
Name: Consumer Protection Policy

Endorsed by: Continuous Improvement Committee

Date approved: 1st February 2018

Review Date: 1st February 2019

PURPOSE

Dynamic Learning Services (DLS) is committed to ensuring that it remains compliant with the relevant legislation and regulations that protect the rights of consumers as well as fair trade, competition and accurate information in the marketplace.

The following outlines DLS Consumer Protection Policy identifying processes and systems for the transparency of business operations designed to protect its consumers. This policy should be read in conjunction with all related documents listed in the 'Related Documents' section of this policy.

SCOPE

DLS Consumer Protection Policy and Procedure applies to staff (general staff, trainer/assessors and contractors) students and employers.

RELATED DOCUMENTS

- Course Enrolment Form
- DLS Marketing Policy and Procedures
- DLS Refund Policy
- Student Selection and Enrolment Policy and Procedures
- Continuous Improvement Policy and Procedures
- Privacy Policy and Procedures
- Fees and Charges Policy and Procedures
- Schedule of Government Subsidised Fees
- Complaints and Appeals Policy and Procedures
- Pre-enrolment Information
- Student Handbook

RELEVANT STANDARDS AND GUIDELINES

The Consumer Protection policy addresses Standards for Registered Training Organisations (RTOs) 2015; Standards 1, 4, 5, 6 and 7.3

ADDITIONAL REFERENCES

- Competition and Consumer Act 2010
- NSW Smart and Skilled Consumer Protection Strategy
https://www.training.nsw.gov.au/forms_documents/smartandskilled/contract/consumer_protection_strategy.pdf

- NSW Smart and Skilled Operating Guidelines
https://www.training.nsw.gov.au/forms_documents/smartandskilled/contract/operating_guidelines_2018.pdf
- NSW Quality Framework
- Complaint Handling Policy Guidelines, NSW Department of Education
- Government of Western Australia Department of Training and Workforce Development VET Fees and Charges Policy 2018 (Version 1.0, 1 January 2018)
<http://www.dtwd.wa.gov.au/sites/default/files/uploads/dtwd-vet-fees-charges-policy-2018.pdf>

DEFINITIONS / ACRONYMS

Accountable Officer	Group General Manager
AQF	Australian Qualifications Framework.
Complainant	A person who makes a complaint.
Commercial program	A program where students are charged and required to pay a course fee on enrolment.
Consumer	A person or a group of people who are users of the organisations products/services
Consumer Protection Officer	Compliance Manager
Financial hardship	A financial situation where an individual is unable to meet the costs of daily living if they were to pay an upfront enrolment fee
NSW Government subsidised program	Smart and Skilled qualifications are subsidised by the NSW Government. Eligible students are only required to pay a compulsory course fee (some Fee-Free Scholarships, Fee Exemptions and concessions apply), determined by NSW Smart and Skilled.
Significant financial hardship	A financial situation where an individual is unable to meet the costs of daily living if they were to pay an enrolment fee either up front or through a payment plan.
Student	A person enrolled or engaged in the application process.

POLICY

DLS applies a systematic approach to its consumer protection strategy. This approach includes:



1. Ethical and accurate marketing

DLS ensures that its advertising materials promote the organisation as professional, ethical, non-discriminatory and a trusted centre of learning. Through its advertising and marketing channels, the organisation informs its potential clients about its programs and outcomes accurately and realistically.

All promotional material is approved internally by both the Group General Manager (or approved delegate), prior to publication.

DLS complies with its contractual obligations to all funding bodies with regards to the promotion of government subsidies.

Where promotional platforms or materials refer to fees and charges, DLS ensures that all participants are provided with clear and accurate information relating fees and charges.

Should DLS promote programs that are non-accredited, it does not represent a non-accredited course as providing an AQF qualification.

DLS promotes its services by:

- Marketing only those products and services which it provides; and
- Identifying accurately and realistically those products and services in documentation and promotional material; and
- Provides advice to potential students and other clients on its services to ensure clarity of understanding.

Where DLS refers to its RTO status it will provide the following details:

- Company Name
- RTO Provider Number
- Qualification/ Unit of Competency codes applicable.

DLS promotional materials do not:

- Encourage unrealistic expectations about the level of qualifications attainable and the facilities and equipment provided
- Make claim to approval or recognition that is inaccurate or use misleading or false comparison of courses with others provided by competitors
- Make misleading statements concerning the qualifications or experience of staff
- Make misleading or false statements about employment outcomes of its courses.

See DLS Marketing Policy and Procedure for more information.

2. Provision of information

DLS enrolment and induction process enables students to make informed decisions about their training and assessment requirements and enter a training pathway that is suitable and free from discriminatory barriers.

To achieve this, DLS;

- Provides accurate and ethical marketing through its pre-enrolment information.
- Informs prospective students about pre-requisite and eligibility requirements, and fees for the training program in which they are seeking to enrol.
- Provides students with a variety of different methods to access information required to protect their rights relevant to consumer protection e.g. information is available in written and electronic form
- Where students are under 18 years of age their Parent or Guardian is co-sign the enrolment forms.

For more information see Student Selection and Enrolment Policy.

3. Quality training and assessment

DLS will provide the training and support necessary to allow students the opportunity to achieve competency. DLS has the student at the centre of service delivery and as such provides students with the support required to successfully complete their qualification. DLS trainers and assessors are highly qualified, dynamic and experienced industry professionals that will optimise student's ability to meet course requirements by delivering a quality training and assessment experience.

4. Protecting fees being paid in advance

DLS acknowledges that it has a responsibility under Standard 7.3 and relevant state funding contracts to protect the fees paid by students in advance of their training and assessment services being delivered. To meet our responsibilities DLS does not receive more than \$1500.00 in upfront payments. Any fees that are paid by students upfront are also 'quarantined' from training revenue until program commencement. Upon commencement of training the monies received are then taken into training revenue.

4.1 Refunds

DLS has a separate policy, which describes the circumstances in which a refund may be available to students. Please refer to DLS Refund Policy for more information.

5. Complaints and Appeals

Despite the best efforts of DLS to provide quality services and outcomes to its students, complaints may occasionally arise that require formal resolution. The Complaints and Appeals policy and procedure addresses DLS formal, systematic approach to complaints handling, providing a mechanism for lodging and ensuring a prompt, objective resolution of any complaints and/or assessments appeals.

General principles

- Where matters cannot be resolved at the time they occur, they may be escalated by the student or their employer, by sending a completed 'Complaints and Appeals' form. This form is publicly available at www.dynamiclearningservices.com.au. The completed form should be sent via email to the Consumer Protection Officer admin@dynamiclearningservices.com.au for action. Where email is not available, the complaint be sent posted to:

The Compliance Manager – Consumer Protection Officer

Dynamic Learning Services

PO Box 1047

Terrigal NSW 2260

- The handling of a complaint or appeal is to commence within 10 working days of the lodgement of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- Each complaint is investigated objectively and without bias by the Group General Manager and the Compliance Manager who acts as the Consumer Protection Officer.
- A written record of all complaints and appeals is kept by DLS including all details of lodgement, response and resolution.
- A complainant or person lodging an appeal is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant or person lodging an appeal may be accompanied and/or assisted by a support person at any relevant meeting.
- The complainant or person lodging an appeal is to be provided a written statement of the outcome, including details of the reasons for the outcome.
- The complainant or person lodging an appeal is to have the opportunity for a person or a body that is independent of DLS to review his or her complaint or appeal following the internal DLS complaint or appeals process. It is noted that a review of findings by an independent person or body will generally only relate to the appeals process and is less likely to be required in complaints handling.
- DLS shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.
- Decisions or outcomes of the complaint or appeals process that find in the favour of the student shall be implemented immediately.
- Complaints and appeals are to be handled in the strictest of confidence. No DLS representative is to disclose information to any person without the permission of the Group General Manager. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.

- Students who are not satisfied with the complete complaint handling by DLS may refer their complaint to the National VET Regulator for consideration. Students are to be advised that registering bodies will require the student to have exhausted all avenues through DLS before taking this option. Alternatively if a Smart and Skilled Qualification the complainant can contact the Department's Customer Support Centre on 1300 772 104. Please refer to the Organisations Complaint Handling Procedure for more information.
- Appeals of assessment decisions are not able to be referred to the National VET Regulator and are to be determined by an approved independent body.

6. Protecting Personal Information

DLS collects personal information in order to properly and efficiently carry out its functions. DLS only collects personal information that is required for the purposes of employment or education, requests for Australian Government fee assistance or in order to meet government reporting requirements.

DLS policies and procedures abide by the Australian Privacy Principles and outlines the reasonable measures taken to protect the privacy of individuals and staff in line with state and federal legislation.

A mechanism exists in which individuals and staff can raise a complaint in relation to how their personal information is handled.

See DLS Privacy Policy and Procedure for more information.

7. Continuous Improvement

DLS is committed to the provision of high quality vocational education that meets the needs of industry, employers and individuals and is compliant with the Standards for Registered Training Organisations (RTO's) 2015, relevant legislation and funding provider guidelines.

To ensure continual compliance and high quality education DLS is committed to an integrated continuous improvement process that reviews and evaluates our training and assessment services, student services and administrative management systems. In the event that opportunities are identified to improve our consumer protection strategy the organisation will take the corrective action required.

See DLS Continuous Improvement Policy and Procedure for more information.