

1. Purpose

- 1.1. Quality Training & Hospitality College (QTHC)'s Agents represent and promote the college and often act as the first point of contact for students who are looking to study with QTHC. Therefore, QTHC is committed to ensuring its Agents act in an ethical, compliant and appropriate manner.
- 1.2. The purpose of this policy is to ensure that all of QTHC's appointed agents act in an ethical manner and comply with QTHC's obligations under the ESOS act and Part D, Standard 4 of the National Code 2007, and the Migration Act. This policy will also describe the procedure for approving prospective agents and the monitoring of agents that are appointed to represent QTHC.

2. Scope

- 2.1. This policy applies to all appointed agents of QTHC and QTHC staff who are involved in the approval and monitoring of QTHC's agents.

3. Policy

- 3.1. QTHC reviews agent activities and monitors agents on an ongoing basis, in accordance with section 6 of this policy.
- 3.2. QTHC may terminate an agent's appointment where it knows or has reasonable suspicion that an Agent may have been engaged in unprofessional conduct, or is in any way non-compliant with the ESOS Act, National Code or QTHC's policies and procedures.
- 3.3. QTHC retains the right to veto any agent activity that in QTHC's opinion is not compliant with:
 - i) The Agent Agreement
 - ii) Any relevant legislation
 - iii) Any information provided to the agent by QTHC
- 3.4. QTHC enters into a written agreement with each education agent it engages to formally represent it. The agreement specifies the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code.

The agreement includes:

 - i) Processes for monitoring the activities of the education agent, including where corrective action may be required; and
 - ii) Termination conditions, including providing for termination in the circumstances outlined in the National Code Standard 4.4.
- 3.5. Agents referring 3 or more students can request or be requested to formally represent QTHC. Formal agents are provided with marketing materials and can represent QTHC at expos, seminars and other promotional events, both on and off shore. These agents receive additional training and their details are listed on the Agents section of our website: www.qthc.edu.au/international-students/agents/

- 3.6 Agents are appointed until the end of the calendar year the Agents Agreement was signed. At the expiry of the Agency Agreement QTHC will review the performance of the Agent before either renewing the Agency Agreement or terminating QTHC's relationship with the Agent.
- 3.7 QTHC publishes a list of all current appointed agents who formally represent QTHC on its website. The list can be accessed via this link: <http://qthc.edu.au/international-students/agents/>
- 3.8 QTHC ensures that Agents have access to accurate and up to date marketing information as set out in National Code Standard 1.
- 3.9 QTHC will not accept students from an Agent or enter into an agreement with an agent if it knows or reasonably suspects the agent to be:
- i) Engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where it clearly conflicts with the obligations of registered providers under National Code Standard 7 (Transfer between registered providers);
 - ii) Facilitating the enrolment of a student who the Agent believes will not comply with the conditions of his or her student visa;
 - iii) Using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment (CoEs) for other than a bona fide student; or
 - iv) Providing immigration advice where not authorised under the Migration Act 1958 to do so.
- 3.10 QTHC does not allow Agents to access PRISMS or issue CoEs on its behalf.
- 3.11 QTHC will take immediate corrective and preventative action upon becoming aware 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.

4. Procedure for new agent approval

- 4.1 Any person or organisation that wishes to formally represent QTHC as an Agent must complete QTHC's Agent application form. The form is available upon request from the International Student Support Officer (ISSO). At this time the agent can elect to represent QTHC on a casual basis, or as a formal agent.
- 4.2 On receipt of the Agent Application form, QTHC will review the application. Before proceeding with an Agent's Agreement, QTHC must be satisfied that the following criteria are met:
- i) The agent is reputable and acts in an ethical, responsible and compliant manner
 - ii) The agent has sufficient knowledge of the international student recruitment market to provide a valuable service to both the student and QTHC.
- 4.3 To ensure the agent satisfies these criteria, QTHC will use one or more of the following methods:
- i) Contact referees provided by the agent by email
 - ii) Contact referees provided by the agent by phone
 - iii) Contact known educational or business partners that the agent has worked with in the past
 - iv) Contact known students that the Agent has recruited in the past
 - v) Review the Agent's social media profiles and website

- vi) Check the Migration Agent Registration Authority (MARA) database of Registered Migration Agents
 - vii) Check the Pier Online database of Qualified Education Agent Counsellors.
 - viii) Review information provided on the Agent Application form
 - ix) Conduct a web search of the agent and review any feedback or other related content that has been posted online.
- 4.4 Once QTHC is satisfied that the Agent meets the criteria in 4.2, QTHC will issue the Agent with the Agent's agreement.
- 4.5 To finalise the appointment of the Agent, the agent must send a copy of the completed agreement back to QTHC by email or post.
- 4.6 Once appointed, QTHC will send the Agent marketing materials and will enter the Agent's details into the QTHC approved Agent's register.

5. Procedure for renewal of expired agents agreements

- 5.1 At the end of each calendar year QTHC will review all Agent's agreements.
- 5.2 For agents who have recruited one (1) or more students within the twelve (12) month period of the previous agreement:
- 5.2.1 QTHC will review the agent's activity during the agreement period. If QTHC is satisfied that the criteria at 4.2 are met, they will email the Agent the current version of QTHC's Agents Agreement to complete.
- 5.3 For Agents who have not recruited any students within the twelve (12) month period of the previous agreement:
- 5.3.1 QTHC will not automatically renew the Agent's Agreement.
 - 5.3.2 Agents who have previously worked with QTHC, however their agreement has expired, are welcome to reapply following the procedures listed in Section 4 of this policy.

6. Procedure for agent monitoring

- 6.1 QTHC ensures that agents have up to date information through the following methods:
- i) Email newsletters that are sent whenever QTHC has important information for agents.
 - ii) Emails, phone calls, text messages or other informal communications regarding specific student issues
 - iii) Delivering seminars and marketing events with agents when QTHC representatives are available in the Agent's region.
 - iv) Publishing content on QTHC's website and social media profiles.
 - v) Regular college events where agents are present including; Graduation Ceremonies, College Charity Functions, etc.
 - vi) Regular agent visits by QTHC staff.

- 6.2 QTHC monitors agent performance through the following methods
- i) Student surveys
 - ii) Informal communication with students
 - iii) Ongoing evaluation of the quality of applications and the application documents sent by the agent.
 - iv) Ongoing evaluation of the number of student applications submitted by the Agent.
 - v) Ongoing evaluation of student conversion rates
 - vi) Informal and formal communication with Agent through methods outlined in Section 6.1; including visiting Agent offices.
- 6.3 If at any time QTHC believes that the Agent is not meeting the obligations of the Agent's Agreement or the National Code, is being negligent, careless or incompetent, or is engaged in false, misleading or unethical advertising and recruitment practices, QTHC will follow this reviewing process:
- 6.3.1 Identify and gather information about the issue
 - 6.3.2 Contact the agent and seek their response to the issue
 - 6.3.3 Discuss the issue and the response from the agent
 - 6.3.4 Decide the action to be taken
 - 6.3.5 There are three (3) possible outcomes from the review process
 - 6.3.6 No Breach; In this case the Agent is thanked in writing for their input and no further action is required
 - 6.3.7 Minor Breach; In this case the Agent is given a written warning advising them that any further breach will result in the termination of their agents agreement. If necessary the Agent will be provided with advice and/or training to ensure the breach is not repeated
 - 6.3.8 Major Breach; In this case the Agent will be advised in writing that their Agency agreement has been immediately terminated and that QTHC may advise authoritative bodies such as DIBP, DoE, MARA, PIER Online and/or the local Australian Embassy of the breach