


Policy and Procedure



Policy and Procedure			
Doc #: PP - 4.2		Title: Selection, Appointment, Monitoring and Termination of Representative	
HESF: 7			
Standards: NVETR (Outcome Standards for NVR RTO) Instrument 2025: Part 4, Standard 4.2	NC: 1,2,4		
Standards: NVETR (Compliance Standards for NVR RTO and FPPR) Instrument 2025: Standard 7 and 17			
Rev #: 16	Approved By: Designated Head (Marketing)	Date: 16/05/2025	

REVISION HISTORY			
Rev	Description of Change	Author	Effective Date
1	New-Adapted from AAC Selection, Appointment & Re-appointment of Student Recruitment Representatives	Zita & James	10/2/14
2	1. Removed Representative Approval by home country and Certificate of Representative from Document Checklist for Appointment/Re-appointment of Representative Form 2. Amended 5.1-5.4 and 7 of this procedure to reflect changes in forms 3. Separated Representative Evaluation Form into two forms (New and Existing)	Zita & James	13/6/14
3	Updated procedure based on Gabriela and Daniela's comments/changes	Zita	19/9/14
4	IL amended sections 5.1 and 5.2	Zita	31/10/14
5	Changed SNR to Standards 2.3 and 2.4	Jeevan	01/04/15
6	Added Standard 4.1 Added 5.5 Termination of Representative	Ingeborg	18/07/16
7	Included reference to the Agent Agreement Compliance Action Plan in the Re-appointment section	Ingeborg	17/03/17
8	Updated clauses 5.2.4 and 5.4.4.	Elaine	06/10/17
9	Updated reference to National Code 2018. Updated clauses 4.2, 5.3, 5.4.3, and 5.5.1	Elaine	23/11/17
10	Amended Re-appointment of Representative procedure. Removed references to Existing Representative Evaluation Form.	Elaine	20/12/18
11	Added 2.1. Amended 5.2.2 to indicate the onshore Representative to provide Certificate of Registration of the Company and/or ABN details.	Elaine	23/04/19
12	Added clauses 5.8 and 5.9 to indicate the details to be recorded in Paradigm and PRISMS in accordance with ESOS Regulations 2019.	Elaine	01/10/19
13	Adapted ACA's policy and procedure template. Added the following: Training, monitoring, re-appointment, and termination in the purpose and scope of the policy and procedure Representative Selection Criteria Key Agents and Certificate of Appreciation	Compliance Officer	8/4/2021
14	Added reference to the new HESF 2021. Added clause 3.6.	Compliance Officer	6/8/2021

REVISION HISTORY			
Rev	Description of Change	Author	Effective Date
15	<p>Policy purpose has been updated to align with regulatory and organisational requirements.</p> <p>Updated the procedure to include: clarification on training and information session per year for representatives. analysis of PRISMS data on referred students' completion rate. new grounds for termination of representative agreement</p>	CEO	26/10/2023
16	<p>Updated the purpose and scope of policy and procedure – to include AAPoly and STA within Academies Australasia providers.</p> <p>Updated to meet the requirements of the revised SRT0—National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025 and the National Vocational Education and Training Regulator (Compliance Standards for NVR RTO and FPPR) Instrument 2025</p>	Compliance	16/05/25

1.0 Purpose

- 1.1 Academies Australasia CRICOS providers listed in the schedule 1 (The College) are committed to appointing and working with representatives demonstrating:
- a comprehensive understanding of students' recruitment, including the Australian education system and legislative instruments that apply to the international education sector;
 - knowledge of the College programs, policies and requirements; and commitment to operating with honesty, integrity, and highest ethical standards.
- 1.2 This policy and procedure describe the systematic process used to identify, select, appoint, re-appoint, monitor and terminate representatives to ensure that it complies with Education Services for Overseas Students (ESOS) Act 2000, the National Code 2018, the Higher Education Standards Framework (Threshold Standards) 2021, the National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025 and the National Vocational Education and Training Regulator (Compliance Standards for NVR RTO and FPPR) Instrument 2025.
- 1.3 This document also defines the criteria for appointing and re-appointing representatives to ensure that only reliable and credible representative is engaged to recruit student for the College.
- 1.4 This policy and procedure are also in place to regularly monitor representative's activities and, if required, take immediate corrective and preventative action, including termination of Representative Agreement in circumstances as outlined in the National Code 2018.

2.0 Scope

- 2.1 The policy and procedure apply to Marketing staff involved in the selection, appointment, monitoring, re-appointment or termination of representatives.
- 2.2 This procedure also applies to third-party representatives who recruit students on behalf of the College

3.0 Definitions

3.1 Representative (REP) – A third-party, an individual or organisation, who recruits students on behalf of the College. The REP must act in accordance with the Representative Agreement and applicable legislation, including the ESOS Act and the National Code.

3.2 Third-Party Provider Representative Agreement (Representative Agreement) – A mutually agreed contract between the REP and the College that outlines the terms and conditions of engagement, including the duration, obligations of both parties, monitoring requirements and grounds for termination. Agreements are valid for one or two years and are subject to renewal based on REP performance and compliance.

3.3 Agent Agreement Compliance Action Plan – The action plan that reflects all the responsibilities of the College and the REP and outlines associated actions to ensure compliance.

3.4 Monitoring – The systematic process of collecting, reviewing, and analysing data and feedback to ensure continued compliance with requirements listed in point 1.2, and to evaluate REP performance and inform decision-making.

3.5 Termination – The formal cessation of the Representative Agreement, initiated by the College due to non-compliance, poor performance, or breach of contractual or regulatory obligations.

3.6 Paradigm – The student and agent management system used by the College to record, manage, and track student enrolments, REP agreements, training records, performance data, and related communications. Paradigm supports compliance by maintaining accurate and up-to-date records in alignment with regulatory and operational requirements.

4.0 Responsibilities

4.1 Marketing Manager (MM) – Identifies, evaluates, monitors and makes recommendations for the appointment and re-appointment of REPs. Provides documents defined in this procedure and updates the REPs database. Monitors REP's activities and ensures that student admitted in the College only come from approved REP. Provides timely training and updates to REPs about courses, admissions criteria, Department of Home Affairs' rulings, legislation etc.

4.2 Designated Marketing Officer (DMO) – Conducts reference checks, liaises with the Designated Head (Marketing) regarding the approval or rejection of the appointment and re-appointment of REPs based on feedback received from references and completion of REP evaluation. Checks the references provided by the REP and Australian Business Number (ABN) provided by REP before seeking approval from the Designated Head (Marketing) of the issuance of the agreement. Updates the College website, Paradigm, PRISMS and ASQAnet.

4.3 Designated Head (Marketing) (DH) – Approves or rejects the appointment and re-appointment of REP upon recommendation of MM, and signs Representative agreement. Reviews REP's activities and takes appropriate corrective and preventative action. Also consider the termination of REP agreement in accordance with the agreement.

5.0 Procedure

5.1 Selection and Appointment of Representative

5.1.1 MM identifies potential REP for the recruitment of students to the College. REP can also show interest to be an authorised REP of the College.

MM checks with the DMO whether the potential REP is an REP of other MM or if there is a record in Paradigm outlining whether the REP has been archived or rejected previously.

- If the REP is a current REP of another college in the group, the home college MM requests, uses and uploads the other college MM's

reference reports and recommendation and their Representative Application Form with supporting documents. Skip to 5.1.4.

- If the REP has previously represented the College or any other college in the group the reason why the agreement was terminated or not renewed needs to be taken into consideration for a possible appointment or re-appointment, or otherwise.

5.1.2 REP completes Representative Application Form and forwards it to MM with a copy of Certificate of Registration of the Company and/or ABN details (applicable if agent is onshore).

5.1.3 The DMO checks PRISMS Agent's reports for outcomes of education agents' facilitated enrolments and contacts at least one of the references provided by the REP in the Representative Application Form to complete the New Representative Evaluation Form. The intention is to ensure that REP has no history of dishonest practices and is not currently engaged in dishonest practices, as specified in the National Code 2018. DMO evaluates the data available in PRISMS and feedback from the referee and seeks approval of REP appointment from DH.

5.1.4 DMO checks the ABN provided by the REP before issuing the Representative Agreement. DMO then emails it to the relevant MM.

New agreements are generally granted for one year. Two-year agreements can be approved by the DH if the agent and/or MM have made a strong case based on factors such as working history, reputation of REP as a strong performer or the development of a marketing plan that covers more than one year.

DMO uploads the completed Representative Application form, New Representative Evaluation form, referee report(s), and ABN lookup evidence in Paradigm.

5.1.5 MM obtains a signature from DH and emails REP with the signed Representative Agreement. REP signs and emails the Representative Agreement. By signing and returning the agreement, REP accepts the offer to act as a REP of the College. The agreement is a one (or in exceptional cases two) year renewable contract.

5.1.6 MM emails signed the Representative Agreement to DMO. DMO uploads a copy of the signed Representative Agreement to Paradigm and ensures the College website, Paradigm, PRISMS, and the Third-Party Arrangements section in ASQAnet are updated.

5.1.7 MM provides training to appointed REPs within 2 weeks of their appointment and completes and uploads the Training Record for Representative Form.

The College does not accept student applications from agents that do not have an agency agreement with the College.

5.2 Representative Training and/or Information Updates

5.2.1 Upon appointment/re-appointment of REP, and at least annually, , MM provides training and relevant materials to REP. The training includes all the areas stated in the Training Requirements for Representative under clause 5.2.4 as a minimum and MM carries out other training sessions with REP as and when necessary. MM completes and uploads the Training Record for Representative Form to Paradigm.

Where practicable, REP is invited to the College premises for a campus tour.

When changes occur to the College course offering including changes in admission criteria, new courses are added on the scope of registration, when course are on a teach-out phase as a result of the transition to superseded courses, or new regulations are introduced that require changes in the Student Agreement, the College notifies REP of these changes and provides REP with up-to-date and accurate marketing information and materials as set out in National Code Standard 1. MM consolidates and sends up-to-date information to REP within 5 working days and records action in the notes section on Paradigm. Information sessions for these changes or any changes that the College may find important, such as cease the promotion of superseded courses, may be organised as well.

5.2.2 REPs are required to participate in an information and training session organised by the College on an annual basis. This can be done in person or virtually.

5.2.3 Any changes to legislation, visa requirements, policies and procedures, etc. are communicated to the REP via regular email newsletters or information sessions organised by the College.

5.2.4 Contents of representative training:

- Academies Australasia group history and structure
- The Colleges' locations, course offering per location and a general description of facilities and infrastructure of each location
- Course duration, modules, outlines and assessment schedules
- Admission requirements, and key selling points for each course
- Application requirements and procedures
- Course counselling to match the aspirations of the prospective student with the course learning outcomes
- Types of certifications awarded at the end of each course
- Opportunities for further education after graduation
- Job prospects after graduation
- Total payable fee throughout the course duration
- TPS requirements and the payment method and schedule
- Student agreement clauses
- Refund, transfer, withdrawal policies and procedures
- Student support services
- Course admission requirements – academic and English language proficiency - and any exemptions (if applicable)
- Promotion and award criteria
- Reference to the Colleges website(s) for more details

- Relevant Australian laws, legislation and regulations
- Visa requirements and procedures
- Advice on medical insurance, accommodation and the cost of living
- General healthcare services in Australia

5.3 Monitoring of Representative

5.3.1 MM monitors REP activities at least every six months for new REPs and once a year for existing REPs by analysing data including feedback collected from REP surveys conducted with new students at the start of each term. This data is used as a basis to determine the performance of the REP.

5.3.2 Monitoring activities are conducted according to the Agent Agreement Compliance Action Plan and include:

- Review REP performance and agreement before renewal
- Performance benchmarked against agreement responsibilities as per the Agent Agreement Compliance Action Plan
- Analysis of the results of the student survey conducted during Orientation
- Quality of applications and supporting documents submitted
- Regular communication (visits to offices, telephone, video conferencing such as Zoom) regarding marketing and admissions of applications sent by REP
- Regular reports from REP, particularly on performance against any mutually agreed marketing plans
- Analysis of PRISMS data on REP visa grant/refusal rates
- Analysis of PRISMS data on referred students' completion rate (including withdrawals, cancellations for breach of visa conditions, non-commencement, transfers between providers)
- Performance of REP at expos or seminars
- Conversion rates of successful enrolment from Offer to COE
- Recommendations and/or information feedback from within the industry
- Review of REP promotional materials including websites and on social media for information on the Colleges or other colleges they represent
- Mystery consumer calls

All communications/activities/visits with REPs must be continuously logged into Paradigm with a brief description of the event.

5.3.3 Corrective and Preventative Action

5.3.3.1 If a REP scores below 50% positive feedback from surveys conducted during orientation in 2 consecutive terms/semesters* and/or a breach of the Representative Agreement is suspected, MM investigates the issue and advise DH of the investigation result.

*Condition: minimum of 5 respondents or above.

5.3.3.2 If a REP Visa Refusal rate in the 'Agency Performance by Institution Summary' PRISMS report is above 50%** for a period of 6

months, MM investigates the issue and advise DH of the investigation result.

****Condition:** minimum of 10 students or above.

5.3.3.3 If a REP consistently submits applications that do not comply with the College admission guidelines the MM investigates the issue and advise DH of the investigation result.

5.3.3.4 DH reviews MM's recommendations and decides on whether corrective and/or preventive action is required. Depending on the type of breaches or concerns, DH may take one or more of the following, but not limited to, corrective and/or preventive actions:

- Provision of additional training to relevant REP
- Provision of information in relation to the expectations of the College
- Issuance of warning to the REP based on the reasons for corrective or preventive actions
- Impose conditions on the Representative Agreement
- Review of the Representative Agreement
- Termination of the Representative Agreement

5.3.3.5 All communications / meetings must be recorded under the notes section in the Paradigm with a brief description of the event. If no action is required, MM must also enter the reason and decision in the Paradigm and provide feedback to REP (if necessary) and continue the monitoring cycle again.

5.3.4 Key Representative and Certificate of Appreciation

MMs can nominate high performing REPs (according to the quantitative and qualitative measures stated under Section 5.3) as "Key Agents".

Key REPs can be issued with a Certificate of Appreciation valid for the term of the Representative Agreement.

5.4 Re-appointment of Representative

5.4.1 REP agreement expired at the end of June each year. The REP performance is reviewed at least one month before the expiry of the current contract, or when found that the REP has breached the terms of the contract.

5.4.2 MM evaluates REP using master list of agents' spreadsheet, which includes agent performance data (visa rate and PRISMS data), and according to the Agent Agreement Compliance Action Plan.

5.4.3 The agreement may not be renewed when the MM deems the REP to no longer be an effective representative of the College as per the evaluation. DMO sends a termination notification email to REP and uploads the terminated email

to Paradigm and archives the agent. DMO also ensures the agent is removed from the College website, PRISMS and ASQAnet.

5.4.4 MM indicates renewal of REP in the master list of agents' spreadsheet and requests the DH to approve and DMO to issue a new agreement. DMO checks if the ABN provided by the REP is still active before issuing the new representative agreement.

5.4.5 Upon approval by DH, DMO issues the new agreement, and MM sends the new Representative Agreement to the REP. By signing and returning the agreement, REP accepts the offer to act as a REP of the College. The agreement is a one-year or two-year renewable contract. A two-year agreement can be granted if the agent and/or MM have made a strong case based on factors such as strong performance and/or a 'key agent' status.

5.4.6 DMO updates Paradigm with the new agreement expiry date. DMO also sends the final master list of agents to all MMs.

5.5 Termination of Representative

5.5.1 The DH may consider terminating the REP agreement when REP is found to be violating the terms of agreement. If the DH decides to terminate the agreement the DMO updates Paradigm by archiving the REP and uploading the formal advice to the agent including notes that lead to the termination. DMO also ensures the agent is removed from the College website, PRISMS and ASQAnet.

Where it is proven that an individual employee or sub-contractor of the REP was responsible for the breach and the REP has terminated the relationship with that individual employee or sub-contractor, termination of the agreement is not required as set out in National Code Standard 4.5.

5.5.2 When the Representative Agreement is terminated, the DMO must:

- Arrange for its termination notification to the Australian Skills Quality Authority (ASQA) through ASQAnet update within 30 days of the event.
- Notify the MM of the termination of the REP and advise that no further applications are to be accepted from the REP.

Arrange for the Paradigm to be updated (agent is archived) with the information on the termination of REP appointment and the reason(s) for such cessation. Also update the college website and PRISMS.

5.5.3 The DH may consider terminating or non-renewing the REP Agreement if:

- There is evidence of non-compliance with REP Agreement; ESOS Act and the National Code 2018;
- The REP has recruited an unsatisfactory number of students, or the REP has a high visa rejection rate and students have high attrition rate and high failure rates.

- There are unacceptable levels of student satisfaction with REP performance after corrective actions were implemented;
- There is evidence of unethical, unprofessional and/or criminal conduct in representing the College;
- The REP refers low quality student applications that do not comply with the admission guidelines.

5.5.4 If the DH and MM have jointly decided to terminate or non-renew a REP's appointment, the DH should write to the REP to advise that their appointment has been terminated in accordance with the Representative Agreement by providing one month's notice.

5.5.5 When a REP's appointment is terminated, the DH may disclose the decision and the reason(s) for termination to other people, organisations, bodies or professional association if required by law. Any disclosure must be made in accordance with the College Information Privacy Policy and Procedure.

6.0 General Guidelines

6.1 Representative Selection Criteria

The College must not accept students from a REP or enter into an agreement with a REP if it knows or reasonably suspects the REP to be:

- engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 of the National Code 2018 (Overseas Student Transfers);
- facilitating the enrolment of a student who the REP believes will not comply with the conditions of the student visa;
- providing immigration advice where not authorised under the Migration Act 1958 to do so.

6.2 Representative Agreement

The Representative Agreement covers the following details:

- Contract period, one or two years
- Contract parties
- Recitals
- Appointment of REP
- Promotion of the College
- Obligations of the College
- Payment obligations of the College
- Expenses of REP
- Monitoring of REP's activities
- Corrective action
- Termination
- No partnership or agency
- Governing law and jurisdiction
- Counterparts
- Confidentiality

- Agreement Checklist
- Signatures
- Conflicts of Interest declaration

6.3 Representative's Record in Paradigm

DMO must record the following representative details in Paradigm:

- ABN or can, if applicable.
- Migration Agents Registration Number, if applicable.
- If the representative is a body corporate, the names of the body corporate's directors and registered office.
- Representative's employee's name, email address and Migration Agents Registration Number.

6.4 Representative's Record in PRISMS

DMO provides information on the representative's Director and their employees in PRISMS.

7.0 References

7.1 Agent Agreement Compliance Action Plan

7.2 National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025

7.3 National Vocational Education and Training Regulator (Compliance Standards for NVR RTO and FPPR) Instrument 2025

7.4 National Code of Practice for Providers of Education and Training to Overseas Students 2018

7.5 Education Services for Overseas Students Act 2000

7.6 Higher Education Standards Framework (Threshold Standards) 2021

7.7 Information Privacy Policy and Procedure

7.8 Marketing Information and Practices Policy and Procedure

7.9 Representative Application Form

7.10 New Representative Evaluation Form

7.11 Master List of Agents Spreadsheet

7.12 Representative Agreement

7.13 Training Record for Representative Form

7.14 Representative Certificate

Schedule 1

Academies Australasia Institute (AAI)
Academies Australasia Polytechnic (AAPoly)
Australian College of Technology (ACT)
Clarendon Business College (CBC)
Supreme Business College (SBC)
Skills Training Australia (STA)
Academy of English (AOE)
Australian International High School (AIHS)