



Overseas Students: Education Agents Policy

This Policy outlines how Cranbrook School (the School) interacts with Education Agents.

Rationale

Standard 4.1 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to enter into a written agreement with each Education Agent it engages to formally represent it, and enter and maintain the Education Agent's details in PRISMS.

Section 21A of the *Education Services for Overseas Students Act 2000* (Cth) (ESOS Act) requires the School to:

- Maintain a list of all the School's Education Agents; and
- Publish that list:
 - On the School's public website; and
 - In any manner prescribed by the *Education Services for Overseas Students Regulations 2019* (Cth) (ESOS Regulations).

It is an offence to fail to comply with Section 21A.

Cranbrook School's Policy

As at the date of this policy, the School does not engage any Education Agents to formally represent the School.

In future, Education Agents may be engaged to formally represent the School under the following conditions only:

- The Education Agent must understand and adhere to Standards 1 to 4 of the National Code and in particular must comply with Standard 4 of the Code.
- The Education Agent must sign and abide by the conditions of a written agency agreement with School, and the specific instructions to facilitate the formalisation of such an agreement with the Education Agent. This Agency Agreement includes terms and conditions relating to the agreement being terminated should an Education Agent breach any of the Agreement conditions.
- The Education Agent responds appropriately to the School's monitoring activities and corrective and preventative action, and understands the grounds for termination of agreement as outlined in National Code and within the Agency Agreement.
- The Education Agent accurately promotes the services and facilities provided by the School and uses current marketing materials as supplied by the School.

Before an Agency Agreement is signed, the background and experience of the Education Agent will be thoroughly investigated.

The School will not accept a student from an Education Agent if it is known or suspected at any time that the Education Agent:

- Engages in or has previously engaged in dishonest practices;
- Deliberately attempts to recruit a student within the first six months of that student's study in their principal course with another provider;
- Facilitates the enrolment of a student he/she believes will not comply with visa conditions, or is not a bona fide student, or
- Provides immigration advice where he/she is not authorised to do so under the *Migration Act 1958* (Cth).

The School may receive a student enrolment application from an Education Agent on behalf of the parent. As the Education Agent has not as yet been engaged by the School to formally recruit students on the School's behalf, such

an agent would fall outside the scope of the National Code until such time as the School formalises an agency agreement with the Education Agent.

A list of any Education Agents with whom the School has a formal written agreement are listed on the Cranbrook School website (www.cranbrook.nsw.edu.au).

Agency agreements will be reviewed December of each calendar year and should an Education Agent have been compliant in following the procedures and regulatory requirements of the ESOS Act, National Code and the Agency Agreement, such agreement will generally be renewed for another calendar year. Should an Education Agent have failed to comply, a warning letter will be issued at that point in time and a decision made as to whether the agreement will be renewed.

This review of Education Agent agreements may consist of:

- Regular meetings with Education Agents (on or offshore);
- Regular reports from Education Agents;
- Interviews with Overseas Students and their parents (where possible) during their Enrolment Interview, at the time of the student's Orientation to the School and on a regular basis throughout the year.

The School will terminate an agreement at any time should an Education Agent be found or suspected of engaging in dishonest practices.

Should the School terminate or not wish to renew an Agency Agreement, the Education Agent's details will be deleted from the Cranbrook School website.

Record Keeping

The School maintains evidence of compliance with this policy by maintaining records of Agency Agreements, interactions with Education Agents, and reviews of Education Agents. Records will be maintained in accordance with the Overseas Students: Records Management and Retention Policy.

Published: [DRAFT]