



BRITISH UNIVERSITIES' INTERNATIONAL LIAISON ASSOCIATION

UKCISA UK Council
for International
Student Affairs



**THE NATIONAL CODE
OF ETHICAL PRACTICE
FOR UK EDUCATION
AGENTS 2021**

INTRODUCTION

Purpose

The National Code of Ethical Practice for UK Education Agents (referred to as ‘the National Code’) sets out the standards and best practice that education agents and aggregator agents, representing UK education providers are expected to adhere to. Born out of the London Statement (2012) and the British Council Good Practice Guide for Education Agents (2013), it is endorsed by many of the UK’s peak bodies and promotional. Education Agents have contributed to The National Code’s development and UK providers have committed to imbedding The National Code into their education agent contracts and quality management practices. It is not in of itself a legal document.

Definitions

Education Agent

A person or organisation that deals directly with prospective international students on behalf of education providers. They are contracted directly or indirectly to deliver a range of services to potential students and the provider. To a student, these services would ordinarily include education counselling, such as course and institution matching, and assistance with academic and visa applications. To a provider, services usually include marketing and promotion services and support in identifying qualified students.

Aggregator Agents

Contracted directly by education providers, an aggregator agent (sometimes referred to as a **B2B Agent**, **Master Agent** or an **Outsourced Agent Management Service**) facilitates the delivery of education agent services to students via a network of education agents (service delivery partners) and providing a one-to-many relationship between a provider and education agents. This is achieved through a technology platform and/or a sub-contracting-type arrangement. Aggregator agents assume responsibility for their service delivery partners’ compliance with this National Code.

Qualified Student

A student who intends to enter the country (UK) for academic purposes at the selected provider or package of providers e.g., foundation college to university, as described in their application for study, and meets the requirements stipulated by the Home Office to legitimately study in the UK on the terms set out in their visa. Where a student intends to study a UK course offshore e.g., via a partner / online delivery / provider’s offshore campus, they would be considered qualified based on their academic merit alone.

Student Client

A prospective student who agrees (signed agreement) to engage the services of an education agent in support of their academic and visa applications and any ancillary services as per their agreement.

Provider

A recognised UK provider of a course or courses of study that international students may enrol in, not limited to schools, colleges, English schools, foundation providers, universities and institutes.

Ethical Framework

The National Code is based on the underlying ethical framework of the London Statement that requires education and aggregator agents to operate with:

- **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, and not releasing such information to third parties without proper authority in-line with UK data protection legislation;
- **Professional behaviour:** acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and
- **Professionalism and purpose:** acting in a manner that will serve the best 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).

The National Code Standards

The National Code of Ethical Practice for UK Education Agents is made up of five Standards. Each of these Standards contains a range of expected/desirable practices and suggested evidence points.



1. ORGANISATIONAL BEHAVIOUR

Education and aggregator agents commit to professional business governance and practices. You conduct yourselves with due regard to the regulatory conditions in the market(s) in which you operate as well as complying with all applicable national laws, regulations and official policies. Furthermore, you act with integrity and in a manner that reflects positively on the image of the profession, of your partner providers and of the UK education sector as a reliable and trustworthy provider of high-quality education and training.

Expected Practice	Suggested Evidence
1.1. Act professionally, honestly and responsibly 1.2. Avoid or declare conflicts of interest and comply with relevant laws and regulations	<ul style="list-style-type: none"> • Staff handbook • Staff/education agency certification – British Council Education Agent and Counsellor Training Programme <p>The Training Programme is currently being reviewed and may subsequently change its title.</p>
1.3. Observe appropriate levels of confidentiality and transparency including declaring any relevant partnerships and affiliations (including with sub-agents/managed agents) to partners and student clients and providing clear protocols for managing these relationships	<ul style="list-style-type: none"> • Archives of client records and agreements for previous 2 years • Protocol/policy documents for managing third parties with demonstrable auditing trail to show they are being used
1.4. Be transparent about which organisations the company formally represent (under contract) and those that they do not 1.5. Clearly display the company registration/identifiers on websites and advertising materials 1.6. Use approved marketing communications or gain approval to develop marketing communications on behalf of a provider, to promote providers with whom the company has an agreement	<ul style="list-style-type: none"> • Education agent websites and promotional materials
1.7. Provide a safe environment for their workers 1.8. Provide a professional physical/online space for counselling student clients	<ul style="list-style-type: none"> • Jurisdiction appropriate health and safety, bullying and harassment, and equality and diversity policies or evidence of appropriate processes in place • Photographs of the office and promotional stands - virtual/physical
Desirable Practice	

2. ETHICAL BUSINESS PRACTICE

Education and aggregator agents maintain the highest standards of ethical business practices. You promote yourselves and your partner providers fairly and without recourse to unfavourable or negative comparisons with other providers, or otherwise employ unfair or unprofessional practice to damage the interests of other providers. You are honest in communicating information about yourselves, your partner providers and your student clients in published, oral or in any other form.

Expected Practice	Suggested Evidence
2.1 Ensure all staff have read and understand the National Code of Ethical Practice for UK Education Agents and the associated business practices of your organisation including being open about commercial relationships (not financial detail) with student clients	<ul style="list-style-type: none"> • Staff handbook • Staff/education agency certification – British Council Education Agent and Counsellor Training Programme
2.2 Be transparent about which education agent services fall under ‘provider pays’ (under commission arrangements) ¹ and/or ‘student pays’	<ul style="list-style-type: none"> • Signed written/digital agreements between education agents and student clients that include information about fees, information about themselves and complaints processes • Documented systems and protocols for handling complaints
2.3 Disclose the use of marketing incentives to contracting providers and refrain from practices designed to lure prospective students away from competitor organisations	
2.4 Provide clear avenues for handling complaints and resolving disputes including UK partner providers’ complaints processes	
2.5 Maintain signed agreements between your education agent company and your student clients	
2.6 Provide accurate information about yourselves that supports comparison of registration, accreditations, professional associations, qualifications and experience without knowingly providing misleading information	<ul style="list-style-type: none"> • Examples of action taken based on student client and partner provider feedback • Documented systems and protocols
2.7 Monitor student client and provider feedback and act where necessary	<ul style="list-style-type: none"> • Documented systems and protocols
2.8 Have in place systems and protocols (including relevantly trained staff) to identify and avoid the submission of fraudulent or misleading student documents to UK providers and visa authorities	
2.9 Do not seek to or facilitate students moving between providers to courses of the same or lower QAA level (provider hopping), to gain additional commission.*	
<p>* Where a student has sound reasons for moving, you should inform the existing and future provider and where appropriate work with them to find an agreeable solution.</p>	
Desirable Practice	
Be members of professional associations and networks that promote and support best practice in the recruitment of international students	<ul style="list-style-type: none"> • Link to membership list / kite mark

¹ Note it is not expected that the amount of commission is disclosed; this is commercially sensitive.

3. OBJECTIVE ADVICE AND GUIDANCE

Education and aggregator agents provide accurate advice and guidance tailored to the student clients' needs, wants and capabilities. You shall not knowingly or by a failure of professional standards provide or disseminate false, incomplete or misleading information.

Expected Practice	Suggested Evidence
3.1 Introduce a range of possible providers to the student client aligned to their profile	<ul style="list-style-type: none"> • Examples of student client and family feedback
3.2 Refrain from claiming a direct government endorsement or privileged relationship with a public official or member of the government where one does not exist, e.g., the misuse of national brand logos	<ul style="list-style-type: none"> • Examples of marketing communication materials (including web) • Photographs of promotional stands and office promotional areas
3.3 Refrain from claiming or implying a contractual relationship with a UK education provider, or similar endorsement, where one does not exist, e.g., the misuse of education provider brand logos, images and other marketing collateral	<ul style="list-style-type: none"> • Evidence of staff having completed a range of national and institutional training sessions • Examples of feedback from partner providers about the quality of the counselled students/ applicants
3.4 Implement considered and targeted marketing practices and ensure honest and accurate communication resources are in place	<ul style="list-style-type: none"> • Documented protocols • Staff handbook
3.5 Be transparent about your company fees (student pays) and charges and have in place a documented refund policy	<ul style="list-style-type: none"> • Refund policy
Desirable Practice	
Publish a company charter on how they will counsel and support student clients	<ul style="list-style-type: none"> • Company Charter

4. STUDENT-CENTRED PRACTICE

Education and aggregator agents advocate for qualified students in their desire to gain admission to recognised, accredited and contracted providers. You act in the best interests of student clients as well as the partner providers and offer advice, counselling and information to students, and where appropriate their parents, in a manner consistent with this Code.

Expected Practice	Suggested Evidence
4.1 Provide realistic and appropriate information that is tailored to the individual student client's circumstances, particularly in relation to language skills, capacity to pay and level of study	<ul style="list-style-type: none"> • Examples of student client and family feedback • Spot check audit documents of counselling interactions • Staff handbook • Company equality and diversity policy (for staff and students) or equivalent document
4.2 Support student clients' enrolment journey without prejudice or discrimination, including in relation to their nationality, race, gender, sexual orientation, religion, disability, age, marital or maternity status	
4.3 Act in the best interests of a qualified student	
4.4 Proactively and accurately advise student clients of non-genuine providers and areas of sector concern to help them make informed decisions	
4.5 Provide pastoral care and student wellbeing support in line with the education agent's duty of care – for all student clients, but in particular for those under 18 years of age	
4.6 Specify the rights and responsibilities of the student client in the destination country including complaints and appeals processes and visa stipulations such as part time work rules	<ul style="list-style-type: none"> • Signed written/digital agreements between education agents and student clients that include information about fees, information about themselves and complaints processes • Documented systems and protocols for handling complaints
4.7 Ensure strict confidentiality of personal information and that this information is not shared with a third party unless consent is given, in line with UK data protection legislation	<ul style="list-style-type: none"> • Appropriate governance and document management in place and process/policy regarding document management and security
Desirable Practice	
Publish a company charter on how they will counsel and support student clients	<ul style="list-style-type: none"> • Company Charter

5. ORGANISATIONAL COMPETENCE

Education and aggregator agents maintain their staff and service delivery partners knowledge of the UK and of their partner providers, and the skills associated with delivering professional practice with a high degree of competence.

Expected Practice	Suggested Evidence
5.1 All UK focussed staff understand relevant legislation and regulations relating to recruiting students to UK providers	<ul style="list-style-type: none"> • Staff/education agency certification – British Council Education Agent Training Programme • Education agent’s/aggregator agent’s in-house training records demonstrating that their staff and service delivery partners regularly participate in continuing professional development activities that maintain their up-to-date knowledge
5.2 All UK focused education agent counselling staff have completed UK education agent training	
5.3 At least one UK focused education agent counselling staff per office to have completed the British Council Education Agent Training Programme	
5.4 All UK focussed staff participate in regular training from UK partner providers	
5.5 Keep records of staff’s UK education focused training (including dates and type)	
Desirable Practic	
<ul style="list-style-type: none"> • Multiple UK focused education agent counselling staff per office to have completed the British Council Education Agent Training Programme • All senior counselling staff have completed the British Council Education Advanced Agent Training Programme 	<ul style="list-style-type: none"> • Staff/education agency certification – British Council Education Agent and Counsellor Training Programme