

Policy and Procedure



Doc #: PP - 4.2		Title: Selection, Appointment, Monitoring and Termination of Representative
HESF 2021: 7		
NVETR (Outcome Standards for NVR RTO) Instrument 2025: Part 4, Standard 4.2, 4.3	NC: 1,2,4	
NVETR (Compliance Standards for NVR RTO and FPPR) Instrument 2025: Standard 7 and 17		
Rev #: 18	Approved By: Designated Head (Marketing)	Date: 26/06/2025

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 SRTO—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
17	Inclusion of “conflict of interest” within sections 1.3, 3.1, 3.7, 5.1.2, 5.1.5, 5.2.4, and 5.3.2 to align with regulatory requirements.	Compliance	18/06/25
18	Changed STA name: 'Skills Training Australia' to 'Skills Training Australasia'	Compliance	26/06/25

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 as well as to identify, manage and respond to any actual, potential or perceived conflicts of interest between the REP and the College, 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 appointed by the College to recruit and represent prospective international students on its behalf. The REP must act in accordance with the Representative Agreement and applicable legislation, including the ESOS Act and the National Code, and must disclose any actual, potential or perceived conflict of interest with the College or the students.
- 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 Student Management System – Paradigm or any other student management system used by the College to record, manage, and track student enrolments, REP agreements, training records, performance data, and related communications. This system supports compliance by maintaining accurate and up-to-date records in alignment with regulatory and operational requirements.

3.7 Conflict of Interest – A situation where a Representative (REP) has competing interests—personal, professional, financial or otherwise—that may improperly influence, or be perceived to influence, their actions, decisions, or responsibilities when representing the College. Conflicts may be actual, potential, or perceived, and must be disclosed to the College prior to the engagement or as soon as they arise.

Examples of conflicts may include charging both students and providers for the same service, having financial interests in a private education provider, or personal relationships between agent and an employee of the provider¹.

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, Student Management System, 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

¹ Standard 4: Education Agents, National Code of Practice for Providers of Education and Training to Overseas Students 2018

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 the Student Management System 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, which includes ownership details and any actual, potential or perceived conflict of interest with the College, 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 two 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. DMO evaluates the data available in PRISMS and feedback from the referee and seeks approval of REP appointment from DH.

5.1.4 Where the REP has a pre-existing agreement with a member of the Group, they may be requested to provide at least one reference external to the AKG Group.

5.1.5 DMO checks the ABN provided by the REP and provides all documents to DH. The DH consider the application, including information provided about ownership and declared any conflict of interest, and decides whether to appoint the REP. In the event that the REP discloses any actual, potential or perceived conflict of interest with the College the DH seeks approval from the Deputy Group Managing Director before appointing the REP.

The DH advises DMO to either issue the Representative Agreement or notify the REP that the application was not successful. Before contacting the REP, the DMO emails the outcome to the relevant MM.

A Conflict-of-Interest register is kept by the DH.

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 the Student Management System.

5.1.6 DMO 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.

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

5.1.8 MM provides training as noted under Point 5.2.4, to appointed REPs within two (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 the Student Management System at least once a year.

The 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 five (5) working days and records action in the notes section in the Student Management System. 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
- REP obligations under the agreement including notification of change in REP operations and details of how a disclosure of conflict of interest can be made

5.3 Monitoring of Representative

5.3.1 MM and DMO monitors REP activities at least every six (6) 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
- Notification of changes in REP operations and disclosure of conflict of interest
- Mystery consumer calls

All communications/activities/visits with REPs must be continuously logged into the Student Management System 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 two (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 six (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 Student Management System with a brief description of the event. If no action is required, MM must also enter the reason and decision in the Student Management System 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 REPs”.

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 (1) month before the expiry of the current contract, or when found that the REP has breached the terms of the contract.

5.4.2 Prior to reappointing the REP the DMO emails the REP to declare whether there have been any changes to REP operations including ownership and any conflict of interest. These details are entered in the agent’s spreadsheet.

5.4.3 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.

5.4.4 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 the Student Management System and archives the agent. DMO also ensures the agent is removed from the College website, PRISMS and ASQAnet.

5.4.5 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.

5.4.6 DH considers the information master list of agent’s spreadsheet including details disclosed about changes in REP operations and conflict of interest and if needed discuss this with the Deputy Group Managing Director.

5.4.7 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.

5.4.8 DMO updates the Student Management System 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, including failing to disclose change in ownership or conflict of interest. If the DH decides to terminate the agreement, the DMO updates the Student Management System 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 thirty (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 Student Management System 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, NVETR (Outcome Standards for NVR RTO) Instrument 2025, ESOS Act and the National Code;
- 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 (1) months' notice.

5.5.5 The REP may wish to appeal the decision to terminate. They may provide additional information within a seven-day period for consideration by the DH. Where the information is found to be valid, the DH may choose to withdraw the termination entirely, nominate a trial period three (3) months to validate

improved performance or proceed with the termination, noting that the additional evidence doesn't invalidate the decision to terminate.

5.5.6 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 NVETR (Outcome Standards for NVR RTO) Instrument 2025 and Standard 7 of the National Code (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 the Student Management System

DMO must record the following representative details in the Student Management System:

- 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 Migration Act 1958
- 7.8 Information Privacy Policy and Procedure
- 7.9 Marketing Information and Practices Policy and Procedure
- 7.10 Representative Application Form
- 7.11 New Representative Evaluation Form
- 7.12 Master List of Agents Spreadsheet
- 7.13 Representative Agreement
- 7.14 Training Record for Representative Form
- 7.15 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 Australasia (STA)
Academy of English (AOE)
Australian International High School (AIHS)
Academies Australasia Hair & Beauty (AAHB)
Discover English (DE)
Language Links International (LLI)