

## Marketing and Advertising

Marketing is communicating the value of a product, service or brand to customers or consumers for the purpose of promoting or selling that product, service, or brand'. The *Standards for Registered Training Organisations (RTOs) 2015* provide a comprehensive list of requirements at Clause 4.1, intended to ensure your marketing material is accessible, complete and factual. The [TAC Users' Guide](#) also provides further information on these requirements.

It is important to remember that RTOs are responsible for ensuring all marketing conducted on its behalf, e.g. through a third party arrangement, complies with the Standards, no matter who actually creates or publishes the material.

The primary audience for marketing is prospective learners, however the information may also be used by current clients, to monitor whether they are receiving the services agreed to, or employers, to verify whether an employee's certification is genuine. Overall, RTOs must ensure that all marketing is "**accessible**", "**accurate**", and "**informative**".

Marketing and advertising may occur in any media including;

- Newspapers;
- Brochures;
- Websites;
- Social media (e.g. Facebook, Twitter, LinkedIn, YouTube, Instagram);
- Directories online or hardcopy;
- Online advertisements (e.g. Groupon, Scoopon, Google AdWords); and
- Television and Radio



### Informing Learners

Each RTO is unique as it has its own scope and modes of delivery, its own resources and its own target market. The information you provide should help prospective learners make an informed choice about the RTO that will best serve their learning needs. To make their decision, prospective learners will also want to know more about the courses the RTO offers, including details of modes of delivery, locations, duration, workplace arrangements, support services, entry requirements and prerequisites, learner's rights and obligations, fees and refund rules, and any third-party involvement.

Standard 5 outlines a number of specific requirements that must be provided to learners prior to enrolment or the commencement of training and assessment. In addition to the requirements under Standard 4, the following must also be captured:

- the estimated duration from commencement to completion for the training and/or assessment;
- the location for delivery of the products;
- details of any third party involved in the delivery of the product;
- any work placement arrangements;
- learning and other support services provided for the learner by the RTO;
- the RTO's responsibilities to the learner, including certification;
- the learner's rights including complaints and appeals and protections relating to third party arrangements;
- the learner's obligations, including repayment of financial support, obligations for subsidies, entry and participation requirements, and any equipment or material requirements, and, where appropriate; and
- fees, schedules of payment, and conditions relating to deposits and refunds.

Some RTOs may consider providing this information as part of their marketing and advertising or on their website.

While it is understood that marketing and advertising are mechanisms to attract potential clients, there must be enough information included to ensure that each learner can make an informed choice.

## Common issues

In 2017, TAC conducted a Marketing and Governance Strategic Review of all RTOs. This review found that the lowest levels of compliance were in relation to RTOs obtaining prior consent from people and other organisations for the use of images and information in marketing material, and the inclusion of RTO codes in marketing material as required. A copy of the Marketing and Governance review report is available on the [TAC website](#).

Other areas which have been identified as being common issues for RTOs are:

<b>Not including training product code</b>	RTOs need to ensure that great care is taken to ensure that courses and qualifications are given their correct full titles and codes as they appear on <a href="#">training.gov.au</a> . Other names for courses cannot be used as RTOs are providing nationally recognised courses.
<b>Not distinguishing between accredited and non-accredited training</b>	Care needs to be taken to ensure that an RTO does not inadvertently imply that one of their own in-house courses is nationally recognised, or that they are able to deliver nationally recognised courses that they do not have on scope.
<b>Not including RTO Code on all marketing</b>	The RTO code enables the reader to verify the legitimacy of the organisation as an RTO.

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<b>Not clearly identifying partnership (3<sup>rd</sup> Party) arrangements</b>	RTOs may not be aware that they are ultimately responsible for the advertising of their products by 3rd party providers (Clauses 2.1, 2.3, 2.4, Clauses 4.1e, 4.1f, Clauses 5.2b(iv), 5.2d(ii) and Clause 7.3.)
<b>Advertising training products that are not on scope</b>	RTOs cannot pre-advertise courses or qualifications which are yet to be included on scope and are subject to an application for registration or an amendment to scope.
<b>Not enough information to learners regarding partnership arrangements</b>	There have been instances where people have received certificates in the mail from an organisation unknown to them. They had undertaken training through the arrangements of a 3 <sup>rd</sup> party but had never been informed that there was a nationally recognised RTO overseeing the training services being provided. Part of the function of Standard 4 and 5 is to ensure that prospective and current learners are fully aware of the host RTO, their rights and its obligations to them.

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## Clause 4.1

Under Clause 4.1 of the Standards, RTOs must include the following on all advertising or marketing, including when this occurs on the RTO's behalf. Clause 4.1 outlines:

- Only advertise what is on the RTO's scope of registration. This includes superseded training products that are in the 12-month transition period. RTOs cannot pre-advertise courses or qualifications which are yet to be included on scope even if they are going through the application process;
- Include the RTO's registration code on all marketing and advertising;
- When referring to a training product, always include the code and title as published on [training.gov.au](http://training.gov.au);
- Use the TAC and NRT logo in accordance with Schedule 4 of the Standards and the guidelines available in the [TAC, NRT and AQF Logos Fact Sheet](#);
- Clearly outline when you are delivering training and assessment on behalf of another RTO. You must include that RTO's code and meet all the requirements of Clause 4.1;
- Distinguish in marketing and advertising if a third party is delivering training and assessment on your behalf. It is your RTO's responsibility to ensure that any marketing and advertising conducted on your behalf meets all the requirements of Clause 4.1;
- If a third party is recruiting on your behalf, make sure this is clear;
- Clearly distinguish between nationally recognised training and assessment from any other training or assessment being delivered;
- Only refer to another person or organisation if written consent has been obtained. This could include business or government organisation logos and feedback from students;
- Not guarantee that:

- A learner will successfully complete a training product
  - A training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2; or
  - A learner will obtain a particular employment outcome where it is outside of the RTO's control.
- Clearly include details about any VET Student Loans, government-funded subsidy or other financial support associated with the RTO's provision of training and assessment, including details about debts the learners will incur, and how those debts will be repaid; and
  - Only state that a training product you deliver will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction of the advertisement and/or training and assessment.

### **Marketing by other parties**

RTOs must ensure that any marketing undertaken by a third party meets the requirements of Clause 4.1. It must be made clear that a third party is recruiting prospective learners on behalf of your RTO. If any additional services such as training and assessment are also being provided by a third party, this must be clear. Please see the [Third-party Arrangements Fact Sheet](#) for further information.

### **Marketing and government-funded subsidies**

Where learners would be accessing VET Student Loans or any other government loan or subsidy, the RTO must provide details of the arrangement. This includes details of:

- Any cost associated (including interest of similar costs), and
- Any debt that will be incurred.

RTOs must also provide details of any loss of entitlement that may occur as a learner undertakes a course with the RTO. This includes information about limited entitlement schemes (where learners are only able to access one course or there are restrictions on what courses may be subsidised after a learner completes their study at the RTO).

### **TAC, NRT and AQF Logos**

RTOs are able to use the Training Accreditation Council, Nationally Recognised Training and Australian Qualifications Framework logos in their marketing. However these logos must only be used in accordance with their guidelines available in Schedule 4 of the Standards or in the [TAC, NRT and AQF Logos Fact Sheet](#).

### **Demonstrating Compliance**

In consideration of Standards 4 and 5, the Auditor will be looking for evidence of the following:

#### **Print Based Marketing**

- With printed advertising and marketing material, ensure that the RTO code is visible.
- Include the NRT and TAC logo **only** when you are advertising a training product that is on your scope of registration.

## **Marketing Online**

As with print based marketing, all marketing must be able to demonstrate compliance with Standard 4.

## **Websites**

- Your RTO code needs to be easily identifiable. It may be useful to include your RTO code in the website header or footer to ensure that your RTO code is prominent on every webpage.
- On any page that references a training product, the code and title of that training product (as published on training.gov.au) must be used.
- Keep your website up to date. Your RTO may only advertise non-current training products while the product remains on your scope of registration.
- Only include the NRT and TAC logo in association with a training product that is registered on your scope of registration.
- If you use images of staff and/or students, you must have written consent from the person to use the image.

## **Social media—Facebook, Twitter, LinkedIn, YouTube, Instagram**

- Social media pages must include your RTO code.
- Communication on social media, such as posts/tweets, must include your RTO code
- Replies to comments made in response to these communications do not require your RTO code.
- Where advertising on social media referencing a specific training product, you must include the code and title of that training product (as published on training.gov.au).
- Your RTO may use the name and registration code as the name of your social media page. This may be beneficial where advertising mechanisms have word limits.
- If you use images of staff and/or students, you must have written consent from the person to use the image.

## **Online directories—Yellow Pages, TrueLocal**

Your RTO code must be included in your RTO's directory listing.

## **Online advertisements—Google AdWords, Groupon, Scoupon**

- Ensure that your RTO code is included.
- In order to keep the number of adwords to a minimum, RTO's may choose to have a general advertisement with their RTO code, industry area of training and website address.
- Any specific references to training products must include the title and code of the training product as published on training.gov.au.

## **Television/radio**

- Television and radio advertising must include your RTO code. This can be included as a disclaimer at the end of the advertisement.
- If a student is speaking on behalf of the RTO, written consent must be obtained from the student prior to publishing the advertisement.

# FACT SHEET

- Ensure that any statements made about the duration of a course are accurate. Course durations must be consistent with the amount of training identified in your training and assessment strategies.
- Ensure that any statements made about employment outcomes following completion of a course are not misleading. Generally, employment outcomes are also contingent on job interviews which may be outside the control of your RTO.
- Ensure that any references to nationally recognised training are associated with a qualification, accredited course, skill set or unit of competency that is on your scope of registration.