

Education Agent Policy and Procedure

1. Purpose

This policy establishes the framework for the appointment, management, monitoring and termination of education agents who recruit overseas students on behalf of Australian Learning Group (ALG).

The policy ensures that education agents provide accurate, ethical and transparent information to prospective students and that ALG complies with its obligations under:

- *Education Services for Overseas Students Act 2000* (ESOS Act)
- *National Code Amendment (Education Agent Commissions) Instrument 2026*
- Education Legislation Amendment (Integrity and Other Measures) Act 2025
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (Standard 4 – Education Agents)
- Education Services for Overseas Students Regulations 2019
- Outcome Standards for NVR Registered Training Organisations 2025
- Compliance Standards for NVR Registered Training Organisations 2025
- Australian Consumer Law

2. Scope

This policy applies to:

- all individuals and organisations that undertake education agent activities in relation to ALG, including casual employees, contractors and external parties, regardless of whether a formal agreement is in place
- all ALG staff involved in international recruitment, marketing, admissions and compliance
- third parties who recruit prospective students on behalf of ALG.

This policy applies only to recruitment of international students into CRICOS-registered courses.

3. Definitions

Third party: A third party means any person or organisation that has an arrangement with ALG to deliver services on behalf of the organisation. A third party does not include:

- Full time or part time employees of ALG
- experts engaged by ALG
- government agencies or government-funded organisations that refer VET students to ALG and do not receive any payment from ALG for doing so.

Where a third-party recruits prospective students or represents ALG in recruitment or marketing activities, the third party is treated as an education agent for the purposes of this policy.

Education agent: An education agent is an individual or organisation (in Australia or overseas) that engages in any of the following activities in relation to ALG:

- recruiting overseas students or intending overseas students
- providing information, advice or assistance to overseas students or intending overseas students in relation to enrolment
- otherwise dealing with overseas students or intending overseas students, including through marketing and promotional activities, distributing ALG materials, education counselling, fee collection or enrolment-related administration.

Education agents may include casual employees, contractors and external individuals or organisations undertaking these activities, regardless of whether a formal agreement with ALG is in place.

Permanent full-time or part-time officers or employees of ALG are not considered education agents. This exclusion may also apply to temporary staff who are backfilling permanent positions.

Education agent commission: Education agent commission means any monetary or non-monetary payment, benefit or consideration provided by or on behalf of ALG to an education agent, or an associate of the education agent, in connection with recruiting overseas students or intending overseas students, providing information, advice or assistance in relation to enrolment, or otherwise dealing with overseas students or intending overseas students. Examples may include:

- a percentage of tuition fees
- fixed recruitment payments or fees
- bonuses, performance payments or other incentives
- gifts or rewards
- subsidised holidays or travel
- discounted or free services, including education or training.

Education agent commissions may include payments or benefits provided directly or indirectly, including through third parties. Benefits unrelated to education agent activities, such as subsidised travel for a familiarisation visit before student recruitment activities commence, are generally not considered education agent commissions.

4. Responsibilities

International Recruitment / Sales Team: Responsible for:

- assessing and appointing education agents
- executing written agent agreements
- providing agent training
- monitoring agent performance
- maintaining the education agent register.

Admissions Team: Responsible for:

- verifying student applications submitted by agents
- confirming that students meet course entry requirements
- ensuring information provided by agents is accurate and complete

- recording agent details in student records and PRISMS.

Compliance and Quality Assurance: Responsible for:

- monitoring compliance with this policy
- ensuring recruitment activities undertaken by agents comply with regulatory requirements
- maintaining records relating to education agent commissions
- ensuring regulatory reporting requirements are met.

Education Agents: Education agents must:

- act honestly and in good faith
- provide accurate and up-to-date information about ALG courses
- act in the best interests of students
- avoid conflicts of interest
- comply with ESOS Act and National Code requirements
- comply with ALG policies and written agreement requirements
- declare any real or apparent conflicts of interest that may arise in connection with their recruitment activities, including situations where the agent is also an education provider or has ownership or control relationships with a provider.
- maintain appropriate levels of confidentiality and transparency in dealings with students

Education agents must not engage in misleading recruitment practices or provide migration advice unless authorised to do so under migration law.

5. Policy

ALG recognises that education agents play an important role in supporting international student recruitment. ALG is committed to ensuring that all agents represent the organisation ethically and provide prospective students with accurate information about ALG courses and services.

ALG ensures that:

- education agents are identified and managed in accordance with ESOS requirements, including where education agent activities occur without a formal written agreement
- education agents formally engaged by ALG operate under written agreements in accordance with the National Code
- prospective students receive clear and accurate information before enrolment
- recruitment practices are ethical and transparent
- education agents act in the best interests of students
- agent activities are monitored regularly
- corrective action is taken where agents fail to meet their obligations.
- all education agents are:
 - recorded and maintained in PRISMS as required under ESOS legislation
- agent agreement starts and end dates are notified to National VET Regulator.

Where recruitment services are provided by education agents acting as third parties, ALG remains responsible for ensuring that these activities comply with regulatory requirements.

ALG ensures that marketing and recruitment activities undertaken by education agents accurately represent ALG services and do not mislead prospective students.

5.1 Systems Outcomes

Implementation of this policy results in the following outcomes:

- Prospective students receive accurate and transparent information before enrolment, allowing them to make informed decisions.
 - Education agents representing ALG operate under formal written agreements with defined responsibilities and monitoring arrangements.
 - Recruitment activities undertaken by agents are monitored and reviewed to ensure ethical and compliant recruitment practices.
 - Education agent performance is regularly monitored to ensure agents provide accurate information and comply with ALG contractual requirements and regulatory obligations.
 - ALG maintains clear records of education agents and agent commissions, supporting regulatory transparency and reporting requirements.
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- Any risks associated with agent recruitment practices are identified and addressed through monitoring, corrective action and continuous improvement processes.

5.2 Agent Application

Prospective education agents must submit an application to represent ALG, providing information about their organisation, recruitment experience, target markets and references.

Applications must include business registration details, key contact personnel and evidence of experience in recruiting international students. Applications may be submitted directly by the agent or through ALG recruitment channels.

ALG only considers applications from agents who demonstrate the ability to represent ALG professionally and provide accurate information to prospective students.

5.3 Due Diligence Assessment

ALG conducts due diligence to assess the suitability of the education agent before engagement. This assessment may include reviewing the agent's reputation, recruitment history, regulatory compliance record, references and knowledge of the Australian international education system.

ALG may also consider visa outcomes, student feedback and previous recruitment activity where available. Agents must demonstrate an understanding of the Australian *International Education and Training Agent Code of Ethics* and the requirement to act honestly and in the best interests of students.

Where the education agent will operate as a third-party delivering services on behalf of ALG, the proposed arrangement is reviewed to ensure it meets the requirements for third-party arrangements under the Compliance Standards 2025, Section 17.

As part of this process, ALG requires education agents to disclose any ownership, control or business relationships that may give rise to a conflict of interest, in accordance with the Conflict-of-Interest Management Policy and Procedure.

5.4 Conflict of Interest and Risk Management

ALG requires education agents to declare any real or apparent conflicts of interest that may arise in connection with their recruitment activities. This includes situations where the education agent is also an education provider or where ownership or control arrangements exist between the education agent and an education provider.

Where such circumstances exist, the education agent must disclose the conflict to ALG so that it can be assessed and managed appropriately.

ALG maintains systems for identifying, managing and disclosing conflicts of interest as part of its risk management framework in accordance with Outcome Standard 4.3 (Risk Management).

The identification, disclosure and management of conflicts of interest are governed by the Conflict-of-Interest Management Policy and Procedure. Any declared conflicts are assessed, recorded in the Conflict-of-Interest Register and monitored through ALG's governance and Self-Assurance Framework.

5.5 Agent Written Agreement

ALG enters into a written agreement with each education agent before the agent undertakes any recruitment activities on behalf of ALG. The agreement outlines the responsibilities of both parties, including the agent's obligation to provide accurate information to students, avoid conflicts of interest, maintain confidentiality and comply with regulatory requirements.

The written agreement must, at a minimum, include:

- a statement that ALG retains responsibility for compliance with the ESOS Act and National Code 2018 at all times
- the specific requirements of the education agent in representing ALG, including obligations to act honestly, in good faith and in the best interests of students
- the processes for monitoring the activities of the education agent, including ensuring that the agent provides accurate and up-to-date information to students
- the corrective actions that may be taken where the education agent does not comply with its obligations
- the grounds for suspension or termination of the agreement, including where the agent engages in false or misleading conduct
- the circumstances in which information about the education agent may be disclosed to Commonwealth or State or Territory agencies.

An individual or organisation may meet the definition of an education agent under the ESOS Act even where no formal written agreement with ALG exists. ALG ensures that such individuals or organisations are identified and that applicable education agent recording, reporting and transparency requirements are met.

5.6 Third-Party Compliance

Where education agents recruit prospective students on behalf of ALG, they are treated as third parties for the purposes of recruitment activities. ALG ensures that the written agreement clearly defines the services provided by the agent and enables ALG to monitor the agent's recruitment activities.

The agreement also requires the agent to cooperate with regulatory authorities where required and prohibits the agent from issuing AQF certification documentation or using ALG branding except as authorised.

Management of third-party arrangements is governed in accordance with the **Third-Party Arrangements Policy and Procedure**.

5.7 Third-Party Arrangements

ALG ensures that where education agents act as third parties in delivering recruitment services on behalf of the organisation, those services are governed by a written agreement in accordance with the *Compliance Standards for NVR Registered Training Organisations 2025*.

Written agreements with third parties must:

- be established before the third party delivers any services on behalf of ALG
- clearly define the services to be delivered and the responsibilities of each party
- allow ALG to monitor the quality of services delivered by the third party
- require the third party to cooperate with the National VET Regulator during audits or regulatory reviews
- require the third party to provide accurate information requested by the Regulator in relation to services delivered on behalf of ALG
- prohibit the third party from using the NRT logo, issuing AQF certification documentation or representing training or assessment as nationally recognised training.

ALG ensures that written agreements include the business names of the parties, the duration of the agreement and the obligations of each party.

5.8 Agent Induction and Training

Approved education agents receive induction and training to ensure they understand ALG courses, entry requirements, admissions processes and regulatory obligations.

Training includes information about:

- course content
- student visa requirements
- pre-enrolment information obligations
- ethical recruitment practices
- the services available to students.

Agents are also informed of their responsibility to provide prospective students with accurate and current information consistent with ALG publications.

5.9 Recruitment Activities

Education agents may promote ALG courses and assist prospective students with applications in accordance with the written agreement and ALG policies.

Agents must ensure that information provided to prospective students is accurate, current and consistent with official ALG publications.

Agents must act honestly, in good faith and in the best interests of students and must not provide migration advice unless authorised to do so under migration law.

Applications submitted by education agents are assessed in accordance with the **Admissions Policy and Procedure**, which governs the assessment of entry requirements, student suitability and verification of supporting documentation.

Formal enrolment and acceptance of course fees only occur after the student has accepted a written agreement in accordance with the Written Agreement Policy and Procedure.

5.10 Restrictions on Accepting Students from Education Agents

ALG will not accept students from an education agent where it knows or reasonably suspects that the agent:

- is providing migration advice without appropriate authorisation under the Migration Act
- is engaged in dishonest or misleading recruitment practices
- is facilitating the enrolment of students who are unlikely to comply with visa conditions
- is creating Confirmation of Enrolment (CoE) for non-genuine students

5.11 Marketing Oversight

ALG monitors marketing materials and recruitment information distributed by education agents to ensure that they accurately represent ALG services.

All promotional information used by agents must be consistent with ALG marketing materials and must not contain misleading or inaccurate statements about course duration, course outcomes, employment opportunities or visa outcomes.

Where marketing materials are developed by agents, ALG may review and approve the materials before they are distributed.

The development, approval and monitoring of marketing materials is managed in accordance with the Marketing and Advertising Policy and Procedure.

5.12 Monitoring Agent Performance

ALG monitors education agent performance to ensure that agents comply with their responsibilities and provide accurate information to prospective students.

Monitoring includes reviewing application quality, visa outcomes, conversion rates, student feedback and compliance with recruitment requirements. ALG may also review

the accuracy of information provided by agents to prospective students before enrolment.

Complaints relating to education agents are managed in accordance with the **Complaints and Appeals Policy and Procedure** and may be considered when reviewing agent performance.

5.13 Corrective Action

Where ALG identifies concerns regarding an education agent's conduct or recruitment practices, corrective action may be implemented. Corrective actions may include:

- providing feedback to the agent
- additional training
- issuing formal warnings or restricting recruitment activities.

Corrective actions are recorded and monitored to ensure that issues are addressed and that the agent complies with ALG requirements.

When ALG becomes aware of, or has reason to believe, that an education agent or their employee or subcontractor has not complied with their obligations, ALG will take immediate corrective action in accordance with the National Code.

Issues identified through monitoring or complaints may also be recorded in the **Continuous Improvement Register** for further review.

5.14 Agent Termination

ALG will immediately terminate its agreement with an education agent or require the agent to terminate its relationship with an employee or subcontractor, where ALG becomes aware of, or has reason to believe, that the agent is engaging in false or misleading recruitment practices.

ALG may also terminate the agreement where the agent fails to meet performance expectations, breaches regulatory requirements or fails to address issues identified through monitoring or corrective actions.

5.15 Education Agent Transparency and Regulatory Reporting

ALG maintains accurate and up-to-date records of all individuals and organisations that meet the definition of an education agent under the ESOS Act, regardless of whether a formal written agreement is in place.

ALG maintains an internal education agent register and publishes a list of education agents it works with on its website in accordance with section 21A of the ESOS Act. Where an education agent facilitates the acceptance of an overseas student for enrolment in an ALG course, ALG records the education agent's details in PRISMS and maintains the relevant records in accordance with the ESOS Regulations 2019.

ALG notifies the National VET Regulator of any written agreement with a third party through ASQA's online portal (ASQAnet) within 30 calendar days of the agreement being entered into, or before the obligations under the agreement take effect (whichever occurs first).

ALG also notifies the Regulator within 30 calendar days of the agreement ending.

ALG also monitors any ownership or control arrangements between education agents and education providers to ensure transparency and manage potential conflicts of interest.

5.16 Education Agent Commission Reporting (ESOS Act Requirements)

ALG complies with its obligations under the ESOS Act about the provision of information about education agent commissions.

Where the Secretary requests information about education agent commissions, ALG will:

- provide the requested information within the specified timeframe
- provide the information in the format required, including entry into PRISMS or other prescribed systems where applicable
- ensure that all information provided is accurate, complete and supported by relevant records

Commission records include monetary and non-monetary payments or benefits provided directly or indirectly, including payments made by third parties on behalf of ALG or to associates of education agents. Where the Secretary requests commission information, ALG also provides any supporting documents specified in the request.

Information provided may include:

- total commission amounts paid to each education agent
- the value and nature of any non-monetary benefits provided
- the number of students recruited by each education agent

ALG maintains accurate and up-to-date records of all education agent commissions to ensure that information can be readily retrieved and reported where required.

Refer to education **Agent Commission Reporting Policy and Procedure**.

5.17 Commission Management

ALG must not provide education agent commission where the commission relates to the recruitment of an overseas student who has commenced studying with another registered provider, except where permitted under the National Code.

Commission may only be paid in limited circumstances permitted under the National Code, including where:

- the commission relates to courses specified on the student's visa
- the student enrolls after completing their principal course of study.

ALG records all education agent commissions or incentives provided in connection with the recruitment of overseas students. Before any commission payment is approved, ALG verifies that the payment is permitted under the National Code and applicable legislation, including the *National Code of Practice for Providers of Education and Training to Overseas Students Amendment (Education Agent Commissions) Instrument 2026*.

All commission payments and incentives are recorded in ALG financial records and may be reported to government authorities where required.

5.18 Monitoring and Review

ALG monitors education agents through:

- periodic performance reviews
- analysis of application quality and visa outcomes
- review of marketing practices
- monitoring student feedback and complaints
- compliance reviews of recruitment practices.

Where recruitment services are delivered by agents acting as third parties, ALG regularly monitors these activities to ensure prospective students receive accurate information before enrolment.

Monitoring of education agent activities forms part of ALG's Self-Assurance Framework, through which risks, including conflicts of interest and recruitment practices, are reviewed and may be recorded in the Risk Register or Continuous Improvement Register where required.

6. Procedure

Step	Key Actions	Responsibility	Supporting Documents
1. Agent Application	<ul style="list-style-type: none"> • Receive application from prospective education agent including business details, references and recruitment experience. • Ensure the application includes business registration information and key contact personnel. 	International Recruitment / Sales Team	Agent Application Form
2. Due Diligence Assessment	<ul style="list-style-type: none"> • Conduct due diligence to assess the suitability of the agent, including reviewing reputation, recruitment history, references and regulatory compliance record. • Confirm the agent demonstrates knowledge of the Australian international education system and ethical recruitment practices. 	International Recruitment / Quality Assurance Team	Due diligence checklist
3. Conflict of Interest Declaration	<ul style="list-style-type: none"> • Require education agents to declare any real or apparent conflicts of interest in accordance with the Conflict of Interest Management Policy and Procedure. • Assess and record declared conflicts in the Conflict of Interest Register and manage them in accordance with organisational risk management and governance processes. 	International Recruitment / Quality Assurance Team	Agent Conflict of Interest declaration form Conflict of Interest Management Policy and Procedure

4. Written Agent Agreement	<ul style="list-style-type: none"> • Enter into a written agreement with the education agent before any recruitment activities commence. • Ensure the agreement includes, at a minimum: <ul style="list-style-type: none"> ○ ALG's responsibility for compliance with the ESOS Act and National Code ○ the agent's obligations (honesty, good faith, acting in the student's best interests) ○ monitoring arrangements and requirements for providing accurate information ○ corrective actions for non-compliance ○ grounds for suspension or termination, including false or misleading conduct ○ conditions for disclosure of agent information to regulators 	International Recruitment Team	Education Agent Agreement
5. Third-Party Compliance	<ul style="list-style-type: none"> • Ensure a written agreement is in place before the education agent delivers any services on behalf of ALG. Confirm the agreement defines services, responsibilities, monitoring arrangements and the duration of the agreement. Ensure the agreement requires the third party to cooperate with regulatory audits and provide accurate information to the National VET Regulator. • Confirm the agreement prohibits the third party from using the NRT logo, issuing AQF certification documentation or representing training as nationally recognised training. • Notify ASQA through ASQAnet within 30 days of the agreement being entered into and again within 30 days when the agreement ends. 	Quality Assurance Team	Third-party agreement records
6. Agent Induction and Training	<ul style="list-style-type: none"> • Provide induction and training to approved agents covering ALG courses, entry requirements, admissions processes, visa requirements, ethical recruitment practices and pre-enrolment information obligations. 	International Recruitment / Sales Team	Agent training materials
7. Recruitment Activities	<ul style="list-style-type: none"> • Allow approved agents to promote ALG courses and assist prospective students with applications in accordance with the written agreement and ALG policies. • Ensure agents provide accurate and current information consistent with official ALG publications. • Confirm that applications submitted by education agents are not accepted where ALG knows or reasonably suspects the agent is non-compliant with regulatory requirements, including providing migration advice unlawfully, 	Education Agents / International Recruitment Team	Marketing materials

	engaging in dishonest practices or recruiting non-genuine students.		
8. Agent Compliance Check (Pre-Enrolment Control)	<ul style="list-style-type: none"> Before accepting any student application submitted by an education agent, verify that there are no known compliance concerns relating to the agent. Do not accept students where the agent is suspected of: <ul style="list-style-type: none"> providing unauthorised migration advice engaging in misleading or dishonest recruitment practices facilitating non-genuine students enabling visa non-compliance Escalate concerns for review. 	Admissions Team/ Quality Assurance Team	Application records PRISMS data, Risk Register
9. Marketing Oversight	<ul style="list-style-type: none"> Review marketing materials used by agents to ensure they accurately represent ALG services and do not contain misleading or inaccurate information. Require amendments where materials do not comply with ALG marketing requirements. 	Marketing / Quality Assurance Team	Marketing guidelines
10. Monitoring Agent Performance	<ul style="list-style-type: none"> Monitor agent performance through application quality, visa outcomes, conversion rates, student feedback and compliance with recruitment requirements. Review the accuracy of information provided by agents to prospective students. Record identified risks or issues in the Risk Register or Continuous Improvement Register where applicable. 	International Recruitment / Quality Assurance Team	Performance reports Risk Register
11. Corrective Action	<ul style="list-style-type: none"> Where ALG becomes aware of, or has reason to believe, that an education agent has breached their obligations, immediate corrective action must be taken in accordance with regulatory requirements. 	International Recruitment Team	Agent correspondence
12. Agent Termination	<ul style="list-style-type: none"> Immediately terminate the agreement, or require the agent to terminate its relationship with relevant personnel, where false or misleading recruitment practices are identified. 	Management / Quality Assurance Team	Agent agreement
13. Agent Register	<ul style="list-style-type: none"> Identify and maintain records of all individuals and organisations undertaking education agent activities in relation to ALG, including those without formal written agreements. Maintain an education agent register containing relevant agent details, activities undertaken, agreement status and contact information. Maintain and publish an up-to-date list of education agents ALG works with on its website 	International Recruitment Team	Agent register Agent website list
14. Commission Management	<ul style="list-style-type: none"> Record all agent commissions and incentives associated with student recruitment. 	Finance Team	Commission records

	<ul style="list-style-type: none"> Verify that any commission payment complies with legislative requirements before approval. Do not pay commission where the recruitment relates to a student who has commenced with another provider, unless permitted under the National Code 		
15. Commission Record Management	<ul style="list-style-type: none"> Maintain accurate and complete records of all education agent commissions, including monetary and non-monetary payments or benefits provided directly or indirectly, including through third parties or to associates of education agents. Ensure commission records are readily retrievable and reconciled with financial records and student recruitment data. 	Finance Team	Commission records, financial records Education Agent Commission Reporting Policy and Procedure
16. Education Agent Records and PRISMS Reporting	<ul style="list-style-type: none"> Record education agent details in PRISMS where an education agent has facilitated the acceptance of an overseas student for enrolment in an ALG course. Maintain accurate and complete records of education agent details in accordance with the ESOS Regulations 2019. Notify ASQA through ASQAnet of third-party arrangements as required. 	Quality Assurance / Admissions Team	PRISMS records ASQAnet records
17. Regulatory Reporting (Agent Commissions)	<ul style="list-style-type: none"> Where a request is received from the Secretary under the ESOS Act, provide the required education agent commission information within the specified timeframe and in the required format, including entry into PRISMS where applicable. Ensure all reported information is accurate, complete and supported by financial and other relevant records. Provide any supporting documents specified in the Secretary's request. 	Quality Assurance / Finance Team	PRISMS records Commission reporting Excel template
18. Monitoring and Review	<ul style="list-style-type: none"> Periodically review education agent activities to ensure agents comply with contractual obligations and regulatory requirements. (reviewing application quality, visa outcomes, marketing practices, student feedback and compliance with recruitment requirements. Where issues are identified, implement corrective actions and record outcomes for review and improvement. 	Quality Assurance / International Recruitment Team	Agent performance reports, PRISMS records, Continuous Improvement Register

7. Related Documents

- Education Agent Agreement
- Marketing and Advertising Policy and Procedure
- Admissions Policy and Procedure
- Third Party Arrangements Policy and Procedure
- Education Agent Commission Reporting Policy and Procedure

- Student Complaints and Appeals Policy and Procedure
- Agent Conflict of Interest declaration form
- Records Management Policy and Procedure
- Written Agreement Policy and Procedure
- Continuous Improvement Register

8. Document Information and Review

Document Information		
Document ID	FUT-05	
Policy Category	FUT – Future Students	
Responsible officer	Joe Lynch	
Key Stakeholder(s)	ALG Staff and Students	
Approval by	CEO	
Endorsed by	Academic Director and Head of Quality Assurance	
Date of Approval	21/05/2026	
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Date of Next Review	21/05/2027	
Version History		
Version	Date	Amendment(s)
6.0	12 March 2026	<ul style="list-style-type: none">Updated to reflect recent (2025.2026) legislative changes round agent commission amounts, agent definitions, prohibited commission payments, etc.Procedures updated to reflect ALG’s current processes
7.0	23 October 2026	<ul style="list-style-type: none">Clarifications about education agent definitions, recordkeeping and reporting requirements in line with ESOS changes.