

LATROBE COLLEGE OF ART AND DESIGN

POLICY

ESOS National Code of Practice 2018

ENC Standard 4

EDUCATION AGENTS

The coordinator will check the agents it uses before the college enrolls any student that the agent sends to LCAD.

Education agents may be from different parts of the world, including Australia, and will represent and attract genuine students to study at LCAD.

- 4.1 LCAD will enter into a written agreement with each education agent it engages to represent the college formally through the Agent Agreement Form and enter and maintain the agent's details in PRISMS.
- 4.2 The Agent Agreement Form will specify the responsibilities of LCAD and the education agent as described below:
 - 4.2.1 The agreement will state that LCAD and the education agent will comply with the requirements outlined in the Education Services for Overseas Students Act 2000 (ESOS Act) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code), or subsequent acts and codes that supersede these.
 - 4.2.2 LCAD's requirements of the agent in representing the college as outlined in Standard 4.3
 - 4.2.3 Processes for monitoring the activities of the education agent in representing LCAD, and ensuring the education agent is giving students accurate and up-to-date information on LCAD's services.
 - 4.2.4 Corrective action that may be taken by LCAD if the education agent does not comply with its obligations as per the Agent Agreement Form, including providing for corrective action outlined in Standard 4.4
 - 4.2.5 LCAD's grounds for termination of the written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
 - 4.2.6 the circumstances under which information about the education agent may be disclosed by LCAD and the Commonwealth or state or territory agencies.
- 4.3 LCAD requires its education agent to:
 - 4.3.1 Declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent to LCAD.
 - 4.3.2 Observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
 - 4.3.3 Act honestly and in good faith, and in the best interests of the student.
 - 4.3.4 Have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.

4.4 Where LCAD becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3, LCAD will take immediate corrective action.

4.5 Where LCAD becomes aware, or has reason to believe, that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices, LCAD will immediately terminate its relationship with the education agent, or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.

4.6 LCAD will not accept students from an education agent if it knows or reasonably suspects the education agent to be:

- 4.6.1 providing migration advice, unless that education agent is authorised to do so under the Migration Act
- 4.6.2 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)
- 4.6.3 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa
- 4.6.4 using PRISMS to create CoEs for other than bona fide students.

PROCEDURE

1. If an agent contacts the college wanting to send students here, they must complete LCAD's AGENT AGREEMENT FORM found under the college's digital files:
Latrobe College\AGENTS\20 AGENT Agreements/ Agents Agreement Forms.
2. Once the agent has signed and returned it, they represent a formal agent of the college for the period set in the contract. The form is saved to Latrobe College\AGENTS\7 AGENT Forms.
3. Once completed, LCAD directs the agent to the college's website **www.lcad.edu.au** for course details and application form. LCAD will also supply to the agent the S1 INTERNATIONAL STUDENT INFO KIT for their information and communications with their student wishing to apply to LCAD.
4. The agent must be added to the college's agent list: Latrobe College\AGENTS\5 AGENT List
5. The agent must also be added to PRISMS (but only when the student is due to be issued a CoE).
6. A PDF of our updated Education Agents List must be added to the college's website
7. If the agent has procured a prospective student, the agent is entitled to the commission negotiated between the agent and LCAD for one year of study only, irrespective of whether that student goes to complete further study with LCAD.
8. The student is to pay the LCAD directly and the agent must send an invoice to the college for their commission due. Invoices are to be on a term-by-term basis only.
9. LCAD will offer the agent an incentive to attract students by increasing the agents commission if the agent can attract multiple students. This incentive is included in the initial agreement signed by the college and the agent.

For example, the college it will offer 5-10% commission (negotiated between LCAD and Agent) in the instance that a student approaches LCAD independently and then engages and agent.

A 20% commission will be offered in the instance that the agent procures a student for LCAD, and will increase to 25-30% on the fifth student if the agent can attract to the college 5 students or more in a given year.

10. The agent must ensure that the college provides potential and incoming students with accurate and up-to-date information.