



**HCI**<sup>®</sup>  
*Health Careers International*

# Education Agents Manual

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## Section A – Responsibilities of the agent

Education agents have a critical role in the recruitment of students for Health Careers International (HCI). They must interpret the needs of both students and HCI they represent – all the while operating in ways that comply with a multitude of laws and regulations.

This manual is aimed at providing advice on what works well and can enhance the engagement of all stakeholders. It is also aimed at ensuring that agents are aware of known pitfalls and what constitutes ethical practice in the face of commercial and regulatory imperatives. Agents at all levels of knowledge and experience can benefit from the tips and exercises that this manual offers.

### Glossary

<b>Agent</b>	A person / organisation (whether within or outside Australia) who, by mutual agreement, represents or acts on behalf of HCI in dealing with overseas students or intending overseas students.”
<b>Domestic Student</b>	A student who is either a permanent resident or a citizen of a country.
<b>Educational Sectors</b>	The Australian education system is divided into four education sectors: <ul style="list-style-type: none"> <li>• Schools</li> <li>• Vocational Education and Training (VET)</li> <li>• Higher Education</li> <li>• ELICOS (English Language)</li> </ul>
<b>EP</b>	Education Provider (Health Careers International)
<b>ESOS / National Code</b>	The ESOS Act governs the provision of Education Services to Overseas Students - The National Code is an associated part of this Act that most clearly spells out what each participant, may do, must do and may not do in relation to engaging with Australia’s education services.  See the AEI website for more information on ESOS Legislation
<b>International Student</b>	A student who is neither a permanent resident nor a citizen of a country. It is often treated as synonymous with ‘overseas student’. Most, but not all, international students are required to hold student visas.

### The context of education agents in Australian education

Agents exist to facilitate transactions between buyers and sellers. The use of agents varies widely between countries and cultures, and education agents are really no different. They exist offshore in cultures that are often unfamiliar to EPs and onshore in familiar ones. The cultural setting of an agent has a lot to say about how they work and what their clients – prospective students – expect of them.

- Agents vary in the range of services they offer to their students
- Students vary in what they expect an agent should do for them, and how trustworthy they think an agent is
- Some students trust their agent more than their prospective EP; So the student/agent relationship can be very influential in the choices a student makes.
- EPs vary in terms of their agreements with agents, and in terms of what they expect an agent should do for them.

Let's consider the basic model of an education agency. Agents are engaged by EPs to recruit prospective students, and as such, agents have a contractual relationship with their associated EPs. They also have a responsibility to faithfully represent prospective students' interests in offering them a course of study. This set of connections among EPs, agents and students is intended to benefit all three parties.

But sometimes they do not find common ground. That is to say, a student's best educational objectives may not be met by any of the courses offered by an agent's associated EPs. In practice though, agents try to find the most suitable course from their represented EPs, and in the majority of cases, a very suitable match is found.

The student will then pay tuition fees direct to the EP, seeks their contracted commission, and educational services begin to be delivered by the EP to the student. It is hoped by the agent and the EP that the student will continue their course and ultimately complete their studies.

Once the point of commencement is reached, the EP may regard the agent as having fulfilled their primary function. Meanwhile, the relationship between the student and the EP continues until either the student completes all of their studies, or leaves.

### ***So what do each of the participants expect of others?***

#### **The education agent**

Typically, the agent expects that the student will find a suitable course from the agent's set of course offerings, apply for that course, get an offer, accept it and commence. Once the student has commenced and commissions have been paid, the agent may expect that their role has ended. But this is not always so. Clearly the student may seek another course at some point and the whole cycle of applications may take place once again. Or the student may be forced to abandon their studies and seek some academic and/or personal recovery time. Agents often form a part of the body of people 'in the know' and who can be trusted.

#### **Tips for Education Agents**

The trust that students place in you must be well founded as the costs to students, education providers, your business, and Australia's international education program in general can be great if a strong and clear ethical position is not rigorously maintained.

#### **Academics and teachers**

Academics and teachers typically expect that students will generally trust their directions and follow them without hesitation. The relationship between academics/teachers and students can vary hugely across education sectors because of the age and maturity of students. But there can also be significant differences within education sectors because of the culture of individual education providers and individual lecturers and teachers. Students need to be able to study effectively by 'tuning in' to these expectations and directions on a class by class basis.

#### **Education providers**

Education providers expect their agents to actively promote their institution with accuracy and integrity and for prospective students to be well informed about their course. They also expect agents to recruit large numbers of suitable students.

### Students

Students expect that everybody with an education recruitment role will support and assist them to select and maintain their course. The relationship of students to agents and EPs typically shifts from more dependent to less dependent as the education decisions progress. All parties need to strongly guard against exploiting the ignorance and comparative dependence of students. The Australian Government has many safeguards aimed at protecting students, and the intentions, obligations and entitlements all of parties need to be clearly recognised.

### The government

The government expects EPs to work with them and recruit suitable students. For some agents, compliance with regulatory frameworks can appear to work against recruitment targets. The legal position is clear: where conflict exists between compliance with the ESOS/National Code and an agent or EP's recruitment strategies and targets, the ESOS/National Code compliance must take precedence. Agents who ignore this basic principle will risk having their business reduced or at worst eliminated. The seriousness of this message cannot be overstated.

These quotations from ESOS/National Code illustrate this point:

- “The recruitment of students follows general marketing and is the first step in establishing a formal relationship between the student and registered provider. It is important that the recruitment is ethical and upholds the integrity of Australian education and training”
- One of the ‘Objects’ of the ESOS Act is to “protect and enhance Australia’s reputation for quality education and training services”.

### ***What responsibilities are agents expected to uphold in their day to day work of representing EPs to prospective students?***

The formal expectations of agents will be spelled out in the Agency Agreements with the EPs they represent, and these agreements must comply with the ESOS/National Code requirements.

Different EPs will have different terms and emphases, but the general responsibilities will be common.

As an agent you will generally be expected to:

- Actively promote Australia as a study destination
- Actively promote the courses of Australian EPs and find suitable prospective students to undertake these courses
- Assist prospective students by providing all necessary information about available courses that meet their personal and education goals
- Assist prospective students with their application and admission to their chosen education provider and course
- Provide prospective students with details about the course, tuition fees, facilities, services and resources offered by their chosen education provider.

### ***How can agents improve their ability to meet these responsibilities?***

- Undertake professional training and development through courses such as the Education Agent Training Course (EATC),

- Have extensive knowledge and understanding of the Australian Education System and Australian Qualifications Framework to be able to provide reliable advice,
- Have an appropriate understanding of the Australian Acts of Parliament and associated regulations that govern Australia's international education industry and acknowledge their importance in safeguarding Australia's reputation as a provider of high quality education and training,
- Provide course advice that meets the best educational interests of prospective students – ethical and appropriate education counselling can prevent many of the problems that students may encounter upon their arrival in Australia,
- Maintain professional standards in interactions with prospective students; your Australian EPs; and other education agents.

### ***Why are these recommendations important?***

- Overseas students differ from domestic students in that they are subject to the ESOS Act and the Migration Act and face different needs for consumer protection (NC 6.1)
- Students depend on an agent's advice because they have little means of evaluating the quality of a course or EP before purchasing education services (NC 6.1)
- Students and their parents or guardians spend a lot of time and money to make the best educational choices they can. They need to trust the agent they use since most of them probably have not travelled overseas before; know little about Australia; may not speak English well; have limited information about the educational institution; and have only a general understanding of what living in Australia involves (Ref: EATC Section D 'An Agent's Reputation' – Access code required)

### ***How will this Manual help?***

- The content of this manual is based on common issues and scenarios related to Australia's international education program. The manual content has been structured to provide practical advice and examples to enhance your understanding of the way in which Australian education provider's work.
- The key philosophy and advice offered throughout the manual is that your advice to students will vary according to the student's education provider's policies and procedures.
- An agent who represents many education providers may falsely assume that correct advice for one education provider will also be correct advice for another education provider. The
- Agent's Checklist (Appendix C) in this manual is designed for you to use to ensure that you have all of the information you need to accurately advise your students.
- Each chapter provides a rationale to explain why the chapter's content is important. Often the issue discussed in the chapter becomes important after your student has enrolled. An enhanced understanding of this issue may enable you to address it in your conversations with your students before they arrive in Australia to minimise preventable problems after their arrival in Australia.
- Each chapter provides a 'Tips for Education Agents' and 'Examples' section which links to the rationale of the chapter. The examples chosen were handpicked to highlight the often significant differences in policies and procedures between education providers and across educational sectors.
- Each chapter provides a Glossary with commonly used definitions and acronyms to enhance your understanding of Australian education terminology.

### Section B – How to find current and accurate marketing information

Agents should refer to the advice in Section A: Responsibilities, Section C: Finding information about HCI and the courses offered by the institution, and also maintain strong relationship with HCI. This relationship should include receiving regular updates from HCI, when the courses are modified, newly registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), or discontinued and the dates for implementation of such changes.

For up to date information from the Australian Government on changes to policy and regulations check the AEI website at: <https://internationaleducation.gov.au/Pages/default.aspx> and the Study in Australia website at: [www.studyinaustralia.gov.au](http://www.studyinaustralia.gov.au).

## Section C – How to find information about HCL and the courses offered by HCL

### Glossary

<b>CoE</b>	Confirmation of Enrolment. An electronic document which is issued by Health Careers International to overseas students who have accepted a course and which is used by students to apply for a student visa.
<b>Census Date</b>	The date on which a student's enrolment is locked in for that study period
<b>DIBP</b>	<a href="#">Department of Immigration and Border Protection</a> (Australian Government)
<b>EP</b>	Education Provider (Health Careers International)
<b>ESOS</b>	The ESOS Act governs the provision of Education Services to Overseas Students
<b>National Code</b>	The National Code is an associated part of this Act that most clearly spells out what each participant may do, must do and may not do in relation to engaging with and/or offering Australia's education services.

### Rationale

EPs are required to provide up-to-date, accurate course information to their agents to enable students to make informed decisions about studying in Australia. HCL expect that their agents will inform prospective students accurately about the academic and English language requirements and tuition fees of their courses. Accurate information provided during the decision-making process will often generally reduce student dissatisfaction with their course after their arrival in Australia. In discussing a post-commencement change of some sort, a common claim made by students is 'I didn't know, (my agent didn't tell me about this)'. Unfortunately, it is usually then too late to transfer the student into another course, more consistent with their goals and expectations, without them suffering both academic and financial penalties.

### Key points

- HCI will send you new course and course update information either by emailing you from one of our Australian Offices; emailing you from your admissions or marketing area contacts or by communication through an e-newsletter.
- It is important for you to check all course information, relevant application fees, and that all required information is included in the application before you lodge your student's application. The admissions process in an international office is often slowed down by:
  - Applications requesting incorrect course intake dates;
  - Courses not available to international students;
  - Courses not offered at the campus requested;
  - Student ineligibility for the course applied for;
  - Incorrect attachments forwarded with application; and
  - Non-payment of any application fees which stops assessment of the lodged application.



### Tips for Education Agents

1. HCI's International Student Guide or Prospectus will be collated months prior to the student commencing their course. This is needed to enable agents and prospective students to discuss course options and commence the admissions process. However, it can also mean that the availability of a course or its requirements may have changed when the student is ready to apply. It is important to double-check course information at the time of application

HCI generally use their websites and agent portals to communicate any course changes after the publication of the prospectus

2. When checking course information online, on HCI homepage, always choose the International Students" option. Some courses are only available to domestic students and, therefore, international students cannot apply
3. HCI has three campuses. Special care needs to be taken when providing course advice to your student. It is therefore important that your student knows which location, city and state their preferred course is offered in at the time of application and acceptance.

### Section D - Rights and responsibilities of the student and HCI

The rights and responsibilities of the student and the EP's are laid out under the ESOS Act, 2001 and the National Code 2007. In 2009, the ISANA: International Education Association launched the Student Education Project funded by the Department of Education, Employment and Workplace Relations, International Quality Branch.

A suite of products were designed to raise awareness of quality assurance and consumer protection mechanisms embedded in the ESOS legislation and to highlight the rights and responsibilities of students and EP's. These included:

#### **Student Education Project Videos**

Six short downloadable Animated Videos are designed to provide further assistance to the many ways in which Department of Education, education providers and other allied services in Australia make students, parents and education agents aware of the issues which will be important to them while studying, living and working in Australia.

- A Transcript of each video is available for download to follow along with the animation or to assist understanding of each topic
- A Checklist providing links to further advice or important points covered by each topic is also available to download.

### Section E – Student Preparation: Pre-departure issues

To assist HCI, agents and others who advise international students a template or guideline document of best-practice pre-arrival and orientation information:

Orientation and Pre-Arrival Handbook – ‘[The Rainbow Guide](#)’ is the final product of the Student Education Project funded by DEEWR in 2009. The Rainbow Guide is a synthesis of best-practice approaches to student pre-departure, arrival and orientation information. Colour-coding is used throughout the document to suggest the potential priority of each topic to student needs. This information is publicly available and agents can source student checklists from [Section 1 - Welcome and examples of predeparture](#) or pre-arrival information from [Section 2 – Pre-Arrival](#).

**Important note:** It is important that agents also pass on to the student the more specific and local personalised information provided directly by HCI about the institution, our community, and our expectations of students coming to study with us.

### Section F – Student Preparation: Post-arrival issues

For information on important post-arrival issues for students and their families, [Section 3 - Settling in](#) and [Section 5 - Social and Cultural](#) of the Rainbow Guide will provide a wealth of background information on the issues students often need to understand during their studies.

**Important note:** It is important however, that agents encourage students to read and keep the more specific and local personalised information provided directly by HCI about our institution, community, and our expectations of students studying with us in the orientation guide provided during orientation in Australia.

Students should always be encouraged to arrive prior to the commencement of classes to expose themselves to the first-hand events, advice and information which will make their study experience as successful and enjoyable as possible. Studies show that students who attend orientation sessions settle into study and the EP community, programs and classes more quickly and have a more successful study experience.

Students should also be advised of the importance of keeping their records up to date throughout their study period.

## Section G – Policy: Policies and regulations within HCI

### Glossary

<b>Course Transfer</b>	Changing course after having accepted or commenced a course. It may be done by amending enrolment or lodging a new application.
<b>EP</b>	Education Provider (HCI)
<b>OSHC</b>	Overseas Student Health Cover
<b>RPL</b>	Recognised prior learning, often called academic credit, advanced standing, or exemptions: recognition of the equivalence of previous studies in the current course.

### Rationale

Policies are the rules that HCI use to conduct our business. In addition to rules established by state, territory and national legislation, all actions applying to students must be according to the EP's policies.

They represent three basic functions regarding students:

1. Must do,
2. May do, and
3. May not do.

It is very much in your students' interests to know what these rules are. In practice, this is often more about the skill of knowing how to find the rules, understand and apply them, than any specific rule knowledge. Only a limited set of rules will be important to know from the outset, and these are the ones flagged by this section. All other rules will need to be found by the student. In some instances a rule may not be published or published in full. Instead it will be embedded in communications with HCI, such as a letter of offer. Then, special advice may be needed, and this will require further communication with HCI.

### Key points

- HCI has set our own entitlements and obligations through policy
- HCI has set students' entitlements and obligations through policy
- Students are most affected by HCI's policies on:
  - Admission
  - Tuition Fees and Refunds
  - Academic credit - sometimes called advanced standing, exemptions, or recognised prior learning (RPL)
  - Enrolment
  - Course transfer

### Tips for Education Agents

1. Many students do not think about how their study plans may be limited or even made impossible under HCI's policies. If students face unexpected barriers to their study plans, they often seek to blame those who advised them, and that will include their agent.
2. As an agent, you need to minimise the risk of student initiated actions against you in these situations by being thorough, clear, ethical and comprehensive in providing your advice.

In particular, you need to:

- a. Be clear about what the student wishes to achieve
  - b. Know how to reference these wishes against the HCI's policy entitlements and obligations
  - c. Be ethical in the advice that you give, including the limitations of your own knowledge of the courses offered by HCI or about the institute
  - d. Make explicit reference to obstacles that you know will affect the student's study plans
  - e. Make explicit reference to risks or costs that you know will affect the student's study plans and may be overlooked by the student, e.g. OSHC.
3. Do not postpone a planned action believing that it can be better solved onshore. There are many choices that students can or must make that agents sometimes recommend should be made after arriving in Australia or after having commenced. In fact, they are best made at the point of application or acceptance, or at the very least, before commencement e.g. Academic credit is a prime example of a matter that is often poorly referred by agents to the post-arrival or post- enrolment stages, when it is much better handled at the pre-accept or pre-departure stages. Agents sometimes speculate on the academic credit HCI will grant the student, and then the student is disappointed and angry when it does not materialise. Wherever possible, support the student to do everything that can be done prior to departure. This may include enrolling which has, in times past, been strictly an onshore process.
  4. Agents should wherever possible advise students of the serious visa implications of cancelling their course without a letter of release where the student has not completed the first six months of his or her principal course (the highest qualification in a package of courses, usually the last course).

### Section H – Policy: Course fees and refunds

#### Glossary

<b>CoE</b>	Confirmation of Enrolment. An electronic document which is issued by education providers to overseas students who have accepted a course and used by students to apply for a student visa.
<b>Census date</b>	The date on which a student's enrolment is locked in for that study period
<b>DIBP</b>	Department of Immigration and Citizenship (Australian Government)
<b>EP</b>	Education Provider (HCI)
<b>ESOS</b>	The ESOS Act governs the provision of Education Services to Overseas Students
<b>National Code</b>	The National Code is an associated part of this Act that most clearly spells out what each participant may do, must do and may not do in relation to engaging with and/or offering Australia's education services.

#### Rationale

HCI is required to provide an itemised list of course money payable and information in relation to refunds of course money on the student's letter of offer.

HCI has a refund policy that outlines the criteria for the refunds of course money in the case of either student or EP default. Applications for both full and partial refunds of fees are quite common and HCI is used to calculating entitlements.

Assessment of refund applications is generally based on the timeframes and circumstances specified in the refund policy – students are not always aware of the strict timeframes involved and are often penalised for applying too late.

Refund policies are a consumer protection mechanism for the student – however, this mechanism fails if the student is unaware of their rights under this policy. Both students and HCI have responsibilities to provide and access these policies.

HCI is able to cancel the enrolment of a student for non-payment of course fees, even if the student is progressing satisfactorily through the course – students often think that, despite receiving advice that they are at risk of this happening, HCI won't follow through with this action as they are passing their course. (Conversely, some students think that if they are paying their fees they cannot fail their course.)

#### Key points

- HCI set our own course fees and will publish them and include the relevant fee information in the written agreement.
- Under Standard 3 of the National Code, providers must put a written agreement in place, signed by the student, concurrently with or prior to accepting course money from the student. Among other things, the agreement must identify the course or courses in which the student is to be enrolled; an itemised list of course money; information in relation to refunds of course money; and processes for claiming a refund.

- For enrolling agents it will be the agent's responsibility to ensure that a proper written agreement is in place at the time that any course money is accepted from a student. If an agent enrolls a student and accepts course money from that student without having a written agreement in place between the student and the provider, the agent may be found to have engaged in dishonest practices and the provider may be obliged to terminate its agreement with the agent under Standard 4 of the National Code.
- EPs are allowed to determine their own course fee refund policy. These policies will include amounts that may or may not be repaid to the student; processes for claiming a refund; and what happens in the event of a course not being delivered, or if DIBP cancels or refuses to grant a student's visa.
- HCI's written agreements itemise the course fees for one full study period to be paid in advance for the issue of the CoE. However, once a student is enrolled and has completed their first study period, this amount may increase. HCI will inform students in the written agreement if their fees may increase.
- If a student fails a subject and must re-attempt it, they will need to pay for that subject again. Courses are made up of a prescribed number and set of subjects – the total course fees listed in HCI's publications and on the letter of offer are based around completion of the minimum number of subjects required to graduate from the course.
- HCL follows the provisions of our refund policy in a strict manner, particularly in relation to the specified timeframes. Variations to the policy entitlements in the student's favour are not common and are generally only made under "exceptional circumstances". Students must not assume that their circumstances are exceptional. The general rule is that the more the circumstances are beyond the control of the student, or beyond reasonable expectation, the more likely it is that they may be seen as exceptional.

### Tips for Education Agents

1. If a student contacts you to advise that they no longer want to proceed with the course approved on their CoE, your first step is to check the student's situation in relation to the tuition fee refund entitlements and visa status.
2. If the course commencement date is imminent or already passed, it may be a better financial solution for the student to proceed with their course as originally planned and investigate other options during that first six months of the original course.
3. If the student wishes to change course and the CoE issued for the initial course has not yet been submitted for a visa, the student may hold off on applying for the visa until a new offer is accepted and the CoE for the subsequent course has been issued.
4. The timeframes specified in a course fee refund policy are generally determined by the 'Course Commencement' date on the student's CoE and the census date of the first study period of the course. Only by clearly knowing the points at which refund entitlements change can you advise students how to maximise their refund entitlements.



5. If a student contacts you to transfer courses before commencing with the course approved on their CoE, you need to check both the HCI's tuition fee refund and course transfer policies. It is a common scenario that HCI will release the student to study at another education provider but, because the student has applied for their refund late, they only receive half of their fees already paid. This can often mean that the student cannot afford to pay the full tuition fees for the issue of their CoE at their next provider, and in some cases seeks to reverse their decision.
6. If a student contacts you to advise that they could have their enrolment cancelled because they haven't paid their tuition fees after their first study period, you should advise them to contact the person listed on the enrolment correspondence they received. Students are often embarrassed by this situation and choose not to contact their EP to ask for an extension of payment or investigate if there are options available to them (such as an instalment plan). If the student does not respond to the EP's correspondence, the EP is left with no choice but to cancel the student's enrolment and advise DIBP accordingly.

## Section I – Course: Academic progression

### Glossary

<b>Academic Progression</b>	The measure of advancement towards the completion of a course, including course completion as identified through academic merit or skill based competencies
<b>Appeal</b>	A request for (or to request) a formal review of a result, such as a grade; or a process, such as the decision made to exclude a student.
<b>CoE</b>	Confirmation of Enrolment. An electronic document which is issued by education providers to overseas students who have accepted a course and which is used by students to apply for a student visa.
<b>Complaint</b>	A registered expression of dissatisfaction regarding a problem, concern, grievance or dispute.
<b>DIBP</b>	Department of Immigration and Border Protection (Australian Government)
<b>Educational Sector</b>	<p>The Australian education system is divided into four education sectors:</p> <ul style="list-style-type: none"> <li>• Schools</li> <li>• Vocational Education and Training (VET)</li> <li>• Higher Education</li> <li>• ELICOS (English Language)</li> </ul> <p>See the Australian Qualifications Framework website</p>
<b>ELICOS</b>	English Language Intensive Courses for Overseas Students
<b>EP</b>	Education Provider (HCI)
<b>ESOS</b>	The ESOS Act governs the provision of Education Services to Overseas Students. See National Code.
<b>Grievance</b>	Any type of problem, concern or dispute, often forming the basis of a complaint.
<b>National Code</b>	The National Code is an associated part of the ESOS Act that most clearly spells out what each participant may do, must do and may not do in relation to engaging with and/or offering Australia's education services.
<b>VET</b>	Vocational Education and Training education sector which offers a large variety of qualifications for students with a strong practical orientation

### Rationale

Academic progression and attendance requirements appear in both the ESOS Act (National Code) as study requirements and the Migration Act as visa conditions. All student visa holders are subject to both legislations. Under the National Code, student visa holders must maintain satisfactory attendance and make satisfactory academic (or course) progress for each study period. Many students arrive in Australia largely unaware of these requirements and the visa implications of not meeting these requirements.

‘Satisfactory’ academic progression and attendance requirements are determined by HCI and apply to both international and domestic students. ESOS legislation requires that EPs include information on their academic progression and attendance policies at orientation - students often think that their EP won’t enforce this policy and don’t take this information seriously.

Under the National Code, international students must have access to both internal and external complaints and appeals processes. These may need to be accessed in the case that they are at risk of breaching visa conditions – however, they are often unaware of their rights to these processes and apply too late once they do become aware of them.

EPs are not required to record attendance for students in Bachelor, Masters or Research degree for student visa purposes. However, at their discretion, they may record attendance at tutorial classes to ensure that students meet attendance requirements set for that unit/subject by the EP.

### Key points

- EPs set their own academic progression and attendance requirements through policy with certain minimum requirements stipulated under Standards 10 and 11 of the National Code.
- EPs are required, through government legislation, to systematically monitor students’ academic progress and attendance and are required to report students who have breached their academic progress or attendance requirements to DIBP. It is DIBP’s decision when to cancel a student’s visa. The EP’s obligation is limited to reporting the breach on the CoE as a Student Course Variation.
- Academic progression and attendance requirements may be different for different study levels e.g. Undergraduate and Postgraduate course. EPs offering more than one study level usually have different academic progression requirements for each level.
- Under the National Code, EPs are required to have appropriate internal complaints and appeals processes which can be accessed by international students. In most cases, complaints and appeals are regarded as similar but they differ in that a complaint can be lodged about any aspect of a student’s experience and be handled at a very wide range of levels. An appeal is a very specific process that a student may decide to do in response to specific kinds of issue, such as an exclusion or grade awarded.

### Tips for Education Agents

1. If a student contacts you distressed that they have received advice that their enrolment has been terminated by HCI, it is highly likely that this isn’t the first warning the student has received regarding either their attendance or course progress. EPs are required through legislation to actively monitor students’ attendance and course progress and contact the student as early as possible if they are at risk of not meeting attendance or academic progression standards.
2. Students often report that they have received advice that their student visa is being cancelled when, in fact, they have received a letter advising them that their enrolment may be ‘at risk’ if their grades don’t improve next study period.

3. HCI will have a dedicated contact person or unit to handle matters relating to attendance and academic progression. Ask the student to forward all of the advice that they have received on this topic, and where the student needs specialised assistance, refer the student to the author of the advice who is the person or unit that issued the notice.
4. If the language is difficult or confusing, you may assist them with interpreting the written advice that they have received, but it is usually best for the students to follow the directions exactly as

## Section J – Course: Changing course

### Glossary

<b>CoE</b>	Confirmation of Enrolment. An electronic document which is issued by Health Careers International to overseas students who have accepted a course and which is used by students to apply for a student visa.
<b>DIBP</b>	<a href="#">Department of Immigration and Border Protection</a> (Australian Government)
<b>Educational Sectors</b>	The Australian education system is divided into four education sectors: <ul style="list-style-type: none"> <li>• Schools</li> <li>• Vocational Education and Training (VET)</li> <li>• Higher Education</li> <li>• ELICOS (English language)</li> </ul> See the Australian Qualifications Framework website
<b>EP</b>	Education Provider (Health Careers International)
<b>ESOS</b>	The ESOS Act governs the provision of Education Services to Overseas Students
<b>National Code</b>	The National Code is an associated part of this Act that most clearly spells out what each participant may do, must do and may not do in relation to engaging with and/or offering Australia's education services.

### Rationale

Changing course can take place:

1. **Internally** - between courses within HCI; or
2. **Externally** - between courses offered by different EPs, including across different education sectors.

The term 'course transfer' is sometimes used to describe the first of these options because it is internal to a single EP, and sometimes used as an equivalent to changing courses in general.

The change between EPs is more complicated and is the main focus of this chapter.

The situation where a student will seek to change their course is a relatively common scenario, either internally or externally. The planning undertaken by the student and the point at which that processes is initiated can affect the advice that an agent or EP might provide.

Under the National Code, EPs are required to have a documented transfer policy that outlines their criteria for both approving and refusing requested transfers to other EPs. EPs must follow their published transfer policy or risk the student lodging a complaint.

Some unscrupulous agents attempt to divert a student to their EP just before the student is about to commence at their original EP. This is both the cause of great frustration in the industry and simply unethical and unacceptable. Agents who do this risk the integrity of the EP they represent and contribute to a decline in the reputation of Australia's international education program overall.

Students often make rash decisions to change providers that are not in their best educational interests, generally under the influence of agents and friends. While the advice of friends cannot be controlled, the agent has a formal requirement to provide ethical and appropriate course advice at all times.

In making these rash course change decisions, students are often unaware that their new course requires a change of visa (including a new sub-class if it is a change of educational level) and all of the relevant assessment processes and charges.

### Key points

- EPs determine their own transfer/release criteria – formally referred to as their “Student Transfer Request Assessment Policy and Procedures”. These policies can vary significantly between EPs; but all must include the circumstances in which a transfer will be granted; the circumstances the EP considers as providing reasonable grounds for refusing a student request; and a reasonable timeframe for assessing and replying to the student’s transfer request.
- EPs are required to ensure that they don’t knowingly enrol a student wishing to transfer from another EP prior to the student completing six months of study at their original EP. The principal course is the highest qualification in a package of courses that appear on the student's visa, usually the last course in a package
- The acceptable timeframe to transfer after six months is often misunderstood. This means completion of six calendar months of the principal course of study from the commencement date of the principal course on the student’s CoE – not one full-time standard semester as often thought.
- IHHA follows the provisions of their transfer/release policy in a strict manner. Variations to the policy entitlements in the student’s favour are not common and are generally only made under “exceptional circumstances”. Students must not assume that their circumstances are exceptional. The general rule is that the more the circumstances are beyond the control of the student, or beyond reasonable expectation, the more likely it is that they may be seen as exceptional.

### Tips for Education Agents

1. If a student contacts you to advise that they no longer want to proceed with the course approved on their CoE and change to a course at another EP, your first step is to check the student’s entitlements under the original EP’s transfer/release policy; tuition fee refund policy and visa status.
2. Most courses have study periods (‘terms’, ‘semesters’, ‘trimesters’, ‘sessions’ etc.) that are less than six months long, and EPs rarely share a strictly common timetable – especially across educational sectors. Changing courses across EPs can be very difficult or even impossible in the first study period. Students can sometimes face awkward consequences by having their application to transfer declined, or approved but leaving an unacceptable gap in study between academic calendars. Encouraging a student to delay changing EP until the following study period can often solve this problem quite simply.
3. Students are not able to hold two active CoE’s. If a student has been approved to change providers before six calendar months of study has been completed, the new provider is not able to issue a CoE until the original provider has issued a letter of release and cancelled the original CoE.

The correct sequence of obtaining release before resigning from or abandoning or changing course must be followed.

4. As transfer/release policies vary significantly across EPs, it is very unwise to advise students that they will easily be able to transfer courses and EPs once onshore. Students often arrive in Australia with an established plan to change EPs but find these plans thwarted by EP policy. Choosing the right course before applying for a visa is always the best approach.
5. If a student contacts you to transfer courses before commencing with the course approved on their CoE, you need to check both the original EP's tuition fee refund and course transfer/release policies.

It is a common scenario that the EP will release the student to study at another education provider but, because the student has applied for their refund later than they should, they only receive a refund of half of the fees they've paid. This is often surprising and disappointing for the student - especially when they have not even commenced their initial course. It may also mean that they cannot afford to pay the full tuition fees for their next course. In some cases, students seek to reverse their decision to change EPs, and regrettably, it may be too late.

6. If a student approaches you wanting to change providers, you should advise them of the rules around transferring providers prior to completing the first six months of the principal course (Standard 7 of the National Code). Where relevant you should also inform students who have not completed the first six months of the principal course that they must have a letter of release to transfer elsewhere – students cannot legally change providers simply by cancelling their CoE. Indeed, cancelling the CoE may have serious visa implications, as students that cancel will not be enrolled in any course yet will not be able to legally transfer into an alternative provider. A student in this situation may have his or her visa revoked.

### Section K – Migration: Visa requirements and conditions

Education agents can give standard student visa application advice as authorised under the Migration Act 1958. For the most current and accurate immigration information, education agents should ensure they are familiar with the [Department of Immigration and Border Protection \(DIBP\)](#) website and specifically, regular checking of the What's new section of the DIBP website will alert agents to any changes which may affect student visa conditions. For correct visa application advice agents can insert the country of origin and sector of study into the DIBP student visa search facility and obtain all of the correct visa application advice required for a student.

Education agents who are also registered migration agents can access other information by logging on to the Agents Gateway area which provides information for migration agents on visa applications, legislation, registration as well as useful links and resources.



### Section L – General: Cost of living, managing finances and employment

HCI will provide pre-departure and post arrival advice on cost of living, banking, managing finances and employment advice for students as required by The National Code 2007. As the cost of living in any particular State/Territory will vary it is important to read the information provided by the EP.

2: [Pre-Arrival](#), and the Managing finances from Section 3: [Settling in](#), of the Rainbow Guide including budgeting, and links to Australian financial institutions. Agents should remember to check that the students they are advising have realistic expectations and that they consider how students with family's needs will differ from single students when advising them.

Agents can assist students by ensuring they pass on the pre-departure advice provided by HCI and encourage students to read and keep the more specific and local personalised information provided directly by the student's EP.

Unpaid, volunteer or course placement work can be of value to students by making them feel more comfortable in a new country, a new field of study, or the community. Volunteer or unpaid work can, on occasion, lead to an offer of employment.

### Section M – General: Accommodation services

Finding housing in most major cities in Australia is difficult even for Australians. Agents should ensure that they discuss the advice and local information HCI provide in their pre-departure and post arrival information with students. HCI will also assist students once they are on-shore and agents should encourage students to make contact with the EP upon arrival.

Students with families will also benefit from some counselling to consider the needs they will have for themselves and their family while in Australia.

[Section 3: Settling in](#) of the Rainbow Guide contains extensive and valuable information about being a tenant, choosing a roommate, links to State Tenancy Unions and more. Highly recommended reading for students and agents to gain a clearer understanding of how the housing market works in Australia.

### Section N – General: Health and safety matters

HCL provides written advice and practical sessions during orientation on health and student safety. Agents should encourage students to attend orientations in Australia to fully understand important health and safety advice.

In [Section 5: Social and Cultural](#) of the Rainbow Guide agents can read extensively on the following Safety Areas to further acquaint themselves with good advice for students on living safely in Australia:

- Home safety
- Sun safety
- Beach safety
- Bush and outback safety
- Storm safety
- Dangerous animals and plants

Some of this information is likely to be specific to the area in which your students are living and studying. Please note the police, fire and ambulance services in Australia are well trained, helpful and friendly people who assist all members of the public. Speaking to the police will not affect a Student Visa in any way. No record will stay on police files unless a student has committed a crime. Police cannot solve all crimes instantly but if a crime such as a burglary is reported, the police will take the situation seriously and do all in their powers to find who did it and place them before the courts.

Other emergency workers such as fire fighters are also well-trained, helpful and interested in matters to do with international students. Representatives from both the police and the fire service are often involved in the orientation activities for international students and/or information days at later stages in your programs of study. Government authorities, the police and emergency service workers all work together with the education and accommodation providers to ensure that international students in Australia are as safe as possible. Students should be advised that the free- call emergency telephone number in Australia is 000.

### Section O – Welfare: Welfare and support systems

Student welfare is an important element of the student experience in Australia. Along with life skills, health and safety information and living advice provided at orientation, many EPs have developed programs such as student mentoring, and joint community-institution programs for sport or volunteer activities. These programs not only assist students to feel more comfortable in their surroundings, but to understand some of the programs which may be available to them if needed. Counsellors, academic skills advisors, international student advisors and other services are available to students on campus. Community welfare programs also recognise the needs of international students and often offer themselves and their services free of charge or at low cost to students. An agent who understands that these services are possibly available can assist students when they may become aware of difficulties or concerns of the student.

### Section P – Welfare: Cross Cultural issues and everyday Australian life

Orientation programs often offer theoretical and practical opportunities for students to experience the Australian lifestyle and culture. Excursions to local shopping centres, beaches, regional or country areas and more are run during orientation periods, and throughout the academic year. HCI will be happy to be involved in programs that either you or your students think might be valuable to their integration into or acceptance of their life in Australia.

HCI stay up to date with current issues and trends. Cross-cultural training and workshops on issues identified as possible barriers to effective teaching and learning in institutions are often run for both academic and general staff. International office support staff will offer counselling or other assistance to any students who may be affected by natural disasters or other issues occurring in their home country. It will help your students and their families to know that institutions welcome students going to discuss their concerns with their international student adviser.

### Section Q – Welfare: Social inclusion

International student numbers in Australia are now well recognised. As a result many local councils and combined councils run welcome programs, encourage students from specific cultures to attend local cultural celebrations, and advertise for international students to join programs and add their own cultural colour to the community. HCI has always fostered these relationships and encourage new ideas and opportunities both on and off - campus.

### Section R – Reference: Resources and Links

#### Resources

##### 1. *Education Services for Overseas Student (ESOS) Act 2000*

The ESOS Acts and regulations set out the legal framework governing delivery of education to overseas students studying in Australia on a student visa. The Australian Government, through the Department of Education administers the ESOS Act and its associated instruments.

<http://www.comlaw.gov.au/Details/C2013C00173>

##### 2. *National Code 2007*

The National Code is a set of nationally consistent standards that governs the protection of overseas students and delivery of courses to those students by providers registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). Only CRICOS courses can be offered to international students studying in Australia on a student visa.

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

##### 3. *Professional International Education Resources (PIER)*

Professional International Education Resources (PIER) provides people working in international education with an extensive collection of resources relating to international education, including references and research reports.

<http://www.pieronline.org/>

##### 4. *Student Education Project*

The Student Education Project videos were designed to raise awareness of quality assurance and consumer protection mechanisms embedded in the ESOS legislation. These six short downloadable animated videos provide practical information and advice for students, parents and education agents on issues which may be encountered by international students while studying, living and working in Australia.

[Student Education Project videos](#)

#### Links

##### • *Australian Council for Private Education and Training*

The Australian Council for Private Education and Training (ACPET) is the national industry association for independent providers of post-compulsory education and training, for Australian and international students.

##### • *Australian Qualifications Framework*

The Australian Qualifications Framework (AQF) is a system of seventeen national qualifications that assists students to plan their careers and learning.

##### • *Australian Education International (AEI)*

Government activities; market information; events; offshore support; publications & research; qualifications recognition.

- **Department of Education**

Commonwealth Register of Institutions & Courses for Overseas Students (CRICOS) Information on Australian education institutions and courses offered to overseas students.

- **Department of Immigration and Border Protection (DIBP)**

Includes information on requirements for studying in Australia; information for education providers; government policy on immigration and multiculturalism; visas; PR; Australian citizenship; and, migration.

- **English Australia**

English Australia (EA) is the national association for accredited public and private English language colleges in Australia.

- **International Education Association of Australia**

The International Education Association of Australia (IEAA) was established to serve the needs and interests of the large number of individuals working in international education across all education sectors.

- **ISANA: International Education Association**

ISANA: International Education Association is the representative body for international education professionals in Australia and New Zealand who work in student services, advocacy, teaching, and policy development in Australia and New Zealand.

- **Ministerial Council for Tertiary Education and Employment**

The Ministerial Council for Tertiary Education and Employment (MCTEE) commenced from 1 July 2009. MCTEE is responsible for:

Higher Education; Vocational Education and Training; International Education (non-school); Adult and Community Education; the Australian Qualifications Framework (AQF); Employment; and Youth policy relating to participation in tertiary education, work and workforce productivity.

- **Overseas Student Health Cover**

OSHC is insurance to assist international students meet the costs of medical and hospital care that they may need while in Australia.

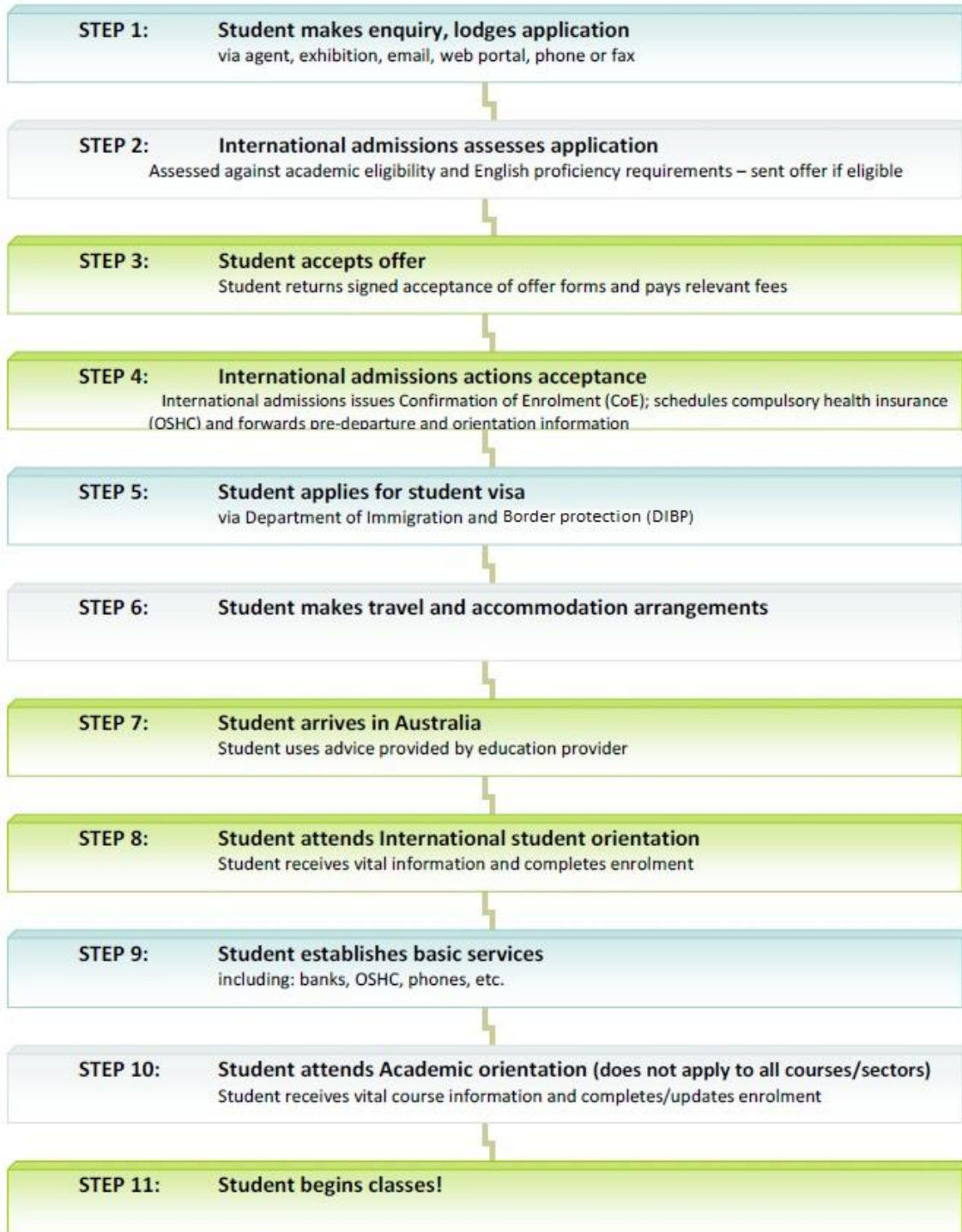
- **Senate Inquiry into the Welfare of International Students**

This Senate Inquiry was established to examine issues impacting on international students in Australia. The aim of the Inquiry was to recommend and implement changes to improve the overall experience of these students whilst studying and living in Australia.



Appendices

Appendix A1: Step-by-step International Admissions Process



Duncan, M & Spolc, P (2010) *Education Agent's Manual*

### Appendix A2: Step-by-step International Admissions Process - description

For international students planning to study in Australia, the application process involves a number of steps – these steps are fairly standard, no matter whether they are planning to study English or a higher education research degree.

Applying for a course normally requires the following documents:

- Certified copies of an academic history to date, including high school results/certificates and any studies undertaken after high school (often called post-secondary studies). If applicants have undertaken any post-secondary studies they will need to provide their academic transcripts of subjects studied and any Completion or Graduation Certificates with their application.
- Certified copies of English language proficiency (e.g. IELTS, TOEFL or evidence that the medium of instruction in the student's past studies was English). All institutions have individual, specific English language proficiency requirements for entry into their courses – these standards vary greatly depending on the course selected.
- A certified copy of your passport and evidence of any Australian visa (if currently in Australia).
- For research degree applicants, a copy of a research proposal will also be required.

Once an application has been received by an education provider, it will be assessed by the admissions office/staff to determine if it meets both the academic and English language requirements for the selected course. The possible outcomes of the application are:

- A Rejection Letter: This confirms that the application has not met the entry requirements for the selected course.
- A Conditional Letter of Offer: This confirms that the applicant is eligible for entry to the selected course, pending the provision of further information to the admissions office. For example, the applicant may be required to provide a Completion/Graduation Certificate if they are finishing their current studies when they applied for their course or provide evidence of an IELTS or TOEFL test if they are sitting their English test after having applied for the selected course. Once the additional documentation has been provided and meets the stated conditions, the applicant will be issued with a Full Letter of Offer
- A Full Letter of Offer: This confirms that the applicant is eligible for direct entry into the selected course.
- A Package Letter of Offer: This confirms that the applicant has a Full Letter of Offer to one course and an additional Conditional Letter of Offer to a following course. For example, an applicant may receive both a Full Letter of Offer to a Diploma course with a Conditional Letter of Offer to the following Bachelor degree (which is conditional upon successfully completing the Diploma course).

If the applicant has been successful in their application, the next step is to formally accept the offer by:

- Signing the Offer Acceptance Form included in the offer
- Paying the tuition fees outlined in the letter of offer – this is generally the amount of one full study period's tuition fees at that education provider.
- Paying the Overseas Student Health Cover (OSHC) outlined in the letter of offer – unless the applicant has been studying in Australia and has current OSHC accepted by the new education provider.

Once the applicant's acceptance and payment have been received and confirmed by the education provider, a Confirmation of Enrolment (CoE) will be issued, which will then be required for a student visa application. Please note that applicants from Assessment Level 3 or 4 countries, cannot accept their Letter of Offer until they have completed a Pre-Visa Assessment (PVA) in their home country. PVAs are a procedure of the Department of Immigration and Citizenship (DIAC) whereby applicants from these countries who are applying for a student visa offshore can have their genuineness as a student assessed on the basis of a letter of offer before obtaining a CoE from their prospective education provider

### **Appendix B: The Australian Qualifications Framework**

The Australian Qualifications Framework (AQF) is a system of seventeen national qualifications that assists students to plan their careers and learning. AQF qualifications allow both domestic and international students to start at the level that suits them best and allows them to progress to higher awards according to their interests and abilities.

#### ***Why is the AQF important?***

The AQF is important as it:

- provides a clear structure for the level of each qualification
- allows students to build their qualifications from lower to higher levels
- allows one education institution to clearly understand the level of a qualification awarded by another and provide appropriate credit
- corresponds to the student visa subclass that a student receives when they study in Australia
- is endorsed by all Australian governments and is therefore recognised around Australia and by other countries

#### ***How are Australian qualifications grouped?***

Australian qualifications are grouped according to the educational sector in which they are most commonly issued, as listed in the table below.

A qualification normally offered in one sector may sometimes be provided by an institution in a different sector e.g. Schools may offer a Certificate III course within their senior school program; some Universities may offer a Diploma; and some Vocational Colleges may offer Bachelor Degrees. Some courses do not award a formal qualification, as listed on the AQF table, even though they offer excellent education and outcomes. For example:

- Many English language courses (ELICOS)
- Some foundation studies courses
- Non-award programs

School Sector Accreditation	Vocational Education and Training Sector Accreditation	Higher Education Sector Accreditation
		Doctoral Degree
		Masters Degree
	Vocational Graduate Diploma	Graduate Diploma
	Vocational Graduate Diploma	Graduate Certificate
		Bachelor Degree
	Advanced Diploma	Associate Degree, Advanced Diploma
	Diploma	Diploma
Senior Secondary Certificate of Education	Certificate IV	
	Certificate III	
	Certificate II	
	Certificate I	

***Where can I find information on specific qualifications and which institutions offer them?***

All AQF qualifications and the education providers accredited to deliver and issue these qualifications are available through a register, listed in [The AQF Register of Recognised Education Institutions and Authorized Accreditation Authorities in Australia](#).

All further information on the Australian Qualifications Framework can be accessed at: [www.aqf.edu.au](http://www.aqf.edu.au)

**Appendix C: Agent's Checklist: what you need to know about your students' education provider**

Education Provider Information Required	EP:		
Course Information	Received	Reference/Source/Website link	Remarks
Minimum level of English Language Proficiency required for acceptance into provider courses			
Minimum level of education/specific education qualifications required for			
Minimum level of work experience required for acceptance into provider			
Duration of provider courses			
Teaching and assessment methods used in provider courses			
Qualification and accreditation gained upon completion of			
Campus Information			
Campus location/s			
Campus Access to public transport			
Campus facilities, equipment and learning			
Fees Information			
Tuition fees for provider courses			
Insurance premium for Overseas Student Health Cover			
Provider Course Refund Policy which must include:			
<ul style="list-style-type: none"> <li>Amounts that may or may not be repaid to the student</li> </ul>			
<ul style="list-style-type: none"> <li>Processes for claiming a refund</li> </ul>			
<ul style="list-style-type: none"> <li>Advice on what happens in the event of a course not being delivered</li> </ul>			
Available Scholarship opportunities			

Policies and Procedures Information			
Documented provider procedure for checking on the suitability of student accommodation, support and general welfare arrangements for student under 18 years of age			
<i>Documented provider attendance policies and procedures which must</i>			
<ul style="list-style-type: none"> <li>Requirements for achieving satisfactory attendance</li> </ul>			
<ul style="list-style-type: none"> <li>Manner in which attendance and absence are recorded and calculated</li> </ul>			
<ul style="list-style-type: none"> <li>Process for assessing satisfactory attendance</li> </ul>			
<ul style="list-style-type: none"> <li>Process for determining the point at which the student has failed to meet satisfactory</li> </ul>			
<ul style="list-style-type: none"> <li>Procedure for notifying student of unsatisfactory attendance</li> </ul>			
<i>Documented student transfer request (Course Transfer) Assessment Policy and Procedure</i>			
<ul style="list-style-type: none"> <li>The circumstances in which a transfer request will be granted</li> </ul>			
<ul style="list-style-type: none"> <li>The circumstances the provider considers as providing reasonable grounds for refusal</li> </ul>			
<ul style="list-style-type: none"> <li>A reasonable timeframe for assessing and replying to the student transfer request</li> </ul>			

Education Provider Information Required	EP:		
<i>Documented provider academic progression policies and procedures which must include</i>			
<ul style="list-style-type: none"> <li>Requirements for achieving satisfactory course progress</li> </ul>			
<ul style="list-style-type: none"> <li>Process for assessing satisfactory course progress</li> </ul>			
<ul style="list-style-type: none"> <li>Procedure for intervention for students at risk of failing to achieve satisfactory course progress</li> </ul>			
<ul style="list-style-type: none"> <li>Process for determining the point at which the student has failed to meet satisfactory course progress</li> </ul>			
<ul style="list-style-type: none"> <li>Procedure for notifying students that they have failed to meet satisfactory course progress requirements</li> </ul>			
Documented provider internal complaints handling and appeals policies			
Documented Provider external complaints handling and appeals policies and procedures			