

The Redcliffe Aero Club

VET Student Loan Marketing Policy

Overview

The Redcliffe Aero Club (RTO 40971) acknowledges that we must comply with the VET Student Loans Act 2016 and the VET Student Loans Act 2016, with regards to all marketing requirements.

We acknowledge that we must comply with the below, which are outlined in the VET Student Loans/ Manual for providers/ Version 3.1 – April 2019 – below is a direct extract.

4.10 Marketing

The Act and the Rules contain a number of provisions relating to marketing. It is the responsibility of approved course providers to implement business practices in line with the legislative requirements and to assess the risk of those practices not meeting the legislative requirements.

Providers should note that the marketing provisions (section 60 – 64 of the Act) are civil penalty provisions. Breaching section 60 (Misrepresenting VET Student Loans) may give rise to a maximum civil penalty of up to 240 penalty units. Breaching section 61 (Offering certain inducements) may give rise to a maximum civil penalty of up to 120 penalty units. Breaching any of sections 62 (Engaging in cold calling), 63 (Use of third party contact lists) or 64 (Other marketing requirements) may give rise to a maximum civil penalty of up to 60 penalty units.

4.10.1 Misrepresenting VET Student Loans

An approved course provider must not represent that a VET Student Loan is not a loan or does not have to be repaid [Act s 60].

4.10.2 Offering inducements

An approved course provider must not offer or provide a benefit or cause a benefit to be offered or provided that would be reasonably likely to induce a person to apply for a VET Student Loan for a course [Act s 61].

This does not apply in relation to the following benefits [Rules s 136]:

- *the content and quality of the course*
- *the amount of the tuition fees for the course*
- *the availability of a VET Student Loan for the course*
- *marketing merchandise of up to a total value of \$30 per person.*

Inappropriate inducements

Generally the list of inappropriate inducements includes items which could be used by the student outside of the period of the VET unit or course of study, or are unrelated to the course such as travel, entertainment, hospitality or accommodation services, vouchers redeemable for goods or services and money.

Providers may have regard to the following when determining whether a benefit represents an inappropriate inducement – depending on the circumstances, these factors would be less likely to suggest that the benefit is an inappropriate benefit:

- *there is no immediate benefit to the person, as the person would still be required to complete the course in order to obtain the benefit.*
- *the benefit in itself would not be a replacement for the course of study.*
- *the monetary value of the benefit is unlikely to induce a student to enrol in a course.*

DISCLAIMER:

This information is provided as a basic guide to assist providers to determine whether they require independent legal advice to ensure compliance. It should not be relied upon as legal advice or as an excuse for inappropriate behaviour.

4.10.3 Engaging in cold-calling

An approved course provider must not when cold-calling another person to market, advertise or promote a course, mention the possible availability of VET Student Loans for students undertaking the course [Act s 62(1)].

Cold-calling includes making unsolicited contact with a student (or prospective student) in person, or by telephone, email or other form of electronic communication [Act s 62(2)].

4.10.4 Use of third party contact lists

An approved course provider must not use contact details received from another person to contact a student (or prospective student) to market, advertise or promote a course or enrol the student in a course, and in so doing mention the possible availability of a VET Student Loan [Act s 63].

This does not apply where the student (or prospective student) has given express consent to be contacted by the particular approved course provider [Rules s 138(1)]. A student is taken to have provided express consent if all the following are met [Rules s 138(2)]:

- *information in the request was presented clearly, and set out the specific purpose for which the student's personal information would be used if consent were given, and*
- *the request was prominent, and*
- *the student was able to give consent in a separate optional tick box from other consents, and*
- *the request was not a required field to be answered in order for a person to submit other information, and*
- *the request did not include a default tick for consent, and*
- *the request named the provider, and*
- *the request detailed any referral fee or other fee that would be paid to the person who made the request and any other benefit that would be provided to the person who made the request.*

A student is also taken to have provided express consent if the student initiates contact with a third party for the purposes of giving information to a provider, or getting information from a provider, relating to education and training [Rules s 138(3)]. The purpose of this provision is to allow students who are deliberately seeking information on courses from a particular provider to agree to being contacted.

4.10.5 Other marketing requirements

The approved course provider must ensure that any marketing of an approved course it is offering or provides prominently mentions [Rules s 140]:

- *the provider's name, registered business name (if any), and any other business name it uses; and*
- *the code included for the provider as a registered training organisation on the National Register; and*
- *the maximum tuition fees for the course.*

4.10.6 Information about fees

An approved course must not be marketed unless the tuition fees for the course (including tuition fees for units/parts of courses) have been published on the provider's website in way that is readily accessible by the public. In addition, maximum course fees must be published on the MySkills website at www.myskills.gov.au) [Rules s 141]. See 'Giving the Secretary a list of fees')

4.10.7 Marketing that mentions VET Student Loans

An approved course provider must ensure that any marketing in which the provider mentions the possible availability of a VET student loan (however described) for students undertaking a course [Rules s 142]:

- prominently mentions:
 - the provider's name and any registered business name or other business name that the provider uses
 - the provider's RTO registration code
 - that VET Student Loans will not be approved for students who do not meet eligibility requirements and
 - that a VET Student Loan gives rise to a HELP debt that continues to be a debt due to the Commonwealth until it is repaid
- presents the information above in a font size that is approximately the same as any other marketing information that accompanies it and
- if the marketing is online, presents the information covered above on the same webpage as the other marketing of the course and
- if the marketing uses the VET Student Loans logo, presents the logo in accordance with the style guide for the use of the logo published on the department's website (see **Section 4.10.9** below).

4.10.8 Social Media

An approved course provider must ensure that any marketing of the provider or its courses through social media does not mention the possible availability of a VET Student Loan for students undertaking a course [Rules s 143].

Social media includes, for example, Facebook, Instagram and Twitter. This list is not intended to be exhaustive. The Explanatory Statement to the VET Student Loans Rules 2016 provides as follows:

Section 143 prohibits an approved course provider from marketing the provider or its approved courses through social media in a way that mentions the possible availability of a VET student loan (however described). The section is intended to enhance the protection of students by prohibiting aggressive marketing practices. Social media includes, for example, Facebook, Instagram and Twitter.

YouTube is considered to be a social media platform and should not mention the possible availability of a VET Student Loan.

4.10.9 Branding

An approved course provider must ensure the approved VET Student Loans logo is used in its complete and original form as provided by the department. It cannot be rearranged or split into individual elements.

An approved course provider may use or co-brand the VET Student Loans logo with their own organisation's logo and visual identity. The approved placement for the VET Student Loans logo is to the right of an approved course provider's own logo.

The VET Student Loans logo may be published on an approved course VET Student Loans provider's website on the page outlining information about VET Student Loans. It may not be used on any other materials or printed publications such as office stationery, business cards, letterheads, signs and pamphlets. The VET Student Loans logo may not be used by third parties.

The VET Student Loans Style Guide is available from www.education.gov.au/vet-student-loans.

IMPORTANT NOTE: Providers are only to use the VET Student Loans logo on their own website on the page that provides information about VET Student Loans, not on the approved provider's homepage, or in multiple locations throughout the website. The provider must also provide a link back to the department's VET Student Loans web page (www.education.gov.au/vet-student-loans-students). The logo is not to be used on any other materials or printed publications such as office stationery, business cards, letterheads, signs and pamphlets. This information is in accordance with the department's published style guide at www.education.gov.au/information-vet-student-loans-approved-providers

Specifications

With respect to marketing requirements, VET Student Loans/ Manuals for Providers/ Version 3.1 – April 2019 Section 4.10, pages 83 – 86. The Redcliffe Aero Club does not have any third party agreements in place at this time and has no intention of implementing any in the near future although are aware of the requirements should they wish to do so.

Policy

All marketing material prepared for the below courses and/or the mention of any Diploma courses or VET Student Loan funding must meet all relevant requirements.

- AVI50215 Diploma of Aviation (Commercial Pilot Licence – Aeroplane)
- AVI50415 Diploma of Aviation (Instrument Rating)
- AVI50516 Diploma of Aviation (flight Instructor)

Marketing material is identified as

- Twitter
- Instagram
- Facebook
- Websites
- Publications (Airchat)

All marketing or media material must comply with all relevant standards, the CEO or President of the club must produce marketing material for approval to RTO Co Ordinator or in his/her absence a qualified external Auditor for approval before said material is published. There is no exception the this rule.

Review

This policy shall be reviewed annually or as required in conjunction with ant changes to the RTO Standards 2015.