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**Wentworth Institute  
Education Agents' Agreement  
Explanatory notes and Training Information**

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## *The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*

### *Part D Standard 4 ---Education Agents*

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*Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.*

*4.1 The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The agreement must also include:*

- a. processes for monitoring the activities of the education agent, including where corrective action may be required, and*
- b. termination conditions, including providing for termination in the circumstances outlined in Standard 4.4.*

*4.2 The registered provider must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).*

*4.3 The registered provider must not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:*

- a. engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers).*
- b. facilitating the enrollment of a student who the education agent believes will not comply with the conditions of his or her student visa*
- c. using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student, or*
- d. providing immigration advice were not authorised under the Migration Act 1958 to do so.*

*4.4 Where the registered provider has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or sub-contractor of that agent, of the conduct set out in Standard 4.3, the registered provider must terminate the agreement with the education agent. This paragraph does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 and the education agent has terminated the relationship with that individual employee or sub-contractor.*

*4.5 The registered provider must take immediate corrective and preventative action upon the registered provider becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training*



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## 1 What is expected of a WIN agent

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It is mandatory that Wentworth Institute ("WIN") takes all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and does not use education agents who are dishonest or lack integrity. For this reason, being appointed as an agent at WIN requires you to provide a completed application with referees and student referrals plus a signed declaration that you will conduct all business in an ethical and honest manner. It requires you to be familiar with the ESOS Act (2000) and the National Code (2007) and all of WIN's marketing materials and website information. It is also recommended that you visit the Department of Immigration and Border Protection (DIBP) website – [www.immi.gov.au](http://www.immi.gov.au).

## 2 Agent Agreement

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WIN has a written agreement with each education agent it engages in recruiting students on its behalf. The Agent Agreement states that there are responsibilities and obligations for the agent and WIN that are required by the ESOS Act.

### **POLICY: The National Code (2007), Part D Standard 4.2**

**Registered providers must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).**

WIN offers initial training to its prospective agents to ensure that they are aware of and have access to all of the programs offered by WIN, WIN's policies and procedures and services offered by WIN. This training for onshore agents will include a tour of WIN's facilities, an introductory seminar and meeting of key personnel within the WIN organisation. Offshore agents will be provided access to all of WIN's marketing materials and will be provided WIN documentation to further appreciation of WIN and its courses.

The following Information is a sample of the information about WIN that may be found on WIN's website:

1. Organisational Profile
  - a. History
  - b. Reputation
2. Living in Sydney -- Cost of Living
3. Why choose WIN?
4. Student services - Counselling Support
  - WIN policies and procedures
  - List of WIN's educational agents



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4. Courses available
5. Course Guides, timetables, staffing
6. Financial information
  - a. Tuition fees
  - b. Fee Refund policies
7. Admissions Information
  - a. Entry Requirements
  - b. Application Procedures

Further information will be forwarded to our agents via the agent's portal.

### 3 Keeping in touch

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Regular emails from us will update you about WIN; the ESOS Act; immigration requirements; institutional information, activities, any course changes, when staff will be in the region, marketing activities and events; or how many places we have left for a particular course in a particular semester.

We will also be posting this information on a secure portal on our website so that if there is staff turnover in your company, this information will be readily accessible by the staff member working with us. It will also serve to provide on-going training to our agents.

We aim to provide our updates in simple English in as concise a form as we can manage to make the communication of information as straightforward as possible.

Information on the Agent's portal could include:

- courses
- recognition of prior learning policy
- fees
- WIN's facilities
  - international scholarships (currently not available)
  - agent training initiatives
  - application submission (specifically online)
  - application tracking facilities
  - marketing initiatives
  - events and exhibitions
  - the ESOS Act and DIBP
  - an up-to-date list of institutional contacts



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We would welcome you visiting us anytime you are in Australia.

Please keep in touch via e-mail, telephone or Skype. Let us know if you need further marketing materials or updated material, if you have any questions and how you are proceeding with reaching prospective students. We aim to respond to your enquiries promptly.

## 4 Managing Issues

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In our agent agreement's terms and conditions, we have included clauses on managing issues and complaints. These issues might come in the form of:

- complaints about the agent from WIN
- complaints about the provider from the agent
- student complaints about the agent
- student complaints about the institution to the agent.

Instructions and procedures regarding these issues are transparent and easily accessible to all possible parties, including through the contract regarding agent issues and through our website regarding student grievances.

## 5 Review of Agents

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The annual expiry and renewal of an agent's contract will be the ideal time to conduct a review of the agent-provider relationship. The timing of the review will depend on the length of your contract. A new agent might be reviewed biannually, a continuing agent annually and a key agent biennially.

The objective of a review is to assess the success of our partnership by rating our agent's performance (and our performance) against certain KPIs and/or criteria. The review will be conducted within the context of our goals and objectives in the marketplace.

## 6 Education Agent Code of Conduct

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### Agent Responsibilities

- 1. Knowledge of legislative requirements.** Agents are to be aware of the requirements imposed by the ESOS Framework, including the ESOS Act and National Code. Agents will take steps to ensure that they and any of our staff are fully informed of any changes to the National Code as they may occur from time to time. In addition, the Agent abides by all relevant Australian State and Federal legislation when representing WIN.

- 2. Ethical student recruitment.** Agents ensure that the recruitment of international students is conducted at all times in an ethical and responsible manner and consistent with the requirements of the relevant course or curriculum as detailed in WIN materials. Agents will be careful, competent, attentive and conscientious. All marketing undertaken by the Agent maintains the integrity and reputation of the industry, WIN and registered Providers, generally. Agents do not knowingly recruit or attempt to recruit students where this conflicts with the National Code Standard 7.
- 3. No false or misleading statements.** Agents do not make any false or misleading statements about Win's courses and services to the public. In particular, Agents do not give false or misleading information or advice in relation to:

  - a. Claims of association between Providers;
  - b. The employment outcomes associated with a course;
  - c. Automatic acceptance into another course;
  - d. Possible migration outcomes;
  - e. Scholarships available;
  - f. Transfers to other colleges or institutions while on a WIN student visa;
  - g. Possible work experience;
  - h. Possible job opportunities whilst enrolled as a student at WIN, or
  - i. Any other claims relating to WIN, its course or outcomes associated with the course.
- 4. Up-to-date information.** Agents regularly review all information and materials provided to the Agent by WIN and ensure that all information and materials submitted to actual or prospective students are accurate and up to date.
- 5. Fair and equitable student selection.** Agents ensure that equal opportunity principles will be applied to student selection decisions and that all student selections are conducted in accordance with WIN policy.
- 6. Qualified staff.** Agents employ appropriately qualified staff and train all staff who is involved in student recruitment, enrollment and selection processes to ensure that students are appropriately selected in accordance with WIN policy. The Agent ensures that their entire staffs abide by this Code of Conduct in dealings with actual or prospective students of WIN.
- 7. Adhering to WIN procedures.** Agents adhere to WIN enrollment and other relevant procedures and promptly make available all original applicant documentation to WIN upon request.
- 8. Maintenance of student privacy.** Agents keep all applicant information collected as part of the application and enrolment process secure. Agents take all necessary steps to ensure that the

handling and disclosure of all personal information comply with WIN's privacy policy and the relevant Australian state and federal privacy legislation.

- 9. Fees.** Agents handle all course fees with care and in accordance with our fiduciary obligations. All such money received must be passed on immediately to WIN without set off or deduction.

## References

- Education Services for Overseas Students (ESOS) Act 2000 ESOS Regulation 2001  
<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/ESOS-Regulations/Pages/default.aspx>
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code) <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Pages/default.aspx>
- The ESOS (Registration Charges) Act 1997 <https://www.legislation.gov.au/Details/C2016C00027>
- The Migration Act 1958 [http://www.austlii.edu.au/au/legis/cth/consol\\_act/ma1958118/](http://www.austlii.edu.au/au/legis/cth/consol_act/ma1958118/)
- The Migration Regulations 1994 [http://www.austlii.edu.au/au/legis/cth/consol\\_reg/mr1994227/](http://www.austlii.edu.au/au/legis/cth/consol_reg/mr1994227/)
- <http://training.qld.gov.au/resources/information/pdf/agent-management-best-practice-guide.pdf>

## 7 Simplified Student Visa Framework

Under SSVF, Wentworth Institute will still need to manage its immigration risk by GTE assessing high-risk applicants and requiring our education agents to vet applicants they recruit. All students, regardless of the financial capacity and English language proficiency documentation that may be required will continue to have to meet all other core visa criteria such as the Genuine Temporary Entrant requirement and health and character criteria. The following students would have streamlined evidentiary requirements under SSVF:

- All students from countries with the lowest immigration risk ratings (similar to the current AL1)
- Students enrolled at education providers with medium immigration risk ratings (similar to the current AL2), provided that the student's country of citizenship has a low or medium immigration risk rating (equivalent to the current AL1 or AL2).

	<b>Education provider immigration risk rating</b>	<b>Country immigration risk rating</b>	<b>Possible evidentiary requirements</b>
<b>Lower evidentiary requirements</b>	One	One, two	Generally, applicants need not provide evidence of English language or financial capacity to DIBP. (Similar to SVP and AL1 arrangements).
	Two	One or two	
	Three	One	
<b>Higher evidentiary requirements</b>	Two	Three	Generally, applicants need to provide evidence of English language and financial capacity to DIBP
	Three	Two or three	
Genuine temporary Entrant requirements continue to apply to all applicants.			



## Definitions

**AQF** means Australian Qualifications Framework.

**CoE** means a confirmation of enrolment.

**Course packaging** means the studying a preliminary course as part of a [packaged offer](#) with an eligible course.

*For example, if applicants may accept a packaged offer to study a WIN Certificate IV/Diploma/Advanced Diploma &/or a WIN English course with the BIM or BBus or BBus (PA).*

**CRICOS** means the Commonwealth Register of Institutions and Courses for Overseas Students.

**DIBP** means the Department of Immigration and Border Protection.

**GS (Genuine Student)** means a person who intends to obtain a successful educational outcome and has the language, educational and material background to have a reasonable chance of achieving this educational outcome.

Factors that are considered under the existing requirement to be a genuine applicant for entry and study as a student include: English language proficiency; financial capacity; prerequisite schooling; age requirements; motivation to study; knowledge of the course of planned study; employment opportunities in their home country; and intention to comply with visa conditions.

**GTE** means a person who satisfies the genuine temporary entrant criterion for a student visa application as administered by DIBP. For further information visit the [DIBP](#) website (opens an external site). The student's application to study at WIN, therefore, will advise:

- the primary purpose of coming to Australia on a student visa is to study
- the value of the course to the applicant's future
- the applicant has the required English proficiency
- the applicant accepts responsibility for obtaining their student visa and adhering to the conditions of their visa
- that the applicant has genuine access to sufficient funds to cover tuition costs, OSHC, return airfares and living expenses for themselves and any dependents

**Please note:** this does not mean the student will automatically be granted a student visa. DIBP may still refuse the visa application if they are not satisfied that the applicant is a genuine student or if they do not meet health and character requirements.

**National Code** means the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 made under s33(1) of the Education Services for Overseas Students Act 2000 (Cth).

**Principal Course** means the main course of study undertaken by a student where the student has received a CoE from WIN to undertake multiple courses. The Principal Course is usually the final course in a package of courses.



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**Registered Provider** means a provider approved to deliver a course to overseas students under the Education Services for Overseas Students Act 2000 (Cth) and Education Services for Overseas Students Regulation 2001 (Cth).

**Restricted Period** means the first 6 months of a student's principal course of study.

**SVP** means streamlined visa processing arrangements with the DIBP, the system in place for processing WIN student visa applications until 30 June 2016.

**SSVF** means the Simplified Student Visa Framework which replaces SVP for processing UTS student visa applications from 1 July 2016.

### **Six STEPS in the application process for SSVF from high risk (level 3) countries**

**STAGE 1:** Student completes, signs and dates an *Application Form*

Agent compiles any other requested documentation verifying that all information is true and correct and forwards to WIN:-

- Letter of Offer with the attached 'Education Program Agreement'.
- Certified\* passport and visa copy (\*Agent certifies as true copy of original)
- Certified\* English proficiency documents
- Certified\* copies of academic documentation.
- 500 Words *Statement of Purpose*

We ask for a *Statement of Purpose* because we want to make sure that the student is genuinely interested in the proposed Bachelor degree. Even if they have had previous studies in an unrelated field, if the student can show that they are genuinely interested in the course, they will be considered for enrolment. They will need to write or speak about the following areas:

- reasons for choosing to undertake the study of the Bachelor course (explain how they got interested in this course subject. They must show that they know what the course is about, including the subjects to be studied in this course----not just stating the career outcome they want. They need to tell us about the particular job they will get when they have completed the degree, how much money they could earn and why they want that particular job).
- reasons for choosing Wentworth Institute. They will need to know where WIN is and what courses we offer.
- reason for choosing to study in Australia rather than in their home country.
- the relevance of the selected course of study to their academic and/or employment background.
- the relevance of the course to their future career/education plans.

**STAGE 2:** Interview

WIN staff will conduct an interview for all applicants from high-risk countries. We do this to ensure that the student is ready to study at WIN.

**STAGE 3:** Student receives a *Letter of Offer* from WIN

**STAGE 4:** Student returns completed *Letter of Offer* with Financial documentation (Level 3 country only)



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#### SSVF-Financial Check

Agent ensures student provides:

- Minimum funds in bank or education loan (1-year tuition fee + 1 year living and travel expense + OSHC)
- Family annual income (government issued)
- Tax clearance letter (government issued)
- Sponsorship letter. Sponsorship is accepted only from eligible family members: ie applicant, partner, parents, grandparents, siblings, first uncle/aunt of the applicant (either maternal or paternal).
- Relationship certificate (government issued)
- 12-18 months funds history (no business account acceptable; no large sudden deposit before submission of the application, including any sale of land)

Agent compiles required documentation verifying that all information is true and correct and forwards these to WIN

#### **STAGE 5:** CoE

Agent collects from student:

- Minimum required payment (tuition fees, OSHC)
- Any documentation related to conditions attached to the offer
- Any documents listed on the Checklist but not yet submitted
- Agent compiles all other required documentation verifying that all information is true and correct and forwards these to WIN ([info@win.edu.au](mailto:info@win.edu.au))
- Assistant Registrar processes acceptance and forwards CoE to Agent

#### **STAGE 6:** Agent applies for visa



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## **Five STEPS in the application process for SSVF from medium risk countries (level 2) and low-risk countries (level 1)**

**STAGE 1:** Student completes, signs and dates an *Application Form*

Agent compiles all required documentation verifying that all information is true and correct and forwards to WIN:-

- Letter of Offer with the attached 'Education Program Agreement'.
- Certified\* passport and visa copy (\*Agent certifies as true copy of original)
- Certified\* English proficiency documents
- Certified\* copies of academic documentation.
- 500 Words *Statement of Purpose (level 2 countries only)*

We ask for a *Statement of Purpose* because we want to make sure that the student is genuinely interested in the proposed Bachelor degree. Even if they have had previous studies in an unrelated field, if the student can show that they are genuinely interested in the course, they will be considered for enrolment. They will need to write or speak about the following areas:

- reasons for choosing to undertake the study of the Bachelor course (explain how they got interested in this course subject. They must show that they know what the course is about, including the subjects to be studied in this course---not just stating the career outcome they want. They need to tell us about the particular job they will get when they have completed the degree, how much money they could earn and why they want that particular job).
- reasons for choosing Wentworth Institute. They will need to know where WIN is and what courses we offer.
- reason for choosing to study in Australia rather than in their home country.
- the relevance of the selected course of study to their academic and/or employment background.
- the relevance of the course to their future career/education plans.

**STAGE 2:** Student receives a *Letter of Offer* from WIN

**STAGE 3:** Student returns completed *Letter of Offer* with documentation

SSVP-Financial Check Stage

- Certified financial documents need to be prepared before the visa application is lodged (*It is not necessary to provide these to WIN to assess before the application is lodged. The agent is responsible for verifying and submitting these certified documents to AHC if requested by the AHC*)
- Minimum funds in bank or education loan (1-year tuition fee + 1 year living and travel expense + OSHC)
- Family annual income (government issued)
- Tax clearance letter (government issued)
- Sponsorship letter. Sponsorship is accepted only from eligible family members: ie applicant, partner, parents, grandparents, siblings, first uncle/aunt of the applicant (either maternal or paternal).
- Relationship certificate (government issued)
- 12-18 months funds history (no business account acceptable; no large sudden deposit before submission of the application, including any sale of land)



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**STAGE 4: CoE**

Agent collects from student:

- Minimum required payment (tuition fees, OSHC)
- Any documentation related to conditions attached to the offer
- Agent compiles all other required documentation verifying that all information is true and correct and forwards these to WIN (wendy@win.edu.au)
- Assistant Registrar processes acceptance and forwards CoE to Agent

**STAGE 5: Agent applies for visa**