue persists, AAC may terminate the agent agreement and report non-compliant agents to relevant authorities.

Preventative Actions may include:

- Periodic training sessions for agents on compliance and ethical recruitment.
- Ongoing monitoring of marketing materials to ensure accurate representation of AAC's programs.
- Regular updates to agents regarding policy and regulatory changes.

Agents who fail to comply with corrective and preventative actions will have their agreements cancelled.

AAC's Compliance Officer provides annual reports the CEO on agent recruitment, performance and any compliance issues. Including:

- Number of student inquiries received via agents.
- Number of student enrolments by course and country of origin.
- Number of students expressing dissatisfaction with agent services.
- Visa grant and refusal rates for students recruited by agents.

7. Agent Cancellation

AAC reserves the right to immediately terminate an agent agreement if the agent, an employee, or a subcontractor is found to be engaging in false or misleading recruitment practices or failing to act in the best interest of students. The cancellation process follows these steps:

1. AAC identifies an agent is not complying with their obligation under the **AAC Agent Agreement**.



2. The Student Services Officer notifies the agent in writing of the termination, providing the reason for decision.
3. The agent is removed from **AAC’s Active Agents** list and moved to the inactive agent’s folder.
4. The Compliance Officer documents the termination process.

Roles and Responsibilities

| Role | Responsibility |
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| CEO | Approves and/or cancels agent agreements. Ensures compliance with ESOS Act and National Code. Makes final decisions on agent renewals, terminations, and corrective actions. |
| Compliance Officer | Monitors agent compliance, conducts bi-annual performance reviews, updates PRISMS, and ensures adherence to agent agreements. Oversees corrective and preventative actions. |
| Director of Studies VET / Director of Studies ELICOS | Ensures agents provide accurate information about AAC’s courses and compliance with visa and academic progression requirements. Provides feedback on student progression rates. |
| Student Services Officer (SSO) | Acts as the main communication channel between AAC and agents. Assists in agent recruitment, agreement processing, and commission verification. Handles enquiries from agents and students. |

Monitoring and Review

The Agent Engagement and Management policy is reviewed annually to ensure alignment with legislative changes and best practices. Findings from the review are documented, and action plans are developed to address any gaps.

Version Control

| Version | Date | Description | Approved by | Approval date | Author | Review date |
|---------|----------|--|-------------|---------------|-----------------|-------------|
| V1.0 | Jan 2024 | New policy for AAC. Formerly Approval and Cancellation of Agent Agreement Policy and Commission Structure and Commission Claiming Policy and Procedure | CEO | Jan 2024 | Compliance Team | Jan 2025 |
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Policy and Document Information

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|-------------------------|--------------------|
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