

Agent Procedure

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Policy Supported:

[Quality Assurance and Improvement Policy](#)

Audience:

Staff, Students, public

Scope:

This procedure applies to all staff involved in the appointment and management of Agents, and Agents.

Objectives:

- To ensure Agents act ethically, honestly, in the best interest of International Students, and uphold the reputation of Murdoch University.
- To ensure compliance with the [Education Services for Overseas Students Act 2000](#) (ESOS Act), the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (National Code), and the [Higher Education Standards Framework 2015](#) (HES).

Definitions:

Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.

- “Agent” is a person or organisation (in or outside Australia) who recruits International Students and refers them to the University. In doing so, the Agent may provide education counselling to International Students as well as marketing and promotion services to the University.
- “Agreement” is the International Student Services Agreement.
- “CRICOS” is the Commonwealth Register of Institutions and Courses for Overseas Students.
- “International Student” is a person who requires a temporary visa to study in Australia.

- “PRISMS” is the Provider Registration and International Student Management System. PRISMS is used to process information given to the Federal Government by registered providers, including the University.

Implementation Steps:

General

1. Pro Vice Chancellor International (PVCI) is responsible for ensuring that Agent details are updated within PRISMS, updated within relevant University communications including the University’s website, and relevant staff are informed.
2. Director Academic Quality, Curriculum Management and Policy (DAQCMP) is responsible for ensuring that Agent details are monitored within PRISMS and relevant University communications including the University’s website.
3. PVCI is responsible for ensuring that through recruitment, training, management and review of Agents, the University engages agents who:
 - 3.1 act honestly, ethically, professionally, in good faith and in students’ best interests; and
 - 3.2 have appropriate knowledge and understanding of the Australian education industry and the relevant regulatory requirements.

Appointing a new Agent

4. Where an opportunity to engage a new Agent is identified, PVCI is responsible for ensuring their suitability is assessed.
5. PVCI is responsible for ensuring Agents are only recommended to be approved for appointment where:
 - 5.1 a due diligence check has been conducted and established selection criteria have been met, including, but not limited to:
 - 5.1.1 that the appointment would meet relevant requirements specified in *Standard 4* of the National Code;
 - 5.1.2 that the Agent has appropriate knowledge and capability to act as an Agent;
 - 5.1.3 that the appointment would meet operational requirements;
 - 5.1.4 that the appointment aligns with market viability;
 - 5.1.5 that the appointment has strategic alignment; and
 - 5.2 a minimum of two reference checks have been conducted with CRICOS-registered providers, or where an Agent has not worked with an Australian provider, references are from reputable international institutions.
6. The Provost has authority to approve the appointment of an Agent.
7. Where the Provost has approved the appointment of an Agent, the Agent must sign an International Student Services Agreement (Agreement). PVCI must sign this Agreement on behalf of the University.

8. The Agreement must be reviewed by Legal Services, and must contain all relevant requirements set out in *Standard 4* of the National Code, and must be fixed term for no longer than three years.
9. Only Agents who have a current Agreement with the University can represent and recruit International Students on behalf of the University.

Working with Agents

10. Agents are required to:
 - 10.1 declare in writing any potential conflict of interest in relation to their work for the University and must take reasonable steps to avoid any conflict of interest at any point in their engagement with the University;
 - 10.2 observe appropriate levels of confidentiality and transparency in their dealings with prospective or current International Students;
 - 10.3 act honestly and in good faith, and in the best interests of the student; and
 - 10.4 have appropriate knowledge and understanding of the international education system in Australia, including the [Australian International Education and Training Agent Code of Ethics](#).
11. Agents remain responsible for all obligations under their Agreement with the University and may not sub-contract to another person, any of their obligations under their Agreement without the prior written consent of PVCI.

Agent Monitoring and Reporting

12. Associate Director, Strategy, Quality and Analytics is responsible for ensuring relevant data relating to International Students is collated to inform monitoring of Agent performance on a biannual basis.
13. The International Committee or nominee must monitor Agents on a biannual basis by reviewing relevant data relating to International Students and comparing against metrics including, but not limited to:
 - 13.1 offer to acceptance conversion rate;
 - 13.2 visa refusal rate;
 - 13.3 student progress and retention rates; and
 - 13.4 student misconduct findings.
14. DAQCMP must ensure Agent performance is monitored in consultation with PVCI and findings are reported to:
 - 14.1 Senior Executive Group on a biannual basis;
 - 14.2 International Committee on biannual basis; and
 - 14.3 Audit and Risk Committee on an annual basis.
15. If a staff member suspects or knows an Agent has breached an Agreement, or has engaged in behaviour that could put the University at risk of non-compliance with regulatory requirements, they must immediately report to Manager International Compliance.

16. Where an issue with an Agent is identified or reasonably suspected which is not grounds for immediate termination (explained below), DAQCMP must ensure the Agent's performance is assessed in consultation with PVCI, or nominee, and ensure necessary immediate corrective action(s) and timeframes for completion are identified.
17. DAQCMP must ensure the Agent's compliance with any directed corrective action is monitored.
18. DAQCMP must ensure Director, Student and Library Services, or nominee, is advised where an issue with an Agent is identified or reasonably suspected, and that issue is grounds for not accepting students from that Agent.
19. Grounds for not accepting students from an Agent must be in accordance with Standard 4 of the National Code or determined by PVCI.

Termination

20. Grounds for immediate termination include, but are not limited to, where the University becomes aware, or has reason to believe an Agent, its employee, or subcontractor:
 - 20.1 has not applied corrective action within a directed timeframe;
 - 20.2 has provided fraudulent, false or misleading information;
 - 20.3 has engaged in false or misleading recruitment practices;
 - 20.4 has breached an Agreement;
 - 20.5 has engaged in dishonest or unethical conduct;
 - 20.6 has engaged in behaviour that could put the University at risk of non-compliance with regulatory requirements.
21. PVCI is responsible for approving the termination of an Agent or requiring an Agent to terminate its relationship with an employee or subcontractor.
22. Where an Agent is terminated, PVCI is responsible for ensuring the Provost is advised.

Variation to an Agreement

23. Legal Services must specify where it is required to review variations to Agreements.
24. PVCI is responsible for approving any variations to Agreements in consultation with DAQCMP, or nominee.

Renewal of an Agreement

25. PVCI is responsible for ensuring that Agent Agreements are only renewed where a due diligence check has been conducted and established selection criteria have been met, including, but not limited to:
 - 25.1 that the renewal would meet relevant requirements specified in Standard 4 of the National Code;
 - 25.2 that the Agent has appropriate knowledge and capability to act as an Agent;
 - 25.3 that the appointment would meet operational requirements;
 - 25.4 that the appointment aligns with market viability; and

- 25.5 that the appointment has strategic alignment.
26. Legal Services must review any renewals and changes to Agreements.
27. PPCI is responsible for approving Agent Agreement renewals.

Related Documents:

[Assessment and Award of Advanced Standing Procedure](#)

[Enrolments \(Coursework\) Procedure](#)

[International Student Transfer Procedure](#)

[International Under-18 Students Procedure](#)

References:

There are no references.

Approval and Implementation:

Approval Authority:	Director Academic Quality, Curriculum Management and Policy
Responsible Officer(s):	Pro Vice Chancellor International
Contact Officer:	Manager International Compliance

Revision History:

Approved/ Amended/ Rescinded	Date Approved	Effective Date	Next Review Date	Resolution No. (if applicable)
Approved	03/12/2020		03/12/2023	