



Agent Application & Monitoring Policy and Procedure

1. Purpose

This policy outlines the requirements for Education Agents acting on behalf of Empyrean providers to provide high standards of service and information to overseas students. Empyrean take all reasonable measures to use education agents that have appropriate knowledge and understanding of the Australian international education industry, and who act with honesty and integrity.

This policy ensures that only reputable and ethical education agents are engaged in promoting Empyrean Education Institute training and education services.

2. Education Agent Application Process

a. Education Agent Selection

- Education agents are engaged to represent Empyrean and recruit students for the Empyrean.
- A person or organisation wishing to apply to be an approved education agent of Empyrean shall access the Education Agent Application form on Empyrean's websites - complete and forward to agents@eei.wa.edu.au
- The applicant's suitability is assessed on the basis of National Code Part D Standard4.

b. Appointment and writing Agent Agreements

Education agents are required to complete and forward the education agent application form to Empyrean and understand all responsibilities of agents

- Empyrean will assess the application of education agent and will only accept the application where the applicant has demonstrated that they have the appropriate knowledge and understanding of the Australia international education industry and will meet the obligations of the National Code. This will be undertaken via referee checks and evaluation of any previous dealings.
- When the applicant has been assessed as satisfactory, the Empyrean marketing officer prepares the education agent agreement and forwards two copies to the education agent. The agent agreement will include information about processes for monitoring agents and conditions of termination.
- The agreement, conditions, and authorisation to promote Empyrean relates to the 'agent' named in the agreement and, that mean Empyrean only has an agreement with the education agent, not the employee or sub-contractor of the agent.
- Both parties sign the education agent agreement, the agreement specifies responsibilities of each party and need to comply with the National Code 2007.
- Letter of appointment has been issued after application is accepted.
- Empyrean will provide agent with up-to-date and accurate information about courses, services and location /facilities provided by Empyrean.
- Empyrean Marketing Officer will ensure that all marketing materials provided to agent are correct and up-to-date.

- c. Empyrean will not enter into an agreement with any education agent or potential education agent if Empyrean knows or reasonably suspects the education agent to be or have been:



- 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 (Transfer between registered providers);
 - Facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa
 - Using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student; or
 - Providing immigration advice where not authorised under the Migration Act 1958 to do so.
- d. The original signed agent agreement shall be kept in the Agents file and the agent shall also receive a copy.
- e. Where an agent does not formally represents Empyrean and its services and has not engaged in on- going relation, Empyrean will still pay the agreed commission to the agent. The commission/s paid to such agents must be recorded in “*One-Off Agent*” Spreadsheet.
3. Monitoring Agent activities
- a. Education Agent training and information:
- Empyrean ensures that all its education agents receive an information pack and have ongoing access to up-to-date and accurate information about Empyrean as well as its marketing information and materials as set out in National Code Standard 1. Information used for marketing and recruitment purposes will be updated as changes occur. Provider information and marketing materials will be provided in both hard-copy and downloadable softcopy from the Empyrean website. The Agent Agreement includes conditions related to Empyrean marketing activities and materials being solely used for the purpose of promoting the Empyrean
 - Empyrean marketing staff will maintain regular contact with approved education agents by phone, written communications and visits to the agent’s office. Where the monitoring of education agents indicates a deficiency or non-compliance with legislation or the National Code, training and/or the provision of additional information in relation to the expectations of Empyrean will be provided by Empyrean. Education agents are encouraged to complete the PIER Education Agent Training Course or to be trained by Empyrean staff (offshore agent only).
- b. The following ongoing agent activities will be followed to ensure that Empyrean is using reputable agents:
- All education agents must submit a report of their activities annually. This report is to outline the promotional activities that have been undertaken on behalf of Empyrean and include any students that have been contacted or recruited to enrol with Empyrean. Marketing team must review the annual reports submitted by the agents and evaluate the activities of the agent.
- c. All education agents will be required to conduct a meeting with marketing team at least once per year. This meeting will cover:
- Current practices
 - Ensure current marketing materials are being used
 - Discuss any issues or concerns



- Minutes of these meetings will be taken and kept on the agents file.
 - d. On orientation day, International students will be given a Student Survey – Education Agents to complete
 - e. The Empyrean Marketing Officer must conduct an annual Agent Survey – Empyrean will continuously improve the services provided by Agents and Empyrean to its clients.
 - f. If an education agent is found as being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, or engaged in practices that could harm the integrity of Australian education and training, marketing officer must organise a meeting with the agent and agent staff to counsel them immediately.
 - g. If the agent is identified of breaching standard 4.3 of the national Code 2007 the CEO is responsible for terminating the agreement with agent with immediate effect. This does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 of the National Code 2007 and the education agent has terminated the relationship with that individual employee or sub-contractor.
 - h. Any counselling or termination of agreements shall be documented within the Agent file.
4. Legislative & Government Regulations

This policy supports the government legislation standards of AQTF 2007, National Code 2007, National Vocational Education and Training Regulator Act 2011, Education Services for Overseas Students Act 2000, Standards for Registered Training Organisations (RTOs) 2015