

# Partner Provider Agent Appointment, Monitoring and Termination Procedure

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## Purpose

International Education 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. The University is therefore committed to ensuring its agents, and the agents of its Partner Providers, act ethically and appropriately when recruiting students to study Federation University courses/qualifications.

## Scope

This procedure applies to:

- Agents of the University's Partner Providers involved in the recruitment of students to Federation University courses/qualifications;
- Staff at Federation University involved in the appointment, accreditation and monitoring of agents; and
- Partner Provider staff involved in the appointment, accreditation and monitoring of agents.

## Legislative Context

- [Federation University Australia Act 2010](#)
- [Migration Act 1958](#)
- [Migration Regulations 1994](#)
- [Education Services for Overseas Students Act 2000](#)
- [Education Services for Overseas Student \(ESOS\) Regulations 2019](#)
- [The National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

## Definitions

A complete list of definitions relevant to this procedure is contained within the Agent Appointment, Monitoring and Termination Policy.

## Actions

Actions required to meet this procedure are outlined in the following sections:

1. Agent Appointment Procedure.
2. Agent Auditing and Monitoring Procedure
3. Re-appointment of Agent Procedure.
4. Termination of Agent Procedure.

### 1. Agent Appointment Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Collect agent information and conduct due diligence	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Partner Provider staff shall collect agent information and data, and take appropriate steps to conduct due diligence on the suitability of the agent to be appointed. This may include using the Federation <i>Approved Agent Application Form</i> and/or the Partner Provider's own forms and documents as deemed appropriate by the Partner Provider.</li> <li>2. Forms and documentation collected as part of this process should be retained for auditing purposes.</li> <li>3. Agents should only be appointed where the Partner Provider believes that the agent has appropriate facilities and capability to counsel</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			students and to ensure only quality students and documents are submitted to the University.
B	Preparing, signing and retaining the Agent Agreement	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Agents must prepare <i>Agent Agreements</i> and have these signed by both parties. Note that the <i>Agent Agreements</i> will be crafted by each Partner Provider on their own terms and may therefore differ from the University's Agent Agreement template.</li> <li>2. <i>Agent Agreements</i> must be retained for auditing purposes.</li> </ol>
C	Updating databases	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Within five business days of finalising an Agent Agreement with a new agent, the Partner Provider must ensure that this agent is displayed as an authorised agent on their public website, and any other databases as appropriate. This includes advising the Coordinator, International Education Agents so that the agent can be added or linked to the University in PRISMS.</li> </ol>
D	Auditing Partner Provider agent appointment processes	Coordinator, International Education Agents	<ol style="list-style-type: none"> <li>1. The Coordinator, International Education Agents shall annually audit the agent appointment processes and documentation of the Partner Providers to ensure that they comply with the University's obligations under relevant laws and regulations.</li> </ol>

## 2. Agent Auditing and Monitoring Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Review agent performance	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Partner Provider staff shall review the agent's data from PRISMS and any other data they may obtain, to determine whether the agent has met the appropriate benchmarks. This</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<p>should be done immediately prior to the expiry of an Agent Agreement, as part of the renewal process, or else annually around the anniversary of the Agent Agreement being created/ renewed.</p>
B	Conduct audit	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Collect up-to-date information and documentation regarding the agent's facilities and procedures. This may include using the Federation <i>Agent Audit</i> form, and/or other forms as deemed appropriate by the Partner Provider.</li> <li>2. Forms and documents collected as part of this process must be retained for auditing purposes.</li> <li>3. Review the background data, information and documentation collected in order to determine whether the agent is meeting the required standards of performance, compliance and ethical behaviour. In considering the performance of the agent, the Partner Provider staff may consider:               <ul style="list-style-type: none"> <li>• the agent's compliance with the Agent Agreement and any conditions placed on the agent by the Partner Provider;</li> <li>• The number of students the agent has recruited</li> <li>• The conversion rate of Student applications to offers, and offers to actual enrolment of students.</li> <li>• The reasons why applications from potential students did not proceed to student enrolment status</li> <li>• The number of student visa refusals for students recruited by the agent</li> </ul> </li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<ul style="list-style-type: none"> <li>• The reasons for visa refusals (eg fraud) for students recruited by the agent</li> <li>• The post-arrival performance of students recruited by the agent, including CoE cancellations, academic performance, and non-payment of fees</li> <li>• Any feedback or information from students or third parties regarding the agent</li> <li>• The quality, accuracy and currency of information and advice provided by the agent to students</li> <li>• The quality of the appointment as assessed by the Partner Provider; and</li> <li>• any other relevant information obtained by the Partner Provider.</li> </ul> <ol style="list-style-type: none"> <li>4. If there are compliance issues arising from the form or documents, address these with the agent.</li> <li>5. If the agent has provided a response to these queries, or queries raised earlier in the process, consider this response and ask them to take corrective action if required.</li> <li>6. Collate any feedback that has been received from the <i>Student Post-Arrival Appraisal of Agent</i> survey (or similar surveys as may be conducted by Partner Providers) since the last audit and check to see the agent's performance has been satisfactory. If unsatisfactory performance is discovered, ask them to take corrective action or consider terminating the Agent Agreement as appropriate.</li> <li>7. Collate any feedback from other Partner Provider or</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<p>University staff (eg the Partner or University International Admissions teams) that has been received since the last audit, and check to see the agent's performance has been satisfactory. If unsatisfactory performance is discovered, ask them to take corrective action or consider terminating the Agent Agreement as appropriate.</p>
C	Monitor semester's agent data on an ongoing basis	Partner Provider staff	<ol style="list-style-type: none"> <li>1. At the conclusion of each intake, review agent performance data in FDL and/or other data systems that may be available to Partner Providers.</li> <li>2. Review feedback from the <i>Student Post-Arrival Appraisal of Agent</i> survey (or similar surveys as may be conducted by Partner Providers) as it is received, to determine whether any critical issues have been identified</li> <li>3. Review feedback from other Partner Provider or University staff (eg the Partner or University International Admissions teams) as it is received, to determine whether any critical issues have been identified.</li> <li>4. Where the latest data show a concerning trend on any of the relevant metrics, or where critical issues have been identified in student or staff feedback, conduct an in-depth investigation as to the reasons for these trends, as well as the agent's overall performance over the last few years, to determine whether corrective action and/or termination may be required.</li> </ol>
D	Auditing Partner Provider agent auditing and monitoring processes	Coordinator, International Education Agents	<ol style="list-style-type: none"> <li>1. The Coordinator, International Education Agents will annually</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<p>audit the agent auditing and monitoring processes and documentation of the Partner Providers to ensure that they comply with the University's obligations under relevant laws and regulations.</p> <ol style="list-style-type: none"> <li>2. Additionally, the Coordinator, International Education Agents will review agent performance data from but not limited to PRISMS and fdlGrades at the conclusion of each teaching period against Agent Compliance Measures as referred to below.</li> <li>3. Where issues with Partner Provider agents are identified in these data sets, the Partner Provider will be required to investigate the issues and provide the Coordinator, International Education Agents a response of corrective actions (proposed or already undertaken) and the proposed timeframe for the issue to be resolved.</li> <li>4. Where a Partner Provider's response and/or corrective actions do not adequately address the concerns raised by the Coordinator, International Education Agents, the Pro Vice-Chancellor, International (or nominee) may write to the Partner Provider advising them of proposed corrective actions to be undertaken or that the University may no longer accept applications from the agent.</li> <li>5. The Partner Provider must respond within the specified timeframe. An extension to the timeframe may be approved at the discretion of the Pro Vice-Chancellor, International (or nominee).</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<ol style="list-style-type: none"> <li>6. Where a Partner Provider's response and/or corrective actions do not adequately address the concerns raised by the Pro Vice-Chancellor, International (or nominee), the Pro Vice-Chancellor, International (or nominee) will write to the Partner Provider advising them that the University will no longer accept applications from the agent.</li> <li>7. If the Pro Vice-Chancellor, International or their nominee decides to no longer accept applications from the Partner Provider agent, they or their nominee should:             <ul style="list-style-type: none"> <li>• remove the agent from the list of approved agents on databases as required including PRISMS;</li> <li>• notify International Student Compliance and International Admissions staff of that no further applications are to be accepted from the agent; and</li> <li>• advise the International Education Committee of the University of the decision, for noting in the minutes of their next meeting.</li> </ul> </li> <li>8. Where an issue has been identified or an Agent Compliance Measure has not been met and the University and/or another Partner Provider/s recruits students to the University through the same agent, the Coordinator, International Education Agents will advise International Student Recruitment and the Partner Provider/s of the issue or non-compliance and request details of/or recommend</li> </ol>



	ACTIVITY	RESPONSIBILITY	STEPS
			appropriate corrective actions to be undertaken.

### 3. Re-appointment of Agent Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Conduct an audit of the agent	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Determine which agents are due for re-appointment. The process should begin approximately one month before the existing agreement expires</li> <li>2. Conduct a full agent audit as per above procedure</li> <li>3. If the agent has met the requirements of the audit, proceed to activities B-D of this procedure. If the agent has not met the requirements, refer to Termination of Agent Procedure.</li> </ol>
B	Collect information, and prepare, sign, and retain Agent Agreement	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Collect up-to-date information about the agent's facilities and procedures as per activity 1 of the Agent appointment procedure above</li> <li>2. Prepare, sign and retain the new Agent Agreement as per activity 2 of the Agent appointment procedure above</li> </ol>
C	Updating databases	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Within five business days of finalising an updated Agent Agreement with an agent, the Partner Provider must ensure that their public website is updated to reflect the current branch locations of the agent for territories covered under the agreement. The Partner Provider must advise the Coordinator, International Education Agents so that the agent can be updated in PRISMS.</li> </ol>
D	Auditing Partner Provider agent re-appointment processes	Coordinator, International Education Agents	<ol style="list-style-type: none"> <li>1. The Coordinator, International Education Agents shall</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			annually audit the agent re-appointment processes and documentation of the Partner Providers to ensure that they comply with the University's obligations under relevant laws and regulations.

#### 4. Termination of an Agent Procedure

	ACTIVITY	RESPONSIBILITY	STEPS
A	Monitoring performance of agents	Partner Provider staff	<ol style="list-style-type: none"> <li>1. Partner Providers are expected to monitor performance of their agents and have sufficient structures in place to provide the required oversight.</li> <li>2. If the Partner Provider believes or suspects that one of their agents has engaged in unprofessional conduct, or has not met the standard of performance required, the Partner Provider must not submit any more of that agent's applications for admission to the University.</li> </ol>
B	Overseeing Partner Provider agents	Pro Vice-Chancellor, International (or nominee)	<ol style="list-style-type: none"> <li>1. In addition to the Partner Provider's close oversight of their own agents, the Pro Vice-Chancellor, International (or nominee) will monitor available data on the performance of Federation University students submitted by agents to study at Partner Provider locations.</li> <li>2. If the Pro Vice-Chancellor, International (or nominee) believes or suspects that an agent has engaged in unprofessional conduct, or has not met the standard of performance required, the Pro Vice-Chancellor, International (or nominee) may write to the Partner Provider advising them of this.</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
C	Respond to written communication	Partner Provider staff	<ol style="list-style-type: none"> <li>1. If the Pro Vice-Chancellor, International (or nominee) writes to the Partner Provider as described above, the Partner Provider must provide a written response within 20 business days of the date of this letter, outlining the results of their investigation into the matter and any corrective actions taken.</li> <li>2. An extension of time to provide a response may be provided at the discretion of the Pro Vice-Chancellor, International.</li> </ol>
D	Assess the response and the agent's performance	Pro Vice-Chancellor, International (or nominee)	<ol style="list-style-type: none"> <li>1. If the Pro Vice-Chancellor, International (or nominee) determines that a Partner Provider's agent has engaged in unprofessional conduct or has failed to adhere to the Agent Compliance Measures, the University may cease to process applications or CoEs originating from this agent.</li> </ol>
E	Notifications of terminations	Partner Provider staff	<ol style="list-style-type: none"> <li>1. If the Partner Provider decides to terminate an agent's appointment, they should:           <ul style="list-style-type: none"> <li>• notify the agent;</li> <li>• remove the agent from the list of approved agents on the Partner Provider website, and other databases as required;</li> <li>• notify the Coordinator, International Education Agents of the decision to remove the agent from PRISMS.</li> </ul> </li> </ol>
F	Monitoring agents that work with multiple teaching locations	Coordinator, International Education Agents	<ol style="list-style-type: none"> <li>1. Where agents of Partner Providers have been terminated or do not meet the compliance measures, and that agent also works with the University itself and/or with other Partner Providers, the Coordinator, International</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<p>Education Agents will review the activities of the agent as a whole and may advise International Student Recruitment and the Partner Provider/s of the issue or non-compliance and request details of/or recommend appropriate corrective actions to be undertaken..</p> <p>2. Where compliance problems are found, the Coordinator, International Education Agents may refer this to the Pro Vice-Chancellor, International (or nominee) so that items 2-5 may be enacted.</p>

## Agent Compliance Measures

All agents, of the University's own campuses and of Partner Providers, must meet the Agent Compliance Measures below. These override any performance measures listed in this document or elsewhere.

1. Agents must maintain a visa refusal rate below 10%. Partner Providers will be advised if it is observed that one of their agents' visa refusal rate has risen above 5%.
2. Any visa refusal for reasons of fraud will be investigated thoroughly. If the University determines that the agent is encouraging, facilitating, or allowing their students to provide fraudulent documents to the University or to the Department of Home Affairs, the University will no longer accept applications from the agent.
3. Agents must maintain an Incompletion rate below 30%. Partner Providers will be advised if it is observed that one of their agents has an Incompletion rate that has risen above 20%. Incompletion rates will be calculated from PRISMS data and/or internal Federation University systems such as academic progression data.
4. Agents must maintain a rate of below 10% of students whose CoE is cancelled for non-payment of fees. Partner Providers will be advised if it is observed that the non-payment of fees rate of one of their agents has risen above 5%.
5. Agents must provide accurate and comprehensive information to prospective agents.
6. Where an agent's low overall student numbers mean that one-off incidents have an outsized impact in percentage terms, discretion may be applied.
7. Where a Partner Provider agent has received multiple warnings for one of their agents for visa refusals, Incompletions, and/or non-payment of fees, but not reached the threshold for any of these metrics, these combined warnings may still be grounds for no longer accepting applications from the agent.
8. Where significant mitigating factors such as the COVID-19 pandemic have negatively impacted the students recruited by the agent, leading to a higher Incompletion rate and/or rate of students whose CoE has been cancelled due to non-payment of fees, discretion may be applied.

## Supporting Documents

- [Global Partners and Community Engagement Policy](#)

- [Agent Appointment, Monitoring and Termination Procedure](#)
- Agent Termination Letter

## Forms.

- [Agent Audit Form](#) (PDF 269.6kb)

## Responsibility

- The Deputy Vice-Chancellor (Global and Engagement) (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- The Manager, International Student Services (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Deputy Vice-Chancellor (Global and Engagement).

## Promulgation

This procedure will be communicated throughout the University community via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Distribution of e-mails to key Partner Providerstaff who work with agents.
3. Notification to University staff in the International department.

## Implementation

This procedure will be implemented throughout the University via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Staff induction sessions.
3. Training sessions.

## Records Management

DOCUMENT TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Approved Agent Application Form	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated
Agent Reference Check Form	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated
Agent Agreement	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated
Agent Audit Form	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated
Agent Warning Letter	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated

DOCUMENT TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Agent Termination Letter	Agent file	Partner Provider staff	Seven years after contract has expired or been terminated
Audit and monitoring documentation where conducted by the University	Partner Provider file on SharePoint	Coordinator, International Education Agents and Manager, International and Strategic Compliance	Seven years after contract has expired or been terminated