

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	Education Agent Policy and Procedures
Document Type	Policy and Procedures
Administering Entity	Vice President – Administration, Registrar, Chief Marketing Officer, Director – Admissions, Regional Heads – Student Recruitment, Regional Admission Offices
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Approval Authority	Board of Directors
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1. Purpose

- a. This document details the policy and procedures for appointment and management of education agents (referred also to as Consultant - Advisor) for S P Jain School of Global Management (S P Jain / the School) towards ensuring that education agents recruited are competent, ethical and uphold the reputation of the School and the education systems in which it operates and protects the interests of prospective students.
- b. This policy requires that all agents recruited by S P Jain understand and acknowledge their responsibilities and obligations under the ESOS framework including the Education Services for Overseas Students Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
- c. This policy and procedures will apply to all education agents appointed by the School and should be made available to and adhered by the S P Jain staff involved in appointment and management of education agents.

2. Education Agent Application and Selection

- a. The President has delegated the responsibility of oversight of education agents to the Vice President - Administration, Registrar, Director - Admissions, Regional Heads - Student Recruitment and the Regional Admissions Offices.

- b. The Vice President - Administration will approve a standard *Education Agent Application Form* in consultation with the Registrar.
- c. All education agents interested in representing S P Jain will submit the completed S P Jain *Education Agent Application Form* to the relevant Regional Head - Student Recruitment. The agents will be subject to due diligence process and required to:
 - i. have knowledge of and commit to complying with their responsibilities and obligations under the ESOS framework including the Education Services for Overseas Students Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
 - ii. provide resume with their experience and expertise;
 - iii. provide copies of their business registration certificate;
 - iv. provide a list of company directors/partners/ proprietor as applicable and authorised signatories;
 - v. provide copies of any accreditation certificates;
 - vi. provide references as to their suitability; and
 - vii. any other information as requested by the School.
- d. The Regional Heads- Student Recruitment will review and assess the application, whether the education agent is considered suitable, conduct reference checks and conduct /arrange in person site visits.
- e. The Regional Heads – Student Recruitment or an experienced staff of S P Jain nominated by the Regional Heads - Student Recruitment will complete the S P Jain Education Agent Site Visit Report (Attachment 2) recording his /her final recommendation based on the site visit.
- f. The regional student recruitment heads will also conduct interviews with the owners/directors and/or main managers of the educational agent firm and based on his/her assessment prepare and submit a review and recommendation report to Director-Admissions for approval.
- g. Director-Admissions will review and recommend successful applicants to the Vice President – Administration for his/her approval of appointment of the education agent. Once approved by Vice President – Administration the agreement will be signed by the Registrar on behalf of the School.

3. Appointment of Education Agent

- a. S P Jain is under no obligation to appoint an education agent to be its representative and all appointments will be at the sole discretion of the School.
- b. S P Jain will not appoint an Education Agent to be its representative where it knows or reasonably suspects the Education Agent to be:
 - i. involved in unethical recruitment practices by providing migration advice, unless that education agent is authorised to do so under the Migration Act 1958;
 - ii. 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) in the National Code; and/or
 - iii. facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa.
- c. For all successful applications, S P Jain will enter into written agreements with the education agents detailing the courses and area jurisdictions in which the education agent can represent the School.
- d. The written agreements will also outline:
 - i. the responsibilities of S P Jain, including that the registered provider is responsible at all times for complying with the ESOS Framework;
 - ii. the education agent's recruitment targets and other performance indicators.
 - iii. S P Jain's processes for monitoring and review of the activities of the education agent in representing the provider, and ensuring the education agent is giving students approved, accurate and up-to-date information;
 - iv. the corrective action that may be taken by S P Jain if the education agent does not comply with its obligations under the written agreement;
 - v. S P Jain's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5 of the National Code 2018; and
 - vi. the circumstances under which information about the education agent may be disclosed by S P Jain to the Commonwealth or state or territory agencies.
- e. The education agents will also provide a standard declaration in writing that they will:
 - i. take reasonable steps to avoid conflicts of interests with its duties as an education agent for S P Jain;

- ii. observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students;
 - iii. act honestly and in good faith, and in the best interests of the student; and
 - iv. have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- f. All the written agreements will be as per the standard draft agreement and will be signed between S P Jain School of Global Management Pty Ltd and the education agent.
- g. Any deviations from the standard agreement will need to be justified and recommended by the Regional Heads - Student Recruitment to the Registrar who if deems that the deviation is justified and meets regularity requirements may further recommend to the Vice President – Administration and President for deviation approval.

4. Education Agent Certificate

- a. On appointment, education agents will be issued a standard certificate as an authorised education agent of S P Jain for student recruitment.
- b. The S P Jain education agent certificate will detail the education agent 's legal name, the regions in which he/she can operate, applicable courses and the validity period of representation.

5. Education Agent Training and Information

- a. S P Jain's Regional Heads - Student Recruitment will ensure that:
 - i. education agents have access to accurate and updated marketing material and information for student recruitment for all the applicable courses; and
 - ii. are knowledgeable about the ESOS Framework and National Code 2018.
- b. The education agents will also be provided with regular updates, briefings and training on the admission requirements, course structure and student services by S P Jain.
- c. All education agents will need to provide the names of their staff members who will be involved in the counselling of prospective students of S P Jain and ensure that adequate training is provided to them.

6. Ongoing Monitoring of Education Agents

- a. S P Jain's assigned staff will regularly monitor the agent's performance through regular communication and meetings with the agents.

- b. The performance of education agents will also be monitored by Regional Heads – Student Recruitment on an ongoing basis on various factors including:
 - i. Quality and completeness of student applications submitted;
 - ii. Formal and informal feedback from students and their parents on their services;
 - iii. Initiatives and activities undertaken by the education agent in the promotion of S P Jain courses; and
 - iv. Adherence to ethical code of conduct and accurate distribution of marketing material and information.

7. Education Agent Review

- a. The Registrar will conduct an annual review of the performance, operations, procedures and practices followed by all the education agents on following criteria:
 - i. compliance to the agent agreement and regulations applicable to the provision of education to overseas students in Australia;
 - ii. quality and completeness of student applications submitted;
 - iii. number of student applications, offers and enrolments referred by the agent and associated conversion rates;
 - iv. formal and informal feedback from students and their parents on their services; and
 - v. adherence to ethical code of conduct and accurate distribution of marketing material and information.
- b. S P Jain may also do an additional ad hoc review of the education agents' performance in the event of S P Jain becoming aware of any known or suspected case of unprofessional and unethical behaviour on the part of the education agent, or in the event of receiving a Student complaint.

8. Dishonest or Unethical Conduct

- a. Dishonest or unethical behaviour may include, but is not limited to:
 - i. a deliberate attempt to recruit a student who has been studying with another provider for less than six months;
 - ii. facilitating the recruitment of a student who will not be able to comply with the conditions of his/her visa;
 - iii. creating a Confirmation of Enrolment, or causing one to be created by S P Jain, for anyone other than a bone fide student;
 - iv. deliberately providing information to a potential student, or to S P Jain, which is incorrect or fraudulent;

- v. acting in a manner which is negligent, careless or incompetent;
 - vi. providing unauthorised immigration advice.
- b. Any suspected instances of dishonest or unethical conduct will be reported immediately to the Director – Admissions who will review the instances and take appropriate action in consultation with the Vice President - Administration and/or Registrar as detailed in Section 8c.
- c. If S P Jain discovers an agent to have engaged in dishonest or unethical conduct, it will take immediate preventative and/or corrective action appropriate to the nature of the conduct. This will include:
- i. terminating the agreement with the education agent;
 - ii. not accepting students recruited by the education agent; and/or
 - iii. alerting relevant Australian authorities of the situation.

9. Education Agent agreement renewal

- a. Education agent agreement will be renewed based on successful annual reviews and also post ensuring that there are no dishonest or unethical conduct and/or misinformation to the students or to S P Jain.

10. Termination of Education Agent Agreement

- a. The education agent agreement will automatically cease on the date of expiry unless renewed through re-appointment.
- b. The education agent agreement may also be prematurely terminated before expiry in cases of any breach of agreement by the education agent as detailed in the written agreement and/or dishonest or unethical conduct.
- c. Upon termination, the education agent will return all the marketing and promotional material provided by S P Jain and also handover any pending student applications to S P Jain in order to ensure that students are not disadvantaged.

11. Education Agent Information Database

- a. The Regional Heads – Student Recruitment maintain and update a database of education agents at all times and the same will be displayed on the S P Jain website.
- b. The Office of the Director- Admission ensures that all agent details are included in the PRISMs database managed by the Department of Home Affairs and TEQSA and is kept up to date as agents are appointed or not renewed.

12. Related Documents

- a. ESOS Act 2000 (<https://www.legislation.gov.au/C2004A00757/latest/text>)
- b. National Code of Practice for Providers of Education and Training to Overseas Students 2018 (<https://www.legislation.gov.au/F2017L01182/latest/text>)
- c. Education Agent Agreement standard template

Appendix 1

Representative (Education Agent) Site Visit Report

Name and Address of the Education Agent:

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Name of contact person:

Contact No:

Date and Time of Visit

Name of S P Jain Staff visiting: -----

Review remarks

Office Location (accessibility and overall appearance)

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Office Size

Staff Numbers

Promotional Items on Display

Any Customers /Students Present

Infrastructure and ICT Facilities

Other General Observations

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Follow up (if any) needed

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Signature

Name and Designation of S P Jain Staff

Date: