

Guideline 1 - Preparing promotional material and providing course information

Promotional material includes (but is not limited to) advertisements and brochures. It also includes the scripts for radio and television advertisements as well as all visual material. Communication includes both written and verbal communications.

What should I check for when I produce promotional material and provide course information?

- Promotional material and course information must be accurate. Be truthful and tell the whole story.
- There must be no discrepancy between the products or services and the promotional material or information provided.
- Think about who your audience is. Could the advertisement or statement be understood differently by different members of that audience? If so, it may mislead some people.
- Whenever possible, eliminate technical wording and use plain English. This is particularly important when communicating to people for whom English is a second language.
- Give a clear and unambiguous explanation of unusual aspects of the offer or the deal.
- Qualifications that may be important to consumer choice must be disclosed in advertising.
- Do not rely on the *'fine print'* to outline key terms and conditions of the offer. If the main text leaves a misleading impression, it cannot be cured with footnotes.
- Ensure that you have sufficient quantities of the products to meet your expected demand. Do not attempt to attract consumers with an attractive deal that is sold out when they attempt to buy it. Include the words *'while stocks last'* if there is any doubt about quantities.
- Be very careful when using the word *'Free'*. Do not use it unless the advertisement clearly explains what other products the customer must buy. Also remember that it is illegal to inflate the price of the other products.
- Promotional material must not perpetrate hatred or unlawfully discriminate against a person on grounds of age; ethnicity, race, or nationality; gender; marital or parental status; physical or mental impairment; religion or sexual preference.
- When making statements about the future (eg *'Complete this degree and be guaranteed of a great career'*) make sure there is a reasonable basis for the claim and keep a copy of the evidence.
- Be careful about making comparisons with competitors' products or services. This is high risk advertising. Competitors may change their product without telling us. Indeed they could deliberately do so to make an advertising campaign misleading and therefore unusable.

- Make contract documents readily available to consumers during negotiation.
- Be aware of the overall impression created by your statements and conduct, and correct them if necessary.
- Do not guess the answer to a student or supplier's question. There are lots of technical details regarding courses such as upfront fees, costs, admission requirements, external student registration requirements, course duration, subject requirements, previous work experience, pass levels and course awards. Find out the facts before answering.
- Remember that it is not an excuse or a defence to say that the misleading conduct was not intentional.
- Remember that silence or omission can be just as misleading as an actual statement.

Warnings

It is not possible for anyone (manager, technical, marketing or legal adviser) to sign off on any advertisement, promotional brochure or other document connected with selling or promoting products unless they have the relevant contract (if any) for the product or service in front of them. Similarly, when providing course information verbally it is not possible to receive sign off. When in doubt take the time to verify information rather than providing incorrect or misleading course information.

Also, it is difficult to be objective about something you have written. Consult an uninvolved colleague. His or her view may assist you.

Contact the General Counsel, Legal and Governance or the Trade Practices Compliance Officer as soon as possible if you receive a complaint regarding misleading and deceptive conduct.