



Wentworth Institute
Becoming an Agent for WIN
2015

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1. Overview

Education Agents play a vital role in connecting prospective international students (both overseas and Australian based) with Australian educational institutions competing in the international education industry. They are often the first point of contact between prospective Students and the Australian international education industry. In playing this vital role, the ethics and procedures followed by Education Agents are of crucial importance to maintaining Australia's high reputation for its international educational quality and services.

WIN's educational agents must be registered with MARA or work directly under the registration of a MARA agent.

WIN is committed to appointing and working with Agents demonstrating:

1. a comprehensive understanding of students' requirements, Australian culture and Australia's education system in general;
2. the nature of WIN's programs, policies and requirements in particular; and
3. honesty, integrity and the highest ethical standards
4. compliance with all legislative and regulatory requirements established under the:
 - I. Education Services for Overseas Students Act 2000 (Cth)
 - II. Education Services for Overseas Students (ESOS) Regulations 2001 (Cth)
 - III. National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007
 - IV. Migration Act 1958 (Cth) and
 - V. Migration Regulations 1994 (Cth)

2. Policy

- a. WIN will only appoint Agents whose company is registered in the relevant country, state or province and if relevant, in Australia. All appointed Agents must have completed the *Agent Application Form* to become an official agent for WIN and had a referee check completed by the CEO or nominee.



- b. WIN will conduct an annual audit including ongoing reviews and student feedback.
- c. WIN may terminate an Agent's appointment where WIN knows, or has a reasonable suspicion, that an Agent may have been engaged in unprofessional conduct.
- d. WIN retains the right to terminate any Agent agreement that in WIN's opinion is not compliant with:
 - The Agent Agreement; or
 - Any relevant legislation; or
 - Any information provided to the Agent by WIN.

3. Agent Selection Criteria

The scope of these procedures applies to all WIN's appointed agents and its responsibility for implementation falls to the Managing Director and the Sydney office's Marketing Manager.

1. WIN practices due diligence in its selection and appointment of its agents and reviews:-
 - a. The company profile
 - b. The owners and executives involved in the company. WIN pays particular attention to establishing whether anyone connected with the company has been involved in any bankruptcies, legal proceedings or liquidations.
 - c. Written agreement of the agent/representative that the agent has not been involved in dishonest practices, engaged in false or misleading advertising or recruitment practices.
 - d. Any sub branches or affiliated companies, if the company is registered.
 - e. The company's financial probity.
 - f. How long the company has been established.
 - g. At least two educational referees, preferably Australian-based.
 - h. MARA registration at <https://www.mara.gov.au/search-the-register-of-migration-agents>
2. In addition, the application allows agents to show their knowledge of their geographical territory or market. Therefore, agents need to provide details of:
 - a. The potential market

- b. The geographical area the agent will service and how they will service it
- c. The agent's strengths in these areas
- d. The number of students they handle each year
- e. Their proposal for promotion and marketing territories, including the events they will organize and attend on behalf of WIN.

WIN considers the following areas in contracting agents:

a) Service Provisions

- a. Roles and responsibilities of each party
- b. A clear indication of the territory or geographical area the agent is responsible for
- c. Awareness and acceptance of WIN's admission requirements

b) Key Performance Indicators

- a. Ability to provide prospective students of low risk
- b. Ability to vet prospective students for financial capability
- c. Student outcomes--- eg number completing the BIM, number of withdrawals or transfers before completion, student commitment to the BIM.

c) Incentives

- a. Incentive schemes for providing high quality students
- b. Sliding scale commission structures (ie increasing returns as student completes each semester)

d) Basic Contractual Concerns

- a. The duration of the contract and termination clauses
- b. Provision for the document to fall within Australian legal jurisdictions whenever possible.

4. Selection of an Agent

1. Agent Application Form sent by Marketing Manager to prospective agent.
2. Completed form with documentation required attached and returned to WIN

3. If determined to be suitable to appoint, Marketing Manager contacts referees for completion of *Agent Reference Check*
4. Once *Agent Reference Check* has been completed reassess to determine if suitable to appoint
5. Agent agreement approved by Marketing Manager and CEO
6. Two copies of *Agent Agreement* sent to Agent by Marketing Manager
7. Agent returns two signed original copies of agreement
8. Two original copies to be signed by the Marketing Manager
9. One countersigned copy filed in Marketing Manager's Office and one countersigned copy returned to the Agent together with Certificate of Representation/s.
10. Details of Agent updated on website and WIN database by Systems Development Manager

5. Agent Performance Appraisal

1. The performance of each Agent will be monitored and reviewed annually by WIN
 - a. WIN will consider the performance of the Agent to decide whether to:
 - Maintain the Agent's appointment;
 - Appoint the Agent for a further year subject to certain conditions; or
 - Terminate the Agent's appointment in accordance with Termination of an Agent within this Procedure.
2. In considering the performance of the Agent the Marketing Manager will complete the International Agent Performance Appraisal form and consider:
 - a. The agent's compliance with the Agent's Agreement and any conditions placed on the agent by the Institute;
 - b. Currency of MARA registration;
 - c. The recruitment activities which the Agent has completed, and the conversion rate of:
 - Student Applications to WIN Offers; and
 - WIN Offers to actual enrolment of students;
 - the number of Student Visa refusals for Students recruited by the Agent
 - The reasons why applications from potential students did not proceed to student enrolment status;
 - the quality, accuracy and currency of information and advice provided by the Agent to Students;

- any feedback or information from Students or third parties regarding the Agent;
 - The number of students transferring to other educational Providers and the reasons for any transfer and
 - The reasons for any transfer and the quality of the appointment as assessed by WIN.
3. Agent Student Appraisals. Students, who have been recruited by an Agent, may complete a Student Feedback on Agent form. This form is provided at Orientation to all arriving students.

6. Re-appointment of an Agent

1. If, following an Agent Performance Appraisal, WIN is satisfied that the Agent has not engaged in unprofessional conduct, has current MARA registration and has met satisfactory performance criteria a new Agent Agreement may be offered to the Agent.
2. The new Agent Agreement is to be updated to include any new DIBP or DEEWR or Institute regulations or requirements.
3. WIN Marketing Manager files the new Agent Agreement and a copy of the completed Agent Performance Appraisal Form on the Agent's file.

7. Termination of an Agent

1. If WIN becomes aware or reasonably suspects that an Agent has engaged in unprofessional conduct, the Marketing Manager will write to the Agent with a warning regarding any unprofessional conduct.
2. The Agent must provide a written response within 10 business days of the date of the letter. An extension of time to provide a response may be provided at the discretion of the Marketing Manager.
3. After 10 Business Days from the date of the letter, or after the expiration of such further period as may have been granted, the Marketing Manager may consider the Agent's performance in light of:
 - a. the response of the Agent to the letter;
 - b. whether the Agent engaged in Unprofessional Conduct; and
 - c. the considerations contained in the Performance Appraisal, *Section 5*

4. After considering the Agent's conduct and performance, the Marketing Manager may:
 - a. require the Agent to undertake further training;
 - b. maintain the Agent's appointment;
 - c. warn the Agent;
 - d. suspend the Agent's appointment;
 - e. maintain the Agent's appointment subject to certain conditions; or
 - f. terminate the Agent's appointment immediately.
5. The Marketing Manager must terminate the appointment of an Agent if he or she knows or reasonably suspects the Agent may have been engaged in unprofessional conduct.
6. Where the Marketing Manager has made a decision as stated in *Item 4* above, he or she may disclose that decision and the reasons for it to other people, organisations, bodies or professional associations, including the Agent's employer. Any disclosure must be made in accordance with WIN Privacy Policy.
7. If the Marketing Manager decides to terminate an Agent's appointment, the Marketing Manager should:
 - a. write to the Agent to advise that his/ her appointment has been terminated ;
 - b. notify DIBP and DEEWR of the termination and the grounds for the termination; and
 - c. advise WIN staff that no further applications are to be accepted from the Agent.