



POLICY TITLE: INTERNATIONAL STUDENT RECRUITMENT AND MONITORING ACTIVITIES OF EDUCATION AGENTS POLICY

DEVELOPED / REVIEWED BY

Policy Committee
Director of Business Services and Advancement
Head of Admissions
Risk and Compliance Manager
Human Resources Manager

REVIEW SUMMARY

Policy to be presented to the Policy Committee for the first time at the May 2024 meeting. Policy to be reviewed in the first twelve months to ensure accuracy to current legislative components.

DOCUMENT DEVELOPMENT PROCESS

This document was first developed by Director of Business Services and Advancement and the Head of Admissions in 2024.

RATIONALE

Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) requires the College as a registered provider to ensure that their education agents act ethically, honestly and in the best interests of international students as well as uphold the reputation of Australia's international education sector.

DEFINITIONS

CoE	Confirmation of Enrolment
ESOS Act	Education Services for Overseas Students (ESOS) Act 2000
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018
PRISMS	Provider Registration and International Student Management System

PRINCIPLES / GUIDING PRINCIPLES

Sienna College must:

- have a written agreement with each education agent they engage with;
- enter and maintain education agent details in Provider Registration and International Student Management System (PRISMS);



- ensure education agents have appropriate knowledge and understanding of the Australian International Education and Training Agent Code of Ethics;
- ensure education agents act honestly and in good faith;
- take immediate corrective action, or terminate a relationship if an agent (or an employee or subcontractor) is not complying with the National Code; and
- not accept international students from an education agent if it knows or suspects that the education agent is engaging in unethical recruitment processes.

PROCEDURES

Written Agreements

The College must have a written agreement with each education agent that formally represents their education services, and enter and maintain the education agent's details in PRISMS.

The written agreement must outline:

- Siena College's responsibilities, including compliance with ESOS Act and National Code
- the requirements of the agent in representing Siena College;
- the College's processes for monitoring the education agent's activities and ensuring the education agent gives international students accurate and up-to-date information;
- the corrective actions that may be taken and the grounds for termination of the written agreement with the education agent; and
- the circumstances which information about the registered provider may be shared by the registered provider and Commonwealth or state and territory agencies.

Education Agents

The College will ensure the education agents that we engage with act ethically, honestly and in the best interest of international students.

The College will ensure its education agents declare and take all reasonable steps to avoid conflicts of interest with its duties as an education agent of the registered provider, to ensure transparency in the education agent's activities.

Examples of conflicts of interest include, but are not limited to:

- when the agent charges services fees to both international students and registered providers for the same service;
- where an education agent has a financial interest in a private education provider; or
- where an employee of an education agent has a personal relationship with an employee of the education provider.

The College will also ensure education agents observe appropriate levels of confidentiality and transparency in dealings with international students while acting honestly and in good faith.

CRICOS No: 04313F	Date: May 2024	Page 2 of 5
Name of Document: 05. International Student Recruiting and Monitoring Activities of Education Agents Policy	Revision No.: 1	Authorised by: College Board



Education agents must also have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics. The College will also ensure any education agents it engages with, including offshore agents, have up-to-date and accurate marketing information.

These requirements ensure education agents adhere to and practice responsible business ethics, and that education agents understand their obligations to provide current, accurate and honest information to international students to help them make informed decisions about study in Australia.

Education Agent Fees

Sienna does not impose an Education Agent Fee on international students. However, if a student is introduced to the College by an Education Agent whom Sienna has a written agreement with, as per the written agreement, Sienna does pay a fee for that service directly to the Education Agent.

Maintaining details in PRISMS

The College will enter and maintain the details of education agents with whom they have a written agreement in PRISMS.

Immediate corrective actions

The College will take immediate corrective action if it is aware that or believes the education agent or its employee or subcontractor, have not complied with the education agent's responsibilities under Standard 4. Corrective actions may include providing education agents with additional information or targeted training on expectations of the agent.

If the College becomes aware, or has reason to believe that an education agent is engaging in false or misleading recruitment practices, the College will immediately terminate its relationship with the agent. If the false or misleading recruitment practices were engaged in by an employee or subcontractor of the education agent, the College will require the education agent to terminate its relationship with those individuals.

The College will not accept students from education agents if the College believes the education agent is engaging in unethical recruitment practices. This includes education agents that provide migration advice to international students when they are not authorised to do so under the Migration Act 1958.

The College will not accept international students from education agents that engage in, or have previously engaged in, dishonest recruitment practices. This includes education agents knowingly recruiting an international student in conflict with the registered providers' obligations under Standard 7 (International Student Transfers).

The College will not accept international students from education agents if they believe the education agent is creating COEs in PRISMS for non bona fide international students or facilitating the enrolment of international students while knowing that the international student will not comply with the conditions of their visa.

CRICOS No: 04313F	Date: May 2024	Page 3 of 5
Name of Document: 05. International Student Recruiting and Monitoring Activities of Education Agents Policy	Revision No.: 1	Authorised by: College Board



RESPONSIBILITY

- Principal
- Head of Admissions
- International Student Coordinator
- Deputy Principal Wellbeing and Strategy

RELATED LEGISLATION

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000 (Cth)
- Education Services for Overseas Students (ESOS) Regulations 2001 (Cth)
- Migration Act 1958 (Cth)

RELATED SIENA COLLEGE POLICIES

- International Student Records Management and Retention Policy

RISK

CRICOS No: 04313F	Date: May 2024	Page 4 of 5
Name of Document: 05. International Student Recruiting and Monitoring Activities of Education Agents Policy	Revision No.: 1	Authorised by: College Board



In the Committee's deliberations it is important to consider the College's main strategic processes and the identification of associated risks. Some sample questions are included for referral.

Answers are to be documented as part of the policy.

1. **Faith and Catholic Identity.** Identify any risks to Catholic Identity or Dominican charism of the school. How will this policy harm or enhance either?
2. **Reputation.** Identify if there are any reputational risks to the College. How will this policy impact Siena and wider communities?
3. **Financial.** Identify any financial risks to the College. How will this policy impact the financial stability of the College?
4. **Contemporary Learning and Teaching.** Identify any risks to learning and teaching. How will this policy impact the academic performance of the College?
5. **Wellbeing.** Identify any risks to safety and wellbeing. How will this policy impact the mental and physical wellbeing of the College community?
6. **Community Engagement.** Identify any risks to building community engagement. How will this policy impact community relationships?
7. **Governance and Leadership.** Identify any risks to governance and leadership in the College. How will this policy affect the strategic direction of the College?

Do any risks identified above warrant changes to the proposed policy? If so the policy should be referred back to the developer/e

NEXT REVIEW

May 2025

POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/homepage/3452>
www.siena.vic.edu.au

CRICOS No: 04313F	Date: May 2024	Page 5 of 5
Name of Document: 05. International Student Recruiting and Monitoring Activities of Education Agents Policy	Revision No.: 1	Authorised by: College Board