



Education Agent Appointment, Monitoring, and Termination Policy and Procedure

Policy Owner	CEO
Approving Authority	Governing Council
Implementation Responsibility	CEO
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1. Purpose

This policy and procedure outlines SPI's framework for the appointment, management, monitoring, and review of education agents. It ensures compliance with the ESOS Act 2000, National Code 2018 Standard 4, and ESOS 2025 Amendments.

The Genuine Student (GS) requirement has replaced the Genuine Temporary Entrant (GTE). Note that SPI integrates risk indicators for persons other than Genuine Students in its agent-related processes.

2. Scope

This Policy and procedure apply to the practices of all education agents who will and/or have entered an agreement with SPI for the purposes of recruiting students.

3. Policy Statement

This policy and procedure align with:

- Higher Education Standards Framework 2021
- Education Services for Overseas Students Act 2000
- Education Services for Overseas Students Act 2025 Amendments
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- National Code of Practice for Providers of Education and Training to Overseas Students Amendment (Education Agent Commissions) Instrument 2026
- Department of Immigration Genuine Student Requirement 2024
- Migration Act
- Ministerial Direction 106 2024

4. Responsibilities

The Institute's Marketing Manager and the Student Recruitment Team are responsible for:

- evaluation of education agent before the appointment
- appointment and termination of education agents;
- monitoring education agent performance;



- education agent relationship management;
- education agent remuneration and education agent commission;
- education agent training

5. Procedures

5.1 Education Agent Identification Procedure

5.1.1 Potential new education agents are identified through SPI's Student Recruitment Team

- All education agents must complete an agent application form before being considered as an official agent of SPI.
- All education agents must declare in writing and take reasonable steps to avoid conflicts of interest with their duties as education agents of SPI.
- All education agent needs to have an Agent Reference Check completed and approved by Marketing Manager and Student Recruitment Team.
- SPI will only consider agents who are registered in the country and their area of business is relevant to Australia.

5.2 Education Agent Appointment Procedure

5.2.1 Once an Agent Reference Check has been completed, the Agent will be assessed on whether they are suitable to be appointed as an Education Agent of SPI.

5.2.2 When an agent appointment is approved by the SPI, an education agent contract shall be agreed upon and counter-signed by both parties.

- The appointment is subject to an initial six (6) months probationary period.
- If the Marketing Manager and the Student Recruitment Team are satisfied with the agent's performance during this probationary period, the appointment continues for a further twelve (12) months.
- Any further renewal of the education agent contract is subject to the agent's ongoing performance.

5.2.3 SPI must enter into a written agreement with each education agent it engages to formally represent it. All the details of the education agent must be entered and maintained the in the Provider Registration and International Student Management System (PRISMS).

5.3 Education Agent Monitoring Procedure

5.3.1 Ongoing Management

- Marketing Manager and the Student Recruitment Team leads, manages and facilitates the ongoing training of education agents. This is undertaken through:
 - Attending agreed campus visits
 - Communicating regularly

- Distributing and updating marketing materials
- Joining marketing and promotional activities with agents

5.3.2 SPI will review the performance of each contracted education agent every year. Reviews are undertaken based on the following criteria:

- compliance with the Education Agent Agreement and any other conditions placed on the Education Agent by SPI;
- compliance with appropriate levels of confidentiality and transparency in dealings with international students;
- knowledge demonstrated and understanding reflected in the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics;
- analysis of application, offer, enrolment, and academic performance of students recruited by the agent, including indicators of recruiting persons other than Genuine Students;
- review of the data about the student visa approval rate;
- any recruitment issues during the period of review;
- whether acting honestly and in good faith, and in the best interests of the student;
- feedback provided by the staff member or third party on interactions with agents;
- feedback from the student and parent on the quality and accuracy of the information provided by the agent.

5.3.3 Upon the completion of the Education Agent review, the existing Education Agent Agreement will be assessed.

- If SPI is satisfied that the agent has not engaged in unprofessional conduct, a new Agent Agreement may be drafted to:
 - maintain the Agent's appointment;
 - appoint the Agent for a further period, subject to certain conditions.

- **Corrective Procedure**

Where the registered provider becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under the Education Agent Agreement and Standards 4.2 and 4.3 of National Code 2018, SPI must take immediate corrective action.

If SPI is not satisfied with the performance of the education agent, the Marketing Manager will send a warning letter to the Education Agent.

- The Agent must provide a written response within ten (10) business days from the receipt of the warning letter, and an



extension of time for a response may be provided at the discretion of the Student Recruitment Team.

- After ten (10) business days from the receipt of the warning letter, or after the expiration of an approved extension period, the Student Recruitment Team may consider the Agent's performance regarding the response of the warning letter.
- Following the consideration of the Agent's conduct and performance, the Student Recruitment Team may;
 - require the Agent to undertake further training;
 - maintain the Agent's appointment;
 - suspend the Agent's appointment;
 - maintain the Agent's appointment subject to certain conditions; or;
 - terminate the Agent's appointment as per section 5.4.2 of this policy and procedure.

5.3.4 The renewed Education Agent Agreement will be updated to include any new Department of Home Affairs (DHA), Department of Education, Skills and Employment (DESE) and any of SPI's policy requirements relating to the performance of agents.

5.4 Termination Procedure

5.4.1 The appointment of an Education Agent must be terminated if the Marketing Manager or staff working in Student Recruitment Team knows or reasonably suspects the Agent may have been engaged in unprofessional conduct or engage in false or misleading recruitment practices.

5.4.2 Upon termination of an Education Agent's appointment, the Marketing Manager or staff working in the Student Recruitment Team must:

- advise the Agent in writing that the appointment of the agent has been terminated.
- Notify the Institute's Administration Office of the termination of that Agent, and advise all staff that no further applications are to be accepted from that Agent.

6. Acceptance of students

SPI must not accept students from an education agent if it knows or reasonably suspects the education agent to be:

- providing migration advice, unless that education agent is authorised to do so under the Migration Act;





- engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of SPI under Standard 7 (Overseas student transfers) of National Code 2018;
- facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa;
- using PRISMS to create CoEs for other than bona fide students.

7. Education Agent Commission

7.1 SPI is permitted to pay an education agent commission in relation to the recruitment of an overseas student where:

- a) the student becomes an accepted student of the Institute on or before 31 March 2026; or
- b) the commission relates to courses delivered by the Institute, as specified in the Confirmation of Enrolment (CoE), for which the student's student visa was granted; or
- c) the commission relates to a course that commences after the student has completed their principal course of study with another registered provider.

7.2 Unless Clause 7.1 applies, the Institute must not pay an education agent commission where the commission relates to the recruitment of an overseas student who has commenced studying in a course with another registered provider.

Notes

Related legislation:

Refer to Clause 3 Policy Statement

Related documents:

SPI Marketing Material Development, Approval and Review Policy and Procedure

SPI Business Plan

SPI Marketing Plan

Amendment History:

Version No.	Approved by	Effective date	Amendments
1.0	Governing Council	27/08/2021	New Policy
1.1	Governing Council	23/09/2022	Amendment made to Section 5 and Section 6 inserted.
1.2	Governing Council	03/12/2025	Amendments made to align with Ministerial Directive 106 2024 and ESOS Act Amendments 2025
1.3	Governing Council	05/03/2026	Section 7 added to align with amended National Code requirements regarding restrictions on the payment of education agent commissions for student transfers.

