McGibbon Institute of Trade and Business

Education Agent Policy and Procedures

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Purpose of the policy

This policy and associated procedures have been developed to ensure that McGibbon Institute of Trade and Business have processes in place to ensure that education agents act honestly and in the best interests of students, as well as uphold the reputation of Australia's education sector.

This policy and associated procedures meet the requirements of Standard 2.1 of the Outcome Standards for Registered Training Organisations (RTOs) 2025, as well as the marketing and advertising requirements outlined in the Compliance Requirements. Additionally, they comply with the National Code of Practice for Providers of Education.

Policy statements

Overview

McGibbon Institute of Trade and Business will 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.
- facilitating the enrolment of a student whom the education agent believes will not comply with the conditions of his or her visa
- using PRISMS to create CoEs for students other than bona fide.

Agent agreements

All education agents representing McGibbon Institute of Trade and Business must sign and abide by the McGibbon Institute of Trade and Business's Education Agent Agreement.

McGibbon Institute of Trade and Business's Education Agent Agreement meets the requirements of the National Code, including:

- Responsibilities of McGibbon Institute of Trade and Business, including that the McGibbon Institute of Trade and Business is always responsible for compliance with the ESOS Act and National Code 2018.
- McGibbon Institute of Trade and Business's requirements of the agent in representing it include:
    - declaring in writing and taking reasonable steps to avoid conflicts of interest with its duties as an education agent of the registered provider
    - observing appropriate levels of confidentiality and transparency in their dealings with students or intending students
    - acting honestly in good faith, and in the best interests of the student
    - having appropriate knowledge and understanding of the education system in Australia, including the Australian Education and Training Agent Code of Ethics
- McGibbon Institute of Trade and Business's processes for monitoring the activities of the education agent in representing the provider and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services
- the corrective action that McGibbon Institute of Trade and Business may take if the education agent does not comply with its obligations under the written agreement, including providing for corrective action outlined in Standard 4.4
- grounds for termination of McGibbon Institute of Trade and Business's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
- the circumstances under which the registered provider and the Commonwealth or state or territory agencies may disclose information about the education agent.

Monitoring and corrective actions

McGibbon Institute of Trade and Business will monitor all education agents annually using the monitoring processes outlined in the agreement.

McGibbon Institute of Trade and Business will take immediate corrective action where McGibbon Institute of Trade and Business 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 as outlined above.

Termination

McGibbon Institute of Trade and Business will immediately terminate its relationship with the education agent or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices, where McGibbon Institute of Trade and Business becomes aware, or has reason to believe that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices.

Procedures

Procedures	Person Responsible
Process education agent applications • Provide an Education Agent Application form to the education agent. • On receipt of an application, check that the application form has been completed in full and that any supporting information has been provided. • Send an acknowledgment that the application form has been received within 5 working days of receipt of the application. Request additional information not provided, as relevant. • Review information included in the application form. • Call referees for reports on the agents. • Approve the agent's application where the agent has demonstrated experience and skills, provides services that align with McGibbon Institute of Trade and Business's marketing objectives, and positive reports from referees are received. • For successful agents, customise the Education Agent Agreement and send it to the agent for signing. This must be within 10 working days of receiving the application. • Where the agent is not deemed to be suitable, send an email within 10 working days of receiving the application advising that their application has not been successful and including the reasons why.	CEO Marketing Department Compliance and Academic Manager Compliance and QA Coordinator
Manage education agents • Following the signing of the agreement, add the agent details to PRISMS. • Following the signing of the agreement, advise ASQA via ASQA net and within 30 days of the agreement. • Add the agent details to the list of agents on the website. • File all signed education agent agreements. • Contact the agent to arrange an induction, which will include an overview of the McGibbon Institute of Trade and Business, its requirements, and marketing and recruitment processes. • Provide the education agent with current copies of marketing materials and enrolment forms.	CEO Marketing Department Compliance and Academic Manager Compliance and QA Coordinator
Monitor education agents • Regularly update education agents with details of new courses and any updated marketing and enrolment materials and processes. • Monitor agents every year using the Education Agents Monitoring Form. • Where the Education Agents Monitoring Form or feedback from students indicates that the Education Agent may not be meeting the terms of their agreement, immediately investigate the issue. • Where the investigation confirms that the provider has not complied with their responsibilities as per the Education Agent Agreement (except in the case of where the education agent has engaged in false or misleading practices – see the following section), contact the education agent in writing to advise of corrective actions that are required. • Implement relevant corrective actions. • Monitor corrective actions as required to ensure they are implemented. • File all documentation associated with monitoring.	CEO Marketing Department Compliance and Academic Manager Compliance and QA Coordinator
Terminate education agent agreements	CEO

• Where education agent monitoring or any other intelligence demonstrates that the education agent has engaged in false or misleading practices, immediately send a notice in writing to the agent advising them that their agreement is terminated and giving the reasons why. • Remove the agent details from the website. • Remove the agent details from PRISMS. • Advise ASQA via ASQA net of termination of the agreement and within 30 days of the agreement ending.	Marketing Department Compliance and Academic Manager Compliance and QA Coordinator

Document Control

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