

Marketing, agents & Representatives policy and procedure

Purpose

ELC ensures that the marketing of education and training services is professional, accurate and maintains the integrity and reputation of the Australian vocational education and training industry. This policy sets the guidelines for ensuring that marketing and recruitment activities comply with the National Code of Practice 2018 Standards 1, 2, 3 and 4, and Standards for Registered for Training Organisations (RTOs) 2015, clause 4.1.

Standards for Marketing information

ELC must ensure the following:

- All marketing undertaken to recruit students is ethical and maintains the integrity and reputation of the Australian VET sector.
- ELC clearly identifies ELC's provider name, RTO ID and CRICOS number in written marketing and other material for students including electronic forms.
- ELC must not give false or misleading information or advice in relation to:
 - claims of associations between providers
 - employment outcomes associated with a course.
 - possible migration outcomes
 - claims relating to ELC such as courses or outcomes associated with the course.
- ELC must not actively recruit students where this clearly conflicts with its obligations under Standard 7 of the National Code of Practice related to Overseas student transfers.
- All ASQA approved courses on CRICOS and Scope that are advertised through the range of marketing materials use the NRT logo in accordance with its condition of use.

All marketing materials are approved by the CEO/RTO Manager prior to printing, publishing, or delivery in any form to the marketplace.

Courses within the ELC scope of registration are delivered and result in issue of either an AQF qualification or Statement of Attainment, as per the ELC Policy for issuing Qualifications.

ELC will not promote any unaccredited training with those that have been approved under the Nationally Recognised Training requirements, without a very clear indication of the two different categories of courses.

Prior to the release or use of testimonials, photographs or other imagery the Marketing Director must record the approval of the owners for such use, a using Media Release Form. Approval is indicated by their signature on the final draft document.

The marketing materials produced by ELC, accurately reflect the marketing points of difference within the Standards of accurate and ethical marketing that have been developed by the Executive Management in the creation of the business plan and the marketing strategy.

The following terms are used to describe ELC service offering, but the materials in which it is used must use these terms in an unambiguous way:

- a) Nationally Recognised Training
- b) Registered by ASQA to issue the following qualification.

All advertising and marketing materials aimed at the international student market are to contain:

- a) ELC Career College Pty Ltd training as ELC Career College
- b) ABN
- c) RTO ID
- d) CRICOS Provider Number
- e) CRICOS Course Code
- f) Course descriptors for CRICOS courses contain the course CRICOS number as well as the qualification code.

Student Engagement

ELC will recruit students in an ethical and responsible manner and provide information so that prospective students can make an informed decision about studying with ELC, in Australia.

ELC must ensure that prospective students provide evidence of qualifications, experience and English Language proficiency, appropriate for the qualifications being delivered. Details of entry requirements are outlined in the ELC Policy for Student Admission.

Prior to accepting a student or prospective students, ELC must provide in print, or through referral to an electronic copy, current and accurate information regarding the following:

- Requirements for acceptance into any ELC course include the minimum English language proficiency (IELTS 5.5 or above/equivalent), educational academic qualifications (Year 12 or above/equivalent), work experience required and course credit available upon application. In cases where a prospective student provides an AQF qualification at least Certificate III level and above in any discipline area, this is deemed as meeting both English language and academic entry requirements.
- Course content and duration, qualification offered if applicable, modes of study and assessment methods.
- ELC campus location with a description of facilities, equipment and learning and library resources available.
- Details of arrangements with another registered provider, person or business to provide the course or part of the course.
- Indicative course related fees, including advice on the potential for fees to charge during student's course and applicable refund policies.
- Information on the grounds on which the student enrolment may be deferred, suspended or cancelled.
- A description of the ESOS framework made available electronically by DET (<https://www.education.gov.au/esos-framework>)
- Relevant information on living in Australia including but not limited to:
 - indicative cost of living

- accommodation options
- ELC has documented procedures in place and implements these procedures to assess prospective student's qualifications, English proficiency and experience, to ensure that they are appropriate to the ELC course for which enrolment is sought. Refer to ELC Policy for Student Admission.

Formalisation of Enrolment

ELC provides students with a written agreement that identifies the services to be provided, fees payable and information in relation to refunds and course money:

- ELC must enter into a written agreement with the student, signed or otherwise accepted by that student (or student's parent or legal guardian if the student is under 18 years of age), concurrently with or prior to accepting course money from the student.
- The agreement must:
 - identify the course (or courses) in which the student is to be enrolled and any conditions on their enrolment.
 - provide an itemised list of money payable by the student.
 - provide information in relation to refunds of course money.
 - set out circumstances in which personal information about the student may be shared between ELC and the Australian Government, and designated authorities including Tuition Protection Scheme (TPS). This information includes personal and contact details, course enrolment details and changes, and the circumstances of any suspected breach by the student of a student visa condition.
 - advise the student of their obligation to notify ELC of any changes to their address or contact details
- ELC must include in the written agreement the following information which is to be consistent with the requirements of the ESOS Act, in relation to refunds of course in the case of student and provider default:
 - amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of ELC)
 - processes for claiming and refund
 - clearly worded explanation of what happens in the event of a course not being delivered by ELC.
 - a statement that 'This agreement and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws.
 - agreed start date
 - default day (5 working/business days after agreed start date)
 - prepaid fee information (as above)
 - length of study period (20 weeks not including study breaks)
 - tuition fee for each study period
 - approved unit of study
 - use term 'Tuition fees' instead of 'course money' to define fees directly related to the provision of a course

- refund requirements in case of student default
- requirement to refund a student in accordance with the written agreement within 4 weeks after receiving the written claim except for visa refusal.

Education Agents

ELC must take all reasonable measures to use education agents who have an appropriate knowledge and understanding of the Australian international education industry and do not use agents who are dishonest and lack integrity.

- ELC has a written agreement with each education agent engaged, to formally represent ELC. The agreement specifies the responsibilities of the education agent and ELC and the need to comply with the requirements of the National Code of Practice.
- ELC agreement with representative education agents must include:
 - processes for monitoring the activities of the education agent including where corrective action may be required.
 - termination conditions, including providing for termination in the circumstances outlined in Standard 4 National Code of Practice.
- ELC ensures that representative education agents have access to up to date and accurate marketing information as set out in Standard 1 Marketing information and practices of the National Code of Practice
- ELC will not accept students from an education agent or enter into an agreement with an education agent, if it knows or reasonably suspects the educational agent to be:
 - engaged in or to have previously been engaged in dishonest practices, including the deliberate attempt to recruit a student where this conflicts with the obligations of ELC under National Code of Practice Standard 7 Overseas student transfers.
 - facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his/her student visa.
- Where ELC has entered into an agreement with an education agent and subsequently becomes aware of or reasonably suspects the engagement by that education agent or an employee or sub agent of that agent, of the conduct set out in Standard 4 National Code of Practice, ELC will terminate the agreement with that education agent. If the individual employee, sub agent or sub contractor of the agent was responsible for the conduct set out in Standard 4 National Code of Practice and the agent has terminated the relationship with that individual employee, sub agent or sub contractor, then the agent will not be terminated by ELC.
- ELC takes immediate, corrective and preventative action upon ELC becoming aware of an education agent being:
 - negligent, careless or incompetent
 - engaged in in false misleading or unethical advertising and recruitment process practices that could harm the integrity of Australian education and training.
- ELC maintains an up to date register of representative education agents in the following form:
 - Internal register of agents

- Education agent that has submitted the prospective student enrolment and evidence is identified on the Confirmation of Enrolment through PRISMS
- Where possible, the Education Agent shall be a member of the Migration Agents of Australia and shall comply with the Code of Ethics produced by that Association.
- The Managing Director/CEO is responsible for ensuring that all education agents appointed by ELC are contracted and work within an ethical and acceptable framework. Where possible, this should be the Code of Ethics provided by the Migration Industry Association of Australia.