

<b>Institution</b>	Universal English
<b>Policy Name</b>	Agent Appointment & Management

## 1. Scope

This Policy applies to the prospective education agents who wish to represent UE for student recruitment, the education agents appointed by UE, and all UE staff who are involved in the recruitment, management and review of education agents.

## 2. Purpose

This Policy is in place to ensure that Universal English (UE) has a systematic and consistent process for the appointment and management of education agents. It assures effective management of UE's relationship with its agent representatives, supporting both student recruitment and strong integrity outcomes.

## 3. Regulatory Alignment

This Policy is created and implemented to comply with the regulatory requirements informed in the:

- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018): Standard 2 Recruitment of an Overseas Student

## 4. Policy

- 4.1 UE is committed to having a structured process in the recruitment, monitoring and termination of education agents, ensuring UE is represented with the highest level of honesty, professionalism and integrity.
- 4.2 UE ensures that through the recruitment, training, management and review of education agents, it only engages agents who:
  - a. Act honestly, ethically, professionally, in good faith, and in the best interests of students.
  - b. Possess appropriate knowledge and understanding of the Australian education industry, including relevant legislation, codes and standards.

- 4.3 UE conducts reference checks on potential agents before appointing them and regularly monitors and reviews contracted agents.
- 4.4 UE reserves the right to conduct intervention strategies with any agents at its full discretion, in relation to agent activities that are non-compliant with the Agent Written Agreement, legislation, standards, codes or policy.
- 4.5 UE enters into a written agreement with all agents and all arrangements are documented and transparent to facilitate ASQA's knowledge that such arrangements exist.
- 4.6 UE will maintain a register of its appointed agents and will publish an up to date list of agents on the UE Website. The agent details will be accurately recorded in PRISMS. The agent list in these systems will be regularly reviewed to ensure accuracy and currency.

## 5. Procedure

### ***Recruitment Process***

#### 5.1 Complete Agent Application Form

- a. Education agents who desire to become an agent for UE must complete an application form and submit together with a business profile to UE for review.
- b. The application form is available either directly from UE's Marketing Team or by downloading from the UE Website. The form may be returned by post or email to [info@universalenglish.edu.au](mailto:info@universalenglish.edu.au) (as a scanned attachment).

#### 5.2 Review of submission

- a. On receipt of the submission, the relevant Marketing Officer will record the application in the repository, including the completed application form and the supporting documents.
- b. The Marketing officer is to review the material and make an initial assessment.
- c. If considered to be a potential candidate, the Marketing Officer will contact both referees and record and feedback on the Agent Reference Form and add it to the file.
- d. The Marketing officer is then to make a recommendation to UE management for approval or rejection.
- e. If not approved, the Marketing Officer must notify the agent in writing of UE's decision.
- f. If approved, the agent will be sent the Agent Agreement to sign and return.
- g. Once the signed agreement is received and filed, the agents become active.
- h. The agent's details will be entered in the approved agents register maintained in the repository, and the
- i. agents list on the website will be updated accordingly.

- j. The “Manage Agents” portal on PRISMS will also be updated to reflect the new agent.

### ***Updating Information***

- 5.3 UE will ensure that the agent is provided with current information regarding UE and the courses offered.
- 5.4 New course documents and detailed information will be provided to agents whenever such documents are amended.
- 5.5 Agents are required to notify UE if any details related to the agent, or its operations are altered.
- 5.6 UE will ensure the agent will be provided with the latest marketing material, posters and promotion material either in paper/digital form or by direction to the UE Website where this information is available for download. All agents must then ensure they use the latest marketing material supplied and destroy the older version if they have any.

### ***Advertising on behalf of UE***

- 5.7 Agents may undertake marketing and advertising on behalf of UE as agreed, however, details of how these activities will be undertaken must be presented to UE for approval.
- 5.8 UE will retain copies of actual advertising and marketing material, including any material created by agents as it facilitates monitoring of marketing activities and allows this to be presented as part of an audit or in the investigation of a complaint.

### ***Cooperating with the regulator***

- 5.9 By signing the agent agreement, the agent agrees to cooperate with ASQA in the provision of information and in the conduct of audits and other monitoring activities.
- 5.10 All contracted agents will be reported to the regulator via PRISMS.

### ***Conducting tests on behalf of UE***

- 5.11 UE require pre-testing to confirm minimum English levels for certain courses and will allow agents to conduct placement tests on behalf of UE. The process of this is governed by the International Admissions Policy.
- 5.12 UE will closely control arrangements where agents are required to conduct the test and agents must only use resources assigned to them.

- 5.13 Agents must ensure the security and integrity of the test, so that the test may yield an accurate assessment of the English language proficiency of students, allowing them to be placed in the appropriate course upon enrolment.
- 5.14 UE will provide written instructions and training on test management to the agents to ensure that tests are carried out in accordance with UE's requirements.
- 5.15 Agents must inform students that they may be re-tested on arrival in Australia to ensure they are being placed in the appropriate course.

### ***Subcontracting***

- 5.16 Contracted agents must not transfer their Agreement with UE, or any rights under it without UE's prior written consent, which may be withheld at its discretion.
- 5.17 Contracted agents must not subcontract any of their obligations under the Agreement to another party without UE's prior written consent, which may be withheld at its discretion.
- 5.18 Despite any subcontract, contracted agents remain liable for the performance of their obligations under the signed Agent Agreement.

### ***Monitoring Performance***

- 5.19 By signing the Agent Agreement, the agent agrees to an annual review with UE in relation to its performance, quality and any other issues that may arise.
- 5.20 UE monitors and reviews the performance of its approved agents through a number of methods:
  - a. New Student Agent Feedback Form
  - b. Annual Analysis of Agent Application Reports
  - c. General interactions with the agent and their staff and understanding of the quality of the service they provide
- 5.21 Upon arrival at the Institute, new students who have come through a UE approved agent are asked to complete the Student Review of Agent Feedback Form (AG06), included in student orientation packs. This form provides direct feedback concerning students' opinions and experiences with their agents.
- 5.22 The Marketing Team will review Agent Agreements within one month of the anniversary of the first appointment. The review will look at the business generated, the quality of the business both in terms of number of applicants that are converted into students, number of students that stay for the duration and the compliance with this agreement.

- 5.23 Agents with no registrations will automatically become inactive in PRISMS and the Agent Agreement will not be renewed unless there are good reasons to do so.
- 5.24 Details of all inactive or agents whose agreements have been cancelled or not renewed will be removed from the approved agents register and also from the website. The “Manage Agents” portal on PRISMS will also be updated to reflect any cancellations and non- renewals.
- 5.25 The performance review will identify agents:
- a. Who have demonstrated satisfactory performance for Universal English and have abided by all regulatory requirements.
  - b. Who have not worked in a professional manner and have *not* abided by all regulatory requirements throughout the year. Recommended course of action includes but is not limited to:
    - a) Warning Letter
    - b) Non-renewal of Agency Agreement
    - c) Termination of Agency Agreement
- 5.26 Agents may be asked to provide feedback on the services that UE provides. Any comments and or issues raised should be collated and filled in the agent file.
- 5.27 The Marketing Team will arrange for a review when any agent is suspected of unethical conduct. If UE deems it necessary, UE may suspend the agent until the review is complete. In this instance the review must be convened with 10 working days of the suspension. If the agent does not attend the review and has no legitimate reason not to attend, then the review will take place in their absence.
- 5.28 As a result of the review Marketing will decide to recommend the agent for renewal or otherwise. The review will cover, as a minimum:
- a. Number of student enquiries received from the specific agent
  - b. Number of students enrolling from the specific agent
  - c. Number of students dissatisfied with the specific agents’ services
  - d. Positive and negative comments in relation to agents’ behaviour
  - e. Good performance throughout the year, proven ability to abide by all regulatory
  - f. Conformance to the ethical standards outlined above.
- 5.29 For active agents that have a positive review and wish to continue to represent UE, an email will be sent confirming that the existing agreement will be continued for another 12 months.
- 5.30 If, following either an annual review or specially convened review, it is confirmed that the agent’s behaviour is unsatisfactory then a formal warning will be issued (and if it is at the annual review then renewal will still be offered).
- 5.31 Where a warning has been imposed it is at the discretion of management to decide on that recommendation.
- a. In the first instance, a letter of warning will be sent. This letter will inform the agent where

- and how they need to improve their performance.
- b. An agent who receives three warning letters will be considered unsuitable and hence have their agreement terminated.
  - c. It is at the discretion of management to decide whether an agent’s response justifies the situation in question.
- 5.32 When an agent has been deemed to be in severe breach of an item stipulated in the Universal English Agent Agreement then a letter informing the agent of termination is sent and the agent is given the right of reply to the institution.
- 5.33 If an agent has received at least 3 warning letters and breaches the terms of the agreement again, a termination letter will be sent. In this case, no further applications from the agent will be accepted or commission paid.
- 5.34 Universal English supports the agents’ right to appeal a non-renewal or termination decision. Agents must address their appeal in writing with any supporting documentation. The marketing team and Managing Director will review the appeal and conclude if the agent is eligible for probationary extension of agency agreement valid for 3 to 6 months.

**Version History**

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

<b>Responsible Officer</b>	Director of Marketing, or delegate		
<b>Implementation Officers</b>	Student Recruitment Officers		
<b>Review Date</b>	19 July 2027		
<b>Approved by</b>			
Managing Director			
<b>Associated Documents</b>			
Agent Application Form Agent Reference Form Agent Agreement Agent Review Form New Student Feedback Form			
<b>Version</b>	<b>Brief Description of the changes</b>	<b>Date Approved</b>	<b>Effective Date</b>
5.0	<ul style="list-style-type: none"> <li>• Formatted the document by updating the section headings</li> <li>• Updated the policy principles</li> </ul>	19 July 2024	19 July 2024

	<ul style="list-style-type: none"><li>Updated the procedure to reflect the current operational processes</li></ul>		
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