



# EDUCATION AGENTS POLICY AND PROCEDURES

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## Purpose

Education Agents play a key role in marketing Lincoln Education Australia's (LEA) higher education offerings and recruiting international students to LEA. LEA values its reputation as a higher education provider and acknowledges its responsibility to ensure all methods of representation internally and by third parties are ethical and maintain LEA's academic integrity.

The *Education Agents Policy and Procedures* establishes the framework for monitoring the representation of LEA by its education agents. This Policy and Procedures establishes the roles and responsibilities of LEA's decision-making authorities governing the representation of LEA and identifies resolution processes for students who report grievances with any aspect of the way in which LEA has been represented to ensure LEA remains accountable for all forms of its representation.

## POLICY

### Scope

This policy applies to all LEA staff involved in the representation of LEA, and in the recruitment, assessment and supervision of any education agents who represent LEA, and education agents employed by LEA for student recruitment.

### Principles

The Corporate Governance Board is responsible for overseeing the academic integrity of LEA, its reputation and public representation. This includes the representation of LEA through education agent.

The relationship between LEA and all education agents who represent LEA shall be established by a formal contract that is approved by the Corporate Governance Board. In the event that an education agent violates the terms of their contract, the contract will be terminated.

Throughout their representation of LEA, all education agents shall reflect the values of LEA and all interactions with prospective students shall be conducted in good faith. All education agents appointed shall have appropriate knowledge and understanding of the Australian higher education sector and the *ESOS Act*.

All information provided to prospective students about LEA's courses shall be accurate and presented truthfully. The Corporate Governance Board is responsible for ensuring education



agents are provided with the most up-to-date information that accurately reflects LEA and its higher education offerings.

## **PROCEDURES**

### **Contract of Employment**

All Education Agents shall enter into a contract of employment with LEA before representing LEA.

The following details are to be included in the contract of employment:

- that the agent shall not misrepresent any aspect of LEA and its offerings
- that the agent shall comply with, and maintain knowledge of, the *ESOS Act*
- processes LEA shall implement to monitor the education agent's activities and performance
- the suspension and termination conditions of the contract.

### **Performance of Education Agents**

LEA shall monitor the performance of education agents to ensure compliance with the contract of employment and ensure the information education agents provide prospective students is an accurate representation of LEA, its courses, and graduate outcomes.

Education agents shall undergo annual performance reviews, which take into account:

- student feedback
- the number of student application forms provided by the education agent that result in student enrolments
- the performance and successful completion of courses by previous students recruited through that education agent
- the use of marketing materials and strategies used by the education agent.

### **Complaints**

LEA is responsible for the conduct of its contracted education agents and shall accept complaints and grievances regarding education agents through the channels established in the *Student Grievances and Appeals Policy and Procedures*.

### **Minor Breaches to Contract of Employment**

A minor breach of contract shall trigger the instatement of a defined probationary period for the education agent. During this timeframe the education agent shall be required to demonstrate improved adherence to their contract.

### **Serious Breaches to Contract of Employment**



In response to serious breaches of contract, LEA will suspend or terminate the education agent's contract.

LEA shall immediately terminate the employment contract of an Education Agent:

- when an agent is found to have breached the *ESOS Act*
- upon discovery of unethical conduct or misrepresentation by education agents.

A suspension may be instated if a serious breach is suspected or reported, but LEA shall investigate the allegation according to the principles of natural justice.

For both suspension and termination, the education agent is to be notified in writing, and shall immediately cease to represent LEA or use any marketing material provided by LEA.

## Compliance

All staff members at LEA whose responsibilities fall within the scope of this policy and education agents employed by LEA are required to comply with this policy and its procedures, and with related policies and respective procedures. Non-compliance may result in a disciplinary action.

<b>File Number</b>	LEA-GEN-COR-70029-D
<b>Responsible Officer</b>	Chief Executive Officer
<b>Contact Officer</b>	Chief Operating Officer
<b>Legislative Compliance</b>	<ul style="list-style-type: none"><li>• <i>Education Services for Overseas Student Act 2000</i></li><li>• <i>Tertiary Education Quality and Standards Agency Act 2011</i></li></ul>
<b>Supporting Documents</b>	
<b>Related Documents</b>	<ul style="list-style-type: none"><li>• <i>Information for Students Policy and Procedures</i></li><li>• <i>Third Party Arrangements Policy and Procedures</i></li></ul>
<b>Superseded Documents</b>	
<b>Effective Date</b>	1 January 2022
<b>Next Review</b>	3 years from the effective date

## Definitions

**Contract of Employment:** Contractual terms agreed upon by LEA and the Education Agent throughout the duration of the Education Agent's employment with LEA.

**Corporate Governance Board:** Governing body responsible for oversight of all higher education operations, including the ongoing viability of LEA and the quality of its higher education delivery. The Corporate Governance Board guides the Management and delegates responsibility for academic matters to the Academic Board.

**Education Agent:** Individual or organisation contracted by LEA to promote education services to students or prospective students in a selected regions.



**Education Services for Overseas Students Act 2000 (ESOS Act):** Australian federal legislation establishing legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa.

**International student:** Individual enrolled in a course at LEA who is not a citizen of Australia or New Zealand, or an Australian Permanent Resident.

**Prospective student:** Individual who is interested in enrolling in a LEA course.

## Review Schedule

This policy shall be reviewed by the Corporate Governance Board every three years.

Version History			
Version number:	Approved by:	Approval Date:	Revision Notes:
1.0	Corporate Governance Board	17/12/2020	New policy