

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

## Contents

---

<i>National Code Standard 4 ---Education Agents .....</i>	<i>2</i>
1 What is expected of a WIN agent.....	3
2 Agent Agreement.....	3
3 Keeping in touch.....	4
4 Managing Issues.....	5
5 Review of Agents .....	5
6 Education Agent Code of Conduct .....	5

## *The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018*

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

---

#### Education agents

- Registered providers must ensure the education agents they engage with act ethically, honestly and in the best interest of overseas students. This means that registered providers must ensure its education agents declare and take all reasonable steps to avoid conflicts of interest with its duties as an education agent of the registered provider. This provision is to ensure transparency in the education agent's activities.
- Examples of conflicts of interest include, but are not limited to:
  - when the agent charges services fees to both overseas students and registered providers for the same service;
  - where an education agent has a financial interest in a private education provider; or
  - where an employee of an education agent has a personal relationship with an employee of the education provider.
  - Registered providers must also ensure education agents observe appropriate levels of confidentiality and transparency in dealings with overseas students while acting honestly and in good faith.
  - Education agents must also have appropriate knowledge and understanding of the overseas education system in Australia, including the Australian International Education and Training Agent Code of Ethics. Registered providers should ensure any education agents they engage with, including offshore agents, have up-to-date and accurate marketing information.
  - The Australian International Education and Training Agent Code of Ethics is based on the London Statement. These requirements ensure education agents adhere to and practice responsible business ethics, and that education agents understand their obligations to provide current, accurate and honest information to overseas students to help them make informed decisions about study in Australia.

See Explanatory Guide <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD4.aspx>

## 1 What is expected of a WIN agent

---

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 2018 and all of WIN's marketing materials and website information. It is also recommended that you visit the Department of Home Affairs website at [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au).

## 2 Agent Agreement

---

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 2018, 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

- 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

---

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 Department of Home Affairs (DHA)
  - an up-to-date list of institutional contacts

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

---

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

---

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

---

### 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 2018 <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>

## 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 BIT, BIM or BBus or BBus (PA).*

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

**DHA** means the Department of Home Affairs.

**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 DHA. For further information visit the Department of Home Affairs website ([www.homeaffair.gov.au](http://www.homeaffair.gov.au)). 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. DHA 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 2018 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.

**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



**WENTWORTH INSTITUTE**  
OF HIGHER EDUCATION  
CRICOS CODE 03279M PRV12063

[www.win.edu.au](http://www.win.edu.au)

E: [info@win.edu.au](mailto:info@win.edu.au) | T: +61 2 8252 9999 | F: +61 2 8252 9988

**SURRY HILLS CAMPUS:**

Level 1-5, 302-306 Elizabeth Street  
Surry Hills NSW 2010 Australia



**WENTWORTH INSTITUTE**  
OF HIGHER EDUCATION  
CRICOS CODE 03279M PRV12063

[www.win.edu.au](http://www.win.edu.au)

E: [info@win.edu.au](mailto:info@win.edu.au) | T: +61 2 8252 9999 | F: +61 2 8252 9988

**SURRY HILLS CAMPUS:**

Level 1-5, 302-306 Elizabeth Street  
Surry Hills NSW 2010 Australia

