CODE OF CONDUCT:

FOR ADVISORS & CONSULTANTS LISTED ON THE AUSTRALIAN COUNCIL FOR PRIVATE EDUCATION AND TRAINING “CONSULTANT & ADVISOR REGISTER”.

Definition

The words “Consultant & Advisor Register” refers to the register maintained on the Australian Council for Private Education and Training (ACPET) website, which lists providers of business, consultancy and advisory services to existing and intending RTOs.

All consultants and advisors must agree to abide by this ACPET Code of Conduct. This Code affirms the professional standards expected of advisors and consultants in relation to the management, marketing and delivery of business and consultancy services. Consultants and advisors are required to act with integrity in all dealings with clients (past, present and future), and other organisations.

Objectives

1. This Code is intended to fulfil the following functions:
   - To ensure that only appropriate consultants and advisors are listed on the ACPET “Consultant & Advisor Register”;
   - To define standards of conduct expected of consultants and advisors in their dealings with clients and other Register members;
   - To provide clients with a clear statement of the standards which they can expect consultants and advisors to adopt in their dealings with them
   - To promote confidence and community trust in the services provided by businesses listed on the Register.

2. This Code is binding on all consultants and advisors on the Register of ACPET. Adherence to the general principles of the Code, or, so far as the application of paragraphs 1 to 30 of the Code are concerned, to an internal Code committing the organisation to equivalent standards to those laid down in these paragraphs in relation to its clients, staff and other organisations it deals with, will be considered a formal condition of all applications for membership of the Register.

General

3. Consultants and advisors on the Register will adopt and maintain practices that ensure high professional standards in general management and the marketing and delivery of services and which safeguard the interests and welfare of registered training organisations, students, clients and the public.

Membership

4. A Review of the Code of Conduct will be undertaken annually, sent to the consultants and advisors for signing, at which time the Membership fee will be charged to cover registration on the Consultant and Advisor Register for a 12 month period.
Quality of Advisory Services

5. Consultants and advisors will ensure the highest possible standards in the selection of staff and the planning and delivery of services. They will ensure that all their advisors and consultant staff are suitably qualified and have all necessary relevant industry experience.

6. Consultants and advisors will ensure that all clients are given appropriate, reliable and up-to-date advice on matters for which they are contracted to provide.

7. Consultants and advisors will insist on the maintenance of generally accepted ethical standards in the provision of services to their clients.

8. Consultants and advisors will respect the confidentiality and privacy of their clients. Consultants and advisors understand that clients and prospective clients may provide them with information to undertake specific services. This information will not be used or disclosed except with the consent of the client concerned, in accordance with a legal requirement or where relevant information is routinely used or disclosed in a particular way and this is notified to the client at the time the information is collected.

9. Consultants and advisors will assume a level of responsibility appropriate to the industry or profession for which they provide advice to assist providers to effectively and efficiently deliver business outcomes.

10. Consultants and advisors will provide effective complaint resolution and grievance procedures to deal with client problems or dissatisfaction.

Marketing

11. Consultants and advisors will market their services with integrity and accuracy, avoiding vague and ambiguous descriptions of their capacities or areas of expertise. They will avoid false or misleading comparisons with other service providers. They will avoid action that may damage the reputation of the education and training system, both domestically and internationally.

12. Consultants and advisors will assume responsibility for the actions of their appointed agents for marketing services and providing advice to clients. They will ensure that their agents and partners maintain standards of behaviour and operation in relation to joint or agency activities that are consistent with this Code.

13. Consultants and advisors providing their services within a State/Territory vocational training and education environment will do so in a manner that is consistent with the educational and regulatory systems of that State. They will provide accurate information regarding the requirements and standards necessary for training organisations to operate.

Obligations

14. Consultants and advisors will conduct their affairs in such a way as to ensure the best interests of ACPET members and other clients are maintained.

15. Consultants and advisors will not engage in misleading or deceptive conduct in the provision of services.

16. Consultants and advisors will not deliberately criticise the services provided by other consultants and advisors. Consultants and advisors agree to raise legitimate concerns about other consultants and advisors in the complaint and dispute resolution framework provided in this Code.

17. Consultants and advisors will co-operate with fellow consultants and advisors in upholding and enforcing this Code.

18. On relinquishing membership of the Register, former consultants and advisors will refrain from claiming registration and/or membership of the Register.
19. Consultants and advisors agree to provide accurate and timely information when requested.

Complaints

20. Consultants and advisors will adopt clearly defined procedures for dealing with complaints that involve alleged breaches of this code or any internal code. They will ensure that clients are aware of these procedures and, where a complaint is not able to be resolved internally, the other avenues available to them to resolve it. Consultants and advisors will ensure that clients are not penalised or victimised for pursuing a complaint in good faith.

21. Complaints relating to an alleged breach of a provision of this Code will be made in writing to the ACPET designated officer, by a client of a Consultant and/or Advisor or by a Consultant and/or Advisor other than the Consultant and/or Advisor to whom the complaint relates. However if a consultant and/or advisor receives a formal complaint directly they must additionally notify ACPET in writing. ACPET reserves the right to withdraw registration on the Register at any time at its discretion.

Sanctions

22. Complaints to ACPET about a breach of the Code by a Consultant and/or Advisor will be dealt with in accordance with the ACPET By-laws. Withdrawal from the Register may also occur where it is deemed that the Consultant and/or Advisor have failed to meet accepted quality standards. Consultants and advisors recognise that failure to observe the provisions of this Code may result in the withdrawal of their approval to be listed as an approved or recommended training and education consultant and/or advisor on the "Consultant & Advisor Register". In general receipt of a complaint or other breach may result in a review of the consultants and advisors status at ACPET's discretion.

Publicity

23. Consultants and advisors may if they wish, publicise the fact that they adhere to a Code which defines their obligations to the providers of education and training services and will have copies of this Code or an equivalent internal Code available for inspection by clients who ask to inspect it.

Professional Development

24. Members of the register are responsible for maintaining currency and enhancement of their skills through participation in professional development appropriate to the services they offer. Members must be able to verify participation in a minimum of four (4) professional development days per year. ACPET reserves the right to ask for verification of attendance at registration or renewal membership.

25. ACPET’s professional development program will be open for consultants and advisors to attend at member rates. Working with the relevant regulatory authorities, where applicable, ACPET will develop professional development sessions to ensure that consultants and advisors are informed and up to date in their knowledge.

Client User Survey

26. Those directly employing advisory services from the Register will be invited to participate in satisfaction surveys or provide testimonials on the quality of service and their experience.

Monitoring and Review

27. Specific criteria for admittance to the Register will draw on the experience and information held by the three key stakeholders - ACPET, State and Territory Regulators and training institutions.

28. No single element will be used to determine access to the "Consultant & Advisor Register" rather a combination of information available will be used to make judgements. The development of trend data, performance benchmarks and identification of additional information needs will refine and improve the system over time and allow progression toward co-regulation.
29. ACPET reserves to sole right to determine access to the “Consultant & Advisor Register” and the conditions that apply in determining access.

30. The ACPET designated officer will provide a report to the Board every six months on:
   • the operation of the "Register" and the application of this Code,
   • measures taken to promote awareness of the "Register",
   • any legislative or official policy developments relating to prudential or ethical standards affecting the "Register" or Code, and
   • any issues, which they believe, the "Register" or Code fails to address.

On receipt of this report the Board will review the operation of the "Consultant & Advisor Register" and consider any amendment or any other action required to address issues raised.

IN AGREEMENT TO OPERATE IN ACCORDANCE WITH THIS ACPET CODE OF CONDUCT

Company Name: ____________________________________________________________

ABN/ACN: _________________________________________________________________

Full Name: _________________________________________________________________
   (consultant, advisor, business owner/director)

Signature: _______________________________ Date: _____________________________