

## Agent Code of Ethics

### Introduction

Australia is committed to ensuring the highest standard of service and care is delivered across its international education and training sector and has a comprehensive international education and training quality framework to support this aim. The *Agent Code of Ethics* (ACE) is a critical component of this framework and provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector. The ACE builds on the London Statement’s ethical framework and provides a set of Australian specific ‘Standards’ for Australia’s education agents. The ACE also aims to support Australia’s education and training providers to meet their obligations under the National Code.

### Purpose

The *Agent Code of Ethics* aims to:

- Outline the principles and expectations of fair and ethical conduct of Australia’s offshore and onshore education agents
- Foster best practice among education agents to assist them to provide quality services to potential and existing international students and partner providers
- Provide assurances on the quality and standard of services provided by education agents recruiting into Australia
- Build on Australia's globally recognised international education and training quality systems to further enhance the reputation of Australia’s education system.

### Australian International Education and Training

Australia’s international education and training provides a holistic approach across the sector to ensure the highest quality outcomes for everyone. Agent quality is one component of a comprehensive and integrated quality system.



## Education Agent Code of Ethics

Australia's Education *Agent Code of Ethics* is based on three core elements of:

- 1 The London Statement's Ethical Framework
- 2 The London Statement's Principles
- 3 Australia's Education Agent Standards

## Ethical Framework

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The Australian education and training sector expects education agents to adhere to seven ethical principles, as outlined in the London Statement, that are supported by an underlying ethical framework of:

- **Integrity** – being straightforward and honest in all professional and business dealings;
- **Objectivity** – not allowing professional judgment to be compromised by bias or conflict of interest;
- **Professional** competence and due care – maintaining professional knowledge and professional service, and acting diligently;
- **Transparency** – declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student;
- **Confidentiality** – respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;
- **Professional** behaviour – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and
- **Professionalism** and purpose – acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

## Principles

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The London Statement Principles promote best practice among education agents and consultant professions that support international students. The Statement of Principles is a unifying set of understandings for the recruitment of students in international education that serve to promote best practice among education agents and consultants. The seven principles are:

### Principle 1: Agents and consultants practise responsible business ethics

- Avoiding conflicts of interest
- Observing appropriate levels of confidentiality and transparency
- Acting professionally, honestly and responsibly
- Refraining from being party to any attempt by students or others to engage in fraudulent visa applications
- Acting in the best interests of the student at all times
- Declaring conflicts of interest
- Being transparent in fees to be paid by students and commissions paid by providers
- Providing clear avenues for handling complaints and resolving disputes
- Complying with relevant laws and regulations

## **Principle 2: Agents and consultants provide current, accurate and honest information in an ethical manner**

- Providing realistic and appropriate information that is tailored to the individual student's circumstances, particularly in relation to language skills, capacity to pay and level of study.
- Specifying the rights and responsibilities of the student in the country of destination.
- Refraining from claiming a direct government endorsement or privileged relationship with a public official or member of the government where one does not exist; including for example the misuse of national brand logos.
- Providing a registration number or other identifier on advertising material.
- Using institutions' officially approved material in promoting providers with whom agents have an agreement.

## **Principle 3: Agents and consultants develop transparent business relationships with students and providers through the use of written agreements**

- Signed by the student and the agent
- Signed by the provider and the agent
- Include information on the arrangements put in place by agents and consultants on behalf of the student, such as itemised payment schedules of fees and services, and refund and transfer policies
- Provide details on information provided under Principles 1 and 2, as a means of guiding agents and consultants to give appropriate information to students so that both students and agents understand what has been agreed to maintain student confidentiality
- Are archived in an appropriate manner so that the agreements can be made available to the student or an appropriate authority within a reasonable timeframe

## **Principle 4: Agents and consultants protect the interests of minors**

- Ensuring that the prospective student has adequate representation and support from a guardian and/or legal counsel during meetings with the agent or consultant and that this is recorded as informed consent before any money changes hands
- Ensuring that the client has the legal capacity to enter into any commitment
- Acting not only in accordance with relevant laws and regulations, but competently, diligently and fairly as befits dealings with minors

## **Principle 5: Agents and consultants provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ**

- Providing information to students about the accreditations the agents have met, the training they have undertaken, the memberships they hold to professional associations or processes undertaken to become registered and accredited education agents and consultants
- Providing information about themselves that support comparison of qualifications and experience

## **Principle 6: Agents and consultants act professionally**

- Participating in training courses and professional development wherever possible
- Becoming members of professional associations and networks that promote and support best practice in the recruitment of international students

## **Principle 7: Agents and consultants work with destination countries and providers to raise ethical standards and best practice**

- Sharing information on best practice in the recruitment of international students by education agents and consultants

## Standards

To ensure alignment and equity, Australia's Standards for international education agents mirror the requirements for education and training providers as outlined in the ESOS Act and National Code. The ACE provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector. These Standards will be reviewed and updated to ensure continued relevance to the sector. The standards are:

Standards	Element
<b>Organisational Effectiveness</b>	<ul style="list-style-type: none"> <li>• Demonstrates effective organisational governance and appropriate ownership including a well-articulated strategic plan, policies and procedures.</li> <li>• Evidence of relevant and up-to date business licensing and or registration.</li> <li>• Discloses all relevant partnerships, affiliations and agreements are disclosed, including disclosure of sub agent representation agreements and a clearly articulated approach to managing these relationships is in place to ensure compliance with the ACE.</li> <li>• Offers assurance of the organisation's financial integrity and financial systems.</li> <li>• Provides clear and transparent disclosure of recruitment practices and activities including countries serviced</li> </ul>
<b>Business Ethics</b>	<ul style="list-style-type: none"> <li>• Demonstrates agency and individual agent adherence to the ethical standards and principles of the ACE.</li> <li>• Discloses any past, pending, threatened or potential litigation, arbitration or administrative actions or other disputes against the agency, CEO or other relevant business associate.</li> <li>• Provides current, accurate and appropriate information to students and offers a commitment to not knowingly providing false or misleading information.</li> <li>• Demonstrates openness and disclosure of any incentives to any party that may influence the student's decisions.</li> </ul>
<b>Staff Capability</b>	<ul style="list-style-type: none"> <li>• Demonstrates effective human resource management practices are in place to ensure all employees and representatives are trained, informed and act in the best interests of clients at all times.</li> <li>• Demonstrates a strong working understanding the Australian education and training system, including all relevant legislation, regulations and information.</li> <li>• Completion of an Agent Training program and or other relevant education and training qualifications or programs.</li> </ul>
<b>Agency Recruitment Practices and Standards</b>	<ul style="list-style-type: none"> <li>• Implements considered and targeted marketing practices, and ensures honest and accurate communication resources are in place.</li> <li>• Provides appropriate, fair and considered counselling of students including assessing the student's willingness and ability to complete the courses, their understanding of course and provider requirements and awareness of realistic employment and pathway outcomes.</li> <li>• Demonstrates and articulates a clear and fair complaints and appeals process.</li> <li>• Offers transparent and clearly articulated fees and charges including a documented refund policy.</li> <li>• Ensures strict confidentiality of personal information and ensures this information is not shared with a third party unless consent is given.</li> </ul>

## Australia's International Education Agent Code of Ethics - Overview

Ethics	Principles	Standards
<ul style="list-style-type: none"> <li>• <b>Integrity</b> -being straightforward and honest in all professional and business dealings;</li> <li>• <b>Objectivity</b> -not allowing professional judgment to be compromised by bias or conflict of interest;</li> <li>• <b>Professional</b> competence and due care -maintaining professional knowledge and professional service, and acting diligently;</li> <li>• <b>Transparency</b> declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student;</li> <li>• <b>Confidentiality</b> -respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;</li> <li>• <b>Professional behaviour</b> – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and</li> <li>• <b>Professionalism and purpose</b> - acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).</li> </ul>	<ul style="list-style-type: none"> <li>• Agents and consultants practice responsible business ethics.</li> <li>• Agents and consultants provide current, accurate and honest information in an ethical manner.</li> <li>• Agents and consultants develop transparent business relationships with students and providers through the use of written agreements.</li> <li>• Agents and consultants protect the interests of minors.</li> <li>• Agents and consultants provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ.</li> <li>• Agents and consultants act professionally.</li> <li>• Agents and consultants work with destination countries and providers to raise ethical standards and best practice.</li> </ul>	<ul style="list-style-type: none"> <li>• Agents and consultants comply with the Australian Agent Quality Framework and the ACE</li> <li>• Agency demonstrates robust organisational effectiveness</li> <li>• Agency demonstrates strong business ethics</li> <li>• Agency supports staff capability development and ongoing education</li> <li>• Agency demonstrates quality and effective recruitment practices and standards</li> </ul>