

Audit Guide – Clause 4.1

4.1. Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:

- a) accurately represents the services it provides and the training products on its scope of registration;
- b) includes its RTO Code;
- c) refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained;
- d) uses the NRT Logo only in accordance with the conditions of use specified in Schedule 4;
- e) makes clear where a third-party is recruiting prospective learners for the RTO on its behalf;
- f) distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third-party;
- g) distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO;
- h) includes the code and title of any training product, as published on the National Register, referred to in that information;
- i) only advertises or markets a non-current training product while it remains on the RTO's scope of registration;
- j) only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised;
- k) includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment; and
- l) does not guarantee that:
 - i) a learner will successfully complete a training product on its scope of registration; or
 - ii) a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2; or
 - iii) a learner will obtain a particular employment outcome where this is outside the control of the RTO.

What is this clause about: This clause requires the RTO to provide clear, current and accurate information about your training organisation and the training and assessment services you provide. This clause is all about ensuring that your prospective learners or third-parties are well-informed about the services you provide prior to their enrolment or commencement, whichever comes first. This relates to all marketing information including that which is printed, provided by your website, provided via third-party's website, provided via social media, direct marketing or online directories. The clause is quite clearly stated and is one of the less subjective clauses within the standards. Where RTO's get in trouble with this is because they try to be tricky or try to push the envelope in attempting to get some market

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advantage in their advertising and marketing. It blows me away when I am doing an audit and the RTO does not include the training product code and title on their website or fails to include the RTO code on marketing information. It specifies these requirements in black-and-white in the clearest of terms within this clause. There is no logical excuse why an RTO does not comply with this requirement other than ignorance and/or apathy. ASQA has provided an excellent fact sheet that provides additional guidance to RTO's about the requirements relating to marketing and advertising ([click](#)).

Note. A benchmark for the auditor during the review of marketing information is the organisation's training and assessment strategy. The first criteria the auditor reviews are to determine if the information is accurate and represents the services provided by the RTO. The points of comparison for the marketing information are the training and assessment strategy which should describe how training products are being delivered, the learner records including training plans and learning and assessment materials. These items (but predominantly the training and assessment strategy) are the actual evidence of how the services are being delivered. When the auditor reviews the accuracy of the marketing, these documents are the benchmark to compare if the information accurately represents the services provided.

Take-home point: Make sure that these documents and marketing are in alignment.

Evidence to prepare:

- Copy of current course brochures, newspaper advertising, etc
- Access to the organisations current website, social media campaigns, online directories, etc
- Access to third-party websites (or other marketing information) who are advertising training and assessment services on behalf of the RTO
- It should be noted that all marketing material must include all items identified at clause 4.1 subparagraphs a – l, where they are applicable to the RTO.

You must be able to demonstrate that:

- Your marketing information accurately reflects the services you are providing and this can be confirmed through access to learner records and training and assessment strategies.
- Your marketing information includes your RTO code and the approved code and title of all training products as they appear on the national training register ([training.gov.au](#)).
- If you refer to any other person or organisation in your marketing then you have evidence of a written consent to do so.
- You use the NRT Logo in marketing in accordance with its conditions of use ([click](#)).
- You distinguish clearly between non-accredited training services and nationally recognised training services (keep them very separate).
- You disclose the details of third-parties where they are delivering on your behalf or you are delivering on their behalf.

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<p>Note. Prior to an audit, conduct a critical review of all marketing information to ensure that the items specified within clause 4.1 are being complied with. This review should include marketing information of third-parties.</p>	<ul style="list-style-type: none"> – You provide detailed information to learners about relevant licensing or regulatory requirements applicable to the course being offered. – You provide detailed information to learners about relevant government funding or subsidy programs applicable to the courses being offered. – You do not guarantee any specific outcome such as employment, course completion, etc. Don't make claims that are outside of your control. Be ethical.
<p>You should prepare for these types of questions:</p> <ul style="list-style-type: none"> – Are you engaged in any third-party arrangements? – Which courses on your scope of registration are offered via refunding or government subsidy arrangement? – What media/format do you utilise to conduct advertising and marketing? Can you provide me an example of these for following courses please? – What is your process for developing and approving marketing material before it is used? – Can you show me in this marketing where the RTO code is included? – We need to confirm that the course model described in this marketing accurately reflects the services being provided. Are we able to access the training and assessment strategy for this course? – Can you show me the disclosure of your third parties that the courses being offered are using your scope of registration? – You are making a reference here to this industry peak body, can you provide me evidence that you have obtained their consent to do this? – Do you utilise any checklist or quality control document to ensure the compliance of marketing before it is relied on? 	

Newbery's Audit Guide - Standards for Registered Training Organisations (RTOs) 2015

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