



AGENT APPOINTMENT AND MANAGEMENT POLICY

Policy Statement	Kent Institute Australia (Kent) intends to ensure that the actions of its appointed Agents are ethical and comply with its obligations and requirement under the following regulations and agencies: <ul style="list-style-type: none">• Education Services for Overseas Students (ESOS) Act 2000• ESOS Regulations 2019• Migration Act 1958• Migration Regulations 1994• National Code of Practice for Providers of Education and Training to Overseas Students (National Code) 2018• Standards for Registered Training Organisations (RTOs) 2015• Tertiary Education Quality and Standards Agency (TEQSA)• Australian Skills Quality Authority (ASQA)
Responsibility for Implementation	Chief Executive Officer (CEO), Managers Marketing & Recruitment, Finance and Marketing Support Officer
Compliance and Monitoring	CEO, Executive Manager Risk and Compliance/Governing Board Secretary, Governing Board

Purpose

Kent Institute Australia (Kent) uses the services of Education Agents (agents) to actively recruit students into its courses. Their activities and ethics are important to Australia's reputation as a desirable destination for students. As such, Kent is committed to appointing and working with agents who act ethically, honestly and with integrity, and have a comprehensive understanding of students' requirements, Australian culture, the education sector and appropriate legislative knowledge, together with an in-depth knowledge of Kent's programs, courses and policies. This policy establishes Kent's process for appointing and monitoring agents and is to be read in conjunction with Agent Agreement and Agent Agreement Form which document the contractual responsibilities of each party.

Scope

This policy applies to:

- Education Agents of Kent;
- Kent staff and contractors; and
- Kent's Partner Providers (if involved in the support and servicing of Kent's agents).

Aim

To document Kent's policy for appointing and monitoring the activities of agents representing Kent and to ensure agents are provided with accurate and up-to-date information about Kent and Kent's courses. Kent has a number of approved agents to represent its interests in different countries and regions of the world. Kent may approach prospective agents in these areas and is also open to receiving applications from agents seeking appointment to be one of its authorised education agents.

Definitions

Agent	An individual or organisation authorised to recruit students on its behalf. An Agent may have one or more offices in Australia or overseas and be paid a commission for the counselling and assistance provided to a new student referred to Kent. An agent may be contracted to Kent via a third party arrangement.
Agent Agreement and Agent Agreement Form	The written agreement between Kent and the Agent, setting out the terms and conditions under which the Agent is authorised to recruit students on Kent's behalf.
Agent Code of Ethics	Australian International Education and Training Agent Code of Ethics
ASQA	Australian Skills Quality Authority
Business Days	Monday to Friday excluding Australian public holidays.
CoE	Confirmation of Enrolment - A document provided electronically to prospective international students and which must accompany applications for a student visa. It confirms the student's eligibility to enrol in the program/qualification at Kent. It contains specific details relating to the program or course of study and advises the Department of Home Affairs of the current enrolment status of the student.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
ESOS Act	Education Services for Overseas Students Act 2000 of the Commonwealth of Australia, as amended from time to time.
Deferrals	Deferred commencement of studies for students who have not commenced studies yet; or leave from studies for enrolled students. Referred to as deferral, deferring or deferred in the ESOS Act.
HEd	Higher Education. Students studying in a higher education degree courses.
Incompletion	Enrolments which are terminated due to the below reasons and are considered "Incompletions" in PRISMS: <ul style="list-style-type: none"> • the student not commencing their studies* • the student notifying cessation of their studies* • the student deferring or suspending their enrolment* • the student transferring to a course at another provider • Kent ceasing the student's enrolment due to non-payment of fees, the student no longer holding a student visa, or disciplinary reasons • non-compliance with student visa conditions due to unsatisfactory course progress or unsatisfactory attendance <p><i>* Non-commencements, cessations, deferrals, or suspensions where a new enrolment is recorded in PRISMS for the same program/qualification.</i></p>
National Code 2018	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, as amended from time to time
PRISMS	Provider Registration and International Student Management System. PRISMS is an Australian Government secure online system that allows Kent to issue confirmations of enrolment (CoEs)
Program	Program of education and training for HE. Defined as Course in the ESOS Act
Prospective Student	A person who intends to become, or who has taken any steps towards becoming, an 'overseas student' or 'intending overseas student' as defined by the ESOS Act
Qualification	Qualification of education and training for VET. Defined as Course in the ESOS Act
Student	A person who holds an Australian student visa and is an 'overseas student' as defined by the ESOS Act
Teaching Period	A period of study within a program/qualification. May be a trimester or study block
TEQSA	Tertiary Education Quality and Standards Agency
Third Party Arrangement	An arrangement made by Kent with another individual or organisation (third party) authorised to recruit students on its behalf.
VET	Vocational Education and Training

POLICY

1.0 Agent Appointment

All agents interested in gaining an appointment must comply with the following procedures:

- 1.1 Apply to become an authorised agent of Kent by completing an Agent Application Form. The form must be completed honestly and accurately with details of at least two referees from the Australian education sector.
- 1.2 The Agent Application Form will be initially assessed by Kent against the following criteria:
 - a) Priority markets and regions under Kent's Marketing & Recruitment Operation Plan;
 - b) Kent's current representation within specific regions;
 - c) Feedback from referee checks;
 - d) Agent's knowledge and experience in Australian international education;
 - e) Appropriate company registration and applicable accreditations; and
 - f) Potential to ethically and honestly recruit quality students for Kent courses.
- 1.3 At least two reference checks will be completed. Reference checks may be waived in cases where the Agent has been previously contracted by Kent with no compliance issues.
- 1.4 Kent may request further referees or information in support of the agent application at any time.
- 1.5 Kent will make a provisional recommendation to:
 - a) reject the agent application, or
 - b) approve and appoint as a Kent Agent.
- 1.6 A recommendation to approve and appoint an Agent will be approved in writing by Kent's Chief Executive Officer and the Agent will be issued with an Agent Agreement and Agent Agreement Form.
- 1.7 Upon an executed Agent Agreement, agents will be issued with an Agent Certificate of Appointment.
- 1.8 Kent may terminate an Agent Agreement or take corrective action at any time, where it is determined that the Agent has acted unethically or when Kent has identified or become aware of any Agent activity that in Kent's opinion is not compliant with:
 - a) The Agent Agreement and Agent Agreement Form terms and conditions;
 - b) Any relevant legislation; or
 - c) Any information or instructions provided to the Agent by Kent.

2.0 Agent induction and training

- 2.1 Kent will provide appointed agents the Kent Agent Induction Manual, training and marketing information about Kent and Kent courses.
- 2.2 Agent training will be tailored to the requirements of each agent and could include and is not limited to a range of training sessions, campus visits, online meetings, phone calls and emails.
- 2.3 Kent reserves the right to refuse students from certain offices of an agent if it is deemed that the branch staff do not hold the requisite knowledge or training to accurately, compliantly and ethically promote Kent in their respective market.

3.0 Agent audit and monitoring

- 3.1 Kent monitors and reviews the performance of its agents annually. In conducting annual audits, Kent will take into consideration a number of criteria including but not limited to:
 - a) Feedback from students via the 'new student surveys';

- b) An annual audit of agent performance and activities; and
 - c) Annual analysis of PRISMS data for each agent about their performance (which includes analysis of "incompletions").
- 3.2 In assessing the overall performance of an agent, Kent will consider:
- a) The Agent's ongoing compliance with the Agent Agreement and Agent Agreement Form;
 - b) The Agent's compliance with legislation relevant to the provision of education to overseas students in Australia;
 - c) The number of student applications, their quality and completeness
 - d) The conversions rate of student applications to Confirmation of Enrolments to actual commencements for students referred to Kent by the Agent;
 - e) The quality, accuracy and currency of information and advice provided by the Agent to students (including information provided on the Agent's website and other marketing collateral);
 - f) Available information on the academic progression of students referred by the Agent;
 - g) The incidence of student visa refusals for students referred by the Agent;
 - h) Any feedback or information from students or third parties regarding the Agent; and
 - i) The overall market conditions affecting student recruitment for Kent.
- 3.3 Upon completing the annual audit, Kent may:
- a) Maintain the Agent's current appointment;
 - b) Maintain the Agent's current appointment *subject to certain conditions* (such as maintaining a consistent visa approval rate or attending agent training);
 - c) Suspend the Agent from representing Kent for a specified amount of time (for example, until corrective action for a student complaint has been carried out);
 - d) Renew the Agent's agreement if it has expired;
 - e) Terminate the Agent's appointment in accordance with the relevant termination clauses of the Agent Agreement.
- 3.4 Kent may conduct random and regular review of agents performance via the Admissions Agent Review meetings. The reviews will be informed by the information provided in section 3.2 (a) – (f) of this policy.
- 3.5 To continuously improve its marketing and recruitment activities, Kent may survey agents to obtain feedback on Kent's induction, training, monitoring, management and support of agents.

Document Title: Agent Appointment and Management Policy and Procedures	
Date Compiled: 23 rd October, 2015	By: Executive Manager Operations & Development
Due Date for Review: July, 2021	Website Access Permission: Staff
Date Updated: 14/11/2016 Minor Amendment no Version Control Change. Noted at GB Meeting 7/12/2016 – minor amendments 8 th January, 2018 19 th October, 2018 28 th August, 2019 14 th April, 2020 (no version control change) 31 st May, 2021	Reviewed by: Executive Manager Operations & Development Executive Manager Operations & Development Executive Manager Operations & Development Executive Manager Operations & Development Executive Manager Operations & Development Executive Manager Governance Systems Executive Manager Governance Systems/Academic Board Secretary and CEO
Version Control Update (Current): Version 1 – 23 rd November, 2015 Version 2 – 8 th January, 2018 Version 3 – 19 th October, 2018 Version 4 - 28 th August, 2019 Version 5 – 21 st July, 2021	Endorsed By: Governing Board Meeting Date: V1 9 th December, 2015 V2 – 7 th February, 2018 V3 – 5 th December, 2018 V4 - Executive Chair 29 th August, 2019 Executive Chair 14 th April, 2020 V5 – 21 st July, 2021
AMENDMENT: 14/11/2016 - Definition of Provisional Agent has been updated to ensure only onshore students can be referred to Kent and a provisional agent cannot refer off-shore applicants. Clause 1.3 updated to include issuance of a written ‘provisional appointment letter’ to a Provisional Agent to outline the terms and conditions of the student referrals. 08/01/2018 – Update requirements to meet the National Code 2018 Standards, procedures related to revised Agent Agreement and related administrative management and update of Kent staff titles. 19/10/2018 – Removal of Provisional Agent appointment, Kent Staff titles updated and responsibility of ASQAnet updates moved to a different role. 28/08/2019 – minor word amendments and alignment of procedures with the update for ESOS Regulations 2019 requirements and update of Kent Business Management System Hyperlinks. 14/04/2020 – review of the policy with no other amendments except to update Kent position titles. 31/05/2021 – separation of policy and procedure, update to agreement titles, update to appointment and audit information	