

Agent Management Policy and Guidelines

Scope

This policy is applicable to Kaplan Business School Pty Ltd (Kaplan).

Purpose

This Policy provides information as to how Kaplan adheres to a strict process of application and approval in the recruitment and selection of education agents. Kaplan also follows a firm practice in the monitoring and suspension or termination of education agents who do not act in an appropriate manner, ensuring all agents are honest and professional in their representation of the Kaplan courses.

Guidelines

Agent Application

Agents who wish to become a Kaplan approved agent must follow the guidelines set out below.

- It is the responsibility of the Agent Liaison Officer to ensure that communication between Kaplan and its agents is efficient and effective.
- New agents are actively sourced by Kaplan based on development markets.

New agents can also be sourced, with assistance, from:

- existing Kaplan Business School approved agents
- Kaplan entities in Australia or overseas.
- An agent can also make an enquiry about becoming a Kaplan approved agent by:
 - contacting Kaplan directly by phone or email
 - visiting a Kaplan location
 - contacting a Kaplan business either domestically or internationally
 - being visited by a Kaplan representative either domestically or internationally.
- The Agent Liaison Officer contacts the enquiring agent and requests relevant information, including the company profile, before providing the application of the prospective agent to the relevant Regional Manager.
- The Agent Liaison Officer then decides whether to continue with the application or not.
- If the agent's application is not approved, the agent is notified in writing by the Agent Liaison Officer.

Agent Approval

When Kaplan decides to continue with the agent application, the Agent Liaison Officer will create a new agent account in the Kaplan management system and enter all relevant information.

- The Agent Liaison Officer requests the agent complete a New Agent Questionnaire. All information in the questionnaire must be true and correct.
- Two referees are also requested, unless there is an active agreement in place between the agent and another Kaplan entity, in which case one reference from a Kaplan employee who has had direct dealings with the proposed agent is required.
- The application is then submitted to Compliance for relevant checks:
 - Correctly completed questionnaire
 - Relevant references
 - Required data fields completed correctly

- Names of the agency and director(s) or authorised representative(s) that will sign the agreement are run through a global database to determine if there are any 'red flags' in dealing with this agency and/or agent.
- Approval from General Manager, Student Recruitment to appoint
- Approval from General Manager, Student Recruitment for any non-standard commission arrangements or bonus incentive scheme
- Once all checks have been completed, Compliance produce an Agent Agreement:
 - The duties and responsibilities of the agent are stipulated in the Kaplan Agent Agreement
 - The duties and responsibilities of Kaplan are stipulated in the Kaplan Agent Agreement
 - The Agreement is sent electronically to the prospective agent
 - The agent has three (3) months to digitally sign the Agreement before it is voided, however automatic reminders are sent to the agent on a weekly basis
 - When the agent signs digitally, Compliance and the relevant Regional Manager are notified immediately by email
 - The agent also automatically receives an electronic copy of the signed contract
 - Compliance then verifies the legitimacy of the Agreement and activates it in the Kaplan management system
 - Upon activation in the Kaplan management system, the agent is sent a/an:
 - Current Prospectus
 - Agent Sales toolkit, which includes promotional material, product specific information, application forms, fee sheets and a brand guidelines pack
 - Agent details are updated on the Kaplan website twice a year.

In accordance with the National Code, Kaplan will enter into a written agreement with each education agent it engages to formally represent it. The details of the agent are entered in to and maintained in PRISMS.

If the agent's application is not approved, at any stage, the agent is notified via email by the Agent Liaison Officer.

Approved New Agent Training

All Approved Agents will be provided with sufficient tools and resources by Kaplan to ensure that accurate and up-to-date information is given to prospective students at all times, and to ensure compliance with the relevant laws, regulations, standards and codes. A standard Statement of Agent Responsibilities (Appendix A to this Policy) must also be provided to all new agents to ensure that the agent has an appropriate understanding and knowledge of the ESOS Act and the National Code.

As soon as reasonably practicable, and no later than three [3] months from becoming an Approved Agent, the Agent will be provided with appropriate training on Kaplan and its courses (including but not limited to entry requirements, admissions process, scholarships and support services). Their obligations and responsibilities under the National Code, the ESOS Act and the requirements of Kaplan in relation to the Genuine Temporary Entrant status of all prospective students aimed at managing potential visa risks arising from a student's reasons for seeking to study in Australia, will also be clarified.

All new agents will be provided appropriate training initially on the Kaplan courses as well as clarification of the agent's obligations under The National Code and ESOS Act. This training will be provided in person, via Skype, webinar, over the phone or through email.

Where applicable, Genuine Temporary Entrant (GTE) training is completed with new agents as well as on an ongoing basis. GTE training is actively initiated by Kaplan and is provided in person, via Skype, over the phone or through email.

- If the new agent is based in Australia, the relevant Regional Manager will arrange for the agent's Director/Manager to have a meeting and tour of a campus (where location allows). This meeting should

include information regarding the courses and facilities available at Kaplan to ensure the agent will pass on relevant information to prospective students.

- If the new agent is overseas, the relevant Regional Manager will, where possible, arrange for a Kaplan representative - who may be travelling to that specific region - to meet with the agent, view their premises and practices as well as informing them about the courses and facilities available at Kaplan to ensure the agent will pass on relevant information to prospective students.

Ongoing training is also provided through:

- Agent familiarisation visits to Australia
- Agent training and workshops days held in market
- Various training sessions

Agent Updates

Kaplan will ensure that Approved Agents are provided with up-to-date and accurate promotional material and informed of any changes to courses and/or any legislative or regulatory requirements (where applicable), through a range of communication means including update emails and newsletters, training webinars, regular agent meetings and agent visits.

As required, the relevant Regional Manager communicates to agents on:

- Product and/or campus updates
- Relevant government process changes
- The advertising of events.

In addition:

- If the Kaplan agent is based in Australia, the relevant Regional Manager may visit the Agent.
- If the Kaplan agent is based overseas, the relevant Regional Manager can, where possible, arrange for a Kaplan representative – who may be travelling to that specific region – to visit the agent.
- The relevant Regional Manager will ensure that all existing agents have current information on applicable promotional prices, new procedures and enquiry/enrolment information.
- Every Kaplan agent will be emailed 'Kaplan Business School Australia Agent Update Emails' from time-to-time detailing the latest Kaplan updates.

Agent Payments

Payment of commission is made in accordance with the Kaplan Agent Agreement. In addition, agents may be eligible to take part in a Kaplan Bonus Incentive Scheme. The Kaplan Bonus Incentive Scheme is reviewed each year and key performing agents are invited to participate. The Scheme is intended to foster and further develop new relationships, incentivise partners to reach next tier of performance and provide ongoing support to long term partners.

Monitoring and Reviewing Agent Performance

Kaplan monitors and reviews the performance of its approved agents on an ongoing basis as well as through a formal annual review. This information may be provided through Australian government agencies and their reporting systems, local government agencies around the world, as well as student feedback, including those that change agents.

Annual Agent Performance Reports

- The business will review agent performance at the end of every year.
- Agents will be sorted into three groups:
 - Non-Performing

- Performing
- New (registered with Kaplan for under 12 months).
- Agents who are “Non-Performing” may become suspended in the Kaplan management system and no further enrolments will be allowed unless this status is changed to “Performing”.
- Agents who are “Performing” will have their contract continued based on maintaining consistent enrolments and demonstrating a proven ability to continue to abide by all regulatory requirements.
- “Performing” agents may be provided with a number of incentives, including (but not limited to) bonuses and additional marketing support and resources.
- Agents who have not worked in a professional manner and/or have not abided by all regulatory requirements, will have one or all of the following actioned:
 - A warning letter or email
 - Suspension of Agent Agreement (no enrolments allowed until performance improves)
 - Termination of Agent Agreement (criminal activities and serious non-compliances)
- Kaplan supports an agent’s right to appeal any decisions made by the business regarding their Agent Agreement. Agents must address their appeal in writing with any supporting documentation. The Regional Manager will review the appeal and establish if the agent is eligible for a probationary extension of the Agent Agreement valid for 3 to 6 months.
- Agents who satisfy standard requirements will be issued a new Agent Agreement.

The agent has three (3) months from the renewal date to digitally sign the Agent Agreement before it is voided, however automatic reminders are sent to the agent on a weekly basis. Failure to sign the Agreement within the three (3) month period may result in temporary suspension until the signed Agreement is returned.

Agent Duties

Agent use of the Kaplan Name and Logo (individual Kaplan Business School branding, as well as Kaplan branding):

- Kaplan ensures consistent, compliant and professional use of the Kaplan logo, corporate image and visual branding in accordance with the Agent Brand Guide.
- A Kaplan registered agent agrees to only advertise the provision of courses with the written permission from Kaplan and its business name and CRICOS Provider Number must appear in all written and electronic material.
- All advertising and use of the Kaplan logo must be approved by Kaplan prior to publication.
- All requests for use of the relevant Kaplan logo are to be emailed to the Kaplan Marketing Manager denise.vodegel@kaplan.com .

The duties and responsibilities of the agent are stipulated at length in the Kaplan Agent Agreement. The Agreement outlines an Agent’s obligations in relation to the rules and regulations as set out in the ESOS Act (2000) and National Code (2018), recruitment rules, promotional activities, fees, privacy and conduct.

Agent obligations are also outlined in the Agent Practices and Responsibilities Statement.

Failure to abide by these obligations will result in a review process which may result in the warning and termination of the Agent Agreement.

Warning and Termination

Kaplan will take the following action prior to terminating an Agent Agreement:

- All agents are continually reviewed by the business in all areas of performance
- If it is established that an agent is deemed to be unsatisfactory in their performance or in severe breach of any items stipulated in the Kaplan Agent Agreement, Compliance or the relevant Regional Manager

will make a recommendation to the General Manager, Student Recruitment to issue a warning or immediately terminate the agent’s Agreement.

- Where a warning has been issued, it is at the discretion of the General Manager, Student Recruitment to decide on the recommendation.
- In the first instance, a letter or email of warning will be sent.
- When an agent has been deemed to be in severe breach of an item stipulated in the Kaplan Agent Agreement then a letter informing the agent of termination is sent and the agent is given the right of reply to Kaplan.
- It is at the discretion of the General Manager, Student Recruitment to decide whether the agent’s response justifies the situation in question.

Please Note: Kaplan supports an agent’s right to appeal in all instances listed above. Agents must address their appeal in writing with any supporting documentation.

Accountable Officers

The accountable officers for the implementation and relevant training of this policy are listed below.

Policy Category	Compliance			
Responsible Officer	General Manager, Student Recruitment			
Implementation Officer	General Manager, Student Recruitment			
Review Date	March 2021			
Approved by	National Compliance and Regulatory Manager, Kaplan Australia			
Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
1.0	Legal and Compliance	Policy created to strengthen current agent management documentation and to align better to National Code 2018 requirements.	09.03.2018	12.03.2018

APPENDIX A

Agent's Ethical Practices and Responsibilities Statement

Australia offers a high-quality education experience to overseas students across all sectors, including English language and foundation programs through to higher education. By providing a fair and accessible system that supports overseas students, Australia has gained an enviable reputation as a popular study destination.

The Education Services for Overseas Students legislation is a robust framework that protects and enhances the experiences of overseas students in Australia. An integral part of the legislation is the [National Code of Practice for Providers of Education and Training to Overseas Students](#) (the National Code). The National Code provides nationally consistent standards for the conduct of registered providers and the registration of their courses. Education institutions such as Kaplan must comply, and ensure that education agents comply, with the National Code to maintain their registration to provide education services to overseas students.

Under the National Code, education agents must act ethically, honestly and in the best interests of overseas students, as well as uphold the reputation of Australia's international education sector. In order to comply with these regulations, it is imperative that all education agents contracted to Kaplan understand and abide by the requirements and responsibilities set out in this Statement. Failure to do so will result in corrective action which may include termination of your education agent agreement.

Education agents must:

- enter a written agreement with Kaplan to be appointed as an authorised education agent
- not provide migration (visa) advice unless authorised to do so under Australian migration law
- not give false or misleading information, or engage in any deceptive practices, in the marketing and promotion of Kaplan's courses
- not claim to commit to securing a migration outcome from undertaking a Kaplan course
- not claim that a Kaplan course will guarantee any specific career or job outcome for a student
- not actively recruit a student that has not completed the first six months of their principal course (except as permitted by Standard 7 of the National Code)
- not accept or recruit students reasonably suspected to be non-genuine entrants into Australia
- provide students with sufficient information to enable them to make informed decisions about studying with Kaplan in Australia
- declare in writing and take reasonable steps to avoid conflicts of interests with their duties as an authorised Kaplan education agent
- observe appropriate levels of confidentiality and transparency in their dealings with overseas students or prospective overseas students
- use Kaplan approved marketing and promotional materials in its recruitment activities
- have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and [Training Agent Code of Ethics](#)
- notify Kaplan as soon as there are any changes to their Agency contact details and business information (i.e. registered address, email and/or director/owner details).

Please note: The Australian Government collects education agent details through PRISMS (the Australian Government's Provider Registration and International Student Management System) and makes available access to reports about the education agents Kaplan has engaged to recruit overseas students.

If you have any questions about any of the requirements and responsibilities outlined in this Statement, please contact us at compliance@kaplan.edu.au or speak to your Kaplan sales representative.