

<b>Institution</b>	<b>Universal Higher Education (UHE)</b>
<b>Policy Name</b>	<b>Agent Appointment and Management Policy and Procedure</b>

## 1. Scope

This Policy and Procedure applies to UHE and the UHE staff, or delegates, involved in the appointment, management, and review of education agents appointed by UHE.

## 2. Purpose

This Policy and Procedure establishes structured processes at UHE for appointing, managing, reviewing, and reporting on education agents. It ensures effective oversight of UHE's relationships with agent representatives and supporting successful student recruitment for the best interest of students.

## 3. Regulatory Alignment

This Policy is developed and implemented to comply with the regulatory requirements informed in the:

- Education Services for Overseas Students Act (ESOS) 2000
- National Code 2018: Standard 1 Marketing information and practices; Standard 4 Education agents
- Migration Act 1958
- Migration (Education) Act 2007
- Australian International Education and Training Agent Code of Ethics
- Higher Education Standards Framework 2021: 7.2 Information for Prospective and Current Students; 7.3 Information Management

## 4. Policy Principles

- 4.1 UHE is committed to appointing and working with education agents who demonstrate:
  - a. Understanding of student requirements and the overseas education system in Australia, including the Australian International Education and Training Agent Code of Ethics;
  - b. Understanding of UHE, its programs, and services;
  - c. Honesty, integrity, and ethical conduct for the best interest of students, and
  - d. No conflict of interest with their duties in student recruitment for UHE.
- 4.2 All UHE's agents must enter into a formal written agency agreement (Agency Service Agreement) with UHE.
- 4.3 UHE maintains up-to-date records of agents with whom it has a written agreement in the PRISMS and UHE's Student Management System (SMS).

- 4.4 A current list of agents is available on UHE’s website which is reconciled at least twice a year under the oversight of the Executive Manager. This list is reconciled to ensure consistency across PRISMS and SMS.
- 4.5 If an agreement with an agent is terminated, UHE will remove the agent’s record from PRISMS, SMS and the UHE website.
- 4.6 All UHE agents are expected to act with honesty and in good faith, avoiding any misleading or deceptive practices in student recruitment. UHE will not accept students from an education agent if it knows or suspects that the agent is engaging in unethical recruitment practices, including, but not limited to, situations where education agents:
- a. Provide migration advice to overseas students without being authorised to do so under the Migration Act 1958;
  - b. Knowingly recruit an overseas student in conflict with UHE’s obligations under the National Code Standard 7 (Overseas Student Transfers); and/or
  - c. Create Confirmation of Enrolments (CoEs) in PRISMS for non-bona fide overseas students or facilitate the enrolment of overseas students while knowing that the overseas student will not comply with their visa conditions.
- 4.7 UHE has established processes to monitor its education agents. Any agent demonstrating poor performance, raising areas of concern, or engaging in dishonest, unethical, or unprofessional behaviour in representing UHE or its programs will be subject to corrective actions, which may include investigation, supportive interventions, suspension, or termination as appropriate.
- 4.8 Education agents appointed by UHE are strictly prohibited from subcontracting any part of their responsibilities or activities to other individuals or entities. All services and representations must be carried out directly by the appointed agent as per the terms of their written agreement with UHE. Any breach of this clause, including unauthorised subcontracting, will result in immediate termination of the agreement and potential legal action.

## 5. Procedure

### Agent Application and Appointment

- 5.1 Agents are generally sourced by UHE based on markets identified by management. New agents may also be sourced with assistance from existing UHE-appointed agents or in-market company resources.
- 5.2 An agent can also make an inquiry about becoming a UHE appointed agent by contacting UHE through the details provided on its website or by visiting the UHE campus. Recruitment Officers are generally the first contact for agent application inquiries.
- 5.3 Education agents who wish to become an agent for UHE must complete the online Agent Application Form available on the UHE website.

- 5.4 Upon receiving the application, under the oversight of the Global Sales Director, required agent information gathering and a due diligence process will be undertaken. The due diligence process includes, but is not limited to, reviewing the agent's business profile and professional background, and conducting reference checks.
- 5.5 If all due diligence checks are acceptable to UHE, UHE may approve an agent's application. Upon completion of the agent's appointment, the Agency Service Agreement will be executed between the agency and UHE's Managing Director or delegate. The Agency Service Agreement outlines:
- a. UHE's responsibilities;
  - b. The Agent's responsibilities in representing UHE;
  - c. UHE's processes for monitoring the agent's activities, ensuring the agent provides students accurate and up-to-date information;
  - d. UHE's corrective actions that may be taken and the grounds for termination of the written agreement with the agent;
  - e. The circumstances under which information about UHE may be shared by UHE and Commonwealth or state and territory agencies; and
  - f. Any commercial terms.
- 5.6 Once the Agency Service Agreement contracting process is completed, the details of the newly appointed agent will be forwarded to the Admissions Manager for entry into PRISMS, SMS, and publishing on UHE's website.

### **Agent Training and Information Management**

- 5.7 All new agents will receive initial induction and training on UHE's programs, services, and facilities, along with a clear explanation of their obligations and responsibilities under the National Code and ESOS Act. This training may be delivered in person, through webinars, information collateral, newsletters, teleconferences, or via an online training platform.
- 5.8 UHE will continuously provide all appointed agents with the necessary tools, updates, and resources to ensure that accurate and up-to-date information is consistently communicated to prospective students while maintaining compliance with relevant laws, regulations, standards, and codes.
- 5.9 The training will also cover UHE's Genuine Student (GS) requirement, focusing on managing potential visa risks associated with applicants intending to study in Australia.
- 5.10 UHE will ensure that all approved agents are provided with up-to-date and accurate promotional materials and are informed of any changes to programs, services, or applicable legislative and regulatory requirements. This will be communicated through various channels, including update emails, training webinars, regular agent meetings, and agent visits. All agents must ensure they use the latest marketing materials provided and dispose of or discontinue the use of any outdated versions.

- 5.11 Agents are required to notify UHE of any changes to their contact details or operational circumstances.
- 5.12 Agents may conduct marketing and advertising on behalf of UHE with prior approval. Agents must submit the materials for approval to UHE before launch and provide copies of final advertising and marketing materials for monitoring, audits, or complaint investigations.

### Reviewing Agent Performance and Reporting

- 5.13 UHE regularly monitors and assesses the performance of its appointed agents through regular oversight and formal review processes. Sources of information for these reviews may include, but are not limited to:
- a. Feedback from new student agent surveys;
  - b. Instances of incomplete CoEs, such as enrolment cancellations initiated by either students or UHE;
  - c. Student academic performance metrics, including student progress in their first 6 months of study, ongoing pass rates, progression rates, and completion rates;
  - d. Agent participation in UHE provided training programs;
  - e. Agent use of accurate and current promotional materials supplied by UHE;
  - f. Visa grant and refusal rates;
  - g. The volume of student inquiries, applications, enrolments submitted to UHE;
  - h. Quality of documentation submitted with student applications; and
  - i. Input from the UHE recruitment team.
- 5.14 Data recorded from these sources is integrated into daily operations. A comprehensive data analysis is conducted biannually under the leadership of the Executive Manager/Registrar, with the results submitted to the Global Sales Director to inform the agent review processes, including any necessary corrective actions. Based on the analysis, agents may be categorised into the following groups:
- **Performing:** Agents who consistently achieve student enrolments, demonstrate ongoing compliance with all regulatory requirements, and meet UHE's expectations in their performance as measured by the criteria in Section 5.13
  - **Underperforming:** Agents who exhibit poor results based on the review criteria outlined in Section 5.13 and raise areas of concern for UHE regarding their performance or continued engagement
  - **Terminating:** Agents whose performance is deemed unsatisfactory due to breaches of the signed Agent Service Agreement, non-compliance with the ESOS National Code, or failure to improve performance following the issuance of a 'Performance Improvement Notice' by UHE.
- 5.15 UHE will take corrective actions for agents identified as underperforming by issuing a '**Performance Improvement Notice**'. This Notice will detail the areas of concern and specify the criteria against which an agent's performance will be monitored for improvement. UHE will initiate a review meeting to address the identified concerns and discuss appropriate corrective actions. These actions may include strategies to improve the agent's performance, such as providing additional resources, targeted

training, or clarifying UHE's expectations. UHE will continue to provide ongoing engagement to support the agent in addressing the specified performance criteria.

- 5.16 In cases where the identified underperformance is significant, or persists despite corrective actions, UHE reserves the right to suspend the agent's recruitment activities until UHE is satisfied that the agent has met, or can meet, the specified criteria for performance improvement. During the suspension, no applicants will be accepted from the agent.
- 5.18 If the agent demonstrates sufficient improvement to UHE's satisfaction, underperforming agents may be reclassified as performing agents. However, if the required improvements are not achieved, UHE may issue a 'Termination Notice' and discontinue its engagement with the agent.
- 5.19 A 'Termination Notice' may also be issued to agents at any time if UHE becomes aware of behaviour that constitutes a breach of regulatory or legislative requirements outlined in the Agency Services Agreement.
- 5.20 Agent categorisation, review meetings, and outcomes are documented in the Agent Performance Register. Following the issuance of a 'Termination Notice,' UHE ensures the agent is removed from PRISMS, SMS, and the website within 30 calendar days.
- 5.21 UHE allows agents to appeal decisions regarding the termination of their service agreement. Appeals must be submitted in writing, accompanied by supporting documentation, to the Global Sales Director. The Global Sales Director will review the appeal and make recommendations to the Managing Director. The decision to grant the appeal rests solely at the discretion of the Managing Director.
- 5.22 Recruitment Officers are responsible for managing and supporting agents and conducting review visits with each agent, either in person or virtually, at least once annually. These reviews will be informed by agent performance data and documented in the Agent Review Form (Electronic or manual). The completed forms, and/or returned review data, is submitted to the Global Sales Director and Registrar's office following the visits, forming an integral part of the UHE agent monitoring process.
- 5.23 Agent monitoring and performance outcomes are reported to the Board of Directors on a biannual basis.

### Version History

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

<b>Responsible Officer</b>	Managing Director
<b>Implementation Officers</b>	Executive Manager/Registrar, Global Sales Director
<b>Review Date</b>	
<b>Approved by</b>	
Board of Directors	

<b>Associated Documents</b>			
Agency Service Agreement Agent Review Form Marketing and Advertisement Policy Website Management Policy and Procedure			
<b>Version</b>	<b>Brief Description of the changes</b>	<b>Date Approved</b>	<b>Effective Date</b>
2.2		23 May 2024	23 May 2024
3.0	Administrative amendment approved by the Managing Director: <ul style="list-style-type: none"> <li>• Aligned the document with the standardised policy template</li> <li>• Revised the procedure to reflect current operational practices</li> </ul>	16 January 2025	16 January 2025