Policy Document:
Ethical Marketing and Advertising Policy & Procedure

Please Note: This Policy is mandatory, and TMG College Australia Staff are required to adhere to the content.
Policy Number: TMGP02

Summary

<table>
<thead>
<tr>
<th>Version Number:</th>
<th>8.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status:</td>
<td>ENDORSED</td>
</tr>
<tr>
<td>Approved By:</td>
<td>CEO</td>
</tr>
<tr>
<td>Date Policy to Be Reviewed:</td>
<td>January 2022</td>
</tr>
<tr>
<td>Author:</td>
<td>Compliance and Quality Assurance Department</td>
</tr>
<tr>
<td>Owner:</td>
<td>CEO</td>
</tr>
<tr>
<td>Divisions:</td>
<td>Malka Group Pty Ltd RTO #21694, CRICOS #03397E trading as TMG College Australia</td>
</tr>
</tbody>
</table>

Related Policies, Procedures, Forms, Guidelines, Standards, Frameworks:
- Related Policies - Refer to TMG Policy Framework
  - Continuous Improvement Register and Forms
  - Information for Prospective Learners - Domestic Handbook
  - Student Handbook
  - International Student Handbook
  - ELICOS Student Handbook
  - Complaints, Grievance and Appeals Form
  - TMG College Australia Website

Related Legislation/Applicable Section of Legislation:
- ESOS/NCP
- PART B STANDARDS FOR REGISTERED PROVIDERS
  - STANDARD 1 Marketing information and practices
  - STANDARD 4 Education Agents
- SRTOs 2015
  - Standard 4 (Clause 4.1 a - I); Standard 5 (5.1, 5.2, 5.3)
- 2021 Standard VET Funding Contract Skills First Program
  - TMG College Australia ensures adherence to the 2021 Standard VET Funding Contract Skills First Program.
<table>
<thead>
<tr>
<th>National ELICOS Standards</th>
<th>Standard P8 – Business Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEAS Standards</td>
<td>Section G: Promotion and Student Recruitment</td>
</tr>
</tbody>
</table>
| Other Applicable Legislation, Regulations and Guidelines | • Education and Training Reform Act 2006 (Vic)  
• Standards for VET Accredited Courses 2012  
• Victorian Guidelines for VET Providers (Vic)  
• Privacy Act 1988 (Cth)  
• Information Privacy Act 2000 (Vic)  
• Australian Consumer Law 2011  
• Electronic Transactions Act 2000 (Vic)  
• Privacy and Data Protection Act 2014 (Vic) |

**Contract And Compliance Requirements:**

- QUALITY CENTRES – NEAS
- [20201204_Standard_V1.pdf](education.vic.gov.au)

**Related To:** Domestic and International Students

**Superseded Documents:** 7.1

**Publication:** Compliance and Quality Assurance Department

**Endorsed by Management Committee:** January 2021

**Document Control:** All printed versions of this document are classified as uncontrolled. A controlled version of this document is available from the Staff Portal or in the ‘Policies & Forms’ section of TMG College Australia’s website. Questions on this Policy should be initially directed to Compliance and Quality Assurance Department at compliance@tmg.edu.au
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1. Title and Policy Number

TMGP 02 - Ethical Marketing and Advertising Policy

2. Purpose

The Malka Group Pty Ltd trading as TMG College Australia develops qualification overviews, flyers and other marketing collateral to inform potential learners and employers about qualification units of competency, compliance, relevance to current industry standards and other customisation information. This information is based on current training packaging rules and TMG College Australia delivery methodologies.

All qualification flyers, marketing materials and website information are reviewed by the GM Quality and Compliance and the CEO. Prior to publishing, printing or placing marketing information on the TMG College Australia’s website the Marketing Compliance checks are completed.

The purpose of this policy is to establish that:

a. TMG College Australia as a Nationally Recognised Registered Training Organisation (RTO) is required under the terms of the VET Quality Training Framework (VQF), Standard 4 and Schedule 4 to provide accurate and accessible information about the RTO, its services and performance including where its services are provided by a third party on its behalf or where it is providing services on behalf of a third party.

b. TMG College Australia will market and advertise all its education and training services in an ethical, accurate and professional manner. The process will ensure that TMG always maintains the integrity of the industry in line with the ASQA VQF Framework, Standards for Registered Training Organisations 2015, AQF guidelines and whilst contracted for funding to the Victorian Government to the terms for promotional material contained in the Service Agreement at that time.

c. The Policy will be administered by the CEO who will ensure that all approvals are obtained prior to any material release. In the CEO’s absence approval should be obtained from the GM Quality and Compliance.

d. Documents relating to courses or training courses being offered should be approved by the CEO and the GM Quality and Compliance prior to release to ensure compliance with the regulatory standards.

e. This approach must be evident in TMG College Australia’s marketing material and website and in the way information is communicated through all marketing avenues, including exhibitions, events and articulation pathways.
3. Scope

This Policy applies to all training programs developed, marketed, and delivered by TMG College Australia

4. Policy

TMG College Australia adheres to the principles and recommendations of the various governing bodies and acts which direct the ethical marketing and advertising of qualifications delivered under VET sector.

Relevant principles, recommendations, requirements and guidelines may be found in :-

- Australian Consumer Law
- AQF Qualification Framework
- AQF Framework Logo
- Standards for Registered Training Organisations (RTOs) 2015
- The ESOS legislative framework
- Conditions of Use of Nationally Recognised Training (NRT) Logo
- 2021 Standard VET Funding Contract Skills First Program
- Skills First Quality Charter

5. Procedures for marketing and advertising

<table>
<thead>
<tr>
<th>Procedure Steps</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Manage TMG College Australia’s Scope of Registration. Update Training and Assessment Strategy based on an established industry, enterprise, education, legislative or community need and Training Package requirements.</td>
<td>CEO or their Nominee Compliance and Quality Assurance Department</td>
</tr>
<tr>
<td>a) TMG College Australia ensures industry engagement by:</td>
<td></td>
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<tr>
<td>Consulting with stakeholders and researching endorsed training package units.</td>
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</tr>
<tr>
<td>involving employers in industry advisory committees</td>
<td></td>
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<tr>
<td>embedding staff within enterprises</td>
<td></td>
</tr>
<tr>
<td>ongoing networking with industry organisations, peak bodies, or employers</td>
<td></td>
</tr>
<tr>
<td>developing networks of relevant employers and industry representatives to participate in assessment validation, and/or</td>
<td></td>
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<tr>
<td>exchanging knowledge, staff and resources with</td>
<td></td>
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</tbody>
</table>
employers, networks, and industry bodies.

b) The rationale behind TMG College Australia industry engagement is:
   - to get guidance to design its strategies for training and assessment
   - to seek feedback about how TMG College Australia provides training and assessment, and
   - to confirm your trainers and assessors have current industry skills.

| (2) | TMG College Australia ensures it will act ethically and provide accurate information and |
|     | a) make all reasonable efforts to work and communicate effectively with and to maintain the confidence of all stakeholders affected by the Skills First Funding contract |
|     | b) not to do anything which may damage, ridicule, bring into disrepute or be detrimental to the Department, the VET sector, the Victorian government subsidised training |

|     | CEO or their Nominee Compliance and Quality Assurance Department |
market, the Department or the State’s name or reputation.

i) all TMG College Australia Staff will behave honestly and in a way that upholds the objects and values of the Skills First Program.

ii) no TMG College Australia Staff will behave in a manner that damages the public confidence in the integrity of the Skills First Program.

iii) TMG College Australia staff will comply with all policies, procedures and guidelines that relate to its obligations under this VET Funding Contract, including the Quality Charter; and

iv) TMG College Australia will not make improper use of its position of trust in the appropriate expenditure of substantial amounts of public moneys for vocational education and training.

c) TMG College Australia will not pay, provide or offer, either directly or indirectly, Incentives to undertake government subsidised training, whether to an Eligible Individual or to an entity (such as an employer or social organisation) and:

(4) TMG College Australia publishes on its website the latest Registration Audit information.

CEO or their Nominee
Compliance and Quality Assurance Department

(5) TMG College Australia publishes on its website a copy of its most recent Quality Indicators. Indicators relating to the previous calendar year are published within one (1) month of the Commencement Date. Indicators relating to the current calendar year are published by 30 June of each calendar year into which the Term extends.

CEO or their Nominee
Compliance and Quality Assurance Department

(6) TMG College Australia has registered for, and maintains an up-to-date profile on the Department’s Skills Gateway

CEO or their Nominee

(7) Informing Marketing Material for a new course which has been added to TMG College Australia’s Scope of Registration:

The Quality and Compliance Department creates the course descriptor using Course Descriptor template, according to industry and Training and Assessment Strategies requirements. The new Course Descriptor is submitted for approval.

Compliance and Quality Assurance Department
| (8) | Identifying Marketing Material for a current course which needs to be updated:  
The Course Descriptor is updated according to industry and Training and Assessment Strategies requirements | Compliance and Quality Assurance Department |
| (9) | New/updated course descriptors are reviewed and signed off by the Senior Management. Senior Management ensures all TMG College Australia Course Descriptors meet the requirements of relevant Legislation and Regulators Information: | Senior Management |
| (10) | To use any logo or trademark of the Department, State or Commission, TMG College Australia must obtain prior written approval of the Department State or the Commission.  

TMG College Australia will use the NRT logo where there is a direct relationship to an accredited AQF aligned course, Training Package qualification or a course meeting the requirements of the AQTF  
Will clearly distinguish between nationally recognised training within the scope of its registration and that which is not nationally recognised  
Will not use the NRT logo on products such as corporate stationery, business cards, building signage, mouse pads, pens, satchels, packaging around products nor learning resources supporting training. | Compliance and Quality Assurance Department, Marketing Department |
| (11) | Marketing maintains all TMG College Australia marketing material as approved by Compliance General Manager. All material must be current and compliant with relevant Legislation and Regulators directives.  
The Marketing Department ensures consistency between TMG College Australia marketing materials and information on the TMG College Australia website. | Compliance and Quality Assurance Department, Marketing Department |
All TMG College Australia marketing materials must contain accurate information in respect of:

- RTO Code 21694
- CRICOS Code 03397E
- Legal name The Malka Group Pty Ltd and trading as name TMG College Australia
- Qualification Code
- Qualification Name
- Prerequisites
- Unit Selection
- Fees Reference/Statement of Fees
- CT/RPL
- Job outcomes/Career options
- Informing each Eligible Individual is made aware in circumstances where they are accessing their Skills First funding entitlement that this may impact their access to further Government Subsidised Training
6. Request for Advertisement – Procedure

<table>
<thead>
<tr>
<th>Procedure Steps</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Senior Management identifies an opportunity that may require marketing collateral, discusses it with the Marketing Department and the relevant subject matter expert and collects all relevant information.</td>
<td>Senior Management, GM Quality and Compliance</td>
</tr>
<tr>
<td>(2) Marketing develops the wording for the marketing campaign: i.e. is there legislative information that has to be included, what wording is relevant to industry and would engage industry, what words would engage the student. The marketing campaign is subject to approval by the Compliance and Quality Assurance Department.</td>
<td>Compliance and Quality Assurance Department, Marketing Department</td>
</tr>
<tr>
<td>(3) If approved, relevant information will be used to produce marketing material.</td>
<td>Compliance and Quality Assurance Department, Marketing Department</td>
</tr>
<tr>
<td>(4) TMG College Australia marketing material must be approved for compliance prior to be released.</td>
<td>CEO/ GM Quality and Compliance</td>
</tr>
</tbody>
</table>
7. Monitoring, Evaluation and Review

CEO or the delegated General Manager must monitor, evaluate and review this policy and relevant procedures on an ongoing basis and suggest appropriate changes to the Compliance and Quality Assurance Department for approval.

8. Definitions and Abbreviations

<table>
<thead>
<tr>
<th>Term</th>
<th>Meaning</th>
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<tbody>
<tr>
<td>Marketing</td>
<td>The commercial processes involved in promoting and selling and distributing the courses or services</td>
</tr>
<tr>
<td>Advertisement</td>
<td>A specific part of a publication that is sold for public notices or advertising</td>
</tr>
<tr>
<td>Compliance</td>
<td>Acting according to SRTOs 2015 and other regulatory and legislative standards</td>
</tr>
<tr>
<td>NRT logo</td>
<td>The Nationally Recognised Training (NRT) logo that is distinguishable mark of quality for promoting and certifying national vocational education and training leading to Australian Qualifications Framework (AQF) qualifications or Statements of Attainment.</td>
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</tbody>
</table>
9. Revision Record

<table>
<thead>
<tr>
<th>Date</th>
<th>Version Number</th>
<th>Revision description/ Nature of change (change/reasons for change/comments)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20/05/2013</td>
<td>1.0</td>
<td>Policy created (First draft)</td>
</tr>
<tr>
<td>20/05/2014</td>
<td>2.0</td>
<td>Policy reviewed to incorporate feedback from all stakeholders and legislative changes</td>
</tr>
<tr>
<td>20/05/2015</td>
<td>3.0</td>
<td>Policy reviewed for ASQA re-registration audit</td>
</tr>
<tr>
<td>January 2016</td>
<td>4.0</td>
<td>Policy Reviewed and revised</td>
</tr>
<tr>
<td>May 2016</td>
<td>4.1</td>
<td>Policy Reviewed and revised</td>
</tr>
<tr>
<td>Jan 2017</td>
<td>4.2</td>
<td>Policy reviewed as per current ESOS requirement &amp; revised with New Logo</td>
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<tr>
<td>Jan 2018</td>
<td>5.0</td>
<td>Reviewed to incorporate the New National Code 2018</td>
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<tr>
<td>Jan 2019</td>
<td>5.1</td>
<td>Policy Reviewed</td>
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<tr>
<td>Jan 2020</td>
<td>6.0</td>
<td>Policy reviewed with minor changes.</td>
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<tr>
<td>March 2020</td>
<td>7.0</td>
<td>Policy reviewed with minor changes.</td>
</tr>
<tr>
<td>January 2021</td>
<td>8.0</td>
<td>Policy reviewed in line with 2021 Standard VET Funding Contract Skills First Program and Quality Charter</td>
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</table>