



Marketing Policy and Procedures

Purpose

This policy and procedure is designed to ensure ACE complies with the National Code of Practice for Providers of Education and Training to Overseas Students 2018; 2021 Standard Skills First Contract - Skills First Program, 2021 Guidelines About Eligibility Skills First Program; Student Eligibility for *Skills First*; 2021 Guidelines About Apprenticeship / Traineeship Training Delivery - Skills First Program; VET Quality Framework and the Standards for Registered Training Organisations (RTOs) 2015 which states:

- *“Provide accurate and accessible information to prospective and current students” Standard 4.1 - ASQA Standards for Registered Training Organisations (RTOs) 2015*
- *“Informing and protecting students.” Standard 5.1 to 5.3- Standards for Registered Training Organisations (RTOs) 2015*
- *“Student information and protection’ - obligations about attracting prospective students, assessing and evidencing eligibility, enrolment processes and delivering training to Skills First Students - 2021 Standard Skills First Contract - Skills First Program - Schedule 1 Part A*

This policy describes the commitment of ACE to ensure that the marketing and advertising of its training and assessment products and services, are ethical, accurate, factual and consistent with its scope of registration. This ensures that all marketing and advertising materials developed by ACE are authorized and checked for compliance prior to implementation and thus maintaining the integrity of its marketing practices. This further ensures that prospective and current learners and clients of ACE can make informed decisions regarding their training and/or assessment needs through clear, current and accurate information about ACE, its training and assessment products and services and its performance.

This policy is to be read in conjunction with the following policies and procedures:

- Student Engagement prior to Enrolment Policy and Procedure
- Formalisation of Enrolment Policy and Procedure
- Pre-training review Policy and Procedure
- Version control Policy
- Continuous Improvement Policy and Procedure

Scope

This policy applies to all marketing and advertising activities and materials used to promote training and assessment products and services on ACE’s scope of registration, whether disseminated directly by ACE or on its behalf for all International and domestic students.

Definitions

For this policy, the following terms are defined:

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| TOID | Training Organisation Identification |
| Marketing and Advertising Materials | Include all materials printed or published relating to the promotion of ACE’s training and assessment products and services, specifically those leading to Australian Qualifications Framework (AQF) qualifications or Statements of Attainment |
| ASQA | Australian Skills Quality Authority (ASQA) or the national regulator for Australia's vocational education and training (VET) sector |
| Funding Contract | 2021 Standard VET Funding Contract – Skills First Program |
| Standards | Standards for Registered Training Organisations (RTOs) 2015 |

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|---------------------------|---|
| National Code | National Code of Practice for Providers of Education and Training to Overseas Students 2018 |
| RTO Number | Registered Training Organisation (RTO) number referring to a training provider registered by ASQA (or a state regulator) to deliver VET services |
| CRICOS Number | Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) number assigned to a registered provider |
| CRICOS Course Code | Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) Course Code which indicates a registered program offered to international students studying in Australia on student visas |
| NRT logo | Nationally Recognised Training (NRT) logo is a distinguishable mark of quality for promoting and certifying national vocational education and training leading to Australian Qualifications Framework (AQF) qualifications or Statements of Attainment. |

Policy

1.0 General

ACE shall ensure that the marketing and advertising of its Training Products and Services to prospective and current learners and clients are ethical, accurate, factual and consistent with ACE's scope of registration. ACE will ensure that these are in accordance with the requirements of the current Standards for RTOs, current National Code, current VET Funding Contract and the Australian Consumer Law, where applicable. ACE shall ensure that all marketing and advertising materials are checked for compliance and authorized by the CEO prior to implementation and distribution.

ACE shall ensure that all third-party agents and contractors involved in the promotion of ACE's training products and services shall accurately and honestly represent ACE in all marketing and enrolment activities and shall not offer to provide all or part of ACE's VET courses in their own name.

ACE shall not provide false or misleading information in relation to course requirements when seeking to enter into a written agreement with prospective and current learners.

2.0 Promotional Materials

ACE shall ensure that when conducting marketing (including promoting and advertising) programs on the Funded Scope (domestic students), Fee for Service (international students) and recruiting all prospective students, ACE will provide accurate and factual information and will act in an ethical, honest and responsible manner for all its training products and services on its scope of registration.

All marketing and advertising materials provided by ACE, or a third party on its behalf, shall:

- Be in the name of ACE only
- Include ACE's RTO Name and RTO Code
- Include ACE's CRICOS Name and CRICOS Code (international students only)
- Include the code and title of any training product (as published on training.gov.au) and its corresponding CRICOS Course Code (international students only)
- Not guarantee that:
 - a learner will successfully complete a training product on your scope of registration
 - a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2, or

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- a learner will obtain a particular employment outcome where this is outside the control of your RTO
- Only refer to another person or organisation if the consent of that person or organisation has been obtained prior
- Only use the nationally recognised training (NRT) logo in accordance with the conditions of use, as specified in Schedule 4 of the Standards
- Only include a non-current training product while it remains on ACE's scope of registration till the end date of the transition period as advised by the relevant authority
- Be consistent with its training and assessment strategies, including variations or additions for courses delivered to overseas students
- comply with all applicable Laws, including the Australian Consumer Law
- ensure that all prospective students are accurately informed about:
 - i. the nature and requirements of the training and assessment;
 - ii. financial arrangements, including the cost and other financial impacts on the prospective student;
 - iii. training hours and commitment;
 - iv. the expected outcomes of the training; and
 - v. any subcontract arrangements that will impact on who delivers the training and assessment to the prospective student.

2.1 Printed Materials

ACE shall:

- a. Ensure that the RTO Number and CRICOS Number (international students only) are visible in all printed marketing and advertising materials that are distributed or made publicly available.
- b. Ensure that the NRT logo is used only when advertising a training product that is covered by its scope of registration.

2.2 Marketing Online / Website

ACE shall:

- a. Ensure that its RTO Number and CRICOS Number (international students only) is easily identifiable and prominent on every webpage that is made publicly available.
- b. Ensure that the code and title of a training product (as published on the national register) and its corresponding CRICOS Course Code (international students only) shall be reflected on any webpage that references that training product.
- c. Keep its website up to date.
- d. Advertise non-current training products only while the product remains on its scope of registration till the end date of the transition period as advised by the relevant authority
- e. Include the NRT logo in association with a training product that is covered by its scope of registration.
- f. Publish in a prominent place on its website:
 - 1. A summary of its latest registration audit information
 - 2. A copy of its most recent Quality Indicators (or its successor)
 - 3. Standard fees for government subsidised training for each course/qualification it offers under the current VET Funding Contract.
 - 4. Complaints and Appeals Process

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3.0 Marketing by Other Parties

ACE shall:

- a. Ensure that any marketing undertaken by a third party meets the requirements of Clause 4.1 of the current Standards for RTOs.
- b. Ensure that all advertising, marketing and recruitment done by a third party shall only be in ACE's name as the principal RTO.
- c. Ensure that it is made clear that a third party is recruiting prospective learners on their behalf.

4.0 Marketing and Advertising (for International students)

4.1 Provision of Information

- a. ACE shall not:
 - Provide false or misleading information in relation to course requirements when seeking to enter into a written agreement;
 - Commit to securing migration or education assessment outcomes for overseas students; and
 - Recruit students if it conflicts with its obligations under Standard 7 (Overseas Student Transfers) of the National Code
- b. When seeking to enter into written agreements with overseas students, ACE shall not give false or misleading information on:
 - Any work-based training an overseas student is required to undertake as part of the course;
 - Prerequisites for entry to the course (including English language); or
 - Any other information relevant to the registered provider and/or its courses and the outcomes associated with those courses.
- c. ACE shall not promise overseas students any possible migration outcomes from undertaking any courses, or guarantee successful education assessment outcomes for the overseas or intending overseas student.

4.2 Recruitment of International Students

- a. ACE shall not actively recruit international students where this conflicts with their obligations under Standard 7 (Overseas student transfers), where actively recruiting means:

“when an agent or representative of a particular registered provider speaks or writes directly to an international student and promotes a registered provider or course as superior to and/or cheaper than the registered provider or course in which the international student is currently enrolled, with the intention of encouraging the international student to transfer from their current provider”

- b. ACE shall take reasonable steps to check whether a student is enrolled with another provider before completing the enrolment of an international student who wishes to transfer from another registered provider, where 'reasonable steps' include:

“asking the international student if they are currently enrolled with another provider, checking an international student's visa and using Provider Registration and International Student Management System (PRISMS).”

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5.0 Marketing and Advertising (for Domestic students)

- 5.1 In any promotional publication, report, signage or other materials prepared by (or on behalf of) ACE relating to Domestic Training Services, ACE shall:
- Acknowledge in a prominent way that the Training Services are provided to Eligible Individuals with Funds made available by the Victorian and Commonwealth Governments (for example, by stating that “This training is delivered with Victorian and Commonwealth Government funding”);
 - Not, without the prior written approval of the State or the Department, use any logo or trademarks of the State or the Department of Education and Training;
 - Ensure that such materials meet the requirements of the Equal Opportunity Act 2010 and related laws, including the provision of materials encouraging individuals with disabilities to access government subsidised training;
 - Ensure marketing and advertising of the Training Services to prospective clients is ethical, accurate and consistent with the requirements under the VET Funding Contract and at law;
 - Identify the RTO legal entity and/or trading name and TOID; and
 - If ACE enters into a subcontract arrangement (per Clause 6 of the VET Funding Contract), refer on its website and corporate materials to the identity of the subcontracted party (RTO or otherwise), and the respective roles in the provision of training and assessment, in relation to any Training Services to which a subcontract arrangement applies.
- 5.2 ACE shall not pay, provide or offer, either directly or indirectly, incentives to undertake government subsidised training, whether to an Eligible Individual or to an entity (such as an employer or social organisation).
- 5.3 Where students may be accessing VET Student Loans (VSL) or any other government loan or subsidy, ACE shall provide details of the arrangements:
- Any costs associated with the loan or subsidy (including interests or similar costs)
 - Any debt that will be incurred

6.0 ACE Profile

ACE shall register with the Department for access and maintain an up-to-date profile on the Department’s Victorian Skills Gateway or its successor.

7.0 Monitoring and Review

ACE shall regularly monitor and review all its marketing and advertising activities and materials, whether disseminated directly by itself or on its behalf, for compliance with this policy, the current Standards for RTOs, current National Code, current VET Funding Contract and the Australian Consumer Law, where applicable.

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Procedures

1.0 Development of Marketing and Advertising Materials

The Marketing Manager, overseen by the CEO, is responsible for the development of marketing and advertising materials in line with the Marketing Policy.

- A. In the event of a development of new marketing and advertising materials or revision to current marketing and advertising materials, the following Procedure applies:
1. Complete a Marketing Materials Checklist and attach it to a sample of the newly designed or revised marketing and advertising materials. Specify the reasons for any changes made to the marketing and advertising materials:
 - a. Change of ACE's location, contact details, company name, homepage and other related details.
 - b. Changes to VET Funding Contract, Government legislation or policies.
 - c. Changes in VET regulations (e.g. Standards for RTOs 2015).
 - d. Changes to the delivery of the qualification.
 - e. Changes to the Training Package (e.g. Qualifications or Units of Competency are superseded).
 - f. Changes to ACE's scope of registration.
 - g. Changes to course fees, course duration, course delivery location and/or delivery and assessment methods.
 - h. Changes to ACE's ownership or management.
 - i. For continuous improvement purposes.
 2. Submit the Marketing Materials Checklist together with the sample of the newly designed or revised marketing and advertising materials to the Compliance Officer for review and endorsement.
 3. Forward the Marketing Materials Checklist together with the sample of the newly designed or revised marketing and advertising materials to the CEO for final review and endorsement.
 4. Upon approval from the CEO (or Compliance Officer), update the Version Control and Continuous Improvement Registers in keeping with their respective policies and procedures.
 5. Ensure that all created or revised promotional materials and relevant documents are communicated to all staff and any relevant representatives of ACE.
 6. Distribute or Publish revised documents accordingly and remove old materials.
- B. If a marketing and advertising material is no longer required, the following Procedure applies:
1. Discuss the reasons for ceasing use of the marketing and advertising material with the CEO.
 2. If approval is granted by the CEO to cease use of the marketing and advertising material, update the Version Control and Continuous Improvement Registers to reflect the change and reasons for the change.
 3. Communicate with all staff and any relevant representatives of ACE the decision to cease use of the material and request that the material no longer be used.

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2.0 Providing Information on Marketing and Advertising Materials

2.1 Printed Materials

The Marketing Manager, overseen by the CEO, is responsible for ensuring that the information provided on the marketing and advertising materials are current and accurate, in line with the Marketing and Advertising Policy. The following Procedure applies:

Provide the following information on marketing and advertising materials (where relevant):

- ACE's contact details, website and logo
- ACE's RTO Number
- ACE's CRICOS registered name and registration number
- NRT Logo (in keeping with its Conditions of Use)
- Training Products
 - a. Qualification Code, Qualification Name (in full), Course Unit Codes, Course Unit Names (in full), CRICOS Course Code
 - b. Packaging Rules
 - c. Course Description
 - d. Course Duration
 - e. Delivery Mode
 - f. Assessment Methods
 - g. Course Fees, including Tuition and Non-Tuition Fees (and a breakdown of these costs)
 - h. Course Delivery Location
 - i. Recognition of Prior Learning (RPL) / Credit Transfer

2.2 Marketing Online/Website

The Marketing Manager, overseen by the CEO, is responsible for maintaining the marketing and advertising information on the website, in keeping with the Marketing Policy. The following Procedure applies:

1. Provide all information itemized in Part 2.1 of this Procedure on ACE's website.
2. Publish a summary of ACE's latest registration audit information in a prominent position on its website:
 - a. Audit date;
 - b. Qualifications audited; and
 - c. Audit outcomes:
 - Audit non-compliance identified
 - A summary of significant and/or critical non-compliances and actions taken to rectify; and
 - Non-compliances rectified
3. Publish on ACE's website a copy of the most recent Quality Indicators (or its successor).
 - a. Indicators relating to the previous calendar year must be published within one (1) month of the Commencement Date.
 - b. Indicators relating to the current calendar year must be published by 31 July of each calendar year into which the Term extends.

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4. Publish in a prominent place on ACE's website:
 - a. standard fees for government subsidised training for each course/qualification it offers under the VET Funding Contract. This information must be kept up to date and include the following caveat:
'The student tuition fees as published are subject to change given individual circumstances at enrolment'; and
 - b. details of any other fees including but not limited to student services, amenities, goods or materials.
5. Publish on ACE's website its Complaints and Appeals Process.

3.0 Marketing by Other Parties

The Marketing Manager, overseen by the CEO, is responsible for providing other parties, whether a broker or recruitment agent, the correct information for marketing and advertising ACE and its training products and services, in keeping with the Marketing Policy. The following Procedure applies:

1. Conduct training for all other parties, whether onshore or offshore, doing marketing and advertising on behalf of ACE.
2. Invite their representatives to visit the campuses to view the facilities.
3. Provide them with all the updated marketing materials and keep them up-to-date with any new or amended legislations.

4.0 Securing Marketing Consent

The Marketing Manager, overseen by the CEO, is responsible for securing Marketing Consent prior to use where reference to a person or organisation (including photos or videos) occurs in ACE's marketing and advertising material, in line with its Marketing Policy. The following Procedure applies:

1. Request relevant staff, students or other stakeholders to complete the Marketing Consent Form to indicate approval of the use of their information, photograph or video on any of ACE's marketing and advertising materials.
2. Implement any conditions of permission granted by a person or organisation, in relation to above.
3. Store the completed Marketing Consent Form in the relevant person or organisation's file and keep it in a secured filing cabinet.

5.0 Monitoring and Review

The Marketing Manager, Compliance Manager, and CEO will review marketing materials to ensure compliance with this policy and standards at least twice a year, or whenever changes occur with the legislations, standards or funding contract notifications.

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Legislative Context

- Standards for RTOs 2015, Standard 4 and Schedule 4
- Standards for RTOs 2015, Standard 5.1 to 5.3
- 2021 Standard Skills First Contract - Skills First Program,
- 2021 Guidelines About Eligibility Skills First Program;
- 2021 Guidelines About Apprenticeship / Traineeship Training Delivery - Skills First Program
- National Code 2018 Standard 1 – Marketing Information and Practices
- Australian Consumer Law

Related Forms

- Marketing Materials Checklist
- Marketing Consent Form (Staff)
- Marketing Consent Form (Students)
- Marketing Consent Form (Agents)

Responsible Parties

The CEO, Marketing Manager, Compliance Manager, staff and third-party providers and contractors involved in the promotion of ACE's training and assessment products and services are responsible for the use and implementation of this policy.

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