

Consumer Protection

Consumer Protection

Australian Consumer Law

Training Ahead Australia maintains compliance with the national *Competition and Consumer Act 2010* and associated *Australian Consumer Law (ACL)* requirements as specified in the Act and enacted in various state legislation across Australia. 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.

Training Ahead Australia has implemented this *Consumer Protection Policy* and aligned *Consumer Protection Strategy* to protect the needs and interests of all clients. A designated *Consumer Protection Officer* has also been implemented:

Dannielle Walz – RTO Manager – Ph 1300 355 900 or email dannielle@trainingahead.com.au

Guarantee

As a course services provider, Training Ahead Australia 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.

Training Ahead Australia 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.

Consumer Protection Strategy

Training Ahead Australia Obligations

Training Ahead Australia 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

Training Ahead Australia 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 Training Ahead Australia's consumer protection complaints process.

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Clients' obligations include:

- Providing accurate information to Training Ahead Australia; and
- Behaving in a responsible and ethical manner.

Cessation of Delivery

If Training Ahead Australia, or a Third Party delivering training and assessment on Training Ahead Australia's behalf, closes or ceases to deliver any part of the training product that a student is enrolled in, a number of options will be available to the student including:

- Refund of course fees paid; and/or
- Continued delivery of services with alternate Training Ahead Australia services delivery personnel (where applicable); and/or
- Supported transfer of the student enrolment to an alternate RTO for completion of services delivery (where applicable).

Clients' obligations include:

- Providing accurate information to Training Ahead Australia; and
- Behaving in a responsible and ethical manner.

Publicly Available

All Training Ahead Australia consumer protection information and approaches is made available to all clients by being publicly published on the Training Ahead Australia website.

Unsolicited Consumer Agreements

Training Ahead Australia or its contracted Third Party representatives may, from time to time, engage in marketing promotions that result in *unsolicited consumer agreements*. Such promotions may include telephoning prospective students for course service offerings or approaching prospective students in public areas outside of Training Ahead Australia premises.

Training Ahead Australia representatives who make unsolicited contact with potential students in order to sell them course services comply with:

- Limited hours for contact;
- Disclosure requirements when making an agreement;
- Criteria for the agreement, including that it must be in writing; and
- Restrictions on supplying services above a certain value, and on requesting payment during the cooling-off period.

Permitted Contact Hours

Training Ahead Australia representatives maintain compliance with the permitted hours for telemarketing, regulated under the *Do Not Call Register Act 2006* and associated telemarketing standards. Training Ahead Australia representatives do not undertake telephone or fax marketing to clients:

- On a Sunday or a public holiday;
- Before 9am or after 8pm on a weekday; or
- Before 9am or after 5pm on a Saturday.

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Course Fees Agreement

Training Ahead Australia's *Course Fees Agreement* 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;
- Training Ahead Australia's
 - Business address (not a post box number);
 - Australian Business Number (ABN) or Australian Company Number (ACN); and
 - Fax number and email address, where they have these.

Compulsory Text

The front page Training Ahead Australia's *Course Fees Agreement* includes the required agreement text:

"Important Notice to the Consumer.

You have a right to cancel the agreement within 10 business days from and including the day after you signed or received the agreement.

Details about your additional rights to cancel the agreement are set out in the information attached to the agreement."

The *Course Fees Agreement* front page is signed by the client and includes the date it was signed. The agreement is also provided with the *ACL Termination Notice* that the client can use to terminate the contract.

Provision of the Written Agreement

When a Training Ahead Australia representative negotiates an unsolicited consumer agreement:

- The representative informs the client of their termination rights before the agreement is made;
- The client is given a written copy of the agreement; and
- Both parties sign the agreement and any amendments.

Information about termination rights is provided to clients by Training Ahead Australia in writing and is:

- Attached to the agreement;
- Transparent expressed in plain language, legible and clear, and
- The most prominent text in the document, other than the text setting out Training Ahead Australia name and logo.

If negotiated in person, the written copy of the agreement is provided to the client immediately after it is signed. If negotiated by telephone, the written copy is provided to the client:

- In person, by post, or electronically (if the client agrees); and
- Within five business days of the agreement occurring.

Consumer Protection Complaints

If an individual feels that Training Ahead Australia or one of its Third Party representatives has breached its obligations in the undertaking of marketing and sales activities, they may raise a complaint. We

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encourage individuals to discuss the situation with their Training Ahead Australia 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 Training Ahead Australia:

Training Ahead Australia Consumer Protection Officer

Dannielle Walz

RTO Manager

E: dannielle@trainingahead.com.au

P: 1300 355 900

2. Training Ahead Australia 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 Consumer Protection Agency in the relevant jurisdiction for investigation:

| Jurisdiction | Contact Details |
|------------------------------|---|
| Australian Capital Territory | ACT Office of Regulatory Services 02 62073000 fair.trading@act.gov.au |
| New South Wales | NSW Office of Fair Trading 13 32 20 www.fairtrading.nsw.gov.au <i>Smart & Skilled students</i> Smart & Skilled 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 |
| Northern Territory | NT Consumer Affairs 1800 01 93 19 consumer@nt.gov.au |
| Queensland | QLD Office of Fair Trading 13 74 68 |

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| | www.fairtrading.qld.gov.au/lodge-your-complaint |
| South Australia | SA Office of Business and Consumer Services 13 18 82 www.cbs.sa.gov.au |
| Tasmania | TAS Consumer Affairs & Fair Trading 1300 65 44 99 www.consumer.tas.gov.au/fair_trading |
| Victoria | Consumer Affairs Victoria 1300 55 81 81 www.consumer.vic.gov.au |
| Western Australia | WA Department of Commerce 1300 30 40 54 www.commerce.wa.gov.au |

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