

Consumer Protection Policy

Australian Consumer Law

Vital Training Solutions maintains compliance with the national *Competition and Consumer Act 2010* (Cth) and associated *Australian Consumer Law (ACL)* requirements as specified in the Act and enacted in the *Fair Trading Act 1987 & Fair Trading Regulations 2012 (NSW)*. The ACL protects clients and ensures fair trading in Australia. Under the ACL clients have the same protections, and businesses have the same obligations and responsibilities, across Australia.

Vital Training Solutions has implemented this *Consumer Protection Policy* and aligned *Consumer Protection Strategy* to protect the needs and interests of all clients. These arrangements are in line with the *NSW Consumer Protection Strategy*:

www.training.nsw.gov.au/forms_documents/smartandskilled/contract/consumer_protection_strategy.pdf

A designated *Consumer Protection Officer* has also been implemented:

Vital Training Solutions Consumer Protection Officer

Jamie O'Connor 0431 846 793

Guarantee

As a course services provider, Vital Training Solutions supplies services and guarantees that these services will be:

- Provided with due care and skill;
- Fit for the specified purpose; and
- Provided within a reasonable time.

Vital Training Solutions ensures it uses an acceptable level of skill or technical knowledge and takes all necessary care to avoid loss or damage when providing course services.

Vital Training Solutions does not provide any guarantee that:

- A student will successfully complete a training product on its scope of registration; or
- A training product can be completed in a manner which does not meet the requirements of the *Standards for RTOs 2015*; or
- A student will obtain a particular employment outcome where this is outside the control of Vital Training Solutions.

Testimonials and other References

Where Vital Training Solutions makes reference to another person or organisation (such as testimonials or photos) in marketing or advertising material, it has gained consent from the person or organisation for the use of that reference. This includes references via text, statements, logos and photos. Vital Training Solutions ensures all testimonials are true and correct before using them to endorse products.

All Vital Training Solutions students provide consent to the use of photos and other images that are taken at Vital Training Solutions learning activities and events, through the relevant release clause in the Vital Training Solutions *Enrolment Form*. Usage in these instances is generally one off, group images for general operational and promotional purposes.

Students are able to 'opt out' of this release if they wish, with all 'opt-outs' recorded in the:

<https://drive.google.com/drive/u/1/folders/11j6Rq7-Y16XwhwhybYwBb8Epz3se6bFT>

Various Vital Training Solutions contractual arrangements with government stakeholders and enterprise clients may routinely include consent for the use of information and images in marketing collateral, including the use of organisational logos and other trademarks.

For more specific advertising and marketing purposes, client consent is obtained and recorded using the *Marketing Consent Form*. Completed *Marketing Consent Forms* are stored at:

<https://drive.google.com/drive/u/1/folders/11j6Rq7-Y16XwhwhybYwBb8Epz3se6bFT>

Consumer Protection Strategy

Vital Training Solutions Obligations

Vital Training Solutions ensures it:

- Provides the training and support necessary to allow students to achieve competency;
- Provides a quality training and assessment experience for all students;
- Provides a clear and accessible feedback and consumer protection system, including a designated and identified consumer protection officer;
- Maintains procedures for protecting consumers' personal information – please refer to the *Privacy* section of this manual for further information;
- Has established, documented and accessible consumer feedback and complaints handling policies and procedures; and
- Provides clients with details of these pathways for resolving or escalating complaints.

Clients Rights and Obligations

Vital Training Solutions clients have the right to:

- Expect that the quality of your training meets the standards, regulations and requirement set down by the Australian Skills Quality Authority (ASQA) and relevant government subsidy body (where applicable);
- Be informed about the collection of personal information and be able to review and correct that information; and
- Access Vital Training Solutions consumer protection complaints process.

Clients' obligations include:

- Providing accurate information to Vital Training Solutions; and
- Behaving in a responsible and ethical manner.

NSW Smart & Skilled

Vital Training Solutions includes the Smart and Skilled website details and 1300 number on all NSW relevant public information, enrolment forms and client induction material so that all students are aware of their rights and options for making a complaint or providing feedback about their training.

www.smartandskilled.nsw.gov.au

Phone: 1300 77 21 04

Publicly Available

All Vital Training Solutions consumer protection information and approaches is made available to all clients by being publicly published on the Vital Training Solutions website and included within the relevant handbook for each stakeholder group.

Unsolicited Consumer Agreements

Vital Training Solutions representatives do not engage in *unsolicited consumer agreements*. Such promotions would include telephoning prospective students for course service offerings or approaching prospective students in public areas outside of Vital Training Solutions premises.

Statement of Fees

Vital Training Solutions *Statement of Fees* is transparent – expressed in plain language, legible and clear - and clearly states:

- The client's cooling-off and termination rights;
- The full terms of the agreement;
- The total fees payable, including fees for all additional items;
- Vital Training Solutions
 - Business address (not a post box number);

- Australian Business Number (ABN) or Australian Company Number (ACN); and
- Email address.

Government Loan, Funding, Subsidy or other Support

Where students would be accessing VET FEE-HELP or any other government loan or subsidy, Vital Training Solutions provides details of these arrangements. Details include:

- Any costs associated (including interest or similar costs);
- Any debt that will be incurred; and
- Any loss of entitlement from the student undertaking a course at Vital Training Solutions.

This includes, in the cases of limited entitlement schemes, where students are only able to access one course or there are restrictions on what courses may be subsidised after completing their study at Vital Training Solutions.

Vital Training Solutions does not offer VET FEE-HELP.

Consumer Protection Complaints

If an individual feels that Vital Training Solutions has breached its obligations in the undertaking of marketing and sales activities, they may raise a complaint. We encourage individuals to discuss the situation with their Vital Training Solutions representative in the first instance, before making a complaint.

The complaints handling process is as follows:

1. The individual should make the complaint including as much detail about the issue as possible, in writing to Vital Training Solutions:
Vital Training Solutions Consumer Protection Officer
Jamie O'Connor admin@vitaltraining.com.au 0431 846 793
2. Vital Training Solutions will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
3. After considering this response, if the individual is still not satisfied, they may escalate their complaint directly to the relevant *Consumer Protection Agency* for investigation:

Jurisdiction	Contact Details
New South Wales	NSW Office of Fair Trading 13 32 20 www.fairtrading.nsw.gov.au <i>Smart & Skilled Subsidised Students</i> Smart & Skilled Subsidised Students can also contact the Smart and Skilled customer support centre to seek assistance, ask for advice, make a complaint or provide feedback. 13 28 11 or 1300 77 21 04 enquiries@smartandskilled.nsw.gov.au Support is also available in person at a State Training Services Centre: www.training.nsw.gov.au/about_us/sts_contacts.html

4. Alternatively, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority

www.asqa.gov.au

Phone: 1300 701 801

Promotional Methods

Vital Training Solutions representatives maintain compliance with a range of regulatory requirements when undertaking promotional activities.

Do Not Call Register

Vital Training Solutions representatives do not make unsolicited contact with potential students in order to sell them course services. If they were to, they would comply with the *Do Not Call Register Act 2006* and associated telemarketing standards.

Telemarketing and Research Calls Industry Standard

Vital Training Solutions does not engage in Telemarketing or Research Calls.

Fax Marketing Industry Standard

Vital Training Solutions does not engage in *Fax Marketing*

Electronic Marketing

The *Spam Act 2003* prohibits the sending of unsolicited commercial electronic messages—known as spam—with an Australian link. A message has an Australian link if it originates or was commissioned in Australia, or originates overseas but was sent to an address accessed in Australia.

The *Spam Act 2003* defines a commercial electronic message as:

- Offers, advertises or promotes the supply of goods, services, land or business or investment opportunities;
- Advertises or promotes a supplier of goods, services, land or a provider of business or investment opportunities; or
- Helps a person dishonestly obtain property, commercial advantage or other gain from another person.

The Act classifies an electronic message as 'commercial' by considering:

- The content of the message;
- The way the message is presented; and
- Any links, phone numbers or contact information in the message that leads to content with a commercial purpose—as these may also lead the message to be defined as 'commercial' in nature.

Messages sent without consent

As an educational institution, Vital Training Solutions representatives can send messages to past and current students without their consent, but only if the messages relate to goods or services supplied by Vital Training Solutions.

Identification

All commercial electronic messages sent by Vital Training Solutions representatives accurately identify Vital Training Solutions as the organisation that authorised the sending of the message. Information provided includes:

- Clear and accurate information on Vital Training Solutions that authorised the sending of the message — including the correct legal name of the organisation and an Australian Business Number; and
- Accurate information about how the recipient can contact Vital Training Solutions.

Vital Training Solutions ensures that this information remains correct and valid for at least 30 days after the message is sent.

Prospective Client Expressions of Interest & Registrations

All Vital Training Solutions promotional activities conducted by representatives are aimed at providing initial general purpose information to prospective clients, in order to secure initial interest and/or a registration for further information.