

Background, Purpose and Scope

1. In March 2012 the Roundtable on the Integrity of International Education member countries (UK, Australia, Canada, Ireland, New Zealand and the US) met and endorsed the ***Statement for the Ethical Recruitment of International Students by Education Agents and Consultants (known as the London Statement)***.
2. The purpose of the Roundtable members was to:
 - promote “best practice among the education agents and consultant professions that support international students.’ and to
 - provide “a unifying set of understandings for the recruitment of, and related services provided to, students in international education”.
3. The Statement set down a set of seven Principles which were, in turn, informed by a clear Ethical framework”.
4. The Statement was adopted by Australia and the then Department of Education and Training, which commissioned the collaborative development of an Agent Code of Ethics by the Australian Council for Private Education and Training (ACPET), Australian Government Schools International (AGSI), the Council of Private Higher Education (COPHE), English Australia, Independent Schools Council of Australia (ISCA), International Education Association of Australia (IEAA), TAFE Directors Australia and Universities Australia.
5. The resulting ***Australian International Education And Training Agent Code of Ethics (ACE)*** was officially released by the Minister for Education and Training on 21 October 2016.
6. The objectives of the ***Agent Code of Ethics (ACE)*** were 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.
7. The ***Agent Code of Ethics*** was designed to build on the London Statement and to ensure full compliance with the legislative and regulatory requirements, and comprises three core elements:
 - The London Statement’s Ethical Framework
 - The London Statement’s Principles
 - Australia’s Education Agent Standards

8. Education Centre of Australia and its subsidiary and associated providers of education and training to overseas students has adopted the *Agent Code of Ethics*, and expects its authorized agents to similarly comply.

ECA's 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

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 behavior** – 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).

Code Principles

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 practice 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.

Code 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

Standard	Element
Organisational Effectiveness	Demonstrates effective organisational governance and appropriate ownership including a well-articulated strategic plan, policies and procedures
	Evidence of relevant and up-to date business licensing and or registration
	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
	Offers assurance of the organisation’s financial integrity and financial systems
	Provides clear and transparent disclosure of recruitment practices and activities including countries serviced
Business Ethics	Demonstrates effective organisational governance and appropriate ownership including a well-articulated strategic plan, policies and procedure
	Discloses any past, pending, threatened or potential litigation, arbitration or administrative actions or other disputes against the agency, CEO or other relevant business associate
	Provides current, accurate and appropriate information to students and offers a commitment to not knowingly providing false or misleading information
	Demonstrates openness and disclosure of any incentives to any party that may influence the student’s decisions
Staff Capability	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
	Demonstrates a strong working understanding the Australian education and training system, including all relevant legislation, regulations and information
	Completion of an Agent Training program and or other relevant education and training qualifications or programs

Agency Recruitment Practices and Standards	Implements considered and targeted marketing practices, and ensures honest and accurate communication resources are in place
	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
	Demonstrates and articulates a clear and fair complaints and appeals process
	Offers transparent and clearly articulated fees and charges including a documented refund policy
	Ensures strict confidentiality of personal information and ensures this information is not shared with a third party unless consent is given

Policies and Procedures Responsibilities, Review and Linkages

Approved by:	Education Centre of Australia's Chief Operations Officer	Initial Date:	27 February 2019
Date Effective:	27 February 2019	Date of Next Review:	27 February 2020
Document No:	ECA P&P – Agent Code of Ethics – 01.01 – 2019.02		
Custodian:	Education Centre of Australia's Chief Operations Officer		
Responsible Officer:	Education Centre of Australia's Chief Operations Officer Education Centre of Australia's Director of Compliance, Quality and Governance		
Supporting Documents, Procedures & Forms:	Education Centre of Australia Website Education Centre of Australia <i>Marketing Policy & Procedures</i> Education Centre of Australia subsidiary and associated providers <i>Recruitment Policies and Procedures</i> Education Centre of Australia subsidiary and associated providers <i>Formalisation of Enrolment Policies and Procedures</i> Education Centre of Australia subsidiary and associated providers <i>Complaints and Appeals Policies and Procedures</i> Changes to Education Centre of Australia <i>Continuous Improvement Policy and Procedures</i>		
References & Legislation:	Education Services for overseas Students Act 2000 Education Services for Overseas Students Legislation Amendment (Tuition Protection and Other Measures) Act 2011 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Australian International Education and Training Agent Code of Ethics Statement for the Ethical Recruitment of International Students by Education Agents and Consultants (known as the London Statement). 2012		